



Legislation Details (With Text)

File #: 18-0966 **Version:** 1 **Name:** Cement and Plaster Mixes, Sacked

Type: Resolution **Status:** Adopted

File created: 6/18/2018 **In control:** Administration

On agenda: 9/19/2018 **Final action:** 9/19/2018

Title: Dept/ Agency: Administration/Division of Central Purchasing
Action: () Ratifying (X) Authorizing () Amending
Type of Service: Bid Contract(s)
Purpose: Cement and Plaster Mixes, Sacked
Entity Name(s)/Address(s): Liberty Building Products, d/b/a Extech Building Materials, Inc., 193 Christie Street, Newark, New Jersey 07105
Contract Amount: \$94,000.00
Funding Source: 2018 Budget/Departments of Public Works, Water and Sewer Utilities, and Engineering
Account Code Line:
NW011-060-0604-83410-B2018 Public Works/Public Buildings
NW037-750-7502-83410-B2018 Water and Sewer Utilities
NW011-060-0605-8372-B2018 Public Works/Sanitation
NW011-110-1107-83720-B2018 and NW011-110-1107-83750-B2018 Engineering
Contract Period: To be established for a period not to exceed two (2) years
Contract Basis: (X) Bid () State Vendor () Prof. Ser. () EUS
() Fair & Open () No Reportable Contributions () RFP () RFQ
() Private Sale () Grant () Sub-recipient () n/a
Additional Information:
1st Advertisement Date: April 3, 2018
Bids Solicited: Eighteen (18)
Bids Received: Zero (0)

2nd Advertisement Date: May 8, 2018
Bids Solicited: Eighteen (18)
Bids Received: One (1)

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
9/19/2018	1	Municipal Council	Adopt	Pass

Dept/ Agency: Administration/Division of Central Purchasing
Action: () Ratifying (X) Authorizing () Amending
Type of Service: Bid Contract(s)
Purpose: Cement and Plaster Mixes, Sacked
Entity Name(s)/Address(s): Liberty Building Products, d/b/a Extech Building Materials, Inc., 193 Christie Street, Newark, New Jersey 07105
Contract Amount: \$94,000.00
Funding Source: 2018 Budget/Departments of Public Works, Water and Sewer Utilities, and Engineering
Account Code Line:

NW011-060-0604-83410-B2018 Public Works/Public Buildings
NW037-750-7502-83410-B2018 Water and Sewer Utilities
NW011-060-0605-8372-B2018 Public Works/Sanitation
NW011-110-1107-83720-B2018 and NW011-110-1107-83750-B2018 Engineering

Contract Period: To be established for a period not to exceed two (2) years

Contract Basis: (X) Bid () State Vendor () Prof. Ser. () EUS
() Fair & Open () No Reportable Contributions () RFP () RFQ
() Private Sale () Grant () Sub-recipient () n/a

Additional Information:

1st Advertisement Date: April 3, 2018

Bids Solicited: Eighteen (18)

Bids Received: Zero (0)

2nd Advertisement Date: May 8, 2018

Bids Solicited: Eighteen (18)

Bids Received: One (1)

WHEREAS, on April 3, 2018, the City of Newark, through its Supervising Procurement Specialist, QPA, advertised to solicit bids for contractor(s) to provide Cement and Plaster Mixes, Sacked to the Departments of Public Works, Engineering, and Water and Sewer Utilities; and

WHEREAS, the Division of Central Purchasing also distributed eighteen (18) bid proposal packages to prospective vendors following the date of advertisement; and

WHEREAS, on April 26, 2018, zero (0) bids were received in response to this advertisement; and

WHEREAS, on May 8, 2018, the City of Newark, through its Supervising Procurement Specialist, QPA, re-advertised to solicit bids for contractor(s) to provide Cement and Plaster Mixes, Sacked to the Departments of Public Works, Engineering, and Water and Sewer Utilities, as per the bid proposal attached hereto; and

WHEREAS, the Division of Central Purchasing also distributed eighteen (18) bid proposal packages to prospective vendors following the date of advertisement; and

WHEREAS, on May 24, 2018, one (1) bid was received via the City's website in response to this advertisement; and

WHEREAS, the Directors of Public Works, Engineering and Water and Sewer Utilities recommend that an award be made to Liberty Building Products, d/b/a Extech Building Materials, Inc., 193 Christie Street, Newark, New Jersey 07105, the only responsive and responsible bidder; and

WHEREAS, the Supervising Procurement Specialist, QPA, concurs with the recommendation from the Departments of Public Works, Engineering and Water and Sewer Utilities, that an award be made to Liberty Building Products, d/b/a Extech Building Materials, Inc., 193 Christie Street, Newark, New Jersey 07105, the only responsive and responsible bidder; and

WHEREAS, pursuant to N.J.S.A. 40A:11-24, the bidder consented to holding prices bid for

consideration, until such time as an award is made, as the law permits; 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 a contract with Liberty Building Products, d/b/a Extech Building Materials, Inc., 193 Christie Street, Newark, New Jersey 07105, to provide Cement and Plaster Mixes, Sacked, to the City, whose bid was received on the advertised due date and determined to be the only responsive and 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(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 et seq. Funds for 2018 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, from Account Code Lines: NW011-060-0604-83410-B2018 Public Work/Public Buildings, NW037-750-7502-83410-B2018 Water and Sewer Utilities, NW011-060-0605-8372-B2018 Public Works/Sanitation, NW011-110-1107-83720-B2018 and NW011-110-1107-83750-B2018 Engineering, covering the amount of the order. This contract shall not exceed \$94,000.00 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 Supervising Procurement Specialist, QPA.
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 resolution hereby authorizes the Mayor and/or his designee, the Supervising Procurement Specialist, QPA, to enter into a contract with Liberty Building Products, d/b/a Extech Building Materials, Inc., to provide Cement and Plaster Mixes, Sacked, to the City of Newark, at a cost not to exceed \$94,000.000 for two (2) years.