



## Legislation Details (With Text)

**File #:** 20-1072      **Version:** 1      **Name:** Resolution: Contract # 09-WS2020Perform Copper Sulfate Treatments for Algae Control at the City of Newark's Reservoirs-

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

**File created:** 8/31/2020      **In control:** Water Sewer Utility

**On agenda:** 10/21/2020      **Final action:** 10/21/2020

**Title:** Dept/ Agency: Water and Sewer Utilities  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Type of Service: Bid Contract  
Purpose: To perform Copper Sulfate Treatments for Algae Control at the City of Newark's Reservoirs - Contract # 09-WS2020.  
Entity Name: Aquatic Analysts, Inc.  
Entity Address: PO Box 66, Middletown, New Jersey 07855  
Contract Amount: Not to exceed \$125,290.00  
Funding Source: 2020 Budget/Department of Water and Sewer Utilities/Business Unit: NW037, Department ID: 750, Division/Project: 7502 Account #71770, B2020  
Contract Period: Two (2) years from the date of the issuance of a 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: Three (3)  
Bids Received: One (1)

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
10/21/2020	1	Municipal Council	Adopt	Pass

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**WHEREAS**, the City of Newark (the "City") is in need of suppliers to perform Algae Control Treatments at five (5) City reservoirs. The reservoirs are Canistear, Charlottesburg, Clinton, Echo Lake, and Oak Ridge. Treatments will consist of Copper Sulfate applications to control infestations of algae; and

**WHEREAS**, on July 31, 2020, pursuant to the public bidding process of the 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 newspaper, for the receipt of sealed bids to Perform Copper Sulfate Treatments for Algae Control at the City's Reservoirs; and

**WHEREAS**, on August 27, 2020, the Department of Water and Sewer Utilities, received sealed bids from one (1) supplier to perform Copper Sulfate Treatments for Algae Control at the City's Reservoirs; and

**WHEREAS**, the City desires to award a contract to Aquatic Analysts, Inc., Post Office Box 66, Middletown, New Jersey 07855, to perform Copper Sulfate Treatments for Algae Control at the City's Reservoirs, for the period of two (2) years from the date of the issuance of a Notice to Proceed; and

**WHEREAS**, the award of this contract is necessary for the efficient operation of the City's five (5) reservoirs 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.

**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 authorized to enter into and execute a contract with Aquatic Analysts, Inc., Post Office Box 66, Middletown, New Jersey 07855, whose bid was received on the above advertised due date and was determined to be the lowest responsible bidder in accordance with the bid specifications. The term of the contract will be for two (2) years from the date of the issuance of a Notice to Proceed from the Director of the Department of Water and Sewer Utilities, for an amount not to exceed One Hundred Twenty-Five Thousand Two Hundred Ninety Dollars and Zero Cents (\$125,290.00), pursuant to N.J.S.A. 40A:11-3(b), to perform Copper Sulfate Treatments for Algae Control at the City's Reservoirs.
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.
3. Pursuant to N.J.A.C. 5:30-5.5, attached hereto is a partial Certification of Funds from the Director of the Department of Finance which states that funds in the amount of Five Thousand Dollars and Zero Cents (\$5,000.00) are available in the 2020 Temporary Budget to perform Copper Sulfate Treatments for Algae Control at the City's Reservoirs under Business Unit: NW037, Department ID: 750, Division/Project: 7502 Account #71770, B2020. 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 2021-2022 Budgets 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 approval by the Municipal Council.
5. There shall be no advance payments made against this contract in accordance with N.J.A.C. 40A:5-16.
6. The Director of the Department of Water and Sewer Utilities shall forthwith file a duly executed copy of this contract in the Office of the City Clerk.
7. 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 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 Aquatic Analysts, Inc., Post Office Box 66, Middleville, New Jersey 07855, for Contract # 09-WS2020 to perform Copper Sulfate Treatments for Algae Control at the City's Reservoirs, for an amount not to exceed \$125,290.00, for the period commencing upon issuance of a Notice to Proceed from the Director of Water and Sewer Utilities and terminating two (2) years thereafter.