

MINUTES OF THE REGULAR MEETING OF LODI HOUSING AUTHORITY, 50 BROOKSIDE AVENUE, LODI, NEW JERSEY AT 7:00 PM ON THURSDAY, FEBRUARY 16, 2023

Call to Order: Chairman Robert Riley called the Regular Meeting to Order at 7:00 PM.

Pledge of Allegiance: Chairman Riley requested everyone stand for the Pledge of Allegiance, and after the Pledge, the Chairman made the following statement, "This Agenda is posted to inform the Public of actions being considered by the Authority's Board of Commissioners and its Executive Director/Secretary Treasurer. There may be additions and deletions prior to the Board Meeting before taking final action." Chairman Riley also stated the following, "This meeting has been publicly advertised in compliance with the Open Public Meeting Act."

Roll Call: In addition to Chairman Riley, the meeting was attended by Commissioners Daniel J. Cody, Steven De Nobile, Albert Di Chiara and Paul V. Lynch. Vice Chairman Robert Marra was absent.

The Meeting was also attended by Lodi Housing Authority Attorney Conrad M. Olear, Esq., Executive Director/Secretary Treasurer Thomas DeSomma, and Housing Manager/HRC/Recording Secretary Carol A. Ferrara. Deputy Executive Director Gary Luna was absent.

Bids: None

Approval of Minutes:

Motion was made by Commissioner De Nobile and Seconded by Commissioner Cody to approve the Minutes of the Regular Meeting held on January 19, 2023.

Upon Roll Call, the Board voted as follows:

AYES	NAYS	ABSTAINED	ABSENT
Commissioner Cody Commissioner De Nobile Chairman Riley	NONE	Commissioner Di Chiara Commissioner Lynch	Vice Chairman Marra

Motion was made by Commissioner Cody and Seconded by Commissioner De Nobile to approve the Minutes of the Closed Session of the Regular Meeting held on January 19, 2023. Upon Roll Call, the Board voted as follows:

AYES	NAYS	ABSTAINED	ABSENT
Commissioner Cody Commissioner De Nobile Chairman Riley	NONE	Commissioner Di Chiara Commissioner Lynch	Vice Chairman Marra

Communications:

1. PIC Monthly Report – PH @100% and S8 @98.69%
2. REAC Notice of Physical Inspection scheduled for 02/21/23-02/22/23

MINUTES OF REGULAR MEETING – FEBRUARY 16, 2023 (cont'd)

Report of Attorney:

1. **New:**
2. **Updates:**
3. **Any Other Pending Litigation/Personnel Matters to be Discussed:**

REFER TO CLOSED SESSION – ATTORNEY-CLIENT PRIVILEGED DISCUSSIONS FOR RELATED CORRESPONDENCE

Report of Accountant: Nothing at this time.

Report of Security: Nothing at this time.

Bills Agenda:

Motion to Approve the February 2023 Bills Agenda was made by Commissioner Cody and Seconded by Commissioner Di Chiara. Upon Roll Call, the Board voted as follows:

AYES	NAYS	ABSTAINED	ABSENT
Commissioner Cody Commissioner De Nobile Commissioner Di Chiara Commissioner Lynch Chairman Riley	NONE	NONE	Vice Chairman Marra

Report of Executive Director:

1. **Contract Report:**

CONTRACT AWARDED TO:	CONTRACT FOR:
a.	
b.	
I HEREBY CERTIFY THE "FUNDING AVAILABILITY" TO AWARD THE CONTRACTS, AS REFERENCED HEREIN AND FURTHER CERTIFY THAT ALL CONTRACT PRICES WERE OBTAINED IN COMPLIANCE WITH LHA AND THE US DEPARTMENT OF HUD CFR 85-36 ESTABLISHMENT OF PROCUREMENT POLICY.	
CONTRACT LISTED ABOVE DOES NOT REQUIRE BOARD APPROVAL SINCE YEARLY CONTRACT AMOUNT IS WITHIN EXECUTIVE DIRECTOR'S THRESHOLD TO AWARD	

CONTRACT AWARDED TO:	CONTRACT FOR:
1.	
2.	
I HEREBY CERTIFY THE "FUNDING AVAILABILITY" TO AWARD THE CONTRACTS, AS REFERENCED HEREIN AND FURTHER CERTIFY THAT ALL CONTRACT PRICES WERE OBTAINED IN COMPLIANCE WITH LHA AND THE US DEPARTMENT OF HUD CFR 85-36 ESTABLISHMENT OF PROCUREMENT POLICY.	
CONTRACT LISTED ABOVE DOES REQUIRE BOARD APPROVAL SINCE YEARLY CONTRACT AMOUNT IS NOT WITHIN EXECUTIVE DIRECTOR'S THRESHOLD TO AWARD	

