Legislation Details (With Text)

File #:	18-1391	**Version:** 1	**Name:**	Maintenance and Repair: Carpentry
Type:	Resolution		**Status:**	Adopted
File created:	8/29/2018		**In control:**	Administration
On agenda:	12/5/2018		**Final action:**	12/19/2018

Title: Dept/ Agency: Administration/Division of Central Purchasing
Action: ( ) Ratifying (X) Authorizing ( ) Amending
Type of Service: Bid Contract(s)
Purpose: Maintenance and Repair: Carpentry
Entity Name(s)/Address(s):
1) Rana Construction Inc., 430 Madison Avenue, Elizabeth, New Jersey 07201
2) Bismark Construction Corp., 207-209 Berkeley Avenue, Newark, New Jersey 07107
3) DeDan Group LLC, 17 Porter Road, West Orange, New Jersey 07052
Contract Amount: $1,487,000.00
Funding Source: 2018 Budget/Department of Public Works
Account Code: NW011-060-0604-71710-B2018
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:
1st Advertisement: March 7, 2017
Bids Solicited: Nine (9)
Bids Received: One (1)
Bids Rejected: One (1)

2nd Advertisement: October 31, 2017
Bids Solicited: Ten (10)
Bids Received: Zero (0)

3rd Advertisement: February 13, 2018
Bids Solicited: Nine (9)
Bids Received: Seven (7)
Bids Rejected: Seven (7)

4th Advertisement: May 1, 2018
Bids Solicited: Nine (9)
Bids Received: Nine (9)
Deferred 7R1-b 120518

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
12/19/2018	1	Municipal Council	Adopt	Pass
12/5/2018	1	Municipal Council	Adopt	Pass
12/5/2018	1	Municipal Council	Motion to reconsider	Pass
12/5/2018	1	Municipal Council	Defer	Pass

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WHEREAS, on March 7, 2017, the City of Newark through its Supervising Procurement Specialist, Qualified Purchasing Agent (QPA), advertised to solicit bids for contractors to provide Maintenance and Repair: Carpentry for the Department of Public Works as described in the attached bid proposal; and

WHEREAS, the Division of Central Purchasing also distributed nine (9) bid proposal packages to prospective vendors following the date of advertisement; and

WHEREAS, on March 23, 2017, one (1) bid was received in response to the advertisement and rejected because the vendor failed to submit a valid bid bond which also had the wrong name of the entity to receive the bid bond; and

WHEREAS, on October 31, 2017, the City of Newark through its Supervising Procurement Specialist, QPA, re-advertised to solicit bids for contractors to provide Maintenance and Repair:

Carpentry for the Department of Public Works to prevent competitive advantages and/or disadvantages to bidders and to increase bidder participation; and

WHEREAS, the Division of Central Purchasing also distributed ten (10) bid proposal packages to prospective vendors following the date of advertisement; and

WHEREAS, on November 16, 2017, zero (0) bids were received in response to the advertisement; and

WHEREAS, on February 13, 2018, the City of Newark through its Supervising Procurement Specialist, QPA, re-advertised to solicit bids for contractors to provide Maintenance and Repair: Carpentry for the Department of Public Works; and

WHEREAS, the Division of Central Purchasing also distributed nine (9) bid proposal packages to prospective vendors following the date of advertisement; and

WHEREAS, March 1, 2018, seven (7) bids were received and rejected for failure to register and/or pay payroll taxes as required by N.J.S.A. 40:48C-14 and Revised City Ordinance 10:21-1 et seq.; and

WHEREAS, on May 1, 2018, the City of Newark through its Supervising Procurement Specialist, QPA, re-advertised to solicit bids for contractors to provide Maintenance and Repair: Carpentry for the Department of Public Works; and

WHEREAS, the Division of Central Purchasing also distributed nine (9) bid proposal packages to prospective vendors following the date of advertisement; and

WHEREAS, on May 17, 2018, nine (9) bids were received in response to the advertisement; and

WHEREAS, the Director of the Department of Public Works recommended that a multiple award be made to (1) Rana Construction Inc., 430 Madison Avenue, Elizabeth, New Jersey 07201; (2) Bismark Construction Corp., 207-209 Berkeley Avenue, Newark, New Jersey 07107; and (3) DeDan Group LLC, 17 Porter Road, West Orange, New Jersey 07052, based on being the lowest responsive and responsible bidders; and

WHEREAS, the Supervising Procurement Specialist, QPA, concurs with the recommendation from the Department of Public Works that a multiple contract award to (1) Rana Construction Inc., (2) Bismark Construction Corp., and (3) DeDan Group LLC be made for Maintenance and Repair: Carpentry based on being the lowest responsive and responsible bidders per line item by commodity per year; 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

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NEWARK, NEW JERSEY, THAT:

1. The Mayor and/or his designee, the Supervising Procurement Specialist, QPA, are hereby authorized to enter into and execute contracts with (1) Rana Construction Inc., 430 Madison Avenue, Elizabeth, New Jersey 07201; (2) Bismark Construction Corp., 207-209 Berkeley Avenue, Newark, New Jersey 07107; and (3) DeDan Group LLC, 17 Porter Road, West Orange, New Jersey 07052, provide Maintenance and Repair: Carpentry for the Department of Public Works, whose bids were received on the advertised due date and determined to be the lowest responsive and responsible bidders per line item by commodity per year. The term of the contract will be established for a period 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 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 NW011-060-0604-71710-B2018; covering the amount of the order. This contract shall not exceed One Million Four Hundred Eighty-Seven Thousand Dollars and Zero Cents ($1,487,000.00) for a term not to exceed two (2) years for three (3) vendors.

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 twenty (20) business days following such award, in accordance with N.J.S.A. 52:15C-10(a) 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 contracts with (1) Rana Construction Inc., 430 Madison Avenue, Elizabeth, New Jersey 07201; (2) Bismark Construction Corp., 207-209 Berkeley Avenue, Newark, New Jersey 07107; and (3) DeDan Group LLC, 17 Porter Road, West Orange, New Jersey 07052 to provide Maintenance and Repair: Carpentry to the City of Newark, Department of Public Works, at a cost not to exceed One Million Four Hundred Eighty-Seven Thousand Dollars and Zero Cents ($1,487,000.00) for a term not to exceed two (2) years for three (3) vendors.

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