



Legislation Details (With Text)

File #: 18-1104 **Version:** 1 **Name:** Maintenance and Repair: HVAC
Type: Resolution **Status:** Adopted
File created: 7/3/2018 **In control:** Administration
On agenda: 11/8/2018 **Final action:** 11/8/2018
Title: Dept/ Agency: Administration/Division of Central Purchasing
Action: () Ratifying (X) Authorizing () Amending
Type of Service: Bid Contract(s)
Purpose: Maintenance and Repair: HVAC
Entity Name(s)/Address(s): F&O Mechanical Contractors, LLC, 207 Berkeley Avenue, Newark, New Jersey 07107
Contract Amount: \$1,200,000.00
Funding Source: 2018 Budget/Department of Public Works/Division of Public Buildings
Account Code Line: NW011-060-0604-71650-B2018
Contract Period: To be establish for a period not to exceed (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: February 13, 2018
Number of Bids Solicited: Twelve (12)
Number of Bids Received: Four (4)
Number of Bids Rejected: Four (4)

2nd Advertisement Date: May 1, 2018
Number of Bids Solicited: Unknown
Number of Bids Received: Bids postponed

3rd Advertisement Date: May 22, 2018
Number of Bids Solicited: Six (6)
Number of Bids Received: One (1)
Sponsors: Council of the Whole
Indexes:
Code sections:

| Date | Ver. | Action By | Action | Result |
|-----------|------|-------------------|--------|--------|
| 11/8/2018 | 1 | Municipal Council | Adopt | Pass |

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Number of Bids Received: One (1)

WHEREAS, on February 13, 2018, the City of Newark through its Supervising Procurement Specialist, QPA, advertised to solicit bids for contractor(s) to provide Maintenance and Repair: HVAC for the City of Newark, Department of Public Works, Public Buildings, as described in the attached bid proposal; and

WHEREAS, the Division of Central Purchasing also distributed twelve (12) bid proposal packages to prospective vendors following the date of advertisement; and

WHEREAS, on March 1, 2018, four (4) bids were received and rejected for either noncompliance with prevailing wages, failure to register or to pay required payroll taxes to the Division of Tax Abatement and Special Taxes; and

WHEREAS, on May 1, 2018, the City of Newark through its Supervising Procurement Specialist, QPA, re-advertised to solicit bids for contractor(s) to provide Maintenance and Repair: HVAC for the Department of Public Works, Public Buildings, with bid due date of May 17, 2018; and

WHEREAS, on May 14, 2018, the City of Newark through its Supervising Procurement Specialist, QPA, informed all bidders Attachment A - Bid Form, included in bid proposal packages, should have 1C Mechanic rather than 1B Journeymen and postponed the bid; and

WHEREAS, on May 22, 2018, the City of Newark through its Supervising Procurement Specialist, QPA, re-advertised to solicit bids for contractor(s) to provide Maintenance and Repair: HVAC for the Department of Public Works, Public Buildings, to correct the above error, as per bid proposal attached hereto; and

WHEREAS, the Division of Central Purchasing also solicited six (6) bids from prospective vendors from its established bid list; and

WHEREAS, on June 14, 2018 one (1) bid was received in response to this advertisement; and

WHEREAS, the Department of Public Works, Public Buildings, recommends that an award be made to F&O Mechanical Contractors, LLC, 207 Berkeley Avenue, Newark, New Jersey 07107, the

only responsive and responsible bidder; and

WHEREAS, the Supervising Procurement Specialist, QPA, concurs from with the recommendation from the Department of Public Works, Public Buildings, that an award be made to F&O Mechanical Contractors, LLC, the only responsive and responsible bidder; and

WHEREAS, pursuant to N.J.S.A. 40A:11-24, the recommended bidder consented to holding their prices beyond sixty (60) days; 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 and execute a contract with F&O Mechanical Contractors, LLC., 207 Berkeley Avenue, Newark, New Jersey 07107, to provide Maintenance and Repair: HVAC for the City of Newark, Department of Public Works, Public Buildings, whose bid was received on the advertised due date and determined to be the only responsive and responsible bidder in accordance with bid specifications. The term of the contract will be established for a term not to exceed two (2) years, pursuant to N.J.S.A. 40A:11-15.
2. There shall be no amendment or change of this contract without the approval of the Municipal Council.
3. There shall be no advance payment on this contract in accordance with N.J.S.A. 40A:5-16. Funds for 2018 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 the 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 line NW011-060-0604-71650-B2018. This contract shall not exceed one million, two hundred thousand dollars and zero cents (\$1,200,000.00) for term not to exceed two (2) years.
5. The Supervising Procurement Specialist, QPA, shall forthwith file a duly executed copy of this contract in the Office of the City.
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 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 Supervising Procurement Specialist,

QPA, to enter into and execute a contract with F&O Mechanical Contractors, LLC, 207 Berkeley Avenue, Newark, New Jersey 07107, to provide Maintenance and Repair: HVAC to the City of Newark, Department of Public Works, Public Buildings, at a cost not to exceed \$1,200,000.00 for two (2) years.