

**NOTICE TO BIDDERS
BOROUGH OF EAST NEWARK**

Sealed bids shall be received by Donald Norbut, PE., P.P., CME, CFM, for the Borough of East Newark, Hudson County, State of New Jersey on August 7, 2025. Prevailing time in Borough Hall, 34 Sherman Avenue, East Newark, New Jersey, 07029, for

**LEAD LINE SERVICE REPLACEMENT PROGRAM
PHASE 3**

The bid opening will be held in Borough Hall, 34 Sherman Avenue, East Newark, New Jersey, 07029 on August 7, 2025 at 10:00AM.

Bid forms, contracts and specifications are available by contacting Remington & Vernick Engineers. Contact shall be made by phone or by email to make bid purchase arrangements by submitting christian.romero@rve.com or calling at 201-624-2137.

NO BIDS ARE TO BE PICKED UP AT THE ENGINEER'S OFFICE OR AT THE MUNICIPALITY OFFICES.

PAYMENT MUST BE RECEIVED PRIOR TO OBTAINING SAID SPECIFICATIONS.

NO BIDS ARE TO BE DROPPED OFF AT THE ENGINEER'S OFFICE.

Electronic download link for copies of the bid forms, contracts and specifications may be obtained from said Remington and Vernick Engineers, by prospective bidders upon request, upon payment of the sum of \$50.00 for each set. Should interested bidders not have the ability to receive electronic download sets, a set may be arranged to be sent overnight by calling 201-624-2137.

All questions pertaining to the request for bids should be directed, in writing, to Donald Norbut, PE, PP, CME, CFM and sent by e-mail to christian.romero@rve.com. All questions must be received no later than Thursday, July 10, 2025 at 5:00 PM. Responses will be issued by either clarification or addendum mailed or delivered to all parties recorded by Remington and Vernick Engineers as having received the Request for Bids. Questions received after 5:00 PM on Thursday, July 10, 2025 will not be answered. Only questions answered by formal written addenda will be binding. Oral and other interpretations or clarifications will have no binding effect.

Proposers are required to comply with the requirements of P.L. 1975, c127 (N.J.A.C.17:27 et seq).

Project Description:

The work generally consists of replacement of approximately one-hundred and fifty (150) lead or galvanized steel lines for residences within the Borough of East Newark from the water main to the water meter in the home. The project is funded through the SRF program. The total dollar amount of the construction project will not exceed the funds available. The number of water service lines will be adjusted based on the accepted unit price bid to stay within budget. Work will generally include coordination with the homeowner, verification of water service line material inside the home and at the curb stop, excavation, removal or abandonment of existing

service line, installation of copper service line, curb stop and box, ball valves, testing, flushing, backfill, soil erosion and sediment control, traffic control, housekeeping, full restoration to existing conditions including landscaping, sidewalks, curbs, paving, striping, data management in ArcGIS and other tasks to complete the work. Work may require dewatering and trench shoring.

This contract or subcontract is expected to be funded in part with funds from the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust. Neither the State of New Jersey, the New Jersey Environmental Infrastructure Trust nor any of their departments, agencies or employees is, or will be, a party to this contract or subcontract or any lower tier contract or subcontract. This contract or subcontract is subject to the provisions of N.J.A.C. 7:22-3, 4, 5, 9 and 10.

N.J.A.C. 7:22-9.1 (a) This subchapter establishes procedures for opportunities for socially and economically disadvantaged ("SED") contractors and vendors to supply materials and services under State financed construction contracts for environmental infrastructure facilities. To implement the policies established in N.J.S.A. 58:11B-26, 40:11A-41 et seq., and 52:32-17 et seq., this subchapter applies to environmental infrastructure projects receiving financial assistance from the Department and the Trust pursuant to N.J.A.C. 7:22-3, 4 and 6 and 7:22A-6 and 7. Under the provisions of N.J.A.C. 7:22-3, 4 and 6 and 7:22A-6 and 7, the Department and the Trust require recipients of Trust and Fund loans and other assistance to establish such programs for socially and economically disadvantaged small business concerns, to designate a project compliance officer, and to submit to the Department and Trust procurement plans for implementing the SED program.

