

**RESOLUTION
of the
HOUSING AUTHORITY OF THE
CITY OF LINDEN**

Resolution No. 2019-29

**RESOLUTION TO RATIFY THE REJECTION OF ALL BIDS FOR THE STAIRWAY
RAILINGS PROJECT ON TWO OCCASIONS AND TO RATIFY THE SUBSEQUENT
NEGOTIATION AND AWARD OF THE CONTRACT TO RVT CONSTRUCTION INC.**

Date Introduced: December 18, 2019

Date Adopted: December 18, 2019

WHEREAS, the Housing Authority of the City of Linden (“Housing Authority”), a public entity organized and existing pursuant to the Code of Federal Regulations, the U.S. Department of Housing and Urban Development (“HUD”), and the laws of the State of New Jersey, has determined that it is in need of addressing the stairway railings project; and

WHEREAS, the cost of the stairway railings project was expected to exceed the bid threshold of \$40,000.00 under the New Jersey Local Public Contracts Law; and

WHEREAS, pursuant to N.J.S.A. 40A:11-4 and prevailing federal procurement regulations, the Housing Authority published a public advertisement for bids; and

WHEREAS, the Housing Authority received one bid, in the amount of \$98,000.00, by the deadline of 11:00 a.m. on July 17, 2019; and

WHEREAS, the Housing Authority determined that this bid was not reasonable as to price, on the basis of a cost estimate in the amount of \$72,180.00 which was prepared by LAN Associates for the Contracting Officer prior to the advertising for bids; and

WHEREAS, consequently, the Housing Authority rejected the bid and published a second public advertisement for bids; and

WHEREAS, the Housing Authority received two bids, in the amounts of \$97,400.00 and \$99,000.00, by the deadline of 11:00 a.m. on August 28, 2019; and

WHEREAS, the Housing Authority determined that these bids were not reasonable as to price, on the basis of the same LAN Associates cost estimate referenced above; and

WHEREAS, consequently, the Housing Authority rejected the bids and notified both bidders of its intention to negotiate the price of the contract pursuant to N.J.S.A. 40A:11-5(3); and

WHEREAS, one of the bidders, Tec-Construction, declined to negotiate; and

WHEREAS, the other bidder, RVT Construction Inc., negotiated with the Housing Authority to reach the price of \$72,000.00; and

WHEREAS, the negotiated price from RVT Construction Inc. is lower than the lowest rejected bid price submitted on any occasion, is the lowest negotiated price offered by any responsible vendor, and is a reasonable price for the stairway railings project as per the LAN Associates cost estimate; and

WHEREAS, the Housing Authority's Qualified Purchasing Agent, Ann Marie Whelan, has certified that this procurement is in compliance with all applicable Federal and State of New Jersey procurement requirements, including but not limited to the Federal Procurement Standards (2 C.F.R. 200.317 et seq.), the HUD Procurement Handbook (HUD Handbook 7460.8), the New Jersey Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.), and the New Jersey Procurement Regulations (N.J.A.C. 5:34-1.1 et seq.); and

WHEREAS, the Housing Authority has certified that sufficient funds have been appropriated for the above-mentioned project; and

WHEREAS, the Board of Commissioners has determined that it is in the best interest of the Housing Authority and its overall goal of providing quality, affordable housing to low-income seniors to ratify the rejection of all bids for the stairway railings project on two occasions and to ratify the subsequent negotiation and award of the contract to RVT Construction Inc.;

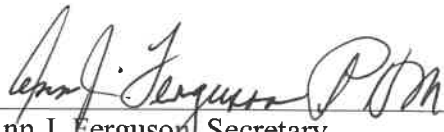
NOW THEREFORE,

BE IT RESOLVED, that the Board of Commissioners of the Housing Authority of the City of Linden hereby ratifies the rejection of all bids for the stairway railings project submitted on July 17, 2019; and

BE IT FURTHER RESOLVED, that the Board hereby ratifies the rejection of all bids for the stairway railings project submitted on August 28, 2019; and

BE IT FURTHER RESOLVED, that the Board hereby ratifies the subsequent negotiation and award of the contract to RVT Construction Inc. in the amount of \$72,000.00; and

BE IT FURTHER RESOLVED, that the Board hereby directs the Executive Director of the Housing Authority to take any and all necessary administrative actions to implement this resolution.


Ann J. Ferguson Secretary
Housing Authority of the City of Linden