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# CITY OF ALLENTOWN

No. \_\_\_\_\_

## RESOLUTION

R137 - 2020

*Introduced by the Administration on November 18, 2020*

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**Authorization for Contract with KPMM Allentown Division, LLC for an estimated annual amount of \$25,000 based upon the unit prices to perform standard boarding up services for commercial and residential properties, competitively bid, two bidders.**

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### ***Resolved by the Council of the City of Allentown, That***

**WHEREAS**, Article 130.16 of the City's Administrative Code requires City Council approval by Resolution for the award of contracts or engagement of professional services.

**WHEREAS**, it is the desire of the City of Allentown to enter into an agreement with the aforementioned Contractor, for the use and purpose indicated in supporting the Recommendation of Award of Bid:

1. Name of Contractor/Consultant: KPMM Allentown Division, LLC.
2. Project or Contract Reference: BID No. 2020-11
3. Description of Service(s): It is the intent of this invitation to secure a Contractor to perform standard boarding up services for commercial and residential properties for the City of Allentown.

**NOW, THEREFORE, BE IT RESOLVE** , on this the 18<sup>th</sup> day of November of 2020, that the Council of the City of Allentown, hereby authorizes the Mayor and/or such other City officials as deemed appropriate by the City Solicitor, to sign and execute a Contract or Amendment and such other agreements and documents as are deemed by the City Solicitor to be necessary and/or related thereto, with the above named contractor/consultant, for the project identified.

**SUBJECT:** Request for Contract Award and Approval by City Council Pursuant to City Ordinance, Article 130.16

Project or Contract Reference: BID 2020-11-Standard Boarding up of Commercial and Residential Properties

**TO:** City Council, City Clerk, and Council Solicitor

**FROM:** Leonard Lightner, Department Head

**DATE:** November 13, 2020

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Pursuant to City Ordinances, Article 130.16, this Recommendation of Award is before City Council for its approval and award of the contract.

- Check Type of Contract or Change:

X            The contract is for over \$40,000 and required to be competitively bid under the City Code. We have advertised the above referenced project and received qualified bids/proposals.

The engagement of professional services. We have received and reviewed a proposal or proposals for professional services in connection with above referenced project or requirement for professional services.

- The contract appropriation or price increase **is** included in this year's budget
- List the Vendor's name, address and proposed sum, of any and all **alternate** quotes/received, if any.

B/E Construction Co., Inc., dba B.E. Construction, 410 N. Irving Street, Allentown, PA 18109

- List the name and address of the **recommended** Contractor/Vendor, include the following:

KPMM Allentown Division LLC, 329 N. 13<sup>th</sup> Street, Allentown, PA 18102- their sums are based on various unit prices.

Contract Consideration: the total estimated budgeted sum of \$25,000.00 per contract year  
Funding Source: 105-09-0903-0005-46

- Description of project or scope of services to be provided:

This Bid was advertised on February 18, 2020, on Public Purchase. It was accessed by 22 vendors. **It is the intent of this invitation to secure a Contractor to perform standard boarding up services for commercial and residential properties for the City of Allentown.** After several addenda and changes to the public opening date, due to COVID-19, the Public opening was held on June 16, 2020, two (2) responses were received. Based on the prices received by each vendor B/E Construction was the low bid.

Purchasing conducted reference checks on B.E. and consulted with the Solicitor's Office due to a conflict over the award. Upon the Solicitor's Office review, they had concurred with Purchasing that B/E is the low bidder. City Council approved Award the award of the contract to B/E Construction on August 4, 2020. However due to the inability to obtain a fully executed contract with the Vendor, within the time limit as referenced in Section 1.5.4 of the Bid, "the successful bidder has thirty (30) days to enter into a contract or forfeit, as liquidated damages, the security deposit.", on November 13, 2020, the City was forced to withdraw the award.

At this time the City wishes to award the contract to the second lowest bidder, and the only other bidder on this project, KPMM.

- Contract Term:

The Contract term shall commence upon full execution and shall cease one (1) year thereafter.

- List any renewal term options and duration of each renewal, if any:

Upon mutual written agreement by both parties, the Contract may be renewed for two (2) additional one (1) year terms, if pricing remains the same.

- Maximum dollar value of all renewals provided for beyond the original term as if all renewals were exercised:

the total estimated budgeted sum of \$25,000.00 per contract year.

A vote of final approval is requested of the members of Council and by passing the accompanying resolution, this Contract will be deemed approved and awarded.

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By: Leonard Lightner, Department Head

Copies To: Mayor  
Director of Finance  
Purchasing  
Controller

Attachment: proposed resolution