



Legislation Details (With Text)

File #: 22-1163 **Version:** 1 **Name:** Resolution: Bid Contract - Bismarck Construction Corp. - DPW North Ward Salt Storage Facility - Contract #2022-05

Type: Resolution **Status:** To Be Introduced

File created: 8/13/2022 **In control:** Engineering

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

Title: Dept/ Agency: Engineering
Action: ☐ Ratifying ☒ Authorizing ☐ Amending
Type of Service: Bid Contract
Purpose: To provide a New North Ward Salt Storage Facility.
Entity Name: Bismarck Construction Corp.
Entity Address: 207-209 Berkeley Avenue, Newark, New Jersey 07107
Contract Amount: Not to exceed \$2,245,000.00
Funding Source: 2021 and 2022 Budgets/NW051-G22-ARP2A-71280 B2022 (\$1,750,000.00)/NW051-G21-ARPH0-71280 B2021 (\$275,895.00) NW011-060-0605-71280-B2022 (\$219,105.00)
Contract Period: 180 days from the date of a written 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:

Bids Solicited: Six (6)
Bids Received: Two (2)
Bids Rejected: Zero (0)

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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WHEREAS, on June 1, 2022, the City's Department of Engineering (the "City"), advertised for the receipt of bids for Contract #2022-05 Renovation of DPW North Ward Salt Storage Facility located 51-61 Verona Avenue, Newark, New Jersey 07104, Block 832, Lot 9, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, on June 8, 2022, six (6) contractors picked up bid packages for Contract #2022-05, Renovation of DPW North Ward Salt Storage Facility, located 51-61 Verona Avenue, Newark, New Jersey 07104, Block 832 Lot 9, and were invited to do a visual inspection of the site; and

WHEREAS, on June 21, 2022, the City issued, via facsimile, Addendum #1 to the six (6) contractors, who picked up bid packages, in order to answer all questions from bidders, and to extend the bid response deadline to July 7, 2022, at 10:00 a.m.; and

WHEREAS, on July 7, 2022, the City received two (2) bids for Contract #2022-05, Renovation of DPW North Ward Salt Storage Facility, located 51-61 Verona Avenue, Newark, New Jersey 07104, Block 832, Lot 9; and

WHEREAS, the Acting Director of the Department of Engineering accepted the bid proposal of the lowest responsive and responsible bidder, Bismark Construction Corp., 207-209 Berkeley Avenue, Newark, New Jersey 07107 and recommends that the City execute Contract #2022-05, Renovation of DPW North Ward Salt Storage Facility, located 51-61 Verona Avenue, Newark, New Jersey, Block 832, Lot 9, with Bismark Construction Corp., 207-209 Berkeley Avenue, Newark, New Jersey 07107, for the total bid amount not to exceed Two Million Two Hundred Forty-Five Thousand (\$2,245,000.00) (Base Bid Total); and

WHEREAS, the proposed project consists of, but is not limited to, renovation of existing temporary salt storage facility, earthwork, electrical, HVAC, plumbing, flooring, painting, steelwork, site amenities; and

WHEREAS, the award is being made pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq. and is in compliance with the a Fair and Open Procurement 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 Acting Director of the Department of Engineering, is authorized to accept the bid submitted by the lowest responsible bidder, Bismark Construction Corp., 207-209 Berkeley Avenue, Newark, New Jersey 07107 and enter into and execute Contract #2022-05, Renovation of DPW North Ward Salt Storage Facility, located 51-61 Verona Avenue, Newark New Jersey 07104, Block 832, Lot 9, with Bismark Construction Corp., 207-209 Berkeley Avenue Newark, NJ 07107, for the total bid amount not to exceed \$2,245,000.00. (Base Bid Total)

2. Funding source for the project are listed below:

NW051-G22-ARP2A-71280 B2022	\$1,750,000.00
NW051-G21-ARPH0-71280 B2021	\$ 275,895.00
NW011-060-0605-71280-B2022	\$ 219,105.00

3. Attached hereto are Certification of Funds issued from the Director of the Department of Finance/Chief Financial Officer, which states that sufficient funds for the entire contract are available in the amount of \$2,245,000.00, for the purposes set forth herein. A copy of the Certification of Funds shall be filed in the Office of the City Clerk by the Acting Director of Engineering together with this Resolution.

4. No changes to this contract shall be allowed or authorized without prior Municipal Council approval.

5. A fully executed copy of the contract (attached hereto) shall be filed in the Office of the City Clerk, by the Acting Director of the Department Engineering and/or her designee.

6. This contract is to be completed within a period of (180) consecutive calendar days from the date of the issuance of a formal Notice to Proceed by the Acting Director of the Department of Engineering. The Acting Director of the Department of Engineering is authorized to extend the contract when necessary for the completion of the actual construction in accordance with N.J.S.A. 40A:11-15. Further, consistent with N.J.S.A. 40A:11-15(9) the contract may be extended upon the adoption of a Resolution from Municipal Council.

7. The public bidding process under the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., complies with the Fair and Open Process of the State of New Jersey Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.5, et seq.

8. There shall be no advance payments made against this contract in accordance with N.J.A.C. 40A:5-16.

9. 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 Acting Director of the Department of Engineering, to award, enter into and execute Contract #2022-05, for Renovation of DPW North Ward Salt Storage Facility, located 51-61 Verona Avenue Newark New Jersey 07104, Block 832 Lot 9, in the total bid amount not to exceed \$2,245,000.00 (Base Bid Total), to Bismark Construction Corp., 207-209 Berkeley Avenue, Newark, New Jersey 07107, the lowest responsible and responsible bidder. This contract is to be completed within a period of (180) consecutive calendar days from the date of the issuance of a formal Notice to Proceed. The Acting Director of the Department of Engineering is authorized to extend the contract when necessary for the completion of the actual construction in accordance with N.J.S.A. 40A:11-15. Further, consistent with N.J.S.A. 40A:11-15(9) the contract may be extended if necessary upon the adoption of a Resolution from Municipal Council.

