



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

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File #: 13-0924, Version: 2

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

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

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

**Purpose:** Towing Services, City-owned Vehicles/Heavy Duty

**Entity Name(s)/Address(s):** B & C Towing, Inc., 527 Avenue P, Newark, New Jersey 07105

**Contract Amount:** Not to exceed \$150,000.00

**Funding Source:** City of Newark Budget/Department of Engineering, Division of Motors/Open-Ended

**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

**Additional Information:**

Bids Solicited: Twelve (12)

Bids Received: Three (3)

Bids Re-solicited: Twelve (12)

Bids Received: Four (4)

Bids Rejected: Two (2)

**No Action Taken 7R1-m 051513**

**Failed 7R1-m 052213**

**WHEREAS**, on April 20, 2010, the City of Newark through its Purchasing Director, advertised to solicit bids for Towing Services, City-owned Vehicles, Heavy Duty, for the Department of Engineering, Division of Motors; and

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

**WHEREAS**, on May 6, 2010, three (3) bids were received in response to this advertisement; and

**WHEREAS**, all bids received failed to meet bid specification requirements; and

**WHEREAS**, the City did not award a contract or reject all bids within 60 days pursuant to N.J.S.A.40A:11-24; and

**WHEREAS**, the City revised the bid specifications; and

**WHEREAS**, on May 10, 2011, the City of Newark through its Purchasing Director, re-advertised to solicit bids for Towing Services, City-Owned Vehicles/Heavy Duty, for the Department of Engineering, Division of Motors, as per the revised bid proposal attached hereto; and

**WHEREAS**, the Division of Central Purchasing distributed twelve (12) bid packages in response to prospective vendors following the date of re-advertisement; and

**WHEREAS**, on May 26, 2011, four (4) bids were received in response to this re-advertisement; and

**WHEREAS**, two (2) bids were rejected due to non-compliance with bid specification requirements; and

**WHEREAS**, the Department of Engineering, Division of Motors, reviewed the bids and recommended an award be made to the lowest responsive and responsible bidder, B & C Towing Inc.; and

**WHEREAS**, the Purchasing Director reviewed the bids and concurs with the recommendation; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-24, the vendor agreed to hold their prices beyond 60 days; and

**WHEREAS**, pursuant to N.J.S.A. 19:44A-20.5 et seq., solicitation 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 B & C Towing, Inc., 527 Avenue P, Newark, New Jersey 07105, to provide Towing Services, City-owned Vehicles/Heavy Duty, to the City, whose bid was received on the re-advertised due date and determined to be the lowest responsive and responsible bidder, 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.

3. There shall be no advance payment on this contract in accordance with N.J.S.A. 40A:5-16. Funds for 2012 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, any and all expenditures against this contract, certification of the availability of sufficient funds as required by N.J.A.C. 5:30-5.5(b) 2 shall be incurred each time an order is placed covering the amount of the service. This contract shall not exceed \$150,000.00 for a two (2) year term.

5. The Purchasing Director shall forthwith file a duly executed copy of this contract in the Office of the City Clerk.

6. 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 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**

Resolution authorizing the Mayor and/or his designee, the Purchasing Director, are hereby authorized to enter into a contract with B & C Towing, Inc., 527 Avenue P, Newark, New Jersey 07105, to provide Towing Services, City-owned Vehicles/Heavy Duty, to the City, at a cost not to exceed \$150,000.00 for a two (2) year term.