



TOWN OF NEWTON

RESOLUTION #32-2017

February 27, 2017 **“Approval of Kieffer Electric as Electrical Services Contractor per Bid #1-2017”**

WHEREAS, there is a need for an electrical services contractor in the Town of Newton; and

WHEREAS, the Town of Newton received bids for electrical services under Bid #1-2017 duly advertised and received in a public manner on February 8, 2017 at 10:30am; and

WHEREAS, Kieffer Electrical Services, 1 Wantage Ave, Branchville, NJ, has provided for the lowest bid deemed responsive and responsible to the specifications and legal requirements as provided for within the bid document; and

WHEREAS, Newton's Qualified Purchasing Agent has concurred with the legality of the purchase in accordance with the New Jersey Local Publics Contract Law (N.J.S..40A:11-1 et. Seq.;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton, in the County of Sussex, NJ as follows:

Kieffer Electric is authorized to enter a two (2) year contract from the date of this authorization to provide for electrical services with the following rates:

Category A	
Standard Hourly Rate	
Foreman	\$120.00
Journeyman	\$110.00
Bucket Truck	\$25.00
Overtime Hourly Rate	
Foreman	\$180.00
Journeyman	\$165.00
Bucket Truck	\$25.00
Sunday and Holiday	
Hourly Rate	
Foreman	\$240.00
Journeyman	\$220.00
Bucket Truck	\$25.00
Category B Sewer and Water Utility	
Standard Hourly Rate	
Foreman	\$120.00
Journeyman	\$110.00
Bucket Truck	\$25.00
Overtime Hourly Rate	
Foreman	\$180.00
Journeyman	\$165.00
Bucket Truck	\$25.00
Sunday and Holiday	
Hourly Rate	
Foreman	\$240.00
Journeyman	\$220.00
Bucket Truck	\$25.00

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, February 27, 2017.



Lorraine A. Read, RMC
Municipal Clerk

Town of Newton

ORGANIZATION:

BID #	1-2017
BID DATE/ TIME	2/8/17 10:30am
NUMBER OF BIDDERS	5

NAME OF BIDDER	En Electrical	Kieffer Electrical	Newton Electrical	Magic Touch	Power with Prestige
ADDRESS	80 Merriam Ave	1 Wantage Ave	19 Jefferson St	59 West St	40 Swartswood
CITY, STATE, ZIP	Newton, NJ	Branchville NJ	Newton, NJ	Keyport, NJ	Newton, NJ
CONTACT					
TELEPHONE					
FAX					
EMAIL					
INSURANCE REQUIRED FROM VENDOR - DATE RECEIVED					
ADDENDA PAGE		X	X	X	X
IRAN CERT	X	X	X	X	X
PUBLIC WORKS CONTRACTOR REGISTRATION	X	X	N	X	X
PUBLIC WORKS CONTRACTOR REGISTRATION DATE					
BID GUARANTEE	X	X	N	X	X
STOCKHOLDER DISCLOSURE	X	X	N	X	X
CONSENT OF SURETY	X	X	X	X	X
PERFORMANCE BOND/ DATE RETURNED					
EXHIBIT A/B		X	X	X	X
A4203 IF REQUIRED - DATE OF SUBMITTAL					
A4202 IF REQUIRED - DATE RECEIVED					
A4302 IF REQUIRED	X	X	X	X	X
NEW JERSEY BRC	X	X	X	X	X
SUB CONTRACTORS NAMED?					
EXPERIENCE AND QUALIFICATIONS	X	X	X	X	X
EQUIPMENT CERT IF APPLICABLE	X	X	X	X	X

