



Legislation Details (With Text)

File #: 16-0594 **Version:** 1 **Name:** Charlotteburg Reservoir Dam Foundation Drain Flushing - National Water Main Cleaning Co.
Type: Resolution **Status:** Adopted
File created: 3/24/2016 **In control:** Water Sewer Utility
On agenda: 5/18/2016 **Final action:** 5/18/2016

Title: Dept/ Agency: Water and Sewer Utilities
Action: ☐ Ratifying ☒ Authorizing ☐ Amending
Type of Service: Bid Contract
Purpose: Charlotteburg Reservoir Dam Foundation Drain Flushing Contract No. 06-WS2016
Entity Name: National Water Main Cleaning Co.
Entity Address: 1806 Newark Turnpike, Kearny, New Jersey 07032
Contract Amount: Amount not to exceed \$114,450.00
Funding Source: Department of Water and Sewer Utilities Budget
Contract Period: 60 Calendar days from Notice to Proceed
Contract Basis: ☒ Bid ☐ State Vendor ☐ Prof. Ser. ☐ EUS
☒ Fair & Open ☐ No Reportable Contributions ☐ RFP ☐ RFQ
☐ Private Sale ☐ Grant ☐ Sub-recipient ☐ n/a
Additional Information:
Bids Solicited: Five (5)
Bids Received: Four (4)

Sponsors: Council of the Whole

Indexes:

Code sections:

| Date | Ver. | Action By | Action | Result |
|-----------|------|-------------------|--------|--------|
| 5/18/2016 | 1 | Municipal Council | Adopt | Pass |

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WHEREAS, on January 13, 2016, the City of Newark advertised Contract No. 06- WS2016 Charlotteburg Reservoir Dam Foundation Drain Flushing and five (5) bid documents were distributed;

and

WHEREAS, on February 11, 2016, the Department of Water and Sewer Utilities received four (4) bids for the project in accordance with the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, National Water Main Cleaning Co., 1806 Newark Turnpike, Kearny, New Jersey 07032, submitted the lowest responsive and responsible bid according to the specifications and in the amount of \$114,450.00; and

WHEREAS, the City wishes to accept the bid submitted by National Water Main Cleaning Co., on February 11, 2016, and execute Contract No. 06-WS2016 Charlotteburg Reservoir Dam Foundation Drain Flushing, with National Water Main Cleaning Co., 1806 Newark Turnpike, Kearny, New Jersey 07032, for a total amount not to exceed \$114,450.00.

WHEREAS, the Mayor of the City of Newark signed into law Executive Order Number MEO-07-0001 (hereinafter "Pay-to-Play Executive Order") which requires reporting of political contributions to Newark Municipal Candidates and prohibits certain political contributions during the duration of the contract; 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 Business Administrator and/or the Director of the Department of Water and Sewer Utilities, to accept the lowest responsive and responsible bid submitted on February 11, 2016 by National Water Main Cleaning Co., and execute Contract No. 06-WS2016 Charlotteburg Reservoir Dam Foundation Drain Flushing, with National Water Main Cleaning Co., 1806 Newark Turnpike, Kearny, New Jersey 07032, for a total amount not to exceed \$114,450.00.
2. The Contract shall be completed within sixty (60) calendar days from Notice to Proceed issued by the Department of Water and Sewer Utilities to National Water Main Cleaning Co.
3. Pursuant to N.J.A.C. 5:30-5.5, attached hereto is a partial Certification of Funds issued by the Director of Finance of the City of Newark which states that funds in an amount of \$50,000.00 are available in the 2016 Preliminary Budget, Business Unit NW037, Department ID: 750, Division Project 7505, Account# 71960. The Director of the Department of Water and Sewer Utilities shall file a copy of the Certification of Funds along with the original resolution and the

executed contract in the Office of the City Clerk. The remainder of \$64,450.00 in funding for this contract will be subject to appropriation in the 2016 Municipal Budget and funds will be certified prior to services being provided by the contractor, and the contract shall be subject to the availability and appropriation of sufficient funds in accordance with N.J.A.C. 5:30-5.5(c) and N.J.A.C. 5:30-5.5(d).

4. There shall be no amendment or change to the contract without approval by the Newark Municipal Council.
5. There shall be no advance payments made against this contract in accordance with N.J.S.A. 40A:5-16.
6. The Director of the Department of Water and Sewer Utilities shall file a fully executed copy of the contract in the Office of the City Clerk by.
7. This contract was solicited and awarded pursuant to the fair and open procedures in accordance with the State Pay-to-Play Law (N.J.S.A. 19:44A-20.5), and pursuant to the provisions of the Local Public Contracts Law N.J.S.A. 40A:11-5(1)(a)(i), and is in compliance with the City's Contractor Pay-to-Play Reform Ordinance, R.O. 2:4-22C and Executive Order Number MEO-07-0001, effective March 31, 2007.
8. If required by State Law, the City Clerk shall provide the appropriate notice of the award of the 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 Business Administrator and/or the Director of the Department of Water and Sewer Utilities, to accept the lowest responsive and responsible bid submitted on February 11, 2016 by National Water Main Cleaning Co., and execute Contract No.06-WS2016 Charlotteburg Reservoir Dam Foundation Drain Flushing, with National Water Main Cleaning Co., 1806 Newark Turnpike, Kearny, New Jersey 07032, for a total amount not to exceed \$114,450.00. The contract shall be completed within sixty (60) calendar days from the Notice to Proceed issued by the City of Newark Department of Water and Sewer Utilities to National Water Main Cleaning Co.