2. Blast from the Past – what we (Lodi/DVP) were

Report of Deputy Executive Director/Administrator Section 8/Housing Manager:

1. Update – Fire Alarm/Call to Aid/Pull Stations – Bid Opening on 02/09/23 – one quote received
2. Update on the following work: DVP domestic hot water tank (anodes); proposal from All County One Day Bath Corp to upgrade bathrooms (consideration will be given with preparation of FYE 09/30/24 Budget); soffit repair at Massey/Rennie; and S/C (Rennie main electric panels (water penetration)

MINUTES OF REGULAR MEETING – FEBRUARY 16, 2023 (cont'd)

Resolutions:

CONSENT AGENDA (Resolutions are matters covering operation of Lodi Housing Authority and will be passed by one roll call vote covering all items on the Consent Agenda.)

**Motion to Approve Resolutions by Consent Agenda was made by Commissioner Cody and Seconded by Commissioner Di Chiara.
Upon Roll Call, the Board voted as follows:**

AYES	NAYS	ABSTAINED	ABSENT
Commissioner Cody Commissioner De Nobile Commissioner Di Chiara Commissioner Lynch Chairman Riley	NONE	NONE	Vice Chairman Marra

1.	Resolution #22-11	PH/S8 Budget Revision #1 – FYE 09/30/23
2.	Resolution #22-12	Authorization to Institute Fire Prevention Tips for All Electric Vehicles (e-bikes, e-scooters, hoverboards, etc.) Using Lithium-Ion Batteries
3.	Resolution #22-13	Rejection of Single Not Responsive Bid Received on 01/25/23 for Repair/Replacement of Fire Alarm/Call to Aid Systems at LHA 3 S/C Complexes
4.	Resolution #22-14	Authorization to Re-Design Scop of Work and Authorization to Re-Negotiate Existing Professional Service Contract with LSEA Corp. (A&E Firm) for Fire Alarm/Call to Aid Systems at LHA's 3 S/C Complexes

Report of Commissioner:

Unfinished Business: None

Old Business: None

New Business: None

Good & Welfare: None

Hearing of Citizens: None in Attendance

MINUTES OF REGULAR MEETING – FEBRUARY 16, 2023 (cont'd)

Closed Session:

**Motion to End Regular Order of Business and go into Closed Session was made by Commissioner Di Chiara and Seconded by Commissioner Cody.
Upon Roll Call, the Board voted as follows:**

AYES	NAYS	ABSTAINED	ABSENT
Commissioner Cody Commissioner De Nobile Commissioner Di Chiara Commissioner Lynch Chairman Riley	NONE	NONE	Vice Chairman Marra

**Motion to End Closed Session and return to Regular Order of Business was made by Commissioner Cody and Seconded by Commissioner Di Chiara.
Upon Roll Call, the Board voted as follows:**

AYES	NAYS	ABSTAINED	ABSENT
Commissioner Cody Commissioner De Nobile Commissioner Di Chiara Commissioner Lynch Chairman Riley	NONE	NONE	Vice Chairman Marra

Adjournment:

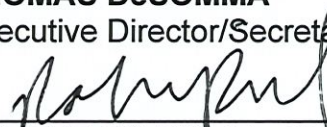
Motion to Adjourn was made by Commissioner De Nobile and Seconded by Commissioner Di Chiara. Upon Roll Call, the Board voted as follows:

AYES	NAYS	ABSTAINED	ABSENT
Commissioner Cody Commissioner De Nobile Commissioner Di Chiara Commissioner Lynch Chairman Riley	NONE	NONE	Vice Chairman Marra

Meeting was Adjourned at 7:25 PM and Chairman Riley declared the Regular Meeting closed.



THOMAS DeSOMMA
Executive Director/Secretary Treasurer



**ROBERT RILEY, JR., Chairman or
ROBERT MARRA, Vice Chairman**

Transcribed/Typed by:



CAROL A. FERRARA
Housing Manager/Recording Secretary

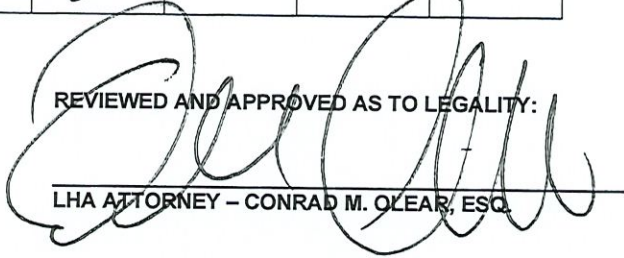
RESOLUTION NO. 22-11

Governing Body Recorded Vote – Members:

Board Members		Aye	Nay	Abstain	Absent
M	Commissioner D. J. Cody	✓			
	Commissioner S. De Nobile	✓			
S	Commissioner A. Di Chiara	✓			
	Commissioner P. V. Lynch	✓			
	Vice Chairman R. Marra				
	Chairman R. Riley, Jr.	✓			✓

Approved Denied

REVIEWED AND APPROVED AS TO LEGALITY:



LHA ATTORNEY – CONRAD M. O'LEARY, ESQ.

