



Legislation Details (With Text)

File #: 20-1004 **Version:** 1 **Name:** Resolution: Supply and Delivery of Water Purification Chemicals for the City of Newark PWTP- Contract # 08- WS2020

Type: Resolution **Status:** Adopted

File created: 8/18/2020 **In control:** Water Sewer Utility

On agenda: 10/7/2020 **Final action:** 10/7/2020

Title: Dept/ Agency: Water and Sewer Utilities
Action: () Ratifying (X) Authorizing () Amending
Type of Service: Bid Contract
Purpose: Supply and Delivery of Water Purification Chemicals for the City of Newark's Pequannock Water Treatment Plant - Contract #08-WS2020
Entity Name: Polydyne, Inc.
Entity Address: One Chemical Plant Road, Richboro, Georgia 31323
Contract Amount: Not to exceed \$250,000.00
Funding Source: 2020 Budget/Department of Water and Sewer Utilities/ NW037-750-7502-83230-B2020
Contract Period: Two (2) years from the date of the Notice to Proceed
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:
Bids Solicited: (13) Thirteen
Bids Received: (2) Two

Sponsors: Council of the Whole

Indexes:

Code sections:

| Date | Ver. | Action By | Action | Result |
|-----------|------|-------------------|--------|--------|
| 10/7/2020 | 1 | Municipal Council | Adopt | Pass |

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WHEREAS, the City of Newark, Department of Water and Sewer Utilities (the “City”) is in need of suppliers to provide bulk water purification chemicals necessary to treat the water at the Pequannock Water Treatment Plant for the operation of the City of Newark’s water utility system; and

WHEREAS, pursuant to the public bidding process of Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., the City advertised on July 28, 2020, in a general circulation newspaper, for the receipt of sealed bids for the Supply and Delivery of Water Purification Chemicals for the City’s Pequannock Water Treatment Plant; and

WHEREAS, on August 13, 2020 the Department received sealed bids from two (2) vendors for the supply of certain water purification chemicals for water treatment at the Pequannock Water Treatment Plant; and

WHEREAS, upon review of the bids submitted, the City determined that the following vendor submitted the lowest responsible bid in compliance with Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.:

Polydyne, Inc. One Chemical Plant Road, Riceboro, Georgia 31323 to supply Clarifloc A-210P Polymer for \$7.920/Gal., for Year 1 and \$7.92/Gal., for Year 2; 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 Polydyne, Inc., One Chemical Plant Road, Richboro, Georgia 31323, is a responsible vendor capable of providing the products in accordance with the bid specifications; and

WHEREAS, based on the above findings, the City of Newark has determined that in accordance with N.J.S.A. 40A:11-1 et seq., the above listed vendor constitutes the lowest, responsible bidder for each of the products; and

WHEREAS, the City desires to award a contract to the aforementioned vendor in the amounts specified in the bid for the supply of chemicals for water treatment at the Pequannock Water Treatment Plant, for two (2) years, from the date of the Notice to Proceed; and

WHEREAS, the award of this contract is necessary for the efficient operation of the City’s Pequannock Water Treatment Plant and is in compliance with 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, 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 candidates 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 Director of the Department of Water and Sewer Utilities, is hereby authorized to enter into and execute a contract with Polydyne, Inc., One Chemical Plant Road, Riceboro, Georgia 31323, a supplier of water purification chemicals, to supply Clarifloc A-210P Polymer \$7.92/Gal. for Year 1 and \$7.92/Gal. for Year 2; for a two (2) year term, from the date of the Notice to Proceed; and
2. 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 is in compliance with the City's Contractor Pay-to-Play Reform Ordinance, R.O. 2:4-22C.
3. This is 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, from Account Code Line: NW037-750-7502-83230-B2020. This contract shall not, in total, exceed Two Hundred Fifty Thousand Dollars and Zero Cents (\$250,000.00) for all included chemicals for two (2) years, based on quantity.
4. It is the responsibility of the Director of the Department of Water and Sewer Utilities to ascertain the availability of sufficient funds before ordering the water purification chemicals and to assure that the chemicals provided are in compliance with the specifications; furthermore, the Director of the Department of Water and Sewer Utilities will provide the Municipal Council and the Business Administrator with appropriate monthly reports during the term of the contract.
5. There shall be no amendment or change to the contract without prior approval by the Municipal Council.
6. There shall be no advance payments made against the contract in accordance with N.J.A.C. 40A:5-16.
7. The Director of the Department of Water and Sewer Utilities shall file duly executed copies of the contract in the Office of the City Clerk.
8. 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 Director of the Department of Water and Sewer Utilities, to enter into and execute a contract with Polydyne, Inc, One Chemical Plant Road, Riceboro, Georgia 31323 for the purpose of the Supply and Delivery of Water Purification Chemicals for the City of Newark's Pequannock Water Treatment Plant, for a period of

two (2) years from the date of the Notice to Proceed, for an amount not to exceed \$250,000.00 based on quantity.