



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 14-2003, Version: 2

Dept/ Agency: Engineering

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

Type of Service: Bid Contract

Purpose: Mary Eliza Mahoney Health Center Dental Clinic Improvements

Entity Name: Bismark Construction Corp.

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

Contract Amount: \$994,900.00

Funding Source: Health and Community Wellness (\$466,800.00) and Community Development Block Grant Funds for Program Year 2014 (\$528,100.00)

Contract Period: One Hundred and Eighty (180) days after the issuance of a formal Notice to Proceed

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:

Contract #09-2014

Bids Solicited: 13

Bids Received: 10

The CDBG Budget Appropriation Resolution is being presented simultaneously with this Resolution (See Legistar 15-0052)

WHEREAS, on October 1, 2014, the Department of Engineering, City of Newark, advertised for the receipt of bids for Contract #09-2014 Mary Eliza Mahoney Health Center Dental Clinic Improvements at 110 William Street, Newark, New Jersey, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, pursuant to the above advertisement, a mandatory pre-bid walk-thru took place at the project site on October 10, 2014 at 10:00 a.m. and thirteen (13) contractors who picked up bid packages for Contract #09-2014 Mary Eliza Mahoney Health Center Dental Clinic Improvements at 110 William Street, Newark, New Jersey, attended the visual inspection of the site (attached is a copy of the walk-thru sign in sheet); and

WHEREAS, on November 6, 2014, the scheduled date for the public opening of bids, ten (10) bids were received and opened; and

WHEREAS, CCMS Corp., the consultant retained by the City of Newark, recommends that the contract be awarded to Bismark Construction Corp., 207-209 Berkeley Avenue, Newark, New Jersey 07107, the lowest numerical bidder; and

WHEREAS, 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 #09-2014 Mary Eliza Mahoney Health Center Dental Clinic Improvements at 110 William Street, 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 \$994,900.00 (**Base Bid for \$894,900.00 + Allowance \$100,000.00 for a Total Amount of \$994,900.00**); and

WHEREAS, some of the major items of work covered by this contract are (i) Demolition and disposal of the interior contents within the area of work, (ii) Installation of new metal framing, sheetrock, floor, wall and ceiling finishes, and doors and frames, (iii) Dental Equipment installation; and

WHEREAS, the public advertisement and the receipt of public bids and the award of the contract to the lowest responsible bidder, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq. constitutes a fair and open process pursuant to the Local Pay- to-Play Law, N.J.S.A. 19:44A:20.5, et seq.

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 to accept the bid submitted by the lowest responsible bidder Bismark Construction Corp., 207-209 Berkeley Avenue, Newark, New Jersey 07107, and execute Contract #09-2014 Mary Eliza Mahoney Health Center Dental Clinic Improvements at 110 William Street, Newark, New Jersey, for the total bid amount of \$994,900.00 (**Base Bid for \$894,900.00 + Allowance \$100,000.00, for a total amount of \$994,900.00**).
2. Attached hereto are the following partial Certification of Funds from the Acting Director of Finance which states that funds in the amount of \$466,800.00, are available in the 2012 Budget under:

Business Unit	Dept. ID	Division/Project	Account	Budget Ref.
NW051	G12	2H2KO	94020	B2012
NW051	G12	2H2KO	94550	B2012
NW051	G12	2H2KO	94710	B2012
NW051	G12	2H2KO	95960	B2012

The certification shall be filed along with the original resolution in the Office of the City Clerk.

3. The remainder of the funding in the amount of \$528,100.00 shall be certified from the Community Development Block Grant Funds awarded to the City of Newark from the United States Department of Housing and Urban Development (HUD) for the Program Year 2014 and accepted through Resolution 7R1-k, adopted on January 7, 2015 (a copy of the award letter and the Amended Action Plan is attached hereto and made a part of this resolution). A contract shall not be executed until a Certification of Funds in the amount of \$528,100.00 is issued by the Director of Finance and a copy filed with the City Clerk.
4. The Department of Administration/Office of Management and Budget is presenting a separate

resolution to the Council, simultaneously with this resolution, appropriating the above-referenced CDBG funds. Upon adoption of the appropriation resolution by the Municipal Council the Director of Finance shall issue a Certification of Funds for the remainder of the funding for this contract in the amount of \$528,100.00.

5. This contract is being awarded pursuant to the fair and open procedures of the Pay- to-Play Law, N.J.S.A. 19:44A-20.5, et seq. and in accordance with the public bid procedures pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.
6. No changes to this contract shall be allowed or authorized without prior Municipal Council approval.
7. There shall be no advance payments made against this contract in accordance with N.J.A.C. 40A:5-16.
8. A fully executed copy of the contract shall be filed in the Office of the City Clerk, by the Director of Engineering or his designee.
9. The term of this contract shall be one hundred and eighty (180) days from the date a formal "Notice to Proceed" is issued by the Director of Engineering or his designee.
10. Bismark Construction Corp., 207-209 Berkeley Avenue, Newark, New Jersey 07107, has certified that it has neither made nor will make a prohibited contribution in violation of any applicable federal or state laws, or City Ordinances, including but not limited to the Executive Order on Pay-to-Play Reform (MEO-7-0001) as may be amended from time to time. Any such failure shall constitute a breach of the Contract.
11. A notice of this action shall be printed in a local newspaper as required by law within ten (10) days hereof.

STATEMENT

Resolution authorizing 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 #09-2014 Mary Eliza Mahoney Health Center Dental Clinic Improvements at 110 William Street, Newark, New Jersey, for the total bid amount of \$994,900.00 (Base Bid for \$894,900.00 + Allowance \$100,000.00, for a total amount of \$994,900.00)