



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

File #: 21-0916, Version: 1

**Dept/ Agency:** Water and Sewer Utilities

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

**Type of Service:** Bid Contract

**Purpose:** Process and Operational Upgrades at the Pequannock Water Treatment Plant - Contract 10-WS2020

**Entity Name:** Spectraserv, Inc.

**Entity Address:** 75 Jacobus Avenue, Kearny, New Jersey 07032

**Contract Amount:** Not to exceed \$19,789,000.00

**Funding Source:** 2021 Budget/Department of Water and Sewer Utilities Utilities/NW041-21W-21W00-94710-B2021

**Contract Period:** 560 calendar days to final completion from the date of a written Notice to Proceed

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

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

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

**Additional Information:**

Bid Packages Distributed: Twelve (13)

Bids Received: Six (6)

**WHEREAS**, the City of Newark (the "City") advertised Contract 10-WS2020 Process and Operational Upgrades at the Pequannock Water Treatment Plant in the City of Newark, on May 1, 2021; and

**WHEREAS**, the Department of Water and Sewer Utilities, distributed thirteen (13) bid packages to prospective vendors following the date of bid advertisement; and

**WHEREAS**, on May 28, 2021, the Department of Water and Sewer Utilities received six (6) bids for the project in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, the City rejected the lowest numerical bid from Tomar Construction Services, Inc., in the amount of \$17,999,000.00, and the second lowest numerical bid from Rapid Pump & Meter Service Co., Inc., in the amount of \$19,489,500.00 as non-responsive; and

**WHEREAS**, Spectraserv, Inc., 75 Jacobus Avenue, Kearny, New Jersey 07032, submitted the lowest responsive and responsible bid, according to the specifications and in the total amount of \$19,789,000.00; and

**WHEREAS**, the City wishes to accept the lowest responsible bid submitted on May 28, 2021 by Spectraserv, Inc. Corporation, and execute Contract 10-WS2020, Process and Operational Upgrades at the Pequannock Water Treatment Plant, with Spectraserv, Inc. Corporation, 75 Jacobus Avenue, Kearny, New Jersey 07032, for the total amount not to exceed \$19,789,000.00; and

**WHEREAS**, the Municipal Council adopted the Contractor Pay-to-Play Reform Ordinance, R.O. 2:4-22C, which forbids the award of a contract of a Business Entity, as defined therein, which has made or solicited political contributions to Newark Municipal Candidates, office holders having ultimate responsibility for the award of a contract; candidate committees of the aforementioned candidates, and political or political party committees of the City of Newark or County of Essex; and continuing political committees or political action committees regularly engaged in the support of the City of Newark Municipal or County of Essex elections; and certain other political party or candidate committees, in excess of certain thresholds; and

**WHEREAS**, this contract is for an amount over \$17,500.00 and is being awarded as a Fair and Open Contract, pursuant to N.J.S.A. 19:44A-20.5.

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

1. The Municipal Council hereby authorizes the Mayor and/or his designee, the Director of the Department of Water and Sewer Utilities, to accept the lowest responsible bid submitted on May 28, 2021 by Spectraserv, Inc., 75 Jacobus Avenue, Kearny, New Jersey 07032, and to enter into and execute Contract 10-WS2020, Process and Operational Upgrades at the Pequannock Water Treatment Plant, for the bid total amount not to exceed \$19,789,000.00 for a period of 560 calendar days to final completion from the date of a written Notice to Proceed.
2. Attached hereto is a Certification of Funds from the Chief Financial Officer, which states that funds in the amount of \$19,789,000.00, are available in the Department of Water and Sewer Utilities Capital Budget under Business Unit NW041, Department ID 21W, Project 21W00, Account 94710 B2021 and which shall be filed along with the original resolution in the Office of the City Clerk.
3. There shall be no amendment or change to the contract without approval by the Municipal Council.
4. There shall be no advance payment on this contract in accordance with N.J.S.A. 40A:5-16.
5. The Department of Water and Sewer Utilities shall file a fully executed copy of the contract in the Office of the City Clerk.
6. This contract was solicited and awarded pursuant to the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and is in compliance with the City's Contractor Pay-to-Play Reform Ordinance, R.O. 2:4-22C.
7. 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 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 authorizes the Mayor and/or his designee, the Director of the Department of

Water and Sewer Utilities, to accept the lowest responsible bid submitted on May 28, 2021 by Spectraserv, Inc., Corporation, 75 Jacobus Avenue, Kearny, New Jersey 07032 to enter into and execute Contract 10-WS2020, Process and Operational Upgrades at the Pequannock Water Treatment Plant, in the City of Newark, for the bid total amount not to exceed \$19,789,000.00 for a period of 560 calendar days to final completion from the date of a written Notice to Proceed.