



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

File #: 22-0999, Version: 1

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

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

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

**Purpose:** Maintenance and Repair: Bucket Loaders

**Entity Name(s)/Address(s):** A. Lembo Car and Heavy Truck Collision, Inc., 76 Riverside Avenue, Newark, New Jersey 07104

**Contract Amount:** Not to exceed \$600,000.00

**Funding Source:** 2022 Budget/Department of Public Works, Division of Motors/NW011-060-0602-71870-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 maintenance and repair services of bucket loaders for the City of Newark.

Advertisement Date: September 16, 2020

Bids Solicited: Seven (7)

Bids Received: Three (3)

**WHEREAS**, on September 16, 2020 the City of Newark, through its Purchasing Agent, QPA, advertised to solicit bids for contractors to provide Maintenance and Repair of Bucket Loaders for the Department of Public Works, Division of Motors as described in the attached bid proposal; and

**WHEREAS**, the Division of Central Purchasing distributed seven (7) bid proposal packages to prospective vendors following the date of advertisement; and

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

**WHEREAS**, on October 1, 2020, the Division of Central Purchasing received three (3) bids in response to this advertisement; and

**WHEREAS**, the Manager of Motors recommended that a dual award be made to 1. A Lembo Car and Heavy Truck Collision Inc., 76 Riverside Avenue, Newark, New Jersey 07104 and 2. Abreu Truck Services, 283-299 Frelinghuysen Avenue, Newark, New Jersey 07114, the responsive and responsible bidders; and

**WHEREAS**, Abreu Truck Services was disqualified due to improperly completing the price schedule; and

**WHEREAS**, the Purchasing Agent, QPA, recommends that a single award be made to A Lembo Car and Heavy Truck Collision Inc., 76 Riverside Avenue, Newark, New Jersey 07104, the lowest, responsive and responsible bidder; 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 and/or the Purchasing Agent, QPA, are hereby authorized to enter into and execute a contract with A Lembo Car and Heavy Truck Collision Inc., 76 Riverside Avenue, Newark, New Jersey 07104, to provide Maintenance and Repair of Bucket Loaders whose bid was received on the advertised due date and determined to be the lowest, responsive and responsible bidder in accordance with the bid specifications. The term of the contract will be established for a period not to exceed twenty-four (24) consecutive months, pursuant to N.J.S.A. 40A:11-15, at a cost not to exceed Six Hundred Thousand Dollars and Zero Cents (\$600,000.00).
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 2020 and subsequent years are contingent upon appropriations, pursuant to N.J.A.C. 5:30-5.5(d)(2).
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: Department of Public Works, Division of Motors NW011-060-0602-71870-B2022. This contract shall not exceed Six Hundred Thousand Dollars and Zero Cents (\$600,000.00) for a period to be established and not to exceed twenty-four (24) consecutive months to commence upon a fully executed contract.
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 and/or the Purchasing Agent, QPA, to enter into and execute a contract with 1. A Lembo Car and Heavy Truck Collision Inc., 76 Riverside Avenue, Newark, New Jersey 07104 to provide Maintenance and Repair of Bucket Loaders to the City of Newark, Department of Public Works, Division of Motors, at a cost not to exceed Six Hundred Thousand Dollars and Zero Cents (\$600,000.00) for a period to be established and not to exceed twenty-four (24) consecutive months to commence upon a fully executed contract.