



Legislation Details (With Text)

File #: 18-1595 **Version:** 1 **Name:** Curb, Valve Boxes and Accessories
Type: Resolution **Status:** Adopted
File created: 10/5/2018 **In control:** Administration
On agenda: 12/5/2018 **Final action:** 12/5/2018
Title: Dept/ Agency: Administration/Division of Central Purchasing
Action: () Ratifying (X) Authorizing () Amending
Type of Service: Bid Contract(s)
Purpose: To provide curb, valve boxes, and accessories to the City
Description: Curb, Valve Boxes, and Accessories
Entity Name(s)/Address(s):
1) Capitol Supply Construction Products, Inc., 149 Old Turnpike Road, Wayne, New Jersey 07470
2) Core and Main LP, 61 Gross Avenue, Edison, New Jersey 08837
Contract Amount: \$180,000.00
Funding Source: 2018 Budget/Department of Water and Sewer Utilities
Account Code Line: NW037-750-7502-83730-B2018/Department of Water and Sewer Utilities
Contract Period: To be established for a period not to exceed two (2) years
Contract Basis: (X) Bid () State Vendor () Prof. Ser. () EUS
(X) Fair & Open () No Reportable Contributions () RFP () RFQ
() Private Sale () Grant () Sub-recipient () N/A
Additional Information:
Advertisement Date: August 21, 2018
Number of Bids Solicited: Eight (8)
Number of Bids Received: Four (4)
Number of Bids Rejected: Two (2)

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
12/5/2018	1	Municipal Council	Adopted	Pass

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WHEREAS, on August 21, 2018, the City of Newark through its Purchasing Agent, QPA, advertised to solicit bids for contractors to provide curb, valve boxes, and accessories to the Department of Water and Sewer Utilities, as per the bid proposal attached hereto; and

WHEREAS, the Division of Central Purchasing also distributed eight (8) bid proposal packages to prospective vendors following the date of advertisement; and

WHEREAS, on September 13, 2018, four (4) bids were received in response to this advertisement with one (1) bid rejected for not being the lowest responsive and responsible bidder based on the cost per item (by commodity) per year; and

WHEREAS, on September 14, 2018, the Assistant Director for the Department of Water and Sewer Utilities recommended that Atlantic Plumbing Supply Corp., Capital Supply Construction Products Inc., and Core and Main LP be awarded the contract for curb, valve boxes and accessories being the lowest responsive and responsible bidders based on the cost per item (by commodity) per year; and

WHEREAS, the Division of Central Purchasing, as part of the evaluation process, received a certificate from the Division of Tax Abatement and Special Taxes that Atlantic Plumbing Supply Corp., one of the recommended vendors, was not current on the payment of all of its employer payroll taxes as required by N.J.S.A. 40:48C-14 and Revised City Ordinance 10:21-1 et seq.; and

WHEREAS, the Purchasing Agent, QPA, concurred with the recommendation of the Assistant Director for the Department of Water and Sewer Utilities that an award be made to: (1) Capital Supply Construction Products, Inc.; and (2) Core and Main LP as the lowest responsive and responsible bidders based on the cost per item (by commodity) per year, but deemed Atlantic Plumbing Supply Corp. as irresponsible and rejected their bid due to noncompliance with the Newark Payroll Tax Ordinance, R.O. 10:21-1 et seq.; and

WHEREAS, pursuant to N.J.S.A. 40A:11-24, the bidders consented to holding prices bid for consideration until such time as an award is made and 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 Purchasing Agent, QPA, are authorized to enter into a contract with (1) Capitol Supply Construction Products, Inc., 149 Old Turnpike Road, Wayne, New Jersey 07470 and (2) Core and Main LP, 61 Gross Avenue, Edison, New Jersey 08837, whose bids were received on the advertised due date and determined to be the lowest responsive bidders in accordance with the bid specifications. The term of the contract will be established for a period not to exceed two (2) years at a cost not to exceed \$180,000.00 for

two (2) vendors.

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 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 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 NW037-750-7502-83730-B2018/Water and Sewer Utilities covering the amount of the order and shall be filed with the Office of the City Clerk. This contract shall not exceed \$180,000.00 for a period not to exceed two (2) years, for two (2) vendors.
5. A duly executed copy of the contracts shall be forthwith filed in the Office of the City Clerk by the Purchasing Agent, 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 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 Purchasing Agent, QPA, to enter into and execute contracts with (1) Capitol Supply Construction Products, Inc. and (2) Core and Main LP to provided curb, valve boxes and accessories to the City of Newark for a period not to exceed two (2) years at a cost not to exceed \$180,000.00 for two (2) vendors.