



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

File #: 22-1717, Version: 1

**Dept/ Agency:** Water and Sewer Utilities

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

**Type of Service:** Bid Contract

**Purpose:** To provide Emergency Repair of Sewers - Contract 01-WS2022.

**Entity Name:** Montana Construction Corporation, Inc.

**Entity Address:** 80 Contant Avenue, Lodi, New Jersey 07644

**Contract Amount:** Not to exceed \$1,529,563.70

**Funding Source:** Capital Budget/Department of Water and Sewer Utilities/NW038-800-8007-71970-B2022

**Contract Period:** 730 calendar days from the date of a written Notice to Proceed

**Contract Basis:** (X) Bid ( ) State Vendor ( ) Prof. Ser. ( ) EUS

(X) Fair & Open ( ) No Reportable Contributions ( ) RFP ( ) RFQ

( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) n/a

**Additional Information:**

Bid Packages Distributed: Eight (8)

Bids Received: Four (4)

**WHEREAS**, the City of Newark (the "City") advertised Contract 01-WS2022 Emergency Repair of Sewers located at various locations in the City of Newark, on October 31, 2022; and

**WHEREAS**, the Department of Water and Sewer Utilities (the "Department") distributed eight (8) bid packages to prospective vendors following the date of bid advertisement; and

**WHEREAS**, on November 17, 2022, the Department received four (4) bids for said project in accordance with the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, Montana Construction Corporation, Inc., 80 Contant Avenue, Lodi, New Jersey 07644 submitted the lowest responsive and responsible bid, according to the specifications and in the total amount of \$1,529,563.70; and

**WHEREAS**, the City of Newark wishes to accept the lowest responsible bid submitted by Montana Construction Corporation, Inc., on November 17, 2022, and execute Contract 01-WS2022 Emergency Repair of Sewers, with Montana Construction Corporation, Inc., 80 Contant Avenue, Lodi, New Jersey 07644, for the total amount not to exceed \$1,529,563.70; and

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:**

1. The Mayor of the City of Newark and/or his designee, the Director of the Department of Water and Sewer Utilities, are authorized to execute Contract 01-WS2022 Emergency Repair of Sewers, with Montana Construction Corporation, Inc., 80 Contant Avenue, Lodi, New Jersey

07644, for bid total amount not to exceed \$1,529,563.70, the lowest responsible bidder for a period of 730 calendar days, commencing from the date of the issuance of a written Notice to Proceed.

2. Attached is a partial Certification of Funds from the Chief Financial Officer, which states the funds in the amount of \$50,000.00, are available in the Department of Water and Sewer Utilities Budget under Business Unit NW038, Department ID 800, Division 8007, Account 71970 B2022. Pursuant to N.J.A.C. 5:30-5.5(d)(1)(ii) Multi-year Contracts, the Director of the Department of Water and Sewer Utilities is authorized to extend the contract to the full value of \$1,529,563.70 when additional funds in the amount of \$1,479,563.70 are certified from the 2023 and 2024 Budgets of the Department of Water and Sewer Utilities in accordance with the time at which the respective work or services are performed or liability for payment incurred. A copy of the Certification of Funds shall be filed in the Office of the City Clerk.
3. There shall be no amendment or change to the contract without approval by the Municipal Council.
3. There shall be no advance payment on this contract in accordance with N.J.S.A. 40A:5-16.

The Department of Water and Sewer Utilities shall file a fully executed copy of the contract and Notice to Proceed in the office of the City Clerk.

3. This contract was solicited and awarded pursuant to the provisions of the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq. as a public bid which constitutes a Fair and Open process.
3. 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 of the City of Newark and/or his designee, the Director of the Department of Water and Sewer Utilities, to accept the lowest responsible bid submitted Montana Construction Corporation on November 17, 2022, and enter into and execute Contract 01-WS2022 Emergency Repair of Sewers with Montana Construction Corporation, 80 Contant Avenue, Lodi, New Jersey 07644, for the total bid amount of \$1,529,563.70 for a period of 730 calendar days, commencing from the date of the issuance of a written notice to proceed.