



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

File #: 13-2078, Version: 2

**Dept/ Agency:** Engineering

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

**Type of Service:** Bid Contract

**Purpose:** "Renovations and Improvements to Sixteen (16) Sale-Lease Back Public Buildings" - Renovation of Firehouse, Engine 11, Truck 11, 352-354 South Orange Avenue (a/k/a 345 South 9<sup>th</sup> Street), Newark, New Jersey

**Entity Name:** Bismark Construction Corp.

**Entity Address:** 207-209 Berkeley Avenue, Newark, New Jersey 07107

**Contract Amount:** \$326,000.00

**Funding Source:** Essex County Improvement Authority ("ECIA")

**Contract Period:** One (1) year from the issuance of a formal 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:**

Bids Solicited: Five (5)

Bids Received: Two (2)

Bids Rejected: Two (2)

Bids Re-Solicited: Seven (7)

Bids Received: Two (2)

Bids Rejected: Two (2)

Bids Re-Solicited: Five (5)

Bids Received: One (1)

Contract #17-2012RR

**Failed 7R4-c 012214**

**WHEREAS**, on December 14, 2012 the Department of Engineering, City of Newark, advertised for the receipt of sealed bids for Contract #17-2012, Essex County Improvement Authority Renovation of Firehouse, Engine 11, Truck 11, 345 South 9<sup>th</sup> Street, Newark, New Jersey, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, on January 16, 2013, the scheduled date for the public opening of bids, two (2) bids were received; and

**WHEREAS**, after a review of the bids received, the City of Newark, rejected all bids pursuant to N.J.S.A. 40A:11-13.2(d), because the contracting unit had a need to substantially revise the specifications for the goods or services; and

**WHEREAS**, on March 8, 2013, all contractors were notified by certified mail, regular mail and email that a re-bid would take place and all were invited to participate; and

**WHEREAS**, on March 25, 2013, the Department of Engineering, City of Newark, advertised for the receipt of sealed bids for Contract #17-2012R, Essex County Improvement Authority Renovation of Firehouse, Engine 11, Truck 11, 345 South 9<sup>th</sup> Street, Newark, New Jersey, pursuant to the Local Public Contract Laws, N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, on May 1, 2013, the advertised, scheduled date for the public opening of bids, two (2) bids were received; and

**WHEREAS**, after a review of the bids received, the City of Newark, rejected all bids for being incomplete; and

**WHEREAS**, on July 15, 2013, the Department of Engineering, City of Newark, advertised for the receipt of sealed bids for Contract #17-2012RR, Essex County Improvement Authority Renovation of Firehouse, Engine 11, Truck 11, 345 South 9<sup>th</sup> Street, Newark, New Jersey, pursuant to the Local Public Contract Laws, N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, on August 21, 2013, the advertised, scheduled date for the public opening of bids, one (1) bid was received; and

**WHEREAS**, after a review of the bid received, the Director of the Department of Engineering, recommends acceptance of the bid proposal of the lowest responsible bidder, Bismark Construction Corp., 207-209 Berkeley Avenue, Newark, New Jersey 07107, in the total bid amount of \$326,000.00 ( ); and

**WHEREAS**, the Director of the Department of Engineering seeks authority to execute Contract #17-2012RR, Essex County Improvement Authority Renovation of Firehouse, Engine 11, Truck 11, 345 South 9<sup>th</sup> Street, Newark, New Jersey, with Bismark Construction Corp, 207-209 Berkeley Avenue, Newark, New Jersey 07107, as the lowest responsible bidder, for the total amount of \$326,000.00 (Base Bid for \$219,000.00 + Allowance + Alternates M-1, M-2, E-1 through E-3, for a total amount of \$326,000.00).

**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 the Department of Engineering, is hereby authorized on behalf of the City of Newark to accept the bid submitted by the lowest responsible bidder, Bismark Construction Corp, 207-209 Berkeley Avenue, Newark, New Jersey 07107, and execute Contract #17-2012RR, Essex County Improvement Authority Renovation of Firehouse, Engine 11, Truck 11, 345 South 9<sup>th</sup> Street, Newark, New Jersey, for the amount not to exceed \$326,000.00 (Base Bid for \$219,000.00 + Allowance + Alternates M-1, M-2, E-1 through E-3, for a total amount of \$326,000.00).
2. The term of the contract shall be one (1) year from the issuance from a written Notice to Proceed by the Director of the Department of Engineering.
3. Pursuant to N.J.S.A. 40A:11-15(9), the term of this contract can be extended by a resolution of the Municipal Council for the time period authorized and necessary to complete actual construction.

4. No amendment or modification to this contract is allowed without prior Municipal Council approval.
5. A fully executed copy of the contract and the Notice to Proceed shall be filed in the Office of the City Clerk by the Director, Department of Engineering or his designee.
6. Funds for this contract in the amount of \$326,000.00 shall be provided by the Essex County Improvement Authority ("ECIA") through the Bank of New York Mellon and payments made for this project shall be monitored by the City of Newark, Department of Finance.
7. This contract was advertised and awarded in compliance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.
8. This public bidding process under the Local Public Contract Laws, N.J.S.A. 40A:11-1, et seq.; complies with Fair and Open process of the State of New Jersey Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.5, and is in compliance with the City of Newark Executive Order and Pay-to-Play (MEO07-0001) and the Ordinance on Contractor Pay-to -Play Reform, 6PSF-a, adopted August 1, 2012..

### **STATEMENT**

This resolution authorizes the Mayor and/or his designee, the Director of the Department of Engineering, to accept the bid submitted by the lowest responsible bidder, Bismark Construction Corp, 207-209 Berkeley Avenue, Newark, New Jersey 07107, and execute Contract #17-2012RR, Essex County Improvement Authority Renovation of Firehouse, Engine 11, Truck 11, 345 South 9<sup>th</sup> Street, Newark, New Jersey, for a total amount not to exceed \$326,000.00 (Base Bid for \$219,000.00 + Allowance + Alternates M-1, M-2, E-1 through E-3, for a total amount of \$326,000.00).