

The Special Meeting of the Housing Authority of the City of Bayonne was held on **Tuesday, January 14, 2025 at 4:00 PM** via Zoom Meeting.

**Honorable Vincent Lombardo**

**Honorable Irene Rose Pyke**

**Honorable Robert Doria**

**Honorable Shanna McKennan**

**Honorable Jubrial J. Nesheiwat**

**Honorable Keith Makowski**

**Raff, Masone & Weeks, Counsel**

**Members of the Board:**

A Bid for Replacement of Glass Block at Pamrapo Gardens (12-1), Bergen Point Gardens (12-2), Centerville Gardens (12-3), and Latourette Gardens (12-4) at Constable Hook Village (12-7) and Kill Van Kull Gardens Annex (12-7A). Links to the submitted bids are below.

<b>BIDDER</b>	<b>BID AMOUNT</b>
Panoramic Window & Door Systems, Inc	\$1,375,000.00
D&E Window and Door, LLC	\$1,453,000.00

A resolution awarding a contract to Panoramic Window & Door Systems, Inc is being prepared for your consideration.

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Respectfully submitted,  
John T. Mahon  
Executive Director

**(7076) WHEREAS**, the Housing Authority of the City of Bayonne (the “Authority”) publicly advertised an Invitation for Bids (the “Invitation”) in THE JERSEY JOURNAL for **REPLACEMENT OF GLASS BLOCK AT PAMRAPO GARDENS (12-1), BERGEN POINT GARDENS (12-2), CENTERVILLE GARDENS (12-3), AND LATOURETTE GARDENS (12-4) AT CONSTABLE HOOK VILLAGE (12-7) AND KILL VAN KULL GARDENS ANNEX (12-7A)** the (“Project”) and **WHEREAS**, the Invitation for Bids provided interested parties with information on how to acquire plans and specifications (the “Specifications”) for the Project and indicated that the bids would be received at 11:00 AM on December 11, 2024 whereupon the bids were opened at the Authority’s office and read aloud as follows:

<b><u>BIDDER</u></b>	<b><u>BID AMOUNT</u></b>
Panoramic Window & Door Systems, Inc.	\$1,375,000.00
D&E Window and Door, LLC	\$1,453,000.00

**WHEREAS** the Board of Commissioners have reviewed the bid placed by **Panoramic Window & Door Systems, Inc.** and determined that bidder was a responsible bidder and recommended that the Authority award a contract for the referenced project to **Panoramic Window & Door Systems, Inc.**, and

**WHEREAS**, the award of this contract has complied with the fair and open process, established and further defined by N.J.S.A. 19:44A-20.7. Consequently, the provisions of

N.J.S.A. 19:44A-20.5 and N.J.S.A. 19:44A-20.26, as to campaign contributions, do not apply to the contract, and

**BE IT FURTHER RESOLVED BY THE COMMISSIONERS OF THE AUTHORITY** that its appropriate officers are hereby authorized and directed to enter into a contract with **Panoramic Window & Door Systems, Inc.** to perform the Project in the amount of **\$1,375,000.00.00.**

**Executive Director John Mahon:**

In accordance with the Open Public Meetings Act, Chapter 231, P.L. 1975, the “so called” Sunshine Law, a notice was forwarded to the clerk of the City of Bayonne and to the Jersey Journal NJ.com and was posted on the bulletin board in the lobby of 549 Avenue A, Bayonne, New Jersey. Also in consideration of executive order #103 issued by the Governor of the State of New Jersey and following all said provisions of the emergency order. We’re calling this meeting to order and please be advised that this public meeting is being recorded.

**Executive Director John Mahon:**

Someone want to lead us in the pledge to the flag?

**Commissioner Makowski:**