



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

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File #: 13-2392, Version: 1

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**Dept/ Agency:** Engineering

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

**Type of Service:** Bid Contract

**Purpose:** Renovations to the South Ward Firehouse, Engine 18, 395-397 Avon Avenue (aka 395-99 Avon Avenue, Newark, New Jersey

**Entity Name:** Bismark Construction Corp.

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

**Contract Amount:** \$218,400.00

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

**Contract Period:** One (1) Year from the Issuance of a 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: Four (4)

Bids Rejected: Four (4)

Bids Re-Solicited: Twenty(20)

Bids Received: Seven (7)

Contract #05-2013R

**WHEREAS**, on May 6, 2013, the Department of Engineering, City of Newark, advertised for the receipt of sealed bids for Contract #05-2013R, Renovation to the South Ward Firehouse, Engine 18, 395-397 Avon Avenue (aka 395-99 Avon Avenue), Newark, New Jersey, in accordance with the public bidding procedures of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, on June 12, 2013, the scheduled date for the public opening of bids, four (4) 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(a), because the lowest bid substantially exceeds the cost estimates for the services; and

**WHEREAS**, on October 7, 2013, the Department of Engineering, City of Newark, re-advertised for the receipt of sealed bids for Contract #05-2013R, Renovation to the South Ward Firehouse, Engine 18, 395-397 Avon Avenue (aka 395-99 Avon Avenue), Newark, New Jersey, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, on November 19, 2013, the advertised, scheduled date for the public opening of bids, seven (7) bids were received; and

**WHEREAS**, after a review of the bids received, the Director of the Department of Engineering, has determined that it is in the best interest of the City of Newark to accept the bid proposal and execute Contract #05-2013R, Renovation to the South Ward Firehouse, Engine 18, 395-397 Avon Avenue (aka 395-99 Avon Avenue), Newark, New Jersey, with the lowest responsible bidder, Bismark Construction Corp., 207-209 Berkeley Avenue, Newark, New Jersey 07107, in the total bid amount of \$218,400.00 (**Base Bid for \$156,000.00 + Allowance + Items 3 and 4**); and

**WHEREAS**, the Director of the Department of Engineering desires to accept the bid proposal and execute Contract #05-2013R, Renovation to the South Ward Firehouse, Engine 18, 395-397 Avon Avenue (aka 395-99 Avon Avenue), 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 \$218,400.00 (**Base Bid for \$156,000.00 + Allowance + Items 3 and 4**)

**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 #05-2013R, Renovation to the South Ward Firehouse, Engine 18, 395-397 Avon Avenue (aka 395-99 Avon Avenue), Newark, New Jersey, for the amount not to exceed \$218,400.00 (for the total amount of \$218,400.00 (**Base Bid for \$156,000.00 + Allowance + Items 3 and 4**)).
1. The term of the contract shall be one (1) year from the issuance of a written Notice to Proceed by the Director of the Department of Engineering.
2. 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.
3. No amendment or modification to this contract shall be allowed without prior Municipal Council approval.
4. 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.
5. Funds for this contract in the amount of \$218,400.00 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 Contracts Law, 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 (MEO-07-0001) and the Contractor Pay-to-Play Reform Ordinance, 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 #05-2013R, Renovation to the South Ward Firehouse, Engine 18, 395-397 Avon Avenue (aka 395-99 Avon Avenue), Newark, New Jersey, for an amount not to exceed \$218,400.00 (**Base Bid for \$156,000.00 + Allowance + Items 3 and 4**).