

CITY OF VINELAND, NJ

RESOLUTION NO. 2023-324

RESOLUTION RESCINDING AND VACATING THE BID OF MANNY CONCRETE, LLC FOR THE CITY WIDE SIDEWALK PROJECT AND AWARDING THE BID TO THE LOWEST ACCEPTABLE BIDDER, CHARLES MARANDINO LLC, MILMAY, NEW JERSEY.

WHEREAS, on April 12, 2023, the Purchasing Agent for the City of Vineland advertised for bids to be received on May 17, 2023 for the 2023 City Wide Sidewalk Program; and

WHEREAS, on May 17, 2023 the Purchasing Agent opened the bids received and read aloud the results at which time, Manny Concrete, LLC was determined to be the lowest bidder by a substantial amount; and

WHEREAS, on June 13, 2023, City Council adopted Resolution 2023-261 awarding a contract to Manny Concrete, LLC in the bid amount of \$486,328.00 for the 2023 City Wide Sidewalk Program, however, on June 22, 2023 at the pre-construction meeting, Manny Concrete, LLC discovered an error in their bid calculation submitted and immediately issued a letter executed by James Abreu, Owner rescinding its bid submission prior to the execution of any contract; and

WHEREAS, it was determined that enforcement of the bid submission based upon this unilateral error would be unconscionable to enforce and that rescission would not be serious prejudice to the City except the benefit of the bargain and that there is no indication of corruption or intentional wrongdoing and it would be unfair to have a bid bond forfeited as a result of unilateral error; and

WHEREAS, Charles Marandino, LLC, Milmay, New Jersey was the second lowest bidder and now with the Manny Concrete, LLC rescinding their bid, is the lowest responsible bidder in the amount of \$644,726.00, said bid being the lowest bid received and considered in the best interest of the City.

NOW THEREFORE BE IT RESOLVED by the Council of the City of Vineland that the bid of Manny Concrete, LLC for the City Wide Sidewalk Project, bid 2023-16, be and the same is hereby vacated as based upon a unilateral error and the bid bond is to be returned to Manny Concrete LLC.

BE IT FURTHER RESOLVED that the contract for the 2023 City Wide Sidewalk Program be awarded to Charles Marandino, LLC, Milmay, New Jersey on their bid in the amount of \$644,726.00, said bid being the lowest responsible bid received and considered in the best

CITY OF VINELAND, NJ

interest of the City, and the Purchasing Agent be and the same is hereby authorized and directed to issue a purchase order contract for the same on behalf of the City.

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that the funds for the contract to be awarded herein are available

Adopted:

President of Council

ATTEST:

City Clerk

FROM THE DESK OF JEANINE N. BROWNLEE



June 22, 2023

MEMORANDUM TO BUSINESS ADMINISTRATION:

RE: Reject Bid Proposal from Manny Concrete, LLC and Award a Contract to Charles Marandino (second lowest bidder) for bid COV BID # 2023-16 2023 Citywide Sidewalk Program

Bids for the above mentioned project were advertised, received and opened on May 17, 2023. Manny Concrete, LLC was the apparent lowest bid (\$486,328.00) and was awarded the contract on June 13, 2023. During the pre-construction meeting on June 22, 2023, the vendor realized that he was grossly underbid the project since he misunderstood the specifications and wanted to withdraw his bid. Since the vendor would face a hardship due to this mistake, the Engineering Department wants to reject Manny Concrete, LLC and release his bid bond back to him. The Department would like to award to the second lowest bidder which was Charles Marandino for \$ 644,726.00.

If you have any questions or need additional information, please contact me.

Sincerely,

A handwritten signature in blue ink that reads "Jeanine N. Brownlee". The signature is written in a cursive, flowing style.