BUDGET REVISION #1 – PUBLIC HOUSING & SECTION 8 OPERATING BUDGET – FYE 09/30/23

WHEREAS, the FYE 09/30/23 Public Housing & Section 8 Operating Budgets of Lodi Housing Authority (LHA) were previously adopted/approved by Board Resolution (#21-37 & #22-09) on 09/29/22 and 12/21/22, respectively; and

WHEREAS, recent and unforeseen Income and Expenses will impact LHA's FYE 09/30/23 Public Housing & Section 8 Operating Budgets; and

WHEREAS, the US Department of Housing and Urban Development (HUD) recommends a Budget Revision be processed explaining such changes to Income and Expenses; and

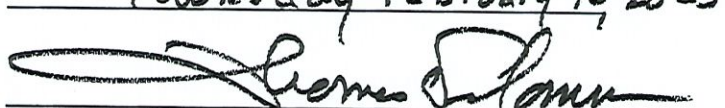
WHEREAS, these unforeseen income and projected expenses will impact LHA's FYE 09/30/23 Operation Budgets due to increase in SHBP costs and employee inflation adjustments approved within Resolution #22-05.

NOW, THEREFORE, BE IT RESOLVED, due to these unforeseen expenses/income referenced herein affecting the Public Housing and/or Section 8 Accounts (#3110, #3690, #4110, #4410, #4430, and #4540) is hereby approved (refer to attached summary).

NOW, THEREFORE, BE IT FURTHER RESOLVED, LHA's Executive Director/ Secretary Treasurer is further authorized to implement all changes reflected in Revision #1 and process any and all required changes and notices to HUD and the NJ Division of Local Government Services, as may be required.

THIS IS TO CERTIFY THAT THE ABOVE IS A TRUE COPY AS ADOPTED BY THE HOUSING AUTHORITY OF THE BOROUGH OF LODI AT THE MEETING HELD ON:

Thursday February 16, 2023



EXECUTIVE DIRECTOR/SECRETARY-TREASURER

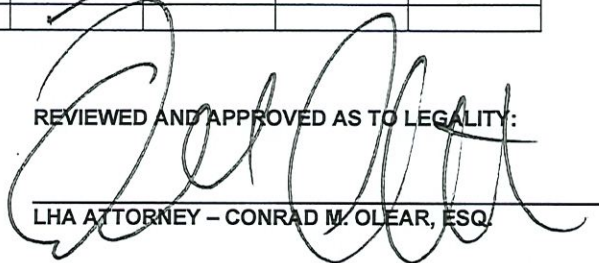
RESOLUTION NO. 22-12

Governing Body Recorded Vote – Members:

	Board Members	Aye	Nay	Abstain	Absent
M	Commissioner D. J. Cody	✓			
	Commissioner S. De Nobile	✓			
S	Commissioner A. Di Chiara	✓			
	Commissioner P. V. Lynch	✓			
	Vice Chairman R. Marra				✓
	Chairman R. Riley, Jr.	✓			

Approved Denied

REVIEWED AND APPROVED AS TO LEGALITY:



LHA ATTORNEY – CONRAD M. OLEAR, ESQ.

AUTHORIZATION TO INSTITUTE FIRE PREVENTION TIPS FOR ALL ELECTRIC VEHICLES (E-BIKES, E-SCOOTERS, HOVERBOARDS, ETC.) USING LITHIUM-ION BATTERIES

WHEREAS, The Department of Housing and Urban Development (HUD) has submitted memorandum to Multifamily Regional Directors, Management Directors and Multifamily Owners and Management Agents; and

WHEREAS, said HUD memorandum was written to increase awareness and provide information regarding fire hazard and fire prevention tips for electric scooters, e-bikes, hoverboards, etc.; and

WHEREAS, electric scooters (does not refer to the electric personal assistive mobility devices for the disabled, such as electric wheelchairs), e-bikes and hoverboards, have grown in popularity in recent years; and

WHEREAS, because of the lithium-ion batteries in these devices, they have become a fire hazard in many apartment buildings; and

