



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 19-0470, Version: 1

Dept/ Agency: Engineering

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

Type of Service: Bid Contract

Purpose: To provide Traffic Signal Optimization/Adaptive Signals along McCarter Highway (Route 21).

Entity Name: Orchard Holdings, LLC

Entity Address: 1913 Atlantic Avenue, Suite 193, Manasquan, New Jersey 08736

Contract Amount: \$1,492,987.00

Funding Source: Federal CMAQ Grant and 20% Local Matching Funds

Contract Period: 365 calendar days from the Issuance of a 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:

Bids Solicited: July 12, 2017, July 19, 2017, and July 26, 2017

Bids Received: Four (4) Bids received on August 15, 2017

Bids Rejected:

Bids Re-Solicited:

Bids Received:

WHEREAS, the Division of Traffic and Signals, Department of Engineering, City of Newark, advertised for receipt of bids in a newspaper of general circulation three (3) different times (July 12, 2017, July 19, 2017 and July 26, 2017) as required for all federal aid projects, for Contract No. 2017-06, Federal Project No. CM-0021 (348) CON, Traffic Signal Optimization/Adaptive Signals Along McCarter Highway (Route 21) City of Newark, New Jersey for a bid opening scheduled to take place on August 15, 2017; and

WHEREAS, on August 15, 2017, the Division of Traffic and Signals, Department of Engineering, received four (4) bids for Contract No. 2017-06, Federal Project No. CM-0021 (348) CON, Traffic Signal Optimization/Adaptive Signals Along McCarter Highway (Route 21) City of Newark, New Jersey, in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, *et seq.*; and

WHEREAS, based on a review of the bid, the Director of the Department of Engineering desires to accept the bid proposal submitted by the lowest responsible bidder, Orchard Holdings, LLC., 1913 Atlantic Avenue, Suite 193, Manasquan, New Jersey 08736 and execute Contract No. 2017-06, Federal Project No. CM-0021 (348) CON, Traffic Signal Optimization/Adaptive Signals Along McCarter Highway (Route 21) City of Newark, New Jersey, for an amount not to exceed \$1,492,987.00 (One million, Four Hundred Ninety-Two Thousand, Nine Hundred Eighty-Seven Dollars and Zero Cents) for a period of 365 consecutive calendar days from the issuance of a formal

Notice to Proceed by the Director of the Department of Engineering.

WHEREAS, the funding for the above project is coming from a Federal Grant that is being managed through the State of New Jersey Department of Transportation. The City of Newark delivered a signed funding agreement to New Jersey Department of Transportation (NJDOT) for signatures by the NJDOT and State of New Jersey Attorney General. The City could not award the contract until it received a signed funding agreement. The signed funding agreement was eventually returned by NJDOT to the City in March 2019. Consequently, the Department of Engineering sent and received a signed Consent to Hold Bid Prices form to the lowest responsible bidder Orchard Holdings, LLC., 1913 Atlantic Avenue, Suite 193, Manasquan, New Jersey 08736 consenting to hold their August 15, 2017 bid proposal for consideration until such time as an award is made.

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, are hereby authorized on behalf of the City of Newark to accept the bid proposal submitted by the lowest responsible bidder, Orchard Holdings, LLC., 1913 Atlantic Avenue, Suite 193, Manasquan, New Jersey 08736 and execute Contract No. 2017-06, Federal Project No. CM-0021 (348) CON, Traffic Signal Optimization/Adaptive Signals Along McCarter Highway (Route 21) City of Newark, New Jersey, for an amount not to exceed \$1,492,987.00 (One Million, Four Hundred Ninety-Two Thousand, Nine Hundred and Eighty-Seven Dollars and Zero Cents) for a period of 365 consecutive calendar days from the issuance of a formal Notice to Proceed by the Director of the Department of Engineering.
2. Attached hereto are Certifications of Funds issued by the Chief Financial Officer, City of Newark, which states that there are available sufficient legally appropriated funds in the amount of \$1,492,987.00 (One Million, Four Hundred Ninety-Two Thousand, Nine Hundred and Eighty-Seven Dollars and Zero Cents) for the purpose set forth hereinabove. Copies of the Certification of Funds issued shall be filed in the Office of the City Clerk by the Director of the Department of Engineering together with this resolution.
3. No changes to this contract are allowed without prior Municipal Council approval.
4. A fully executed copy of the contract shall be filed in the Office of the City Clerk by the Director of the Department of Engineering.
5. This contract is to be completed within a period of 365 consecutive calendar days from the issuance of a formal Notice to Proceed by the Director of the Department of Engineering.
6. The public bidding process under the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., complies with the Fair and Open Process of the State of New Jersey Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.5, et seq.
7. Funds in the amount of \$1,492,987.00 (One Million, Four Hundred Ninety-Two Thousand, Nine Hundred and Eighty-Seven Dollars and Zero Cents) are provided as below:

UNIT	Total Amount	Fund Code	Dept. ID	Project	Account	Bud Ref.
NW051	\$291,220.00	NW051	G18	E18C0	71930	B2018
NW051	\$950,000.00	NW051	G16	E1620	71980	B2016
NW051	\$ 61,767.00	NW051	G17	E17V0	71930	B2017
NW045	\$190,000.00	NW045	17G	17A33	94710	B2017

STATEMENT

This resolution authorizes the Mayor and/or his designee, the Director of the Department of Engineering, to accept the bid proposal submitted by the lowest responsible bidder, Orchard Holdings, LLC., 1913 Atlantic Avenue, Suite 193, Manasquan, New Jersey 08736 and execute Contract No. 2017-06, Federal Project No. CM-0021 (348) CON, Traffic Signal Optimization/Adaptive Signals Along McCarter Highway (Route 21) City of Newark, New Jersey, for an amount not to exceed \$1,492,987.00 (One Million, Four Hundred Ninety-Two Thousand, Nine Hundred Eighty-Seven Dollars and Zero Cents) for a period of 365 consecutive calendar days from the issuance of a formal Notice to Proceed by the Director of the Department of Engineering.