



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

File #: 13-0213, Version: 1

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

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

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

**Purpose:** Paint, Painting Tools and Supplies

**Entity Name(s)/Address(s):** if long list- See below

**Contract Amount:** Not to Exceed \$95,000.00

**Funding Source:** City of Newark/Departments of Engineering, Neighborhood and Recreational Services, and Water & Sewer Utilities

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

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

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

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

**Entity Name/Address:**

1. Ricciardi Bros., Inc., 1915 Springfield Avenue, Maplewood, New Jersey 07040

2. Siperstein Fords Paint, 372 New Brunswick Avenue, Fords, New Jersey 08869

3. Hudson Building Supply d/b/a Clearview Paint Supply, 20-11 Francis Lewis Blvd., Whitestone, New York 11357

**Additional Information:**

Bids solicited: Ten (10)

Bids received: Three (3)

Bids rejected: Three (3)

Bids solicited: Three (3)

Bids received: Three (3)

Bids rejected by Municipal Council: Three (3)

Bids solicited: Four (4)

Bids received: Three (3)

**WHEREAS**, on September 27, 2011, the City of Newark through its Purchasing Director advertised to solicit bids for contractor(s) to provide, **Paint, Painting Tools and Supplies**, to the Departments of Engineering, Neighborhood and Recreational Services, and Water & Sewer Utilities, as per the bid proposal attached hereto; and

**WHEREAS**, the Division of Central Purchasing distributed ten (10) bid proposal packages to the prospective vendors following the date of advertisement; and

**WHEREAS**, on October 13, 2011, three (3) bids were received in response to this advertisement; and

**WHEREAS**, all bids were rejected due to faulty specifications; and

**WHEREAS**, on December 20, 2011, the City of Newark through its Purchasing Director re-advertised

to solicit bids for contractor(s) to provide, **Paint, Painting Tools and Supplies**; and

**WHEREAS**, the Division of Central Purchasing distributed three (3) bid proposal packages to the prospective vendors following the date of re-advertisement; and

**WHEREAS**, on January 5, 2012, three (3) bids were received in response to this re-advertisement; and

**WHEREAS**, the Purchasing Director recommends a multiple award based on line item pricing to **Ricciardi Bros., Inc., Siperstein Fords Paint Corporation, and Capital Paint Supplies, Inc. aka Capital Paint Centers**, the only lowest responsive and responsible bidders; and

**WHEREAS**, on April 4, 2012, failure of adoption by Municipal Council; and

**WHEREAS**, on January 8, 2013, the City of Newark through its Purchasing Director advertised a third time to solicit bids for contractor(s) to provide, **Paint, Painting Tools and Supplies**, as per the bid proposal attached hereto; and

**WHEREAS**, the Division of Central Purchasing distributed four (4) bid proposal packages to the prospective vendors following the date of advertisement; and

**WHEREAS**, on January 24, 2013, three (3) bids were received in response to this re-advertisement; and

**WHEREAS**, the Purchasing Director recommends a multiple award based on line item pricing to **Ricciardi Bros., Inc., Siperstein Fords Paint Corporation, and Hudson Building Supply d/b/a Clearview Paint Supply**, the only responsible bidders; and

**WHEREAS**, pursuant to N.J.S.A.40A:11-24, the selected responsible bidder 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 Purchasing Director, are hereby authorized to enter into a contract with **Ricciardi Bros., Inc., 1915 Springfield Avenue, Maplewood, New Jersey 07040, to receive line items as per the price schedule, (various brands) for year one (1) and two (2); Siperstein Fords Paint Corporation, 372 New Brunswick Avenue, Fords, New Jersey 08863, to receive line items as per the price schedule, (various brands) year one (1) and two (2); and Hudson Building Supply d/b/a Clearview Paint Supply, 20-11 Francis Lewis Blvd., Whitestone, New York 11357 to receive line items as per the price schedule, (various brands) for year one (1) and two (2); to provide Paint, Painting Tools & Supplies, to the City, whose bids were received on the advertised due date and determined to be the only lowest responsive and responsible bidders, based on line item awards 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.**

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 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 \$95,000.00 for two (2) years.
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 **Ricciardi Bros., Inc., Siperstein Fords Paint Corporation, and Hudson Building Supply d/b/a Clearview Paint Supply**, to provide **Paint, Painting Tools and Supplies**, to the City of Newark, at a cost not to exceed \$95,000.00 for two (2) years for three (3) vendors.