



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

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**File #:** 18-1387, **Version:** 1

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

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

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

**Purpose:** Maintenance and Repair: Masonry

**Entity Name(s)/Address(es):**

1) Rana Construction Inc., 430 Madison Avenue, Elizabeth, New Jersey 07201

2) Bismark Construction Corporation, 207-209 Berkeley Avenue, Newark, New Jersey 07107

3) De Dan Group, LLC., 17 Porter Road, West Orange, New Jersey 07052

**Contract Amount:** \$1,800,000.00

**Funding Source:** 2018 Budget/Department of Public Works

**Account Code Line:** NW011-060-0604-71750-B2018

**Contract Period:** To be established for a period not to exceed (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:**

1st Advertisement Date: November 29, 2016

Bids Solicited: Twelve (12)

Bids Received: Four (4)

2nd Advertisement Date: February 13, 2018

Bids Solicited: Twelve (12)

Bids Received: Four (4)

Bids Rejected: Four (4)

3rd Advertisement Date: May 1, 2018

Bids Solicited: Seven (7)

Bids Received: Five (5)

**WHEREAS**, on November 29, 2016, the City of Newark through its Supervising Procurement Specialist, advertised to solicit bids for contractors to provide Maintenance and Repair: Masonry for the Department of Public Works, as described in the attached bid proposal; and

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

**WHEREAS**, on December 15, 2016, the Division of Central Purchasing received four (4) bids in response to this advertisement; and

**WHEREAS**, the Director of Public Works recommended that an award be made to Rana Construction, Inc., the lowest responsive and responsible bidder; and

**WHEREAS**, the Supervising Procurement Specialist rescinded the award in order to significantly revise the bid specifications due to a non-curable defect on the price schedules; and

**WHEREAS**, on February 13, 2018, the City of Newark through its Supervising Procurement Specialist re-advertised to solicit bids for contractors to provide Maintenance and Repair: Masonry; and

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

**WHEREAS**, March 1, 2018, four (4) bids were received and rejected for noncompliance with prevailing wages as required by the bid specification and in accordance with the New Jersey Department of Labor and Workforce Development; and

**WHEREAS**, on May 1, 2018, the City of Newark through its Supervising Procurement Specialist re-advertised to solicit bids for contractors to provide Maintenance and Repair: Masonry for the Department of Public Works; and

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

**WHEREAS**, on May 17, 2018, five (5) bids were received in response to the advertisement; and

**WHEREAS**, Department of Public Works, Division of Public Buildings, recommend multiple awards be made to: (1) Rana Construction Inc., 430 Madison Avenue, Elizabeth, New Jersey 07201; (2) Bismark Construction Corporation, 207-209 Berkeley Avenue, Newark, New Jersey 07107; and (3) De Dan Group, LLC, 17 Porter Road, West Orange, New Jersey 07052; the lowest responsive and responsible bidders per line item by commodity and

**WHEREAS**, the Supervising Procurement Specialist concurs with the recommendation from the Department of Public Works, Division of Public Buildings, multiple awards be made to: (1) Rana Construction Inc., (2) Bismark Construction Corporation, and (3) De Dan Group, LLC, the lowest responsive and responsible bidders per line item by commodity; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-24, the recommended bidders consented to holding their prices beyond sixty (60) days; and

**WHEREAS**, pursuant to N.J.S.A. 19:44A20.5 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 Director of Purchasing, QPA, are hereby authorized to enter into and execute contracts with: (1) Rana Construction Inc., 430 Madison Avenue, Elizabeth, New Jersey 07201; (2) Bismark Construction Corporation, 207-209 Berkeley

Avenue, Newark, New Jersey 07107; and (3) De Dan Group, LLC, 17 Porter Road, West Orange, New Jersey 07052; to provide Maintenance and Repair: Masonry for the City of Newark, Department of Public Works, whose bids were received on the advertised due date and determined to be the lowest responsive and responsible bidders per line item by commodity. The term of the contract will be established for two (2) years, pursuant to N.J.S.A. 40A:15.

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 2018 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, 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 from Account Code Line: NW011-060-0604-71750-B2018. This contract shall not exceed One Million, Eight Hundred Thousand Dollars and Zero Cents (\$1,800,000.00) for two (2) years for three (3) vendors.
5. The Director of Purchasing, QPA, 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 twenty (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 resolution authorizes the Mayor and/or his designee, the Director of Purchasing, QPA, to enter into and execute contracts with: (1) Rana Construction Inc., 430 Madison Avenue, Elizabeth, New Jersey 07201; (2) Bismark Construction Corporation, 207-209 Berkeley Avenue, Newark, New Jersey 07107; and (3) De Dan Group, LLC, 17 Porter Road, West Orange, New Jersey 07052, to provide Maintenance and Repair: Masonry to the City of Newark, Department of Public Works, at a cost not to exceed One Million, Eight Hundred Thousand Dollars and Zero Cents (\$1,800,000.00) for two (2) years for three (3) vendors.