Jeanine N. Brownlee, QPA
Purchasing Agent



BID EVALUATION FORM

DEPARTMENT ADMIN / Engineering Date: 6/23/2023

The undersigned recommends that a contract be awarded for the following:

1. Bid Title: 2023 CITYWIDE SIDEWALK

2. Amount to be Awarded: 644,726.00

Encumber Total Award

Encumber by Supplemental Release

3. Engineer's Estimate: \$734,030.00

4. Amount Budget: \$ _____

5. Account Number to be Charged: C-04-00.000.2120-78001

6. Date Bids Received: 5/17/2023

7. Date to be Awarded: 7/11/2023

8. Recommended Vendor: Charles Marandino LLC

9. Is Recommended Vendor the Apparent Lowest Bidder? Yes No

10. Comments/Special Instructions:

11. Evaluation Performed by: Stephanie Wakeley, EIT

12. Approved By:
David J. Maillet, PE

13. Attached: (Check-Off List)

- Tabulation of Bids
- Justification for Vendor Recommendation (if applicable)
- Evaluation Data (if applicable)

Send copies to:
Purchasing Department
Business Administration

June 23, 2023

MEMORANDUM TO: Bob Dickenson, Business Administrator

RE: 2023 Citywide Sidewalk
Various Locations
Recommendation of Re-award
Engineering File#: 23-005

On Thursday, June 22, 2023, the City's Engineering Division held a preconstruction meeting with Manny Concrete, LLC and various City entities for the above referenced project. Manny Concrete, LLC was awarded the contract as they were the lowest, responsible bidder. Contractor was awarded by City Council Resolution No. 2023-261.


During the preconstruction meeting, the contractor was instructed that a concrete washout system was required. The Contractor indicated they could not afford that cost at their original bid price and wanted to withdraw their bid award.

Concrete washout of some form is required by any contractor. It is a basic Soil Erosion and Sediment Control (SESC) measure that is included in the NJDOT Standard Specifications, which are included by reference in the City's project specification.

As such, Manny Concrete has submitted a letter to the City stating to be released from the project. The City is now moving forward with the second lowest responsible bidder, Charles Marandino, LLC.

If you have any questions or comments, please feel free to contact me at any time.

Sincerely,



David J. Maillet, PE
City Engineer



ANNY'S CONCRETE

2 Beach Haven Way, Waretown, NJ, 08758

Email: MannysConcreteNJ@gmail.com

Phone: 732-489-6698

Fax: 609-549-0089

We, Manny Concrete LLC, found we were not able to perform the job after reviewing and are releasing our bid for the 2023-16 2023 CITYWIDE SIDEWALK PROGRAM.

