



## Legislation Details (With Text)

**File #:** 19-1896      **Version:** 1      **Name:** Phase-2(A) Lead Service Line Replacement Contract 14-WS2019 (Re-bid) - Roman E&G Corp.  
**Type:** Resolution      **Status:** Adopted  
**File created:** 11/25/2019      **In control:** Water Sewer Utility  
**On agenda:** 2/5/2020      **Final action:** 2/5/2020

**Title:** Dept/ Agency: Water and Sewer Utilities  
Action: ☐ Ratifying ☒ Authorizing ☐ Amending  
Type of Service: Bid Contract  
Purpose: Phase-2(A) Lead Service Line Replacement - Contract 14-WS2019 (Re-bid)  
Entity Name: Roman E&G Corporation  
Entity Address: 14 Ogden Street, Newark, New Jersey 07104  
Total Contract Amount: Not to exceed \$3,390,550.00  
Funding Source: 2018 Budget/Department of Water and Sewer Utilities/  
NW041-18W-18W00-94710-B2018  
Contract Period: 270 days 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:  
Bid Packages Distributed: Eleven (11)  
Bids Received: Four (4)  
Re-Advertise (bids received determined to be non-responsive)  
Re-Bid Packages Distributed: Seventeen (17)  
Re-Bids Received: Nine (9)

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
2/5/2020	1	Municipal Council	Adopt	Pass

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**WHEREAS**, the City of Newark advertised Contract 14-WS2019 Phase-2(A) Lead Service Line Replacement located at various locations in the City of Newark, on June 10, 2019; and

**WHEREAS**, the Department of Water and Sewer Utilities ("Department") distributed eleven (11) bid packages to prospective vendors following the date of bid advertisement; and

**WHEREAS**, on July 9, 2019, the Department received four (4) bids for said project in accordance with the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, the Department of Water and Sewer Utilities reviewed the bids, and the low bidder and the second low bidder were determined to be non-responsive and thereby rejected, and the remaining bids were rejected for being over the City's appropriation pursuant to N.J.S.A. 40A:11-13.2b; and

**WHEREAS**, the City of Newark re-advertised Contract 14-WS2019 (Re-bid) Phase-2(A) Lead Service Line Replacement located at various locations in the City of Newark, on October 18, 2019; and

**WHEREAS**, the Department of Water and Sewer Utilities distributed seventeen (17) bid packages to prospective vendors following the date of bid advertisement; and

**WHEREAS**, on November 14, 2019, the Department received nine (9) bids for the said project in accordance with the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, Roman E&G Corporation, 14 Ogden Street, Newark, New Jersey 07104 submitted the lowest responsive and responsible bid, according to the specifications and in the total amount of \$3,204,700.00 for the base bid, and in the total amount of \$185,850.00 for the supplemental bid, with a combined base bid and supplemental bid total amount of \$3,390,550.00; and

**WHEREAS**, the City of Newark wishes to accept the lowest responsible bid submitted by Roman E&G Corporation, on November 14, 2019, and execute Contract 14-WS2019 (Re-bid) Phase-2(A) Lead Service Line Replacement, with Roman E&G Corporation, 14 Ogden Street, Newark, New Jersey 07104, for the combined base bid and supplemental bid total amount not to exceed \$3,390,550.00 with a contract period for 270 days from notice to proceed; 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 Roman E&G Corporation, on November 14, 2019, and execute Contract 14-WS2019 (Re-bid) Phase-2(A) Lead Service Line Replacement, with Roman E&G Corporation, 14 Ogden Street, Newark, New Jersey 07104, for the combined base bid and supplemental bid total amount not to exceed \$3,390,550.00 with a contract period for 270 days from Notice to Proceed.
2. Attached hereto is a Certification of Funds from the Chief Financial Officer, which states that funds in the amount of \$3,390,550.00, are available in the Water and Sewer Utilities Capital Budget under Business Unit NW041, Department ID 18W, Project 18W00, Account 94710, and Budget Ref: B2018 which shall be filed along with the original resolution 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 provisions of the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq., and is in compliance with the City's 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 Roman E&G Corporation, on November 14, 2019, and to enter into and execute Contract 14-WS2019 (Re-bid) Phase-2(A) Lead Service Line Replacement, located at various locations in the City of Newark, with Roman E&G Corporation, 14 Ogden Street, Newark, New Jersey 07104, for the combined base bid and supplemental bid total amount not to exceed \$3,390,550.00 with a contract period of 270 days from Notice to Proceed.