WHEREAS, from 2017 to 2021, fires caused by lithium-ion batteries in these devices have greatly increased; and

WHEREAS, managers and residents can do their part to help prevent electric scooter, e-bike and hoverboard related fires by following the below-referenced guidelines and also, by not charging these e-products (referenced herein) outside their units with extended chargers; and

WHEREAS, the US Consumer Product Safety Commission recommends following these guidelines:

- Always be present when charging devices using lithium-ion batteries;
- Only use the charger that came with your device;
- Only use an approved replacement battery pack;
- Follow the manufacturer’s instructions for proper charging and unplug the device when done;
- Never charge while sleeping;
- Never use these devices with a battery pack that has been modified/reworked by unqualified personnel or with re-purposed or used cells; and
- Never throw lithium batteries into trash or general recycling. Instead, take them to your local battery recycler or hazardous waste collection center.

THEREFORE, BE IT RESOLVED, the Lodi Housing Authority Board of Commissioners hereby approves and adopts the above-mentioned guidelines. Residents will have a 30-day comment period after adoption of this Resolution. After 30 days, guidelines will be added to resident dwelling lease.

THIS IS TO CERTIFY THAT THE ABOVE IS A TRUE COPY AS ADOPTED BY THE HOUSING AUTHORITY OF THE BOROUGH OF LODI AT THE MEETING HELD ON:

Thursday February 16, 2023

 EXECUTIVE DIRECTOR/SECRETARY-TREASURER



**LODI
HOUSING
AUTHORITY**

THOMAS DeSOMMA
EXECUTIVE DIRECTOR/SECRETARY TREASURER
973-470-3650 FAX 973-778-1429

February 17, 2023

IMPORTANT NOTICE TO ALL LHA RESIDENTS REGARDING FIRE HAZARD & PREVENTION TIPS FOR E-BIKES, E-SCOOTERS, HOVERBOARDS, ETC.

This notice is being sent to increase residents' awareness and to remind everyone of LHA's mission statement and goal to maintain safe/decent/well-maintained housing and to preserve the health and safety of LHA's residents.

E-bikes, e-scooters, hoverboards, etc. have become increasingly popular during the past few years. Unfortunately, as a result of the lithium-ion batteries in these devices, they have become a fire hazard in many apartment buildings. Therefore, as preventive measures and for the safety of all residents and the Lodi community, the following changes will be implemented:

- Residents are not permitted to keep or charge e-bikes, e-scooters, hoverboards, etc. in their units overnight/while sleeping or when residents are not present; and
- Residents are not permitted to charge these e-products (referenced herein) outside the units or common areas on LHA property using extended chargers or electrical extension cords, which includes EV's (electric motor vehicles).

Once approved by Board Resolution, these guidelines will become part of the dwelling lease, and you will have 30 days to comment and express your opinion or concerns by sending your comments, in writing, to Thomas DeSomma, Executive Director, at 50 Brookside Avenue, Lodi, NJ 07644 or via email at thomasd@lodihousing.org with subject line: Changes to Lease.

Managers and residents can each do their part to help prevent electric scooter and e-bike related fires. **U.S. Consumer Product Safety Commission recommends following these guidelines:**

- Always be present when charging devices using lithium-ion batteries.
- Only use the charger that came with your device.
- Only use an approved replacement battery pack.
- Follow the manufacturer's instructions for proper charging and unplug the device when done.
- Never charge while sleeping.
- Never use these devices with a battery pack that has been modified/reworked by unqualified personnel or with re-purposed or used cells.
- Never throw lithium batteries into trash or general recycling. Instead, take them to your local battery recycler or hazardous waste collection center.

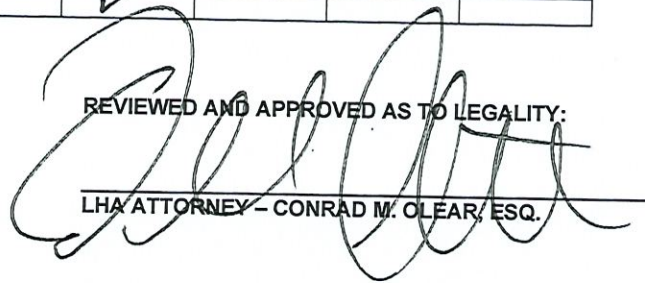
RESOLUTION NO. 22-13

Governing Body Recorded Vote – Members:

Board Members		Aye	Nay	Abstain	Absent
M	Commissioner D. J. Cody	✓			
	Commissioner S. De Nobile	✓			
S	Commissioner A. Di Chiara	✓			
	Commissioner P. V. Lynch	✓			
	Vice Chairman R. Marra				✓
	Chairman R. Riley, Jr.	✓			

Approved Denied

REVIEWED AND APPROVED AS TO LEGALITY:



LHA ATTORNEY – CONRAD M. OLEAR, ESQ.

