



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

File #: 19-1911, Version: 1

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

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

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

**Purpose:** To purchase Stone, Crushed for the Department of Public Works, Division of Sanitation, and the Department of Water and Sewer Utilities.

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

1) Stavola Construction Materials, Inc., 175 Drift Road, Tinton Falls, New Jersey 07724; and

2) Tilcon New York, Inc., 9 Entin Road, Parsippany, New Jersey 07054

**Contract Amount:** Not to exceed \$540,000.00

**Funding Source:** 2019 Budget/Department of Public Works Division of Sanitation/NW011, 060, 0605, 71910, B2019/Department of Water and Sewer Utilities/NW037, 750, 83720, B2019

**Contract Period:** To be established for a period not to exceed twenty-four (24) months

**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:**

To purchase Stone, Crushed for the Department of Public Works, Division of Sanitation, and the Department of Water and Sewer Utilities.

Advertisement Date: October 24, 2019

Number of Bids Solicited: Four (4)

Number of Bids Received: Two (2)

**WHEREAS**, on October 24, 2019, the City of Newark, through its Purchasing Agent, QPA, advertised to solicit bids for contractor(s) to provide Stone, Crushed, to the Department of Public Works, Division of Sanitation and the Department of Water and Sewer Utilities, as per the bid proposal attached hereto; and

**WHEREAS**, the Division of Central Purchasing also distributed four (4) bid proposal packages to the prospective vendors following the date of advertisement; and

**WHEREAS**, the Division of Central Purchasing also published the bid package on the City of Newark's website to provide broader access and download capability to potential bidders; and

**WHEREAS**, on November 7, 2019, two (2) bids were received in response to this advertisement; and

**WHEREAS**, the Director for the Department of Public Works, Division of Sanitation and the Director for the Department of Water and Sewer Utilities both recommend that a dual award be made to: 1) Stavola Construction Materials, Inc., 175 Drift Road, Tinton Falls, New Jersey 07724; and 2)

Tilcon New York, Inc., 9 Entin Road, Parsippany, New Jersey, 07054, the responsive and responsible bidders per line item (commodity) to provide, Stone, Crushed to the City; and

**WHEREAS**, the Purchasing Agent, QPA, concurs with the recommendations from the Director for the Department of Public Works, Division of Sanitation and the Director of the Department of Water and Sewer Utilities that a dual award be made to: 1) Stavola Construction Materials, Inc., 175 Drift Road, Tinton Falls, New Jersey 07724; and 2) Tilcon New York, Inc., 9 Entin Road, Parsippany, New Jersey 07054, the responsive and responsible bidders per line item (commodity) to provide, Stone, Crushed to the City; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-24, the bidders 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 Purchasing Agent, QPA, are hereby authorized to enter into and execute a contract with: 1) Stavola Construction Materials, Inc., 175 Drift Road, Tinton Falls, New Jersey 07724 to receive line items #1, 2, 3, 5 and 8 for year one and year two. Tilcon New York, Inc., 9 Entin Road, Parsippany, New Jersey 07054 to receive line items #4, 6, 7 and 8 for year one and year two, to provide Stone, Crushed, whose bids were received on the advertised due date and determined to be the lowest responsive and responsible bidders per line item (commodities) in accordance with the bid specifications. The term of the contract will be for a period not to exceed a twenty-four (24) consecutive month term, 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 2020 and subsequent years are contingent upon appropriations; pursuant to N.J.A.C. 5:30-5.5(d).

4. This is an open-ended 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, for account code lines, NW011, 060, 0605, 71910, B2019 - Department of Public Works, Division of Sanitation, NW037, 750, 83720, B2019 - Department of Water and Sewer Utilities, covering the amount of the order. This contract shall not exceed Five Hundred Forty Thousand Dollars and Zero Cents (\$540,000.00) for two (2) vendors for a period to be established not to exceed twenty-four (24) consecutive months.

5. A duly executed copy of the contract shall be filed in the Office of the City Clerk by the Purchasing Agent, QPA.

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 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**

The resolution authorizes a contract for two (2) vendors: 1) Stavola Construction Materials, Inc., 175 Drift Road, Tinton Falls, New Jersey 07724; and 2) Tilcon New York, Inc., 9 Entin Road, Parsippany, New Jersey 07054 to provide Stone, Crushed, to the City of Newark, at an amount not to exceed Five Hundred Forty Thousand Dollars and Zero Cents (\$540,000.00) for a period not to exceed twenty-four (24) consecutive months.