



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

File #: 19-0262, Version: 1

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

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

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

**Purpose:** To provide Mowing Services and Park Maintenance for the City

**Description:** Mowing Services and Park Maintenance

**Entity Name(s)/Address(s):** Custom Care Services, Inc., 2817 Williamsburg Drive, Wall, New Jersey 07719

**Contract Amount:** \$200,000.00

**Funding Source:** 2019 Budget/Department of Recreation, Cultural Affairs and Senior Services

**Account Code Line:** NW0267-32720-B2017/Open Park Trust Fund

**Contract Period:** To be established for a period not to exceed two (2) years, pursuant to 40A:11-15

**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: December 26, 2017

Bids Solicited: Thirteen (13)

Bids Received: One (1)

Bids Rejected: One (1)

2nd Advertisement Date: April 10, 2018

Bids Solicited: Thirteen (13)

Bids Received: Two (2)

Bids Rejected: One (1)

3rd Advertisement Date: November 27, 2018

Bids Solicited: Eight (8)

Bids Received: Four (4)

**WHEREAS**, on December 26, 2017, the City of Newark, through its Purchasing Agent, advertised to solicit bids for contractors to provide Mowing Services and Park Maintenance for the Department of Recreation Cultural Affairs and Senior Services, as per the bid proposal attached hereto; and

**WHEREAS**, the Division of Central Purchasing also distributed thirteen (13) bid proposal packages to prospective vendors following the date of advertisement; and

**WHEREAS**, on January 18, 2018, one (1) bid was received in response to this advertisement; and

**WHEREAS**, the Department of Recreation Cultural Affairs and Senior Services recommended

the bid be rejected and re-advertised because the only bid received substantially exceeds the cost estimates and/or contracting unit's appropriation for the goods or services, pursuant to N.J.S.A. 40A:11-13.2(a) and (b); and

**WHEREAS**, April 10, 2018, the City of Newark, through its Supervising Procurement Specialist, re-advertised to solicit bids for contractors to provide Mowing Services and Park Maintenance for the Department of Recreation Cultural Affairs and Senior Services, as per the bid proposal attached hereto; and

**WHEREAS**, the Division of Central Purchasing also distributed thirteen (13) bid proposal packages to prospective vendors following the date of advertisement; and

**WHEREAS**, on April 26, 2018, two (2) bids were received in response to this advertisement, one (1) bid was rejected for failure to submit the required bid bond as required by the bid proposal; and

**WHEREAS**, the Department of Recreation Cultural Affairs and Senior Services recommended the remaining bid be rejected and re-advertised in order to revise the specification by adding a new location for Homestead Park; and

**WHEREAS**, on November 27, 2018, the City of Newark, through its Qualified Purchasing Agent (QPA), re-advertised to solicit bids for contractors to provide Mowing Services and Park Maintenance for the Department of Recreation Cultural Affairs and Senior Services, and

**WHEREAS**, it was determined that sealed proposals scheduled to be received on December 13, 2018 for Mowing Services and Park Maintenance should be postponed to amend the specifications and price schedules as it relates to number of acres for line item #1 for Bo Porter Recreation Facility from approximately 4-acres to 2.5-acres, and line item #6 for Nat Turner Park from approximately 9-acres to 8-acres; and

**WHEREAS**, on December 7, 2018, the QPA advertised Addendum to RFP for Mowing Services and Park Maintenance, pursuant to N.J.S.A. 40A:11-23(c)(1), extending the deadline to receive bids to December 20, 2018; and

**WHEREAS**, the Division of Central Purchasing also distributed eight (8) bid proposal packages to prospective vendors following the date of advertisement; and

**WHEREAS**, on December 20, 2018, four (4) bids were received in response to this advertisement; and

**WHEREAS**, the Director of the Department of Recreation, Cultural Affairs and Senior Services recommended that an award be made to Custom Care Services Inc., the next lowest responsive and responsible bidder; as the lowest bidder was not within industry standards, unreasonable and impractical; and

**WHEREAS**, the QPA concurred with the recommendation that an award be made to Custom Care Services, Inc., the next lowest responsive and responsible bidder; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-24, the bidder consented to holding prices bid for consideration until such time as an award is made, as the law permits; and

**WHEREAS**, pursuant to N.J.S.A. 19:44A-20.5 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 QPA, are hereby authorized to enter into a contract with Custom Care Services Inc., 2817 Williamsburg Drive, Wall, New Jersey 07719, to provide Mowing Services and Park Maintenance for the Department of Recreation Cultural Affairs and Senior Services, whose bid was received on the postponed due date and determined to be the next lowest responsive and responsible bidder, in accordance with the bid specifications; as the lowest bidder was not within industry standards, unreasonable and impractical. The term of the contract will be established for a term not to exceed two (2) years, pursuant to N.J.S.A. 40A:11-15.
2. There shall be no amendment or change of this contract without the approval of the Municipal Council by resolution.
3. There shall be no advance payment on this contract in accordance with N.J.S.A. 40A:5-16. Funds for 2019 and subsequent years are contingent upon appropriations, pursuant to N.J.A.C. 5:30-5.5(d).
4. This is an open-end contract to be used as needed during the term of 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: NW0267-32720-B2017/Open Park Trust Fund, covering the amount of the order. This contract shall not exceed \$200,000.00 for a term of two (2) years for one (1) vendor.
5. The QPA shall forthwith filed a duly executed copy of this contract in the Office of the City Clerk.
6. If required by the 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**

This resolution authorizes the Mayor and/or his designee, the QPA, to enter into and execute a contract with Custom Care Services Inc. to provide Mowing and Park Maintenance Services for the City of Newark, Department of Recreation Cultural Affairs and Senior Services, at a cost not to exceed \$200,000.00 for a term of two (2) years for one (1) vendor.