REJECTION OF SINGLE NOT RESPONSIVE BID RECEIVED ON 01/25/23 FOR REPAIR/REPLACEMENT OF FIRE ALARM/CALL TO AID SYSTEM AT LHA SENIOR CITIZEN COMPLEXES

WHEREAS, Lodi Housing Authority (LHA) publicly advertised to receive sealed bids at 10:00 AM on January 25, 2022 for the Repair/Replacement of the Fire Alarm/Call to Aid System for LHA S/C Complexes (referenced above); and

WHEREAS, only one (1) public bid was received, opened, and reviewed by LS Engineering Associates Corp. (the Authority’s Design and Inspecting Engineers) and then subsequently reviewed by LHA Counsel Conrad M. Olear, Esq.; and

WHEREAS, said bid received (determined to be the single/not responsive bid) as indicated in Engineer’s correspondence dated 01/30/23 & 02/16/23 and LHA’s Counsel’s opinion dated 02/07/23 & 02/16/23 (attached); and

WHEREAS, both the Design Engineer and Attorney have recommended that, in the best interest of the Authority, the one (1) bid received be **Rejected** and re-advertised.

NOW, THEREFORE, BE IT RESOLVED, the public bid received pertaining to the Repair/Replacement of the Fire Alarm/Call to Aid System for LHA’s S/C Complexes is hereby **Rejected**.

NOW, THEREFORE, BE IT FURTHER RESOLVED, the Executive Director/ Secretary-Treasurer is authorized to re-advertise to receive public bids for the Repair/ Replacement of the Fire Alarm/Call to Aid System for LHA’s S/C Complexes.

THIS IS TO CERTIFY THAT THE ABOVE IS A TRUE COPY AS ADOPTED BY THE HOUSING AUTHORITY OF THE BOROUGH OF LODI AT THE MEETING HELD ON:

Thursday February 16, 2023



EXECUTIVE DIRECTOR/SECRETARY-TREASURER

CONRAD M. OLEAR, ESQ.
26 MERRILL DRIVE
MAHWAH, NEW JERSEY 07430
ATTORNEY AT LAW
NJ & NY BAR

February 16, 2023

VIA ELECTRONIC MAIL

Mr. Thomas DeSomma, Executive Director
Lodi Housing Authority
50 Brookside Avenue - DeVries Park
Lodi, New Jersey 07644

Mr. Gary Luna, Deputy Director
Lodi Housing Authority
50 Brookside Avenue - DeVries Park
Lodi, New Jersey 07644

Re: ***Bid Review***
Fire Alarm / Call to Aid Upgrade

Dear Mr. DeSomma and Mr. Luna:

Pursuant to your request I have reviewed your correspondence under date of February 15, 2023, requesting a review of certain correspondence from the single bidder in connection with the above matter. I have review the bidders comments as it relates to the liquidated damages clause set forth in the contract contained within the bid package, specifically paragraph 33. The said bidder had three comments with respect to same:

- i. We have unfettered access to all areas when needed.
- ii. None of the equipment is on backorder.
- iii. Written requests for extensions are granted.

I believe comments i and ii are acceptable. LHA cannot expect the project to be completed timely without providing unfettered access to the areas. I would clarify with the bidder what they deem to be "unfettered access". However, I do not believe this to be unreasonable and should be deemed acceptable. With respect to ii, this is also reasonable. However, the bidder should be able to advise LHA at the projects commencement whether or not all materials are readily available. Finally, with respect to iii, the same is acceptable, however, the bidder must be fully aware that extensions shall only be granted for valid reasons; such as a change order or delay outside of the contractors control.

With respect to the bidders comment on patching, I shall leave that to the engineer. However, LHA should be aware that if the same effects the bid price substantially, LHA may reject the bid in whole. Should you have any questions regarding the above, please feel free to contact me at your earliest convenience.

Very truly yours,
STRASSER & ASSOCIATES, P.C.

Conrad M. Olear

Conrad M. Olear

Thomas DeSomma

From: kimlaw@lseacorp.com
Sent: Thursday, February 16, 2023 9:30 AM
To: 'Conrad Olear'; Thomas DeSomma; 'Alex Ortiz'
Cc: Gary Luna; Carol Ferrara; tianhao@lseacorp.com
Subject: RE: Response to A&E Email - Fire Alarm/Call to Aid Bid

CAUTION: This email originated from outside of the organization. DO NOT CLICK links or open attachments unless you recognize the sender and know the content is safe. If you require further assistance please contact Mazteck.