X James Abreu .
Owner

CITY OF VINELAND
2023 CITYWIDE SIDEWALK PROJECT (VARIOUS LOCATIONS)
BID TABULATION

BID OPENING DATE MAY 17, 2023

CONTRACT INFORMATION				ENGINEER'S ESTIMATE		MANNY CONCRETE, LLC				CHARLES MARANDINO, LLC				L. FERIOZZI CONCRETE COMPANY			
ITEM NO.	DESCRIPTION	UNITS	CONTRACT QUANTITY	ENG. EST UNIT PRICE	ENG. EST TOTAL	BID UNIT PRICE	BID TOTAL	% OF ENG. EST.	\$ DIFFERENCE (CONTRACTOR - ESTIMATE)	BID UNIT PRICE	BID TOTAL	% OF ENG. EST.	\$ DIFFERENCE (CONTRACTOR - ESTIMATE)	BID UNIT PRICE	BID TOTAL	% OF ENG. EST.	\$ DIFFERENCE (CONTRACTOR - ESTIMATE)
1.1	TRAFFIC CONTROL	LS	1	\$25,000.00	\$ 25,000.00	\$ 1.00	\$ 1.00	0.00%	\$ (24,999.00)	\$ 10,000.00	\$ 10,000.00	40.00%	\$ (15,000.00)	\$ 5,000.00	\$ 5,000.00	20.00%	\$ (20,000.00)
2.1.2	CLEARING SITE	LS	1	\$25,000.00	\$ 25,000.00	\$ 1.00	\$ 1.00	0.00%	(\$24,999.00)	\$ 40,000.00	\$ 40,000.00	160.00%	\$15,000.00	\$ 18,000.00	\$ 18,000.00	72.00%	(\$7,000.00)
3.2.1	6"x18" CONCRETE VERTICAL CURB	LF	2,730	\$45.00	\$ 122,850.00	\$ 30.00	\$ 81,900.00	66.67%	(\$40,950.00)	\$ 35.00	\$ 95,550.00	77.78%	(\$27,300.00)	\$ 65.00	\$ 177,450.00	144.44%	\$54,600.00
3.3.1	CONCRETE SIDEWALK, 4" THICK	SY	3,587	\$110.00	\$ 394,570.00	\$ 80.00	\$ 286,960.00	72.73%	(\$107,610.00)	\$ 100.00	\$ 358,700.00	90.91%	(\$35,870.00)	\$ 81.00	\$ 290,547.00	73.64%	(\$104,023.00)
3.3.2	CONCRETE SIDEWALK, REINFORCED, 6" THICK	SY	469	\$115.00	\$ 53,935.00	\$ 80.00	\$ 37,520.00	69.57%	(\$16,415.00)	\$ 110.00	\$ 51,590.00	95.65%	(\$2,345.00)	\$ 85.00	\$ 39,865.00	73.91%	(\$14,070.00)
3.3.3	CONCRETE DRIVEWAYS, REINFORCED, 6" THICK	SY	247	\$115.00	\$ 28,405.00	\$ 80.00	\$ 19,760.00	69.57%	(\$8,645.00)	\$ 110.00	\$ 27,170.00	95.65%	(\$1,235.00)	\$ 87.00	\$ 21,489.00	75.65%	(\$6,916.00)
3.4.1	PUBLIC SIDEWALK CURB RAMP DELINEATIONS (CAST IRON TRUNCATED DOME CASTINGS)	SF	264	\$40.00	\$ 10,560.00	\$ 100.00	\$ 26,400.00	250.00%	\$15,840.00	\$ 90.00	\$ 23,760.00	225.00%	\$13,200.00	\$ 50.00	\$ 13,200.00	125.00%	\$2,640.00
