



## Legislation Details (With Text)

**File #:** 22-1104      **Version:** 1      **Name:** Resolution: Bid Contract - Lead Line Replacement Program Paving - Contract 02-WS2022 - Rockborn Trucking and Evacation, Inc.,

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

**File created:** 8/1/2022      **In control:** Water Sewer Utility

**On agenda:** 10/5/2022      **Final action:** 10/5/2022

**Title:** Dept/ Agency: Water and Sewer Utilities  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Type of Service: Bid Contract  
Purpose: Lead Service Line Replacement Program Paving- Contract 02-WS2022  
Entity Name: Rockborn Trucking and Excavation, Inc.  
Entity Address: 12 Taylor Road, Wharton, New Jersey 07895  
Contract Amount: Not to exceed \$6,579,387.90  
Funding Source: 2022 Budget/Department of Water and Sewer Utilities/ NW037-750-7505-71960-B2022  
Contract Period: 730 calendar days to final completion from the date of a written 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:  
Bid Packages Distributed: Eight (8)  
Bids Received: Five (5)

**Sponsors:** Council of the Whole

### Indexes:

### Code sections:

Date	Ver.	Action By	Action	Result
10/5/2022	1	Municipal Council	Adopt	Pass

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Bids Received: Five (5)

**WHEREAS,** the City of Newark (the "City") advertised Contract 02-WS2022 Lead Service Line

Replacement Program Paving located at various locations in the City of Newark, on July 12, 2022; and

**WHEREAS**, the Department of Water and Sewer Utilities (the “Department”), distributed eight (8) bid packages to prospective vendors following the date of bid advertisement; and

**WHEREAS**, on July 29, 2022, the Department received five (5) bids for the project in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, the public advertisement and the receipt of public bids and the award of the contract to the lowest responsible bidder, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq. constitutes a Fair and Open Process; and

**WHEREAS**, Rockborn Trucking and Excavation, Inc., 12 Taylor Road, Wharton, New Jersey 07895, submitted the lowest responsive and responsible bid, according to the specifications and in the total amount of Six Million Five Hundred Seventy-Nine Thousand Three Hundred Eighty-Seven and Ninety Cents (\$6,579,387.90); and

**WHEREAS**, the City wishes to accept the lowest responsible bid submitted on July 29, 2022, by Rockborn Trucking and Excavation, Inc., and execute Contract 02-WS2022 Lead Service Line Replacement Program Paving, with Rockborn Trucking and Excavation, Inc., 12 Taylor Road, Wharton, New Jersey 07895, total bid amount not to exceed Six Million Five Hundred Seventy-Nine Thousand Three Hundred Eighty-Seven and Ninety Cents (\$6,579,387.90).

**WHEREAS**, pursuant to N.J.S.A. 19:44A-20.5 et seq., solicitations through public bidding in accordance with N.J.S.A. 40A:11-1 et seq. meets the requirements of the Fair and Open Process.

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

1. The Mayor of the City of Newark and/or his designee, the Director of the Department of Water and Sewer Utilities, are authorized to enter into and execute Contract 02-WS2022 Lead Service Line Replacement Program Paving, with Rockborn Trucking and Excavation, Inc., 12 Taylor Road, Wharton, New Jersey 07895, for bid total amount not to exceed Six Million Five Hundred Seventy-Nine Thousand Three Hundred Eighty-Seven and Ninety Cents (\$6,579,387.90), the lowest responsible bidder for a period of 730 calendar days until final completion of the project, commencing from the date of the issuance of a written Notice to Proceed.
2. Pursuant to N.J.A.C. 5:30-5.5(a), Temporary Budget, attached is a partial Certification of Funds from the Chief Financial Officer, which states the funds in the amount of Fifty Thousand Dollars and Zero Cents (\$50,000.00), are available in the Department of Water and Sewer Utilities Budget under Business Unit NW037, Department ID 750, Division 7505, Account 71960 B2022. Pursuant to N.J.A.C. 5:30-5.5(d)(1)(ii) Multi-year Contracts, the Director of the Department of Water and Sewer Utilities is authorized to extend the contract to the full value of \$6,579,387.90 when additional funds in the amount of \$6,529,419.90 are certified from the 2023 and 2024 Budgets of the Department of Water and Sewer Utilities in accordance with the time at which the respective work or services are performed or liability for payment incurred. A copy of the Certification of Funds shall be filed in the Office of the City Clerk.

3. There shall be no amendment or change to the contract without approval by the Municipal Council.
3. There shall be no advance payment on this contract in accordance with N.J.S.A. 40A:5-16.
3. The Department of Water and Sewer Utilities shall file a fully executed copy of the contract and Notice to Proceed in the Office of the City Clerk.
3. If required by State Law, the Acting 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 of the City of Newark and/or his designee, the Director of the Department of Water and Sewer Utilities, to accept the lowest responsible bid submitted by Rockborn Trucking and Excavation, Inc., on July 29, 2022, and enter into and execute Contract 02-WS2022 Lead Service Line Replacement Program Paving with Rockborn Trucking and Excavation, Inc., 12 Taylor Road, Wharton, New Jersey 07895, for the total bid amount of \$6,579,387.90 for a period of 730 calendar days until final completion, commencing from the date of the issuance of a written Notice to Proceed.