



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 13-0454, Version: 1

Dept/ Agency: Administration/Division of Central Purchasing

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

Type of Service: Bid Contract(s)

Purpose: Concrete Ready Mix, Sand and Gravel I

Entity Name(s)/Address(s): Ralph Clayton & Sons, Post Office Box 3015, Lakewood, New Jersey 08701 (1355 Campus Parkway, Wall, New Jersey 07753)

Contract Amount: Not to exceed \$75,000.00

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

Contract Period: *to be established for a two year term*

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: Twelve (12)

Bids received: Zero (0)

Bids re-solicited: Seven (7)

Bids received: One (1)

WHEREAS, on October 23, 2012, the City of Newark through its Purchasing Director advertised to solicit bids for contractor(s) to provide, **Concrete Ready Mix, Sand and Gravel**, to the Departments of Engineering, Neighborhood and Recreational Services and the Water & Sewer Utilities as per the bid proposal attached hereto; and

WHEREAS, the Division of Central Purchasing distributed twelve (12) bid proposal packages to prospective vendors following the date of advertisement; and

WHEREAS, on November 8, 2012, no bids were received in response to this advertisement; and

WHEREAS, on February 5, 2013, the City of Newark through its Purchasing Director re-advertised to solicit bids for contractor(s) to provide, **Concrete Ready Mix, Sand and Gravel**, to the Departments of Engineering, Neighborhood and Recreational Services and the Water & Sewer Utilities as per the bid proposal attached hereto; and

WHEREAS, the Division of Central Purchasing distributed seven (7) bid proposal packages to prospective vendors following the date of re-advertisement; and

WHEREAS, on February 21, 2013, one (1) bid was received in response to this advertisement; and

WHEREAS, the Purchasing Director recommends an award be made to **Ralph Clayton & Sons**, the only responsible bidder; 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 **Ralph Clayton & Sons, Post Office Box 3015, Lakewood, New Jersey 08701 (1355 Campus Parkway, Wall, New Jersey 07753)**, to provide **Concrete Ready Mix, Sand and Gravel**, to the City, whose bid was received on the advertised due date and determined to be the only responsible bidder, in accordance with the 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 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 \$75,000.00 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 **Ralph Clayton & Sons** to provide **Concrete Ready Mix, Sand and Gravel**, to the City of Newark, at a cost not to exceed \$75,000.00 for two (2) years.