



## Legislation Details (With Text)

**File #:** 13-1799      **Version:** 1      **Name:** Cement & Plaster Mixes, Sacked  
**Type:** Resolution      **Status:** Filed  
**File created:** 9/18/2013      **In control:** Administration  
**On agenda:** 12/4/2013      **Final action:** 12/4/2013  
**Title:** Dep't/ Agency: Administration/Division of Central Purchasing  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Type of Service: Bid Contract(s)  
Purpose: Cement & Plaster Mixes, Sacked  
Entity Name(s)/Address(s): Extech Building Materials, Inc., 69 Avenues K,  
Newark, New Jersey, 07105  
Contract Amount: Not to exceed \$75,000.00  
Funding Source: City of Newark's Budget for the Departments of Engineering, Neighborhood &  
Recreational Services, and the Water & Sewer Utilities  
Contract Period: to be established for a period not to exceed 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  
Entity Name/Address:  
(List vendors here - only if list is long)  
Additional Information:  
Bids solicited: Nine (9)  
Bids received: Zero (0)  
Re-advertised Bids solicited: Thirteen (13)      Bids received: Zero (0)  
Re-advertised Bids --solicited: Thirteen (13)      Bids received: One (1)

### Sponsors:

### Indexes:

### Code sections:

Date	Ver.	Action By	Action	Result
12/4/2013	1	Municipal Council	Adopt	Pass

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**WHEREAS**, on March 5, 2013, the City of Newark through its Purchasing Director advertised to solicit bids for contractor(s) to provide, **Cement & Plaster Mixes, Sacked**, to the Departments of Engineering, Neighborhood and Recreational Services, and Water and Sewer Utilities, as per the bid proposal attached hereto; and

**WHEREAS**, the Division of Central Purchasing solicited nine (9) bid proposal packages to the prospective vendors following the date of advertisement; and

**WHEREAS**, on March 21, 2013, zero (0) bids were received in response to this advertisement; and

**WHEREAS**, on July 30, 2013, the City of Newark through its Purchasing Director re-advertised to solicit bids for contractor(s) to provide, **Cement & Plaster Mixes, Sacked**, to the Departments of Engineering, Neighborhood and Recreational Services and Water and Sewer Utilities, as per the bid proposal attached hereto; and

**WHEREAS**, the Division of Central Purchasing distributed thirteen (13) bid proposal packages to the prospective vendors following the date of re- advertisement; and

**WHEREAS**, on August 15, 2013, zero (0) bids were received in response to this re-advertisement; and

**WHEREAS**, on August 27, 2013, the City of Newark through its Purchasing Director re-re-advertised to solicit bids for contractor(s) to provide, **Cement & Plaster Mixes, Sacked**, to the Departments of Engineering, Neighborhood and Recreational Services and the Water & Sewer Utilities, as per the bid proposal attached hereto; and

**WHEREAS**, the Division of Central Purchasing distributed thirteen (13) bid proposal packages to the prospective vendors following the date of re-advertisement; and

**WHEREAS**, on September 12, 2013, one (1) bid was received in response to this re-advertisement; and

**WHEREAS**, the Purchasing Director recommends an award be made to Extech Building Materials, Inc. to provide **Cement & Plaster Mixes, Sacked**; 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 **Extech Building Materials, Inc. 69 Avenue K, Newark, New Jersey 07105**, to provide **Cement & Plaster Mixes, Sacked**, 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 2013 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, covering the amount of the order. This contract shall not exceed \$75,000.00 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 Purchasing Director.

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

This contract is awarded to **Extech Building Materials, Inc.** to provide **Cement & Plaster Mixes, Sacked**, to the City of Newark, at a cost not to exceed \$75,000.00 for two (2) years.