



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

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File #: 21-1658, Version: 1

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

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

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

**Purpose:** To provide Maintenance and Repair: Carpentry.

**Entity Name(s)/Address(es):** Bismark Construction Corp., 207-209 Berkley Avenue Newark, New Jersey 07107

**Contract Amount:** Not to exceed \$1,200,000.00

**Funding Source:** 2021 Budget/Department of Public Works, Division of Public Buildings/NW011-060-0604-71710-B2021

**Contract Period:** To be established for a period not to exceed (24) consecutive 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:**

This contract will provide the City's Department of Public Works, Division of Public Buildings, with Maintenance and Repair Carpentry Service.

Advertisement: September 22, 2021

Bid Downloaded: Twenty-four (24)

Bid Received: Three (3)

Bid Rejected: Two (2)

**WHEREAS**, on September 22, 2021, the City of Newark through its Purchasing Agent, QPA, advertised to solicit a bid for contractors to provide Maintenance and Repair Carpentry for the Department of Public Works Division of Public Buildings, as described in the attached bid proposal; and

**WHEREAS**, the Division of Central Purchasing published the bid package on the City of Newark's new electronic procurement portal to provide a broader access and download capability to potential bidders; and

**WHEREAS**, on October 7, 2021, the Division of Central Purchasing received three (3) bids in response to this advertisement; and

**WHEREAS**, one bid was deemed non-responsive due to failure to adhere to the prevailing wage pay schedule; and

**WHEREAS**, on October 28, 2021, the Director of Public Works recommended that a dual award be made to (1) Bismark Construction Corp., 207-209 Berkley Ave., Newark, New Jersey 07107; and (2) Rana Construction, Inc., 430 Madison Ave. Elizabeth, New Jersey 07201, the responsive and responsible bidders per line item; and

**WHEREAS**, upon further review Rana Construction Inc. was deemed non-responsive due to failure to fully adhere to the correct prevailing wage pay schedule throughout the entire bid package; and

**WHEREAS**, the Purchasing Agent, QPA, recommends that a single award be made to Bismark Construction Corp., 207-209 Berkley Ave., Newark, New Jersey 07107; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-24, the recommended 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, and the Business Administrator, are hereby authorized to enter into and execute a contract with Bismark Construction Corp., 207-209 Berkley Ave., Newark, New Jersey 07107, to provide Maintenance and Repair Carpentry for the City of Newark, Department of Public Works, Division of Public Buildings, whose bid was received on the advertised due date and determined to be the only responsive and responsible bidder in accordance with the bid specifications. The term of the contract will be established for a period not to exceed a twenty-four (24) consecutive month term, pursuant to N.J.S.A. 40A:11-15, at a cost not to exceed One Million Two Hundred Thousand Dollars and Zero Cents (\$1,200,000.00).
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 2021 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 the 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: NW011-060-0604-71710-B2021, Department of Public Works / Public Buildings, covering the amount of the order. This contract shall not exceed One Million Two Hundred Thousand Dollars and Zero Cents (\$1,200,000.00), for a period to be established, not to exceed twenty-four (24) consecutive months, with start date commencing when the contract is fully executed.
5. The Purchasing Agent, QPA, shall file a copy of this Resolution and the duly executed copy of the contract in the Office of the City Clerk.
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, and the Business Administrator, to enter into and execute a contract with Bismark Construction Corp., 207-209 Berkley Ave., Newark, New Jersey 07107, to provide Maintenance and Repair Carpentry to the City of Newark, at an amount not to exceed One Million Two Hundred Thousand Dollars and Zero Cents (\$1,200,000.00) for a period to be established and not to exceed twenty-four (24) consecutive months, for one (1) Vendor, with the start date commencing when the contract is fully executed.