



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 19-0146, Version: 1

Dept/ Agency: Water and Sewer Utilities

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

Type of Service: Bid Contract

Purpose: To provide supply and delivery of Water Purification Chemicals for PWTP-Contract # 17R-WS2018 (Re-bid).

Entity Name: Shannon Chemical Corporation

Entity Address: 602 Jeffers Circle, Suite 116, Exton, Pennsylvania 19341

Contract Amount: Not to exceed \$500,000.00

Funding Source: 2019 Budget/Department of Water and Sewer Utilities

Contract Period: Two (2) years from the date of the 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: Four (4)

Bids Received: Three (3)

WHEREAS, the City of Newark is in need of suppliers to provide bulk water purification chemicals necessary to treat the water at the Pequannock Water Treatment Plant for the operation of the City of Newark's water utility system; and

WHEREAS, on September 21, 2018, the City of Newark, Department of Water and Sewer Utilities ("Department") advertised for the for Supply and Delivery of Water Purification Chemicals for the City's Pequannock Water Treatment Plant and we received only one bid on the seven chemicals advertised; and

WHEREAS, on November 29, 2018, the Department, re-advertised for bids, no bids were received, so the Department decided to change the specifications; and

WHEREAS, pursuant to the public bidding process of Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., the Department advertised on December 7, 2018, in a general circulation newspaper, for the receipt of sealed bids for the Supply and Delivery of Water Purification Chemicals for the City's Pequannock Water Treatment Plant; and

WHEREAS, on December 28, 2018, the Department received sealed bids from three (3) vendors for the supply of certain water purification chemicals for water treatment at the Pequannock Water Treatment Plant; and

WHEREAS, upon review of the bids submitted, the Department determined that the following vendor submitted the lowest responsible bid in compliance with Local Public Contracts Law *N.J.S.A. 40A:11-1 et seq.*:

Shannon Chemical Corporation., 602 Jeffers Circle, Suite 116, Exton, Pennsylvania 19341 to supply Potassium Permanganate for \$1.72/lb. for Year 1 and \$1.83/lb., for Year 2; and

Shannon Chemical Corporation., 602 Jeffers Circle, Suite 116, Exton, Pennsylvania 19341 to supply Sodium Permanganate for \$8.37/Gal. for Year 1 and \$8.77/Gal. for Year 2; and

Shannon Chemical Corporation., 602 Jeffers Circle, Exton, Suite 116, Pennsylvania 19341 to supply Zinc Orthophosphate for \$4.213/Gal. for Year 1 and \$4.763/Gal for Year 2; and

WHEREAS, the Department of Water and Sewer Utilities reviewed the bid and found that the objectives of competitive bidding were achieved, that favorable bid prices were received, and that Shannon Chemical Corporation, Post Office Box 376, Malvern, Pennsylvania 19355., is a responsible vendor capable of providing the products in accordance with the bid specifications; and

WHEREAS, based on the above findings, the City of Newark has determined that in accordance with *N.J.S.A. 40A:11-1 et seq.*, the above listed vendor constitutes the lowest, responsible bidder for each of the products; and

WHEREAS, the City of Newark desires to award a contract to the aforementioned vendor in the amounts specified in the Bid for the supply of chemicals for water treatment at the Pequannock Water Treatment Plant, for two (2) years, from the date of the Notice to Proceed; and

WHEREAS, the award of this contract is necessary for the efficient operation of the City's Pequannock Water Treatment Plant and is in compliance with Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.* and with the Fair and Open Process described in the New Jersey Local Unit Pay-to-Play Law, *N.J.S.A. 19:44A-20.5, et seq.*; and

WHEREAS, the Municipal Council adopted the Contractor Pay-to-Play Reform Ordinance, R.O. 2:4-22C, which forbids the award of a contract of a Business Entity, as defined therein, which has made or solicited political contributions to Newark Municipal Candidates, office holders having ultimate responsibility for the award of a contract; candidate committees of the aforementioned candidates, and political or political party committees of the City of Newark or County of Essex; and continuing political committees or political action committees regularly engaged in the support of the City of Newark Municipal or County of Essex elections; and certain other political party candidates committees, in excess of certain thresholds.

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 Acting Director of the Department of Water and Sewer Utilities, is hereby authorized to enter into a contract with the following supplier of water purification chemicals for a term of two (2) years, from the date of the Notice to Proceed, as follows:

Shannon Chemical Corporation., 602 Jeffers Circle, Exton, Suite 116, Pennsylvania 19341 to supply Potassium Permanganate for \$1.72/lb. for Year 1 and \$1.83/lb., for Year 2; and

Shannon Chemical Corporation., 602 Jeffers Circle, Exton, Suite 116, Pennsylvania 19341 to supply Sodium Permanganate for \$8.37/ Gal. for Year 1 and for \$8.77/Gal. for Year 2; and

Shannon Chemical Corporation., 602 Jeffers Circle, Exton, Suite 116 Pennsylvania 19341 to supply Zinc Orthophosphate for \$4.213/ Gal. for Year 1 and for \$4.763/Gal for Year 2; and

2. This contract was solicited and awarded pursuant to the fair and open procedures in accordance with the State Pay-to-Play Law (N.J.S.A. 19:44A-20.5), and pursuant to the provisions of the Local Public Contracts Law N.J.S.A. 40A:11-5(1)(a)(i), and is in compliance with the City's Contractor Pay-to-Play Reform Ordinance, R.O. 2:4-22C.
3. This is an open-ended contract to be used as needed during the term of the contracts. Thus, for any and all expenditures against the contracts, a Certification of Funds attesting to the availability of sufficient funds, as required by and pursuant to *N.J.A.C. 5:30-5.5(b)*, shall be executed before a contractual liability is incurred each time an order is placed covering the amount of the order. This contract shall not, in total, exceed \$500,000.00 (Five Hundred Thousand Dollars and Zero Cents) grand total of all included chemicals for two (2) years based on quantity.
4. It is the responsibility of the Acting Director of the Department of Water and Sewer Utilities to ascertain the availability of sufficient funds before ordering the water purification chemicals and to assure that the chemicals provided are in compliance with the specifications; furthermore, the Director will provide the Municipal Council and the Assistant Business Administrator with appropriate monthly reports during the term of the contract.
5. There shall be no amendment or change to the contract without prior approval by the Municipal Council.
6. There shall be no advance payments made against the contract in accordance with *N.J.A.C. 40A:5-16*.
7. The Acting Director of the Department of Water and Sewer Utilities shall forthwith file duly executed copies of the contract in the Office of the City Clerk.
8. 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 Acting Director of the Department of Water and Sewer Utilities, to enter into and execute a contract with Shannon Chemical Corporation, 602 Jeffers Circle, Suite 116, Exton, Suite 116, Pennsylvania, 19341 for the purpose of the Supply and Delivery of Water Purification Chemicals for the City of Newark's Pequannock Water Treatment Plant, for a period of two (2) years from the date of the Notice to Proceed, for a total cost not to exceed \$500,000.00 based on quantity.