Tom & Gary,

I concurred with the assessment I, II and III provided by Mr. Olear.

Regarding the patching. I would recommend that minor patching should be included in the bid price. Anything consider major patching should be bring to the Engineer attention and evaluate case by case basis. This fee can be bill under the "Contingency" fund in the bid package. This can be addressed in the Pre-construction meeting.

Any questions, please call me.

Thanks,



Kim Law, P.E.
President

LSEA Corporation

New York/New Jersey/Connecticut/Pennsylvania

Office: 973.588.3122 • Fax: 973.588.3123 • Cell: 973.727.9924

Email: Kimlaw@lseacorp.com

Website: www.lseacorp.com

Certified MBE/SBE/DBE/ESBE in NY/NJ/PA/CT

From: Conrad Olear <cmo@strasserlaw.com>
Sent: Thursday, February 16, 2023 8:21 AM
To: Thomas DeSomma <thomasd@lodihousing.org>; kimlaw@lseacorp.com; Alex Ortiz <alex@axon-engineer.com>
Cc: Gary Luna <garyl@lodihousing.org>; Conrad Olear <cmo@strasserlaw.com>; Carol Ferrara <carolf@lodihousing.org>
Subject: RE: Response to A&E Email - Fire Alarm/Call to Aid Bid
Importance: High

Tom – please see attached. Thank you.

Conrad M. Olear, Esq.
Strasser & Associates, P.C.
7 East Ridgewood Avenue
Paramus, New Jersey 07652
Phone: 201.445.9001
Fax: 201.445.1188
Writers E-Mail: cmo@strasserlaw.com

CONRAD M. OLEAR, ESQ.
26 MERRILL DRIVE
MAHWAH, NEW JERSEY 07430
ATTORNEY AT LAW
NJ & NY BAR

February 7, 2023

VIA ELECTRONIC MAIL

Mr. Thomas DeSomma, Executive Director
Lodi Housing Authority
50 Brookside Avenue - DeVries Park
Lodi, New Jersey 07644

Mr. Gary Luna, Deputy Director
Lodi Housing Authority
50 Brookside Avenue - DeVries Park
Lodi, New Jersey 07644

Re: ***Bid Review***
Fire Alarm / Call to Aid Upgrade

Dear Mr. DeSomma and Mr. Luna:

Pursuant to your request I have reviewed your correspondence under date of February 1, 2023, requesting a review of the bid documents submitted in connection with the replacement of fire alarms and upgrades to the call to aid systems. I have reviewed the single bid submitted. Additionally, I also reviewed the comments of LHA's consultants on the project, LS Engineering Associates Corp., under date of January 30, 2023.

Be advised that N.J.S.A. 40A:11-13.2 governs the rejection of bids and allows for the same when:

- a. The lowest bid substantially exceeds the cost estimates for the goods or services;
- b. The lowest bid substantially exceeds the contracting unit's appropriation for the goods or services;
- c. The governing body of the contracting unit decides to abandon the project for provision or performance of the goods or services;
- d. The contracting unit wants to substantially revise the specifications for the goods or services;

- e. The purposes or provisions or both of P.L.1971, c. 198 (C.40A:11-1 et seq.) are being violated;
- f. The governing body of the contracting unit decides to use the State authorized contract pursuant to section 12 of P.L.1971, c. 198 (C.40A:11-12).

Be further advised that *N.J.S.A. 40A:11-14*, Form of contracts, allows LHA to prescribe the form and manner in which contracts shall be made and executed, and the form and manner of execution and approval of all guarantee, indemnity, fidelity and other bonds.

Be further advised that *N.J.S.A. 40A:11-19*, Liquidated damages, allows any contract made pursuant to P.L.1971, c.198 (C.40A:11-1 et seq.) may include liquidated damages for the violation of any of the terms and conditions thereof or the failure to perform said contract in accordance with its terms and conditions, or the terms and conditions of P.L.1971, c.198 (C.40A:11-1 et seq.). It is my understanding that the bidder will not agree to any such clause as set forth in the bid documents.

LS Engineering Associates Corp. review of the bid identifies various deficiencies in connection with the subject bid, including the bidders objection to various contract language and failure to provide the bid bond, among other objections. Finally, and furthermore, it is my understanding that the LHA wants to substantially revise the specifications for the goods or services advertised for to expand the fire alarm manufacturer.

Based on the aforesaid LHA may reject the single bid received in connection with the above bid. Should you have any questions regarding the above, please feel free to contact me at your earliest convenience.

