



## Legislation Text

File #: 22-0984, Version: 1

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

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

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

**Purpose:** To provide Tandem Dump Trucks and Front End Bucket Loaders with Drivers.

**Entity Name(s)/Address(s):** American Asphalt and Milling Services, LLC, 96 Midland Avenue, Kearny, New Jersey 07032

**Contract Amount:** Not to exceed \$350,000.00

**Funding Source:** 2022 Budget/Department of Public Works, Division of Sanitation/NW011-060-0605-71940-B2022

**Contract Period:** To be established for a period not to exceed twenty-four (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 Sanitation to enter into a contract with a vendor to provide Tandem Dump Trucks and Front End Bucket Loaders with Drivers.

Advertisement Date: September 2, 2020

Bids Solicited: Three (3)

Bid Received: One (1)

**WHEREAS,** On September 2, 2020 the City of Newark through its Qualified Purchasing Agent, QPA, advertised to solicit bids for contractor(s) to provide Tandem Dump Trucks and Front End Bucket Loaders, to the Department of Public Works/Sanitation, as per the bid proposal attached hereto; 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,** The Division of Central Purchasing also distributed three (3) bid proposal packages to prospective vendors following the date of advertisement; and

**WHEREAS,** on November 5, 2020 one (1) bid was received in response to this advertisement; and

**WHEREAS,** The Director of the Department of Public Works/Sanitation recommended that an award be made to American Asphalt and Milling Services, LLC, as the lowest, responsive and responsible bidder per line items and/or commodities; and

**WHEREAS,** The Assistant Purchasing Agent concurred with the recommendation from the

Department of Public Works/Sanitation that an award be made to American Asphalt and Milling Services, LLC, the lowest, responsive and responsible bidder per line items and/or commodities; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-24, the 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 Administration and/or the Qualified Purchasing Agent, QPA are hereby authorized to enter into a contract with American Asphalt and Milling Services LLC, 96 Midland Avenue, Kearny, New Jersey 07032 to provide Tandem Dump trucks and Front End Bucket Loader with Drivers to the City, whose bid was received on the advertised due date and determined to be the lowest, responsive, and responsible bidder per line items in accordance with the bid specifications. The term of the contract will be established for a period not to exceed a twenty-four (24) month term, pursuant to N.J.S.A. 40A:11-15, to commence on date contract is executed, at a cost not to exceed Three Hundred Fifty Thousand Dollars and Zero Cents (\$350,000.00), for One (1) vendor.
2. There shall be no amendment or change to the contracts without the approval of the Municipal Council by resolution.
3. There shall be no advance payments on the contracts in accordance with N.J.S.A. 40A:5-16. Funds for 2019 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, from account code lines, NW011-060-0605-71940-B2022/ Department of Public Works Division of Sanitation will be covering the amount of the order. This contract shall not exceed Three Hundred Fifty Thousand Dollars and Zero Cents (\$350,000.00) for a period not to exceed twenty-four (24) months for one (1) vendor.
5. The Qualified 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 date May 7, 2008.

**STATEMENT**

This resolution authorizes the Mayor and/or his designee, and the Business Administration and/or the Qualified Purchasing Agent, QPA to enter into and execute a contract with American Asphalt and Milling Services, LLC, to provide Tandem Dump Trucks and Front End Bucket Loader with Drivers to the City of Newark at a cost not to exceed Three Hundred Fifty Thousand Dollars and Zero Cents (\$350,000.00) for a period not to exceed twenty-four (24) consecutive months for one (1) vendor with the start date commencing when the contract is fully executed.