4.11.1	RESET VALVE BOXES	UNIT	16	\$100.00	\$ 1,600.00	\$ 1.00	\$ 16.00	1.00%	(\$1,584.00)	\$ 1.00	\$ 16.00	1.00%	(\$1,584.00)	\$ 100.00	\$ 1,600.00	100.00%	
6.1.1	DENSE GRADED AGGREGATE BASE COURSE (RECYCLED CONCRETE), IF AND WHERE	CY	100	\$42.00	\$ 4,200.00	\$ 1.00	\$ 100.00	2.38%	(\$4,100.00)	\$ 1.00	\$ 100.00	2.38%	(\$4,100.00)	\$ 40.00	\$ 4,000.00	95.24%	(\$200.00)
7.1.7	HOT MIX ASPHALT 9.5M64 SURFACE COURSE DRIVEWAY ADJUSTMENT, 3" THICK	TON	65	\$200.00	\$ 13,000.00	\$ 170.00	\$ 11,050.00	85.00%	(\$1,950.00)	\$ 100.00	\$ 6,500.00	50.00%	(\$6,500.00)	\$ 90.00	\$ 5,850.00	45.00%	(\$7,150.00)
8.1.1	TOPSOILING, 4" THICK	SY	1,520	\$4.00	\$ 6,080.00	\$ 4.00	\$ 6,080.00	100.00%		\$ 1.00	\$ 1,520.00	25.00%	(\$4,560.00)	\$ 14.50	\$ 22,040.00	362.50%	\$15,960.00
8.2.2	HYDROSEEDING	SY	1,520	\$4.00	\$ 6,080.00	\$ 2.00	\$ 3,040.00	50.00%	(\$3,040.00)	\$ 1.00	\$ 1,520.00	25.00%	(\$4,560.00)	\$ 2.50	\$ 3,800.00	62.50%	(\$2,280.00)
8.4.3	REMOVE EXISTING TREES (18" TO 24" DIAMETER)	UNIT	1	\$1,750.00	\$ 1,750.00	\$ 500.00	\$ 500.00	28.57%	(\$1,250.00)	\$ 1,500.00	\$ 1,500.00	85.71%	(\$250.00)	\$ 2,000.00	\$ 2,000.00	114.29%	\$250.00
8.4.4	REMOVE EXISTING TREES (24" TO 30" DIAMETER)	UNIT	5	\$3,000.00	\$ 15,000.00	\$ 1,000.00	\$ 5,000.00	33.33%	(\$10,000.00)	\$ 1,800.00	\$ 9,000.00	60.00%	(\$6,000.00)	\$ 3,150.00	\$ 15,750.00	105.00%	\$750.00
8.4.5	REMOVE EXISTING TREES (30" TO 36" DIAMETER)	UNIT	2	\$3,500.00	\$ 7,000.00	\$ 1,000.00	\$ 2,000.00	28.57%	(\$5,000.00)	\$ 2,500.00	\$ 5,000.00	71.43%	(\$2,000.00)	\$ 4,400.00	\$ 8,800.00	125.71%	\$1,800.00
8.4.6	REMOVE EXISTING TREES (36" TO 48" DIAMETER)	UNIT	4	\$4,500.00	\$ 18,000.00	\$ 1,000.00	\$ 4,000.00	22.22%	(\$14,000.00)	\$ 2,800.00	\$ 11,200.00	62.22%	(\$6,800.00)	\$ 5,850.00	\$ 23,400.00	130.00%	\$5,400.00
8.4.8	REMOVE EXISTING TREE STUMPS	UNIT	4	\$250.00	\$ 1,000.00	\$ 500.00	\$ 2,000.00	200.00%	\$1,000.00	\$ 400.00	\$ 1,600.00	160.00%	\$600.00	\$ 700.00	\$ 2,800.00	280.00%	\$1,800.00
TOTAL ESTIMATED PROJECT COSTS				\$	734,030.00	\$	486,328.00			\$	644,726.00			\$	655,591.00		

