



## Legislation Details (With Text)

**File #:** 14-0196 **Version:** 1 **Name:** Lumber (All Kinds)  
**Type:** Resolution **Status:** Filed  
**File created:** 2/11/2014 **In control:** Administration  
**On agenda:** 4/2/2014 **Final action:** 4/16/2014  
**Title:** Dept/ Agency: Administration/Division of Central Purchasing  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Type of Service: Bid Contract(s)  
Purpose: Lumber (All Kinds)  
Entity Name(s)/Address(s): (1.) Bayway Lumber and Industrial Supply, 400 Ashton Avenue, Linden, New Jersey 07036 (2.) Feldman Lumber Co., Inc., 1281 Metropolitan Avenue, Brooklyn, New York 11237  
Contract Amount: Not to exceed \$148,000.00  
Funding Source: City of Newark Budget/Departments of Engineering, Neighborhood and Recreational Services and Water and 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:  
Additional Information:  
Bids solicited: Seven (7)  
Bids received: Four (4)  
Deferred 7R1-o 040214

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
4/16/2014	1	Municipal Council	Adopt	Pass
4/2/2014	1	Municipal Council	Defer	Pass

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**WHEREAS**, on November 12, 2013, the City of Newark through its Purchasing Director advertised to solicit bids for contractor(s) to provide, **Lumber (All Kinds)**, to the Departments of Engineering, Neighborhood and Recreational Services and Water and Sewer Utilities; and

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

**WHEREAS**, on December 5, 2013, four (4) bids were received in response to this advertisement; and

**WHEREAS**, the Purchasing Director recommends a dual award be made to **Bayway Lumber and Industrial Supply; and Feldman Lumber Co., Inc.**, the lowest responsive and responsible bidders for line items indicated on the price schedules and in accordance with the bid specifications; 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 Bayway Lumber and Industrial Supply, 400 Ashton Avenue, Linden, New Jersey 07036, to receive line items #1-4, 9, 13, 21, 28 & 29, 31 & 32, 55, 63, 67-69, 71, 73, 76, 78-86, 88, 98-101, 108-115, 117, 124-134, 137, 144, 147 & 148, 154-157, 160-162, 169, 201 & 202, 206, 208, 211-213, 228-233, 234 & 235, 237, 239-243, 264 and 267 for year one and year two, and line items #54, 66, 164, 167 and 266 for year one and line item #5, 10, 14 & 15, 22, 26, 34, 36, 41 & 42, 60 and 64 for year two (various brands & types) and Feldman Lumber Co., Inc., 1281 Metropolitan Ave., Brooklyn, New York 11237 to receive line items #6-8, 11 & 12, 23-25, 27, 30, 33, 35, 37-39, 43-46, 48-53, 56-59, 61 & 62, 65, 77, 87, 89, 92 & 93, 95-97, 103 & 104, 107, 121 & 122, 135 & 136, 138-143, 146, 149-153, 158-159, 168, 173-175, 183-197, 199 & 200, 203, 207, 209, 219, 236, 245-252, 254, 262-263 and 265 for year one and year two, and line item #5, 10, 14 & 15, 22, 26, 34, 36, 40-42, 47, 60, 64, 145, 256 and 261 for year one, and line items # 54 and 66 for year two (various brands & types), to provide **Lumber (All Kinds)** to the City, whose bids were received on the advertised due date and determined to be the lowest responsive responsible bidders for line items indicated on the price schedules, and 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(b).

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 2014 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, covering the amount of the order. This contract shall not exceed \$148,000.00 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 **Bayway Lumber and Industrial Supply and Feldman Lumber Co., Inc.**, to provide **Lumber (All Kinds)**, to the City of Newark, at a cost not to exceed \$148,000.00 for two (2) years for two (2) vendors.