



CITY OF NEWARK
DELAWARE

October 14, 2024

TO: Honorable Mayor & Council

FROM: Jeff Martindale, Chief Procurement & Projects Officer 
Bhadresh Patel, Electric Director
David Del Grande, Finance Director

VIA: Tom Coleman, City Manager

SUBJECT: Recommendation to Award a Contract Stemming from Invitation to Bid No. 24-03 (Newark Warehouse #2 Expansion) – CIP E2202, Waive the Bid Process for Installation of a Fire Alarm and Suppression System, and Amend the 2024-2028 Capital Budget

BACKGROUND

Capital Improvement Project E2202 (Electric Warehouse Expansion) was created to address storage needs for the Electric Department at the Field Operations Complex (FOC). Several needed materials currently sit outside on the ground, which take up a larger footprint and stems potential equipment longevity and security concerns. Moving this equipment to racking in an expanded warehouse will improve storage at the FOC and allow for better shelf life and protection of electric utility materials.

The project will add approximately 9,000 square feet of additional covered storage and includes a 100-square-foot office space for the Electric Line Superintendent. As part of the FY24 Bond Bill/Community Reinvestment Fund allocation to Newark from the State, \$1 million was earmarked specifically for this project. As such, the City must mobilize on this project soon to comply with State regulations for use of this funding and prevailing wage requirements are in effect due to this funding source.

BID PROCESS – BASE BUILD

The Purchasing Division advertised Invitation to Bid (ITB) 24-03 in The News Journal, posted the ITB on the City's website (www.newarkde.gov/bids), and delivered ITB documents via email to several contractors. Eight (8) contractors were present at the pre-bid meeting for this ITB on August 8, 2024. On Tuesday, September 10, 2024, the Purchasing Division received seven (7)

sealed bids via email, mail, or hand delivery. These bids were opened shortly after the 2:00 p.m. bid deadline. The bids were as follows:

CONTRACTOR	TOTAL BID
BSS Contractors, LLC	\$1,309,000.00
Ventresca Brothers, Inc.	\$1,456,900.00
Kinsley Construction, LLC	\$1,491,869.00
Tricon Construction Management	\$1,585,499.49
Nowland Associates, Inc.	\$1,634,677.00
Wickersham Construction & Engineering, Inc.	\$1,655,107.00
Amakor, Inc.	\$1,809,931.00

CONTRACTOR EXPERIENCE

Engineering consulting firm JMT reached out to project managers of previous work for the lowest responsible bidder BSS Contractors. Following favorable recommendations and positive reviews of the company, along with reviewing their project portfolio including completion of similar projects in the area, staff is confident they will be able to complete the scope of work. BSS Contractors additionally completed the Council Chamber renovations project for the City earlier this year.

BID WAIVE CRITERIA – FIRE ALARM AND SPRINKLER SYSTEM

Anaconda Protective Concepts, Inc. currently completes all fire alarm, sprinkler, and security alarm servicing and monitoring for City facilities. Anaconda was selected via a competitive Request for Quote process in 2020. Given their active contract with Newark and understanding of Newark's systems for the purposes of system design, they were selected by staff to complete the installation of the new fire suppression system in the new warehouse section. City Code Chapter 2, Article II, Sec. 2-23(c) denotes the City may waive the bid process "in cases where the city manager or his designee advises the council that it would be useless or inadvisable to solicit bids because of a single source of supply, or because the services required are of a professional nature." While this scope of work was not part of the services Anaconda was contracted to complete originally, staff considers them to be sole source for this project due to our existing contract and ongoing coordination with the firm. Anaconda's pricing is as follows:

SERVICE PROVIDED	PRICE
Modification of existing fire alarm system (includes prevailing wage rates)	\$33,950.00
Addition of a 2 nd dry sprinkler system (includes prevailing wage rates)	\$94,975.00
TOTAL	\$128,925.00

FUNDING

The start-of-year budget for E2202 was \$1,555,704, with funding coming from multiple sources. Staff requests a budget amendment to add an additional \$144,296 in unutilized American Rescue Plan Act (ARPA) funding to cover the remaining project expenses above budgeted amounts. Below highlights the costs and budget for this project:

CIP E2202 EXPENSES	COST
Contractual Construction Services – BSS Contractors	\$1,309,000.00
Contractual Engineering Services – JMT	\$132,568.00
Contractual Fire Alarm and Sprinkler Services – Anaconda	\$128,925.00
Contractual Hazardous Material Assessment & Demolition of Shed at FOC – Brightfields	\$21,060.00
Pallet Rack Purchase – Anixter	\$13,837.00
TOTAL	\$1,605,390.00

CIP E2202 BUDGET	COST
FY23 Bond Bill/Community Reinvestment Fund	\$969,541.00
Capital Reserves	\$586,163.00
ARPA (requested through this memo)	\$144,296.00
TOTAL	\$1,700,000.00

RELATED DOCUMENTS

1. [ITB 24-03 bid documents](https://newarkde.gov/bids.aspx?bidID=198) (link: <https://newarkde.gov/bids.aspx?bidID=198>)

RECOMMENDATION

I move that Council:

- 1.) Award a contract stemming from Invitation to Bid No. 24-03 to the lowest responsible bidder BSS Contractors, LLC in the amount of \$1,309,000.
- 2.) Waive the bid process in accordance with the City of Newark for the installation of a fire system and dry sprinkler system to Anaconda Protective Concepts, Inc. in the amount of \$128,925.
- 3.) Amend the 2024-2028 Capital Budget to incorporate \$144,296 of unspent ARPA funding into capital improvement project E2202.