



## Legislation Details (With Text)

**File #:** 18-1587      **Version:** 1      **Name:** Crane Maintenance and Repair at the City of Newark's Facilities

**Type:** Resolution      **Status:** Adopted

**File created:** 10/3/2018      **In control:** Water Sewer Utility

**On agenda:** 5/15/2019      **Final action:** 5/15/2019

**Title:** Dept/ Agency: Water and Sewer Utilities  
Action: ☐ Ratifying ☒ Authorizing ☐ Amending  
Type of Service: Bid Contract  
Purpose: To provide crane maintenance and repair at the City's Facilities - Contract # 10R-WS2018 (Re-bid).  
Entity Name: Permadur Industries, Inc. d/b/a Sissco Material Handling  
Entity Address: 186 Route 206 South, Hillsborough, New Jersey 08844  
Contract Amount: Not to exceed \$100,000.00  
Funding Source: 2018 Budget/Department of Water and Sewer Utilities  
Contract Period: Two (2) years from the date of the 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:  
Initial Bid: No Bids Received  
2nd Re-Bid: No Bids Received  
3rd Re-Bid: Solicited: One (1)  
Bids Received: One (1)

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
5/15/2019	1	Municipal Council	Adopt	Pass

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**WHEREAS**, the City of Newark, Department of Water and Sewer Utilities (“City” or Department”), is in need of a contractor to provide crane maintenance and repair services; and

**WHEREAS**, on April 25, 2018, pursuant to the public bidding process of Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., the Department of Water and Sewer Utilities advertised, in a general circulation paper, for the receipt of sealed bids for Crane Maintenance and Repair Services; and

**WHEREAS**, on May 17, 2018, the Department had an initial bid opening and no contractors responded. As such, the Department decided to revise the specifications and re-advertise; and

**WHEREAS**, on July 30, 2018, again pursuant to the public bidding process of Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., the Department of Water and Sewer Utilities advertised, in a general circulation paper, for the receipt of sealed bids for Crane Maintenance and Repair Services; and

**WHEREAS**, on August 16, 2018, the Department had a second bid opening and no contractors responded. As such, the Department decided to re-advertise; and

**WHEREAS**, on September 6, 2018 the Department of Water and Sewer Utilities re-advertised; and

**WHEREAS**, on September 28, 2018 the Department of Water and Sewer Utilities had a bid opening and received bids from one contractor; and

**WHEREAS**, upon review of the bids submitted, the Department of Water and Sewer Utilities, determined that Permador Industries, Inc. d/b/a Sissco Material Handling, 186 Route 206, Hillsborough, New Jersey 08844 submitted the lowest responsive and responsible bid in compliance with Local Public Contracts Law N.J.S.A. 40a:11-1 et seq.; and

**WHEREAS**, the Department of Water and Sewer Utilities reviewed the bid, and found that the objectives of competitive bidding were achieved, that favorable bid prices were received, and that Permador Industries, Inc. d/b/a. Sissco Material Handling, is a responsible contractor capable of executing the work in accordance with the bid specifications; and

**WHEREAS**, the City of Newark, Department of Water and Sewer Utilities, wishes to accept the bid from Permador Industries, Inc. d/b/a Sissco Material Handling, 186 Route 206, Hillsborough, New Jersey 08844 for Crane Maintenance and Repair Services, in a total amount not to exceed One Hundred Thousand Dollars and Zero Cents (\$100,000.00), for a period of two (2) years from the date the Notice to Proceed issued by the Acting Director of the Department of Water and Sewer Utilities; and

**WHEREAS**, this contract is being awarded pursuant to the fair and open procedures of the 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 Pay-to-Play Reform Ordinance; and

**WHEREAS**, the award of this contract is necessary for the efficient operation of the City's Water and Sewer Facilities and is in compliance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. and with the Fair and Open Process described in the New Jersey Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.5, et seq.; and

**WHEREAS**, on August 1, 2012, the Newark Municipal Council adopted the Contractor Pay-to-Play 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 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

**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 Acting Director of the Department of Water and Sewer Utilities is hereby authorized, on behalf of the City of Newark, to accept the bid received and execute a contract with Permatur Industries, Inc. d/b/a Sissco Material Handling, 186 US 206, Hillsborough, New Jersey 08844, for the total amount not to exceed One Hundred Thousand Dollars and Zero Cents (\$100,000.00), for a period of two (2) years from the date of the Notice to Proceed issued by the Acting Director of the Department of Water and Sewer Utilities.
2. This contract is awarded as an open-ended contract to be used as needed during the term of the contract. Thus, for any and all expenditures against the contract a Certification of Funds attesting to the availability of sufficient funds, as required by and pursuant to N.J.A.C. 5:30-5.5 (b), shall be executed before a contractual liability is incurred each time an order is placed covering the amount of the order. The combined total amount of all orders placed against this contract shall be for an amount not to exceed One Hundred Thousand Dollars and Zero Cents (\$100,000.00) for a period of two (2) years.
3. Pursuant to N.J.A.C. 5:30-5.5(a), Temporary Budget, attached hereto is a partial Certification of Funds from the Director of Finance which states that funds in the amount of \$15,000.00 are available in the 2019 Budget to perform Maintenance and Repair of Crane Services under Business Unit: NW037 Dept. ID: 750, Division/Project: 7502, Account # 71960, B-2018. The certification shall be filed along with the original resolution in the Office of the City Clerk. The remainder of the funding for the contract will be subject to appropriation in the 2019 and 2020 Budget and included in a line item for the award of this contract and said funds will be certified prior to services being provided by the contractor. There will be no expenditure of funds authorized until a Certification of Funds is obtained and a copy filed with the City Clerk.
4. There shall be no amendment or change to the contract without prior approval by the Municipal Council.
5. There shall be no advance payments made against the contract in accordance with N.J.A.C. 40A:516.

6. This Contract is being awarded pursuant to the fair and open procedures of the 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 Pay-to-Play Reform Ordinance, R.O. 2:4-22C.
7. The Acting Director of the Department of Water and Sewer Utilities shall file the Notice to Proceed and a fully executed copy of the contract in the Office of the City Clerk.

### **STATEMENT**

This resolution authorizes the Mayor and/or his designee, the Acting Director of the Department of Water and Sewer Utilities, to accept the bid and execute a contract with Permadr Industries, Inc. d/b/a Sissco Material Handling, 186 Route 206, Hillsborough, New Jersey 08844, for the purpose of providing Crane Maintenance and Repair Services, for a combined total amount not to exceed One Hundred Thousand Dollars and Zero Cents (\$100,000.00). This contract shall be in effect for a period of two (2) years from the date of the Notice to Proceed.