



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

File #: 16-0646, Version: 1

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

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

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

**Purpose:** Fuel Oil #2 Heating W/Repairs, Residential and Commercial Properties

**Description:** Fuel Oil #2 delivery and repairs

**Entity Name(s)/Address(s):** Naughton Energy Corp., 1898 Route 940, Post Office Box 709, Pocono Pines, Pennsylvania 18350

**Contract Amount:** \$640,000.00

**Funding Source:** 2016 Budget/Departments of Engineering, Economic and Housing Development and Water and Sewer Utilities

**Account Line Code(s):**

NW011-110-1110-8355-B2016-Engineering/Public Buildings

NW011-150-83540-B2016-Economic and Housing Development

NW037-750-7502-8354-B2016-Water and Sewer Utilities

**Contract Period:** To be established for a period not exceeding two years

**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:**

Advertised Date: January 12, 2016

Bids Solicited: Seven (7)

Bids Received: One (1)

Re-advertised Date: March 8, 2016

Bids Solicited: Two (2)

Bids Received: One (1)

**WHEREAS**, on January 12, 2016, the City of Newark, through its Supervising Procurement Specialist, QPA, advertised to solicit bids for contractor(s) to provide, Fuel Oil #2 Heating W/Repairs, Residential and Commercial Properties, to the Departments of Engineering, Economic and Housing Development and Water and Sewer Utilities, as per the bid proposal attached hereto; and

**WHEREAS**, the Division of Central Purchasing distributed seven (7) bid proposal packages to the prospective vendors following the date of advertisement; and

**WHEREAS**, on January 28, 2016, one (1) bid was received in response to this advertisement; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-13.2 all bids were rejected due to the determination that the price schedule did not indicate; the pricing per hour, per man for the contractor or helper, and did not provide rates to indicate the Diagnostic work and servicing labor charge for the gas fired furnaces; and

**WHEREAS**, on March 8, 2016, the City of Newark through its Supervising Procurement Specialist, QPA, re-advertised to solicit bids for contractor(s) to provide, Fuel Oil #2 Heating W/Repairs, Residential and Commercial Properties, to the Departments of Engineering, Economic and Housing Development and the Water and Sewer Utilities, as per the bid proposal attached hereto; and

**WHEREAS**, the Division of Central Purchasing distributed two (2) bid proposal packages to prospective vendors following the date of advertisement; and

**WHEREAS**, on March 24, 2016 one (1) bid was received in response to this advertisement; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-24, the bidder consented to holding prices bid for consideration, until such time as an award is made, as the law permits; 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 Supervising Procurement Specialist, QPA, are hereby authorized to enter into a contract with Naughton Energy Corp., 1898 Route 940, Post Office Box 709, Pocono Pines, Pennsylvania 18350; to provide Fuel Oil #2 Heating W/Repairs, Residential and Commercial Properties to the City, whose bid was received on the advertised due date and determined to be the only responsive responsible bidder in accordance with the 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. There shall be no amendment or change of this contract without the approval of the Municipal Council by resolution.

3. There shall be no advance payment on this contract in accordance with N.J.S.A. 40A:5-16. Funds for 2016 and subsequent years are contingent upon appropriations; pursuant to N.J.A.C. 5:30-5.5(d).

4. 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, 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 lines;

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covering the amount of the order. This contract shall not exceed \$640,000.00 for two (2) years.

5. A duly executed copy of the contract shall be forthwith filed in the Office of the City Clerk by the Supervising Procurement Specialist, QPA.

6. If required by 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**

The Mayor and/or his designee, the Supervising Procurement Specialist, QPA, are hereby authorized to enter into a contract with Naughton Energy Corp., 1898 Route 940, Post Office Box 709, Pocono Pines, Pennsylvania 18350; to provide Fuel Oil #2 Heating W/Repairs, Residential and Commercial Properties to the City of Newark, at a cost not to exceed \$640,000.00 for a two (2) year term.