



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 19-0966, **Version:** 1

Dept/ Agency: Water and Sewer Utilities

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

Type of Service: Bid Contract

Purpose: Contract # 19-WS2019: Corrosion Control Pipe Loop Rig Testing

Entity Name: Agra Environmental Service, Inc.

Entity Address: 90 ½ West Blackwell Street, Dover, New Jersey 07801

Contract Amount: Not to exceed \$124,500.00

Funding Source: 2019 Budget/Department of Water and Sewer Utilities/ NW037-750-7502-72250

Contract Period: One (1) year from the date of 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: Three (3)

Bids Received: Three (3)

WHEREAS, the City of Newark, Department of Water and Sewer Utilities, intends to enter into a contract with a New Jersey State Certified Drinking Water Laboratory for the testing of Newark's water supply; and

WHEREAS, the contracted laboratory will be expected to follow a standard progression of testing required. In addition to adhering to specific State and Federal requirements, all work shall comply with all applicable governmental regulations, customary quality standards and accepted good practice for the type of work being performed; and

WHEREAS, pursuant to the public bidding process of the Local Public Contracts Law, N.J.S.A 40A:11-1 et seq., the Department of Water and Sewer Utilities advertised on April 30, 2019, in a general circulation paper, for the receipt of sealed bids for Corrosion Control Pipe Loop Rig Testing; and

WHEREAS, three (3) prospective bidders requested Bid Specifications from the Department of Water and Sewer Utilities; and

WHEREAS, on May 16, 2019, the Department of Water and Sewer Utilities received sealed bids from three (3) contractors for Corrosion Control Pipe Loop Rig Testing; and

WHEREAS, upon review of the bids submitted, the Department of Water and Sewer Utilities, has determined that Agra Environmental Service, Inc., 90 ½ West Blackwell Street, Dover, New Jersey 07801, submitted the lowest responsible bid in compliance with the Local Public Contracts Law N.J.S.A 40A:11-1 et seq.; and

WHEREAS, the City of Newark desires to award a contract to Agra Environmental Service, Inc., 90 ½ West Blackwell Street, Dover, New Jersey 07801 in the amount not to exceed One Hundred Twenty-Four Thousand Five Hundred Dollars and Zero Cents (\$124,500.00) for a period of (1) one-year from issue of Notice to Proceed; 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 to 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 election; and certain other political party or candidate 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 the Water and Sewer Utilities is hereby authorized to enter into a contract with Agra Environmental Service Inc., 90 ½ West Blackwell Street, Dover, New Jersey 07801 in the amount of One Hundred Twenty-Four Thousand Five Hundred Dollars and Zero Cents (\$124,500.00) for a term of one (1) year commencing from the issuance of a Notice to Proceed by the Department of Water and Sewer Utilities.

Pursuant to N.J.A.C. 5:30-5.5, Temporary Budget, attached hereto is a Certification of Funds by the Director of Finance of the City of Newark which states that there are available sufficient legally appropriated funds in the amount of \$10,000.00 for the purposes set forth herein, under the 2019 budget, Business Unit NW037, Department 750, Division/Project 7502, Account #72250 Budget Ref: B2019. The Acting Director of the Department of Water and Sewer Utilities shall file a copy of the Certification of Funds along with the original resolution and the executed contract in the Office of the City Clerk. The remainder of the balance will be certified prior to services being provided by the Contractor and the contract shall be subject to the availability and appropriation of sufficient funds in accordance with N.J.A.C 5:30-5.5 (c) and N.J.A.C. 5:30-5.5(d).

2. The Acting Director of the Department of Water and Sewer Utilities shall file a copy of the fully executed contract in the Office of the City Clerk and it shall be made available for public inspection.
3. There shall be no amendment or change to the contract without prior approval by the Municipal Council.
4. There shall be no advance payments made against the contract in accordance with *N.J.A.C. 40A:5-16*.
5. 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 NJSA 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..

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 Acting Director of Water and Sewer Utilities, to enter into and execute a contract with Agra Environmental Service, Inc., 90 ½ West Blackwell Street, Dover, New Jersey 07801 for Corrosion Control Pipe Loop Rig Testing, for the City of Newark, for a term of one (1) year, commencing from the issuance of a Notice to Proceed, for a total cost not to exceed \$124,500.00.