



## Legislation Text

File #: 18-1154, Version: 1

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

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

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

**Purpose:** Maintenance and Repair: Vehicle Light Duty

**Entity Name(s)/Address(s):**

1. South Street Auto, 320 South Street, Newark, New Jersey 07114

2. A. Lembo Car and Heavy Truck Collision Inc., 76 Riverside Avenue, Newark, New Jersey 07104

**Contract Amount:** \$290,000.00

**Funding Source:** 2018 Budget/Department of Public Works/Division of Motors and Department of Water and Sewer Utilities

**Account Code Line:** Public Works/Motors-NW017-060-0602-71830-B2018, NW017-060-0602-71840-B2018

Water and Sewer Utilities-NW037-750-7502-71870-B2018

**Contract Period:** To be establish for a period not exceed (2) years

**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:**

First Advertisement Date: December 13, 2016

Number of Bids Solicited: Six (6)

Number of Bids Received: Six (6)

Second Advertisement Date: January 17, 2017

Number of Bids Solicited: Six (6)

Number of Bids Received: Four (4)

Number of Bids Rejected: Two (2)

Third Advertisement Date: May 22, 2018

Number of Bids Solicited: Seven (7)

Number of Bids Received: Two (2)

**WHEREAS**, on December 13, 2016, the City of Newark through its Supervising Procurement Specialist, QPA, advertised to solicit bids for contractors to provide Maintenance and Repair: Vehicles Light Duty, which the contractor will provide to the City of Newark, for the Department of Public Works/Division of Motors and the Department of Water and Sewer Utilities; and

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

**WHEREAS**, after receipt of the bids, it was discovered the price schedules included in bid proposal packages, inadvertently or mistakenly, were for only one (1) year when it should have

included price schedules for two (2) years; and

**WHEREAS**, the Supervising Procurement Specialist, QPA, determined the bid must be re-advertised due to the above error to prevent a competitive advantage because one bidder handwrote year two (2) price schedule; and

**WHEREAS**, on January 17, 2017, the City of Newark through its Supervising Procurement Specialist, QPA, re-advertised to solicit bids for contractors to provide Maintenance and Repair: Vehicles Light Duty, for usage by the Department of Public Works/Division of Motors and the Department of Water and Sewer Utilities, as per bid proposal attached hereto; and

**WHEREAS**, the Division of Central Purchasing also distributed six (6) bid proposal packages to prospective vendors from its established bid list; and

**WHEREAS**, on February 2, 2017, four (4) bids were received in response to this advertisement; and

**WHEREAS**, the Department of Public Works/Division of Motors and the Department of Water and Sewer recommended that a dual award be given to A. Lembo Car & Heavy Truck Collision Inc. and Maplecrest Ford Lincoln as the lowest responsive and responsible bidders; and

**WHEREAS**, the Division of Central Purchasing rejected A. Lembo Car & Heavy Truck Collision Inc. and Maplecrest Ford Lincoln bids for failure to produce the emission license as required; and

**WHEREAS**, on May 22, 2018, the City of Newark through its Supervising Procurement Specialist, QPA, re-advertised to solicit bids for contractors to provide Maintenance and Repair: Vehicles Light Duty, for the Department of Public Works/Division of Motors and Department of Water and Sewer Utilities, as per the bid proposal attached hereto; and

**WHEREAS**, the Division of Central Purchasing also distributed seven (7) bid proposal packages to prospective vendors from its established bid list; and

**WHEREAS**, on June 14, 2018, two (2) bids were received in response to this advertisement; and

**WHEREAS**, the Department of Public Works/Division of Motors and the Department of Water and Sewer Utilities recommended that a dual award be made to A. Lembo Car & Heavy Truck Collision Inc., 76 Riverside Avenue, Newark, New Jersey 07104 and South Street Auto, 320 South Street, Newark, New Jersey 07114, the only responsive and responsible bidders; and

**WHEREAS**, the Supervising Procurement Specialist, QPA, concurs with the recommendation that a dual award be made to A. Lembo Car & Heavy Truck Collision Inc., 76 Riverside Avenue, Newark, New Jersey 07104 and South Street Auto, 320 South Street, Newark, New Jersey 07114, the only responsive and responsible bidders; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-24, the recommended vendors consented to holding their prices beyond sixty (60) days; 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 and execute a contract with A. Lembo Car & Heavy Truck Collision Inc., 76 Riverside Avenue, Newark, New Jersey 07104 and South Street Auto, 320 South Street, Newark, New Jersey 07114, to provide Maintenance and Repair: Vehicles Light Duty, for the City of Newark, Department of Public Works/Division of Motors and the Department of Water and Sewer Utilities, whose bids were received on the advertised due date and determined to be the only responsive and responsible bidders, in accordance with the bid specifications. The term of the contract will be established for a term not to exceed two (2) years, pursuant to N.J.S.A. 40A:11-15.
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 2018 and subsequent years are contingent upon appropriations, pursuant to N.J.A.C. 5:30-5.5(d)(2).
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 NW017-060-0602-71830-B2018, NW017-060-0602-71840 Public Works/Division of Motors; and NW037-750-7502-71870-B2018 Water and Sewer Utilities. This contract shall not exceed \$290,000.00 for a term of two (2) years.
5. The Supervising Procurement Specialist, QPA, shall forthwith file a duly executed copy of this contract in the Office of the City Clerk.
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 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 Supervising Procurement Specialist, QPA, to enter into and execute a contract with A. Lembo Car & Heavy Truck Collision Inc., 76 Riverside Avenue, Newark, New Jersey 07104; and South Street Auto, 320 South Street, Newark, New Jersey 07114, to provide Maintenance and Repair: Vehicles Light Duty to the City of Newark, Department of Public Works/Division of Motors and the Department of Water and Sewer Utilities, for a contract amount not to exceed \$290,000.00 for a term not to exceed two (2) years.