



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 23-0771, Version: 1

Dept/ Agency: Administration/Division of Central Purchasing

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

Type of Service: Amend Resolution 7R1-q adopted on July 13, 2022 to include the Department of Health and Community Wellness and increase the contract amount

Purpose: To provide Maintenance and Repair: Carpentry

Entity Name: Bismark Construction Corp.

Entity Address: 207-209 Berkley Avenue, Newark, New Jersey 07107

Contract Amount: Not to exceed \$2,500,000.00

Funding Source: 2022 Budget/Department of Health and Community Wellness/NW051-G22-2H22J-94710/ 026-46540/NW051-G21-ARP70-71280

Contract Period: December 5, 2022 through December 4, 2024

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:

Resolution 7R1-q adopted on July 13, 2022 awarded a contract in an amount not to exceed \$1,200,000.00 for a period not to exceed twenty-four (24) consecutive months.

This Resolution authorizes the contract awarded to Bismark Construction Corp., pursuant to Resolution 7R1-q, adopted on July 13, 2022, to also provide Carpentry and Maintenance Repairs for the Department of Health and Community Wellness and increase the contract amount by \$1,300,000.00, for a total contract amount not to exceed \$2,500,000.00 for the contract period December 5, 2022 through December 4, 2024.

WHEREAS, on July 13, 2022, The Municipal Council adopted Resolution 7R1-q authorizing the Department of Public Works, Division of Public Building, to enter into and execute a contract with Bismark Construction Corp, 207-209 Berkley Avenue, Newark, New Jersey, 07107 ("Bismark") for the provision of Maintenance Repair: Carpentry, at an amount not to exceed One Million Two Hundred Thousand Dollars and Zero Cents (\$1,200,000.00); and

WHEREAS, on May 3, 2023, the Department of Health and Community Wellness ("DHCW") notified the Division of Central Purchasing of their desire to amend the Contract with Bismark in order to utilize the Contract to provide Maintenance and Repair: Carpentry at a cost not to exceed the amount of One Million Three Hundred Thousand Dollars and Zero Cents (1,300,000.00), which will cover the amount of services the DHCW requires, for an increased total contract amount not to exceed Two Million Five Hundred Thousand and Zero Cents (2,500,000.00); and

WHEREAS, all other Contract terms and conditions will remain the same.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF

NEWARK, NEW JERSEY, THAT:

1. Resolution 7R1-q adopted on July 13, 2022 is amended to include The Department of Health and Community Wellness (“DHCW”) as an authorizing department on the Contract with Bismark Construction Corp., 207-209 Berkley Avenue, Newark, New Jersey 07107 (“Bismark”) to provide Maintenance and Repair: Carpentry for the City of Newark’s Department of Public Works, Division of Public Buildings, whose bid was received on the advertised due date and determined to be the lowest responsive and responsible bidder in accordance with the bid specifications. The term of the contract is December 5, 2022 through December 4, 2024.
2. The Contract shall increase by an amount not to exceed One Million Three Hundred Thousand Dollars and Zero Cents (\$1,300,000.00), for a total Contract amount of Two Million Five Hundred Thousand Dollars and Zero Cents (\$2,500,000.00) to include the services required by DHCW.
3. The Contract shall be ratified back to December 5, 2022 from the date of the adoption of this amending Resolution.
4. There shall be no amendment or change of the Contract without the approval of the Newark Municipal Council by Resolution.
5. There shall be no advance payment on the Contract in accordance with N.J.S.A. 40A:5-16. Funds for 2022 and subsequent years are contingent upon appropriations, pursuant to N.J.A.C. 5:30-5.5(d) (2).
6. This is an open-ended Contract to be used as needed during the term of the Contract. Thus, for any and all expenditures against the Contract a 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 from Account Code Line: Department of Public Works, Division of Public Buildings, NW011-060-0604-71710-B2021; Department of Health and Community Wellness NW051-G22-2H22J-94710; 026-46540; NW051-G21-ARP70-71280. The Contract shall not exceed Two Million Five Hundred Thousand Dollars and Zero Cents (2,500,000.00) for one (1) vendor for the contract term December 5, 2022 through December 4, 2024.
7. The Qualified Purchasing Agent, QPA, shall file a copy of this Resolution and the duly executed copy of the Contract in the Office of the City Clerk.
6. If required by State Law, the Acting City Clerk shall provide the appropriate Notice of the Award of the Contract to the State Comptroller, no later than twenty (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

This Resolution ratifies, authorizes and amends Resolution 7R1-q adopted on July 13, 2022 to include the Department of Health and Community Wellness as an authorizing department on the

contract for Maintenance and Repair: Carpentry with Bismark Construction Corp, 207-209 Berkley Avenue, Newark, New Jersey, 07107 and increase the contract by an amount not to exceed One Million Three Hundred Thousand Dollars and Zero cents (1,300,000.00), for an amended total contract amount not to exceed Two Million Five Hundred Thousand Dollars and Zero Cents (\$2,500,000.00); this contract shall be ratified back to December 5, 2022 from the date of adoption of this amending Resolution.