Very truly yours,
STRASSER & ASSOCIATES, P.C.

Conrad M. Olear

Conrad M. Olear

Re-Bid Review and Recommendation

Bid Review:

At the Bid Opening on January 25, 2023, at 10:00am, only one bidder submitted their Bid Package, DavEd Fire Systems. A second bidder, Haige Services, made a bid deposit but did not submit a bid package. DavEd Fire Systems total costs is 17% lower than the engineer's cost estimate, previously provided to the owner.

The following items were missing or incomplete documentation from the bidder:

1. Disclosure Statement of Ownership for Contractor was not filled.
 - a. Engineer's comment: Form is required to be completed.
2. The bidder indicates Bid Bond to be provided later, however, the Bid Bond was included, the Performance Bond or Labor and Material Payment Bond was not.
 - a. Engineer's comment: Performance Bond should be submitted in a timely manner as requested.
3. Insurance policy not included.
 - a. Engineer's comment: Documentation required.
4. Affidavits for Non-Minority and Certified Minority Business Enterprise Compliance were not filled.
 - a. Engineer's comment: Forms are required to be completed.
5. Addition 5-year preventive maintenance do not match quote summary with values included in the Bid Form of Proposal.
 - a. Engineer's comment: Final values to be confirmed by bidder.
6. During the walk-through

The bidder takes exceptions to the following items, included in the bid set documents:

7. Liquidated damages after the 180-calendar day completion due to supply/chain issues.
 - a. Engineer's comment: Scheduling delays can be expected but not anticipated. Contractor is required to commit to a completion date as per the contract, and if certain circumstances arise, then they should be reported to the owner at that time.
8. Submitting signed and sealed engineering plans for permitting.
 - b. Engineer's comment:
 - i. Plans must be prepared and submitted for permit approval. Typical documentation includes equipment shop drawings, manufacturer specific control panel and device wiring diagrams, and manufacturer specific battery calculations. These items are typically obtained by the certified installer from the manufacturer.
 - ii. Awarded Contractor must comply.
9. Covering and patching of affected areas, and removal of abandoned cables.
 - a. Engineer's comment:
 - i. The project requires work is all in existing areas. Wall and ceiling finishes

Project:
FIRE ALARM/CALL TO AID UPGRADES
Lodi Housing Authority
50 Brookside Avenue
Lodi, New Jersey

Engineer:
LS Engineering Associates Corp
January 30, 2023

must be included by the contractor.

10. Various specification sections and coordination notes.

- a. Engineer's comment: Contractor takes exceptions to several sections in the specifications and notes in the contract documents with no explanation.
- b. In general, the awarded contractor should be held responsible for verification and coordination of spaces in which work will be performed, and restoration to original conditions, without additional cost to the owner.

Bid Recommendation:

The bidder's quote is slightly lower than the prepared probable cost, however, the price omits many requirements which should be met as per bid set documents. We do not recommend that the bid be awarded unless the bidder completes missing information and removes the noted exceptions, as described above.

This is second time the fire alarm and call-to-aid upgrade bid package is issued where only the local authorized system dealer submits a bid. This limits the owner's capability to request for a new manufacturer without replacing all three systems in its entirety and possibly incurring a higher upfront cost.

We recommend the owner to contact the bidding contractor to address on why the exceptions were taken and a possible agreement on the how the required scope can be met. Otherwise, the package must be issued for bid a third time. Different approaches will need to be considered, prior to re-issuing.

Sincerely,



Alexander Ortiz, PE
Engineer

Encl:

Bid Opening Cost Breakdown

Gary Luna

From: Alex Ortiz <alex@axon-engineer.com>
Sent: Friday, January 27, 2023 1:01 PM
To: Gary Luna
Cc: kimlaw@lseacorp.com
Subject: LHA FA/Call-to-Aid Pre-Bid - Preliminary Evaluation
Attachments: LHA-Fire Alarm-Call to Aid System Upgrades_RE-BID.pdf

Importance: High

CAUTION: This email originated from outside of the organization. DO NOT CLICK links or open attachments unless you recognize the sender and know the content is safe. If you require further assistance please contact Mazteck.

Gary,

At the Bid Opening on January 25, 2023, at 10:00am, only one bidder submitted their Bid Package, DavEd Fire Systems (DFS). A second bidder, Haige Services, made a bid deposit but did not submit a bid package.

DFS provided a quantity breakdown of devices for each complex. Quantity for North Main Street includes only those devices for the loop replacement upgrade.

Preventive maintenance warranty values are per year.

Quote summaries indicate Bid Bond to be provided later. Bid packaged did not include the Performance Bond or Labor and Material Payment Bond.