CONTRACT INFORMATION				ENGINEER	LEXA CONCRETE, LLC				OCEAN CONSTRUCTION, LLC			
ITEM NO.	DESCRIPTION	UNITS	CONTRACT QUANTITY	ENG. EST. UNIT PRICE	BID UNIT PRICE	BID TOTAL	% OF ENG. EST.	\$ DIFFERENCE (CONTRACTOR ESTIMATE)	BID UNIT PRICE	BID TOTAL	% OF ENG. EST.	\$ DIFFERENCE (CONTRACTOR ESTIMATE)
1.1	TRAFFIC CONTROL	LS	1	\$25,000.00	\$ 3,000.00	\$ 3,000.00	12.00%	\$ (22,000.00)	\$ 19,183.00	\$ 19,183.00	76.73%	(\$5,817.00)
2.1.2	CLEARING SITE	LS	1	\$25,000.00	\$ 5,000.00	\$ 5,000.00	20.00%	(\$20,000.00)	\$ 57,476.00	\$ 57,476.00	229.90%	\$32,476.00
3.2.1	6"x18" CONCRETE VERTICAL CURB	LF	2,730	\$45.00	\$ 50.00	\$ 136,500.00	111.11%	\$13,650.00	\$ 95.45	\$ 260,578.50	212.11%	\$137,728.50
3.3.1	CONCRETE SIDEWALK, 4" THICK	SY	3,587	\$110.00	\$ 115.00	\$ 412,505.00	104.55%	\$17,935.00	\$ 103.90	\$ 372,689.30	94.45%	(\$21,880.70)
3.3.2	CONCRETE SIDEWALK, REINFORCED, 6" THICK	SY	469	\$115.00	\$ 115.00	\$ 53,935.00	100.00%		\$ 130.80	\$ 61,345.20	113.74%	\$7,410.20
3.3.3	CONCRETE DRIVEWAYS, REINFORCED, 6" THICK	SY	247	\$115.00	\$ 110.00	\$ 27,170.00	95.65%	(\$1,235.00)	\$ 132.25	\$ 32,665.75	115.00%	\$4,260.75
3.4.1	PUBLIC SIDEWALK CURB RAMP DELINEATIONS (CAST IRON TRUNCATED DOME CASTINGS)	SF	264	\$40.00	\$ 50.00	\$ 13,200.00	125.00%	\$2,640.00	\$ 635.50	\$ 167,772.00	1588.75%	\$157,212.00
4.11.1	RESET VALVE BOXES	UNIT	16	\$100.00	\$ 50.00	\$ 800.00	50.00%	(\$800.00)	\$ 335.50	\$ 5,368.00	335.50%	\$3,768.00
6.1.1	DENSE GRADED AGGREGATE BASE COURSE (RECYCLED CONCRETE), IF AND WHERE	CY	100	\$42.00	\$ 1.00	\$ 100.00	2.38%	(\$4,100.00)	\$ 69.00	\$ 6,900.00	164.29%	\$2,700.00
7.1.7	HOT MIX ASPHALT 9.5M64 SURFACE COURSE DRIVEWAY ADJUSTMENT, 3" THICK	TON	65	\$200.00	\$ 200.00	\$ 13,000.00	100.00%		\$ 364.00	\$ 23,660.00	182.00%	\$10,660.00
8.1.1	TOPSOILING, 4" THICK	SY	1,520	\$4.00	\$ 0.01	\$ 15.20	0.25%	(\$6,064.80)	\$ 15.05	\$ 22,876.00	376.25%	\$16,796.00
8.2.2	HYDROSEEDING	SY	1,520	\$4.00	\$ 2.83	\$ 4,301.60	70.75%	(\$1,778.40)	\$ 15.05	\$ 22,876.00	376.25%	\$16,796.00
8.4.3	REMOVE EXISTING TREES (18" TO 24" DIAMETER)	UNIT	1	\$1,750.00	\$ 950.00	\$ 950.00	54.29%	(\$800.00)	\$ 1,077.25	\$ 1,077.25	61.56%	(\$672.75)
8.4.4	REMOVE EXISTING TREES (24" TO 30" DIAMETER)	UNIT	5	\$3,000.00	\$ 1,100.00	\$ 5,500.00	36.67%	(\$9,500.00)	\$ 1,092.00	\$ 5,460.00	36.40%	(\$9,540.00)
8.4.5	REMOVE EXISTING TREES (30" TO 36" DIAMETER)	UNIT	2	\$3,500.00	\$ 1,500.00	\$ 3,000.00	42.86%	(\$4,000.00)	\$ 3,233.00	\$ 6,466.00	92.37%	(\$534.00)
8.4.6	REMOVE EXISTING TREES (36" TO 48" DIAMETER)	UNIT	4	\$4,500.00	\$ 2,400.00	\$ 9,600.00	53.33%	(\$8,400.00)	\$ 3,053.25	\$ 12,213.00	67.85%	(\$5,787.00)
8.4.8	REMOVE EXISTING TREE STUMPS	UNIT	4	\$250.00	\$ 175.00	\$ 700.00	70.00%	(\$300.00)	\$ 646.50	\$ 2,586.00	258.60%	\$1,586.00
TOTAL ESTIMATED PROJECT COSTS				\$	\$	689,276.80			\$	1,081,192.00		