



Legislation Details (With Text)

File #: 15-0343 **Version:** 2 **Name:** City Wide Towing Services, Police (2nd & 4th Precincts)
Type: Resolution **Status:** Filed
File created: 2/10/2015 **In control:** Administration
On agenda: 3/4/2015 **Final action:** 3/4/2015

Title: Dept/ Agency: Administration/Division of Central Purchasing
Action: () Ratifying (X) Authorizing () Amending
Type of Service: Bid Contract(s)
Purpose: City-Wide Towing Services, Police (2nd & 4th Precincts Only)
Entity Name(s)/Address(s): Dente Brothers Towing, Inc., 27 Raymond Boulevard, Newark, New Jersey 07105
Contract Amount: Revenue Contract
Funding Source: No Funds Required
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:
Advertised 11/26/13
Bids Solicited: Thirteen (13)
Bids Received: Three (3)
Bids Rejected: One (1)

Re-advertised 5/20/14
Bids Solicited: Two (2)
Bid Invitations: Nine (9)
Court Order enjoining opening of bids

Re-advertised 10/28/14
Bids Solicited: Six (6)
Bids Received: Two (2)
Bids Rejected: One (1)
Invitation: Central Purchasing Agent, March 3, 2015

Sponsors: Council of the Whole

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Code sections:

Date	Ver.	Action By	Action	Result
3/4/2015	1	Municipal Council	Adopt	Pass

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Invitation: Central Purchasing Agent, March 3, 2015

WHEREAS, on November 26, 2013, the City of Newark, through its Purchasing Director, advertised to solicit bids for contractor(s) to provide, **City-Wide Towing Services, Police**; and

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

WHEREAS, on December 19, 2013, three (3) bids were received in response to this advertisement; and

WHEREAS, the bids received on December 19, 2013 resulted in an award being made for City-Wide Towing Services, Police, for the 3rd & 5th Precincts, Bus-Lane Towing and Sanitation Towing and the 2nd and 4th Precinct bids were rejected due to non-compliance to land specification requirements; and

WHEREAS, on May 20, 2014, the City of Newark through its Purchasing Director, re-advertised to solicit bids for **City Wide Towing Services, for the 2nd & 4th Police Precincts** ; and

WHEREAS, the Division of Central Purchasing re-distributed two (2) bid proposal packages and nine (9) bid invitations to prospective vendors following the date of advertisement; and

WHEREAS, Dente Brothers Towing Inc. filed an Order to Show Cause and as a result via Court Order of the Honorable Christine A. Farrington, J.S.C., dated June 2, 2014, the City of Newark was enjoined from opening bids for the 2nd. and 4th precinct towing services and the Court further ordered that the City conduct a hearing on the issue of proof of acreage submitted by Dente Brothers Towing, Inc. in its original bid proposal; and

WHEREAS, Dente Brothers Towing, Inc., was responsible for the delay in scheduling the hearing and

eventually withdrew the request for a hearing, although the litigation is ongoing until an award of the contract is made, (Docket No. ESX-L-3889-14); and

WHEREAS, on October 28, 2014, the City of Newark through its Purchasing Director, re-advertised to solicit bids for **City-Wide Towing Services, for the 2nd and 4th Police Precincts**, ; and

WHEREAS, the Division of Central Purchasing re-distributed six (6) bid proposal packages to prospective vendors following the date of advertisement; and

WHEREAS, on November 13, 2014, two (2) bids were received in response to this advertisement; and

WHEREAS, on November 13, 2014, one (1) bid was rejected due to non-compliance to land specification requirements; and

WHEREAS, the Department of Police recommends that an award be made to **Dente Brothers Towing, Inc.**, the only responsive responsible bidder; and

WHEREAS, the Purchasing Director concurs with the recommendation of an award being made to **Dente Brothers Towing, Inc.**, the only responsive responsible bidder; and

WHEREAS, pursuant to N.J.S.A.40A:11-24, the selected responsible bidder consented to hold prices until such time as an award is made; 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 revenue generating contract with **Dente Brothers Towing, Inc., 27 Raymond Boulevard, Newark, New Jersey 07105**, to provide **City-Wide Towing Services, for the 2nd and 4th Police Precincts** of the City of Newark, whose bid was received on the advertised due date and determined to be the only responsive, responsible bidder as 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.
2. There shall be no amendment or change of this contract without the approval of the Municipal Council by resolution.
3. This contract is a revenue generating contract and requires no expenditure by the City.
4. A duly executed copy of the contract shall be forthwith filed in the Office of the City Clerk by the Purchasing Director.
5. 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 **Dente Brothers Towing, Inc., 27 Raymond Boulevard, Newark, New Jersey 07105**, to provide **City- Wide Towing Services for the 2nd & 4th Police Precincts**, for a term of two (2) years.