Category A					
Standard Hourly Rate					
Foreman	\$134.00	\$120.00	\$110.00	\$88.06	\$128.00
Journeyman	\$124.00	\$110.00	\$95.00	\$88.06	\$114.00
Bucket Truck	\$60.00	\$25.00	\$60.00	\$80.00	\$50.00
Overtime Hourly Rate					
Foreman	\$164.00	\$180.00	\$165.00	\$132.09	\$192.00
Journeyman	\$151.00	\$165.00	\$142.50	\$132.09	\$171.00
Bucket Truck	\$60.00	\$25.00	\$90.00	\$80.00	\$50.00
Sunday and Holiday Hourly Rate					
Foreman	\$194.00	\$240.00	\$165.00	\$176.12	\$256.00
Journeyman	\$178.00	\$220.00	\$142.50	\$176.12	\$228.00
Bucket Truck	\$60.00	\$25.00	\$90.00	\$80.00	\$50.00
Category B					
Standard Hourly Rate					
Foreman	\$134.00	\$120.00	\$110.00	\$88.06	\$128.00
Journeyman	\$124.00	\$110.00	\$95.00	\$88.06	\$114.00
Bucket Truck	\$60.00	\$25.00	\$60.00	\$80.00	\$50.00
Overtime Hourly Rate					
Foreman	\$164.00	\$180.00	\$165.00	\$132.09	\$192.00
Journeyman	\$151.00	\$165.00	\$142.50	\$132.09	\$171.00
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Bucket Truck	\$60.00	\$25.00	\$90.00	\$80.00	\$50.00
FATAL FLAWS			Yes - Public Works Contractor	Yes Prevailing wage	
EXCEPTIONS					

THE CANNING GROUP LLC



**45 S. Park Pl 183
Morristown, N.J. 07960
973-706-7813**

February 10, 2017

Thomas J. Russo Jr. Town Manager
Town of Newton
39 Trinity St.
Newton, N.J. 07860

Re: Electrical Services Bid 1-2017

Dear Mr. Russo,

Bids for electrical service contractors were opened at 10:30 am on February 8, 2017. The attached bid results sheet indicates the rates of the respondents for standard hourly rates Category A and B. Category B indicates work for the Sewer and Water Utility. The respondents provided identical responses for both categories.

The apparent low bidder **Magic Touch Inc of Keyport, NJ** violated the precepts of the bid on two factors:

1. The prevailing wage indicated was below the prevailing wage as indicated by the New Jersey Department of Labor and Workforce Development.
2. The location of their services violated the technical specifications which indicated a 10-mile radius from the town of Newton due to the need for emergency response in a timely fashion.

Accordingly, please find attached a resolution recommending rejection of their bid submittal.

The second lowest bidder, **Newton Electrical** violated the requirement for Public Works Contractor Registration (N.J.S.A 34:11-56 et. Seq.,) as was required in the bid checklist and is a mandatory cause for rejection if required in the bid submittal at per N.J.S.A. 40A:11-1 et. Seq.,

Newton Electrical had the opportunity to cure the defect in accord with pertinent law, to wit;

34:11-56.51. Registration required for contractors, subcontractors

No contractor shall bid on any contract for public work as defined in section 2 of P.L. 1963, c. 150 (C.34:11-56.26) unless the contractor is registered pursuant to this act. No contractor shall list a subcontractor in a bid proposal for the contract unless the subcontractor is registered pursuant to P.L. 1999, c.238 (C.34:11-56.48 et seq.)

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at the time the bid is made. No contractor or subcontractor, including a subcontractor not listed in the bid proposal, shall engage in the performance of any public work subject to the contract, unless the contractor or subcontractor is registered pursuant to that act.

In correspondence with Newton Electrical it became apparent they registered with the State of New Jersey on February 9, 2017 one (1) day after the bid opening. This becomes a fatal defect in the bid submittal.

Accordingly, please find attached a resolution recommending rejection of their bid submittal as well.

The third lowest apparent bidder, **Kieffer Electric of 1 Wantage Ave Branchville, NJ** is the apparent lowest responsible and responsive bidder. It is recommended the Town of Newton enter a contract for a two (2) year term with Kieffer with an option for a third-year extension in 2019.

I have attached resolutions of rejection and approval for the listed companies. The bid bonds have been mailed back as appropriate and the bid results list provided for public dissemination. Thank you.

Respectfully

Sean P. Canning, MPA, QPA
Purchasing agent