Legislation Details (With Text)

File #:	22-1316	**Version:**	1	**Name:**	Resolution-Contract 16-WS2017- Montana Construction
Type:	Resolution			**Status:**	Adopted
File created:	9/15/2022			**In control:**	Water Sewer Utility
On agenda:	10/19/2022			**Final action:**	10/19/2022

Title: Dept/ Agency: Water and Sewer Utilities
Action: ( ) Ratifying (X) Authorizing ( ) Amending
Type of Service: Bid Contract
Purpose: Phase-III(A) Sewer Cleaning and Rehabilitation - Contract 16-WS2017
Entity Name: Montana Construction Corporation, Inc.
Entity Address: 80 Contant Avenue, Lodi, New Jersey 07644
Contract Amount: Not to exceed $4,329,230.00
Funding Source: 2011 Budget/Department of Water and Sewer Utilities/Business Unit: NW044, Dept. 11G, Div./Proj. 11SA0, Activity A, Account #94710, Budget Ref. B2011
Contract Period: 320 calendar days to final completion from the date of the 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: Ten (10)
Bids Received: Two (2)

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
10/19/2022	1	Municipal Council	Adopt	Pass

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WHEREAS, the City of Newark (the "City") advertised Contract #16-WS2017 Phase-III(A) Sewer Cleaning and Rehabilitation located at various locations in the City of Newark, on July 21, 2022; and

WHEREAS, the Department of Water and Sewer Utilities (the "Department") distributed ten (10) bid packages to prospective vendors following the date of bid advertisement; and

WHEREAS, on August 23, 2022, the Department received two (2) bids for said project in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, Montana Construction Corporation, Inc., 80 Contant Avenue, Lodi, New Jersey 07644, the lowest responsive and responsible bid, according to the specifications in the total amount of Four Million Three Hundred Twenty-Nine Thousand Two Hundred Thirty Dollars and Zero Cents ($4,329,230.00); and

WHEREAS, the City wishes to accept the lowest responsible bid submitted on August 23, 2022, and execute Contract #16-WS2017 Phase-III(A) Sewer Cleaning and Rehabilitation, with Montana Construction Corporation, Inc., 80 Contant Avenue, Lodi, New Jersey 07644, with a total bid amount not to exceed Four Million Three Hundred Twenty-Nine Thousand Two Hundred Thirty Dollars and Zero Cents ($4,329,230.00); and

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 #16-WS2017 Phase-III (A) Sewer Cleaning and Rehabilitation, with Montana Construction Corporation, Inc., 80 Contant Avenue, Lodi, New Jersey 07644, for bid total amount not to exceed Four Million Three Hundred Twenty-Nine Thousand Two Hundred Thirty Dollars and Zero Cents ($4,329,230.00), the lowest responsible bidder for a period of (320) calendar days until final completion of the project from the date of the issuance of a written Notice to Proceed.

2. Attached hereto is a Certification of Funds from the Chief Financial Officer, which states that funds in the amount of Four Million Three Hundred Twenty-Nine Thousand Two Hundred Thirty Dollars and Zero Cents ($4,329,230.00), are available in the 2011 Budget under Business Unit: NW044, Department ID: 11G, Project: 11SA0, Account #94710, Budget Ref. B2011 and 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 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. This contract was solicited and awarded pursuant to the provisions of Local Public Contracts

Law, N.J.S.A. 40A:11-1 et seq., and constitutes a fair and open process in compliance with State Statute and the City's Pay-to-Play Ordinance.

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 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 Montana Construction Corporation, Inc. August 23, 2022, and enter into and execute Contract #16-WS2017 Phase-III(A) Sewer Cleaning and Rehabilitation, with Montana Construction Corporation, Inc., 80 Contant Avenue, Lodi, New Jersey 07644, for the bid total amount not to exceed $4,329,230.00 for a period of (320) calendar days until final completion, from the date of the issuance of a written Notice to Proceed.

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