SED Requirements (Small Business Concerns Owned and Controlled by Socially and Economically Disadvantaged Individuals (SEDs)) are applicable for this project. In accordance with the provisions of N.J.S.A. 58:11B-26, N.J.A.C. 7:22-3.17(a)24 and 4.17(a)24, the contractor and subcontractors shall comply with all of the provisions of N.J.A.C. 7:22-9.

N.J.A.C. 7:22-3.17(a)24, 4.17(a)24, 6.17(a)24 and 7:22A-2.4(a) provide that a goal of not less than ten percent (10%) be established for the award of contracts to small business concerns owned and controlled by one (1) or more socially and economically disadvantaged individuals. The goal of ten percent (10%) applies to the total amount of all contracts for building, materials and equipment, or services (including planning, design and building related activities) for a construction project.

The project sponsor has identified that the SED utilization goal for this project is: Borough of East Newark requirements provide that contracts **totaling seven percent (7%) of the eligible project cost** submitted to the Department and the Trust for Financial assistance shall be awarded on a contract or subcontract basis to a qualified MBE and **three percent (3%)** shall be awarded to a WBE. Both shall be SED individuals. The SED goal of **ten percent (10%)** is met.

SED Utilization Attainment Instruction

N.J.A.C. 7:22-9.3 (b)

The ten percent (10%) SED utilization requirement shall be accomplished by the following:

1. Bids shall be solicited on an unrestricted basis. The bid documents, however, shall

- include a statement to the effect that the successful bidder must fulfill the SED utilization requirements by subcontracting portions or the work to SEDs; or
2. Contractors also have the option of establishing unrestricted bidding procedures to fulfill the ten percent (10%) SED utilization requirement for the project.

SED Utilization Public Notice Instruction

N.J.A.C. 7:22-9.6 (a) All project sponsors, at least thirty (30) days prior to public advertisement for bids, shall notify the agencies specified in N.J.A.C. 7:22-9.13(a)8, of the availability of opportunities for SEDs to provide services, to bid on unrestricted contracts or subcontracts, or to provide any other necessary purchase or procurement. The notice shall include a description of the type and scope of the services involved.

SED Funding Award Language

N.J.A.C. 7:22-9.7 (b) The advertisement for bids shall indicate that: "Awards will be made only to socially and economically disadvantaged business concerns that are certified by the New Jersey Commerce, Economic Growth and Tourism Commission, the New Jersey Department of Transportation, the Port Authority of New York and New Jersey, New Jersey Transit or other agencies deemed appropriate by the Office as eligible minority businesses or female businesses." "The invitation to bid is on an unrestricted basis whereby the successful bidder must fulfill the SED utilization requirements."

SED Advertisement Instruction

N.J.A.C. 7:22-9.7 requires project sponsors to adhere to specific advertisement criteria and duration. Specifically, relating to advertisement duration: in no case shall the advertisement for bids be published less than thirty (30) days prior to the date fixed for receiving bids on the purchase or contract.

SED Utilization Bid Consideration Instruction

N.J.A.C. 7:22-9.10 Lowest bid resulting in payment of unreasonable price

- a) If the contracting agency determines that the acceptance of the lowest responsible bid will result either in the payment of an unreasonable price or in a contract otherwise unacceptable pursuant to the statutes and rules governing public contracts, the contracting agency shall reject all bids.
- b) Bidders and the office shall be notified of the rejection of all bids, the reasons for the rejection, and the contracting agency's intent to solicit bids for a second time.
- c) If the contracting agency determines a second time that the acceptance of the lowest responsible bid will result either in the payment of an unreasonable price or in a contract otherwise unacceptable pursuant to the statutes and rules governing public contracts, the contracting agency shall reject all bids and notify the NJDEP Office of Equal Opportunity and Public Contract Assistance and, after receipt of the NJDEP Office of Equal Opportunity and Public Contract Assistance's approval, shall amend the project plan accordingly.
- d) Bidders shall be notified of the cancellation, the reasons for the cancellation and the contracting agency's intent to resolicit bids on an unrestricted basis. SEDs may participate in the bidding on an unrestricted basis.

