



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

File #: 12-0940, Version: 1

**Dept/ Agency:** Administration/Division of Central Purchasing

**Action:** ( ) Ratifying (X) Authorizing ( ) Amending

**Type of Service:** Bid Contract(s)

**Purpose:** Asphalt Concrete Mix

**Entity Name(s)/Address(s):** 1. Newark Asphalt Corp., Foot of Passaic Street, Newark, New Jersey 07104

2. Stavola Asphalt Co., Inc., 175 Drift Road, Tinton Falls, New Jersey 07724

**Contract Amount:** \$400,000.00

**Funding Source:** City of Newark Budget, Departments' of Engineering, Neighborhood & Recreational Services and Water & Sewer Utilities

**Contract Period:** To be established for a period not to exceed a two (2) year term

**Contract Basis:** (x) Bid ( ) State Vendor ( ) Prof. Ser. ( ) EUS

( ) Fair & Open ( ) No Reportable Contributions ( ) RFP ( ) RFQ

( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) n/a

**Additional Information:**

Bids solicited: Six (6)

Bids received: Two (2)

**WHEREAS**, on March 20, 2012, the City of Newark, through its Purchasing Director, advertised to solicit bids for contractor(s) to provide, **Asphalt Concrete Mix**, to the Departments of Engineering, Neighborhood and Recreational Services; and Water & Sewer Utilities, as per the bid proposal attached hereto; and

**WHEREAS**, the Division of Central Purchasing distributed six (6) bid proposal packages to the prospective vendors following the date of advertisement; and

**WHEREAS**, on April 5, 2012, two (2) bids were received in response to this advertisement; and

**WHEREAS**, the Purchasing Director recommends a dual award based on line item pricing to **Newark Asphalt Corp., and Stavola Asphalt Co., Inc.**, the only responsible bidders; and

**WHEREAS**, pursuant to N.J.S.A.40A:11-24, the selected responsible bidders consented to hold prices until such time as an award is made; and

**WHEREAS**, pursuant to N.J.S.A.19:44A-20.5 et seq., solicitations through public bidding in accordance with N.J.S.A.40A:11-1 et seq., meets the requirements of the fair and open process.

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:**

1. The Mayor and/or his designee, the Purchasing Director, are hereby authorized to enter into a

contract with **Newark Asphalt Corp., Foot of Passaic Street, Newark, New Jersey, 07104, to receive line items #1, 2, 6-8 and 10 for both years, and Stavola Asphalt Co., Inc., 175 Drift Road, Tinton Falls, New Jersey 07724, to receive line items #3-5, 9 and 10 for both years, to provide Asphalt Concrete Mix, to the City, whose bids were received on the advertised due date and determined to be the only bidders, based on line item awards in accordance with bid specifications. The term of the contract will be established for a two (2) year term; pursuant to N.J.S.A.40A:11-3.**

2. Both vendors are awarded the rates for weekend plant operations, items # 9 and 10.
3. There shall be no amendment or change of this contract without the approval of the Municipal Council by resolution.
4. There shall be no advance payment on this contract in accordance with N.J.S.A. 40A:5-16. Funds for 2012 and subsequent years are contingent upon appropriations; pursuant to N.J.A.C. 5:30-5.5(d).
5. This is an open-ended contract to be used as needed during the term of contract. Thus, for any and all expenditures against this contract, certification of the availability of sufficient funds, as required by N.J.A.C. 5:30-5.5(b)(2), shall be executed before a contractual liability is incurred each time an order is placed, covering the amount of the order. This contract shall not exceed \$400,000.00 for two (2) years.
6. A duly executed copy of the contract shall be forthwith filed in the Office of the City Clerk by the Purchasing Director.
7. If required by the State Law, the City Clerk shall provide the appropriate notice of the award of this contract to the State Comptroller no later than 20 business days following such award, in accordance with N.J.S.A. 52:15C-10 and the Notice of the Office of the State Comptroller dated May 7, 2008.

#### STATEMENT OF INTENT

This contract is awarded to **Newark Asphalt Corp. and Stavola Asphalt Co., Inc.**, to provide **Asphalt Concrete Mix**, to the City of Newark, at a cost not to exceed \$400,000.00, for two (2) years for two (2) vendors.