



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

File #: 13-0222, Version: 1

**Dept/ Agency:** Administration/Division of Central Purchasing

**Action:** ( ) Ratifying (X) Authorizing ( ) Amending

**Type of Service:** Bid Contract(s)

**Purpose:** Trombone Arm Assemblies, Traffic

**Entity Name(s)/Address(s):** 1. Signal Control Products, Inc., 199 Evans Way, Branchburg, New Jersey 08876

2. Flemington Aluminum & Brass, Inc., 24 Junction Road, Flemington, New Jersey 08822

**Contract Amount:** Not to exceed \$200,000.00

**Funding Source:** City of Newark, Department of Engineering

**Contract Period:** To be established for a period not to exceed two (2) years, for two(2) vendors

**Contract Basis:** ( x ) Bid ( ) State Vendor ( ) Prof. Ser. ( ) EUS

( ) Fair & Open ( ) No Reportable Contributions ( ) RFP ( ) RFQ

( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) n/a

**Additional Information:**

Bids solicited: Four (4)

Bids received: Two (2)

Bids rejected by Law Department: Two (2)

Bids re-solicited: Three (3)

Bids received: Two (2)

**WHEREAS**, on October 18, 2011, the City of Newark through its Director of Purchasing advertised to solicit bids for **Trombone Arm Assemblies, Traffic**, in which the contractor will provide to the City of Newark, Department of Engineering; and

**WHEREAS**, the Division of Central Purchasing mailed four (4) "Invitation to Bid" post cards to the prospective vendors from its established bid list following the date of advertisement; and

**WHEREAS**, on November 3, 2011, two (2) bids were received in response to this advertisement; and

**WHEREAS**, the Director of Purchasing recommended a dual award be made to **Signal Control Products, Inc. and Flemington Aluminum & Brass, Inc.**, the only responsible bidders; and

**WHEREAS**, on January 31, 2012, the Law Department disapproved the award for incomplete documentation; and

**WHEREAS**, on January 15, 2013, the City of Newark through its Director of Purchasing re-advertised to solicit bids for **Trombone Arm Assemblies, Traffic**, in which the contractor will provide to the City of Newark, Department of Engineering; and

**WHEREAS**, the Division of Central Purchasing mailed three (3) "Invitation to Bid" post cards to the prospective vendors from its established bid list following the date of re-advertisement; and

**WHEREAS**, on January 31, 2013, two (2) bids were received in response to this advertisement; and

**WHEREAS**, the Director of Purchasing recommends a dual award be made to **Signal Control Products, Inc. and Flemington Aluminum & Brass, Inc.**, the only responsible bidders; and

**WHEREAS**, pursuant to N.J.S.A.40A:11-24, the selected responsible bidders consented to hold prices until such time as an award is made; and

**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 and/or his designee, the Director of Purchasing, are hereby authorized to enter into a contract with **Signal Control Products, Inc., 199 Evans Way, Branchburg, New Jersey 08876, to receive line items #1-9 and 12 for year one (1) and line items #1-9, 11 and 12 for year two (2), and with Flemington Aluminum & Brass, Inc., 24 Junction Boulevard, Flemington, New Jersey 08822, to receive line items #10 and 11 for year one (1) and line item #10 for year two (2), to provide Trombone Arm Assemblies, Traffic,** to the City of Newark, whose bids were received on the advertised due date and determined to be the only responsible bidders in accordance with bid specifications. The term of the contract will be established for a two (2) year term; pursuant to N.J.S.A.40A:11-3(b).
2. There shall be no amendment or change of this contract without the approval of the Municipal Council by resolution.
3. There shall be no advance payment on this contract in accordance with N.J.S.A. 40A:5-16. Funds for 2013 and subsequent years are contingent upon appropriations; pursuant to N.J.A.C. 5:30-5.5(d) (2).
4. This is an open-ended contract to be used as needed during the term of the contract. Thus, for any and all expenditures against this contract, a certification of the availability of sufficient funds, as required by N.J.A.C. 5:30-5.5(b)(2), shall be executed before a contractual liability is incurred each time an order is placed, covering the amount of the order. This contract shall not exceed \$200,000.00 for two (2) years, for two (2) vendors.
5. A duly executed copy of the contract shall be forthwith filed in the Office of the City Clerk by the Purchasing Director.
6. If required by the State Law, the City Clerk shall provide the appropriate notice of the award of this contract to the State Comptroller no later than 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 contract is awarded to **Signal Control Products, Inc. and Flemington Aluminum & Brass, Inc.**, to provide **Trombone Arm Assemblies, Traffic**, to the City of Newark at a cost not to exceed \$200,000.00 for two (2) years, for two (2) vendors .