Affidavit for Non-Minority Business Enterprise Compliance was not filled.

Bidder takes exception to the liquidated damages after the 180-calendar day completion due to supply/chain issues.

Addition 5-year preventive maintenance do not match quote summary with values included in the Bid Form of Proposal.

DFS takes exception to the following which are of concern:

1. Submitting signed and sealed engineering plans for permitting.
2. Covering and patching of affected areas, and removal of abandoned cables.
3. Verification and coordination of spaces in which work will be performed, and restoration to original conditions.
4. Plans review & coordination, as described in drawing T-2.

Please review the above and let's discuss before our final recommendation.

Thank you,

Alex Ortiz, PE CEM

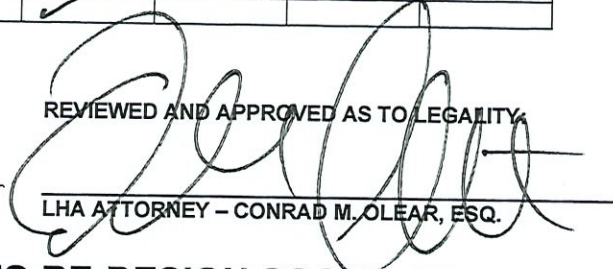
Mobile: 917-509-6031

RESOLUTION NO. 22-14

Governing Body Recorded Vote – Members:

Board Members	Aye	Nay	Abstain	Absent
<i>M</i> Commissioner D. J. Cody	✓			
Commissioner S. De Nobile	✓			
<i>S</i> Commissioner A. Di Chiara	✓			
Commissioner P. V. Lynch	✓			
Vice Chairman R. Marra				✓
Chairman R. Riley, Jr.	✓			

Approved Denied

REVIEWED AND APPROVED AS TO LEGALITY:

 LHA ATTORNEY – CONRAD M. OLEAR, ESQ.

AUTHORIZATION TO RE-DESIGN SCOPE OF WORK AND AUTHORIZATION TO RE-NEGOTIATE EXISTING PROFESSIONAL SERVICE CONTRACT WITH LSEA CORPORATION (A&E FIRM) FOR FIRE ALARM/CALL TO AID SYSTEMS AT LHA’S THREE (3) SENIOR CITIZEN COMPLEXES

WHEREAS, Lodi Housing Authority (LHA) Board of Commissioners (Board) passed Resolution #20-40 (09/30/21) “Declaration of Federal Disaster” due to Hurricane Ida, which impacted LHA’s three (3) Senior Citizen Complexes located at 15 Massey Street, 20 Rennie Place, and 375 North Main Street; and

WHEREAS, Hurricane Ida’s flooding continues to affect the operations of LHA’s fire alarm/call to aid pull stations which directly impacts the safety of all its senior citizen residents at all three (3) S/C Complexes; and

WHEREAS, Resolution #21-16 authorized LSEA Corporation was retained to design the repair of those areas affected by Hurricane Ida; and

WHEREAS, LHA previously rejected bid on 09/29/22 (Resolution #21-39) and again on 02/16/23 (Resolution #22-13); and

WHEREAS, the Executive Director recommends re-design and subsequent public re-bidding of S/C Fire Alarm/Call to Aid Systems; and

WHEREAS, LHA has its existing A&E Contract with LSEA Corporation for these services and recognizes a re-design would be in the best interest of the Authority; and

WHEREAS, the Executive Director/Secretary Treasurer hereby certifies **Funding Availability** to Re-Design and Re-Negotiate it Professional Services Contract with LSEA Corporation.

NOW, THEREFORE, BE IT RESOLVED, the Re-Design and Re-Negotiation of it’s A&E Professional Services Contract with LSEA Corporation (referenced herein) is authorized by adoption of this Resolution #22-14.

NOW, THEREFORE, BE IT FURTHER RESOLVED, the Executive Director/ Secretary-Treasurer is hereby authorized to utilize any and all available Public Housing Operating/Administrative Reserves, including but not limited to, any and all Capital Fund Program funds available, including its Capital Fund Program funding and all related expenditures be classified as “Emergency Expenditures,” and authorizes its Executive Director to execute any and all contracts to re-design fire alarm/call to aid systems, etc. as deemed necessary to ensure the health, safety, and welfare of all S/C Residents.

THIS IS TO CERTIFY THAT THE ABOVE IS A TRUE COPY AS ADOPTED BY THE HOUSING AUTHORITY OF THE BOROUGH OF LODI AT THE MEETING HELD ON:

Thursday February 16, 2023

 EXECUTIVE DIRECTOR/SECRETARY-TREASURER