



Legislation Details (With Text)

File #: 19-1147 **Version:** 1 **Name:** Pequannock Sludge Lagoon Remediation Contract 22-WS2019 - Spectraserv Inc.
Type: Resolution **Status:** Adopted
File created: 7/2/2019 **In control:** Water Sewer Utility
On agenda: 8/20/2019 **Final action:** 8/20/2019

Title: Dept/ Agency: Water and Sewer Utilities
Action: ☐ Ratifying ☒ Authorizing ☐ Amending
Type of Service: Bid Contract
Purpose: Pequannock Sludge Lagoon Remediation - Contract 22-WS2019
Entity Name: Spectraserv Inc.
Entity Address: 75 Jacobus Avenue, Kearny, New Jersey 07032
Total Contract Amount: Not to exceed \$2,568,000.00
Funding Source: 2019 Budget/Department of Water and Sewer Utilities Capital Budget
Contract Period: 730 calendar days from 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:
Bid Distributed: Seven (7)
Bid Received: One (1)

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
8/20/2019	1	Municipal Council	Adopt	Pass

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WHEREAS, on May 24, 2019 the City of Newark advertised Contract 22-WS2019 Pequannock Sludge Lagoon Remediation; and

WHEREAS, the Department of Water and Sewer Utilities (“Department”) distributed seven (7) bid packages to prospective vendors following the date of bid advertisement; and

WHEREAS, on June 14, 2019, the Department received one (1) bid for said project in accordance with the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, Spectraserv Inc., 75 Jacobus Avenue, Kearny, New Jersey 07032 submitted the lowest responsive and responsible bid, according to the specifications and in the total amount of \$2,568,000.00; and

WHEREAS, the City of Newark wishes to accept the lowest responsible bid submitted by Spectraserv Inc., on June 14, 2019, and execute Contract 22-WS2019 Pequannock Sludge Lagoon Remediation, with Spectraserv Inc., 75 Jacobus Avenue, Kearny, New Jersey 07032, for the total amount not to exceed \$2,568,000.00; and

WHEREAS, the Municipal Council adopted the Contractor Pay-to-Play Reform 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 or 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; and

WHEREAS, this contract is for an amount over \$17,500.00 and is being awarded as a Fair and Open contract pursuant to N.J.S.A. 19:44A-20.5.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:

1. The Municipal Council hereby authorizes the Mayor and/or his designee, the Acting Director of the Department of Water and Sewer Utilities, to accept the lowest responsible bid submitted by Spectraserv Inc, on June 14, 2019, and execute Contract 22-WS2019 Pequannock Sludge Lagoon Remediation, with Spectraserv Inc., 75 Jacobus Avenue, Kearny, New Jersey 07032, for the total amount not to exceed \$2,568,000.00 for a term of 730 calendar days from the Notice to Proceed.
2. Pursuant to N.J.A.C. 5:30-5.5(d) 1(ii) (multi-year contracts), and N.J.A.C. 5:30 5.5(a), Temporary Budget, attached hereto is a partial Certification of Funds from the Chief Financial Officer, which states the funds in the amount of \$10,000.00, are available in the Water and Sewer 2019 Budget under Business Unit NW037, Department ID 750, Division 7505, Account 71960, and which shall be filed along with the original resolution in the Office of the City Clerk. The Acting Director of the Department of Water and Sewer Utilities, is further authorized to extend the contract to the full value of \$2,568,000.00 when additional funds in the amount of \$2,558,000.00 are certified from the Budget of the Department of Water and Sewer Utilities, and a copy of the Certification of Funds is filed in the Office of the City Clerk.
3. There shall be no amendment or change to the contract without approval by the Newark

Municipal Council.

3. There shall be no advance payment on this contract in accordance with N.J.S.A. 40A:5-16.
3. A fully executed copy of the contract shall be filed in the Office of the City Clerk, by the Department of Water and Sewer Utilities.
3. This contract was solicited and awarded pursuant to the fair and open procedures in accordance with the State 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 the Contractor Pay-to-Play Reform Ordinance, R.O. 2:4-22C.
3. 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 Acting Director of the Department of Water and Sewer Utilities, to accept the lowest responsible bid submitted by Spectraserv Inc, on June 14, 2019, and execute Contract 22-WS2019 Pequannock Sludge Lagoon Remediation, with Spectraserv Inc., 75 Jacobus Avenue, Kearny, New Jersey 07032, for the total amount not to exceed \$2,568,000.00 for a term of 730 calendar days from the Notice to Proceed.