BID BOND N.J.S.A. 40A:11-21

A person bidding on a contract for the erection, alteration or repair of a public building,

structure, facility or other improvement to real property, the total price of which exceeds \$100,000, shall furnish a guarantee as provided for herein. A contracting unit may provide that a person bidding on any other contract, advertised in accordance with law, shall furnish a guarantee as provided for herein. The guarantee shall be payable to the contracting unit so that if the contract is awarded to the bidder, the bidder will enter into a contract therefor and will furnish any performance bond or other security required as a guarantee or indemnification. The guarantee shall be in the amount of ten percent (10%) of the bid, but not in excess of \$20,000.00, except as otherwise provided herein, and may be given, at the option of the bidder, by certified check, cashier's check or bid bond. In the event that any law or regulation of the United States imposes any condition upon the awarding of a monetary grant to any contracting unit, which condition requires the depositing of a guarantee in an amount other than ten percent (10%) of the bid or in excess of \$20,000.00 the provisions of this section shall not apply, and the requirements of the law or regulation of the United States shall govern.

All Applicable surety bonds required in connection with the advertisement and award of building contracts or sub-agreements must be written by a surety company listed on the Federal Treasury List (Department Circular 570-Surety Companies acceptable to federal Bonds), incorporated herein by reference. Copies of this document may be obtained from the Department.

Department Circular 570 Requirement N.J.A.C. 7:22-3.17(g)

All applicable surety bonds required in connection with the advertisement and award of building contracts or sub-agreements must be written by a surety company listed on the Federal Treasury List (Department Circular 570—Surety Companies Acceptable on Federal Bonds), incorporated herein by reference. Copies of this document may be obtained from the Department.

Public Opening of Bids Requirement N.J.S.A. 40A:11-23(b)

The advertisement shall designate the manner of submitting and the method of receiving the bids and the time and place at which the bids will be received. If the published specifications provide for receipt of bids by mail, those bids which are mailed to the contracting unit shall be sealed and shall only be opened for examination at such time and place as all bids received are unsealed and announced. At such time and place the contracting agent of the contracting unit shall publicly receive the bids, and thereupon immediately proceed to unseal them and publicly announce the contents, which announcement shall be made in the presence of any parties bidding or their agents, who are then and there present, and shall also make proper record of the prices and terms, upon the minutes of the governing body, if the award is to be made by the governing body of the contracting unit, or in a book kept for that purpose, if the award is to be made by other than the governing body, and in such latter case it shall be reported to the governing body of the contracting unit for its action thereon, when such action thereon is required. No bids shall be received after the time designated in the advertisement.

BID ADVERTISEMENT: June 27, 2025

BID OPENING: August 7, 2025

PROJECT COMPLETION: 365 DAYS FROM NOTICE TO PROCEED

Borough of East Newark - 201-624-2137 ext. 1652
Donald J. Norbut, P.E., P.P., CME, CFM

BID SUBMITTAL INSTRUCTIONS

The proposer shall provide one (1) copy of the original bid (with original signature), labeled "Original," and two (2) identical additional copies of the full bid package in a sealed envelope. Bid must be clearly identified on the outside of the sealed envelope with the firm's name, "**2025 LEAD LINE SERVICE REPLACEMENT PROGRAM – PHASE 3**".

Sealed bids **must** be submitted to Mr. Donald Norbut, PE., P.P., CME, CFM, at Borough Hall, 34 Sherman Avenue, East Newark, New Jersey on or before August 7, 2025. The Borough of East Newark will not assume responsibility for any bids received after the required due date.

Bidders are required to complete, sign (**original signature**), date, and notarize (**as required**) all forms in the Request for Bid.

N.J.A.S.40A:11-13(e)

Any prospective bidder who wishes to challenge a bid specification/scope of services shall file such challenges in writing with the contracting agent no less than three business days prior to the opening of the bids. Challenges filed after that time shall be considered void and having no impact on the contracting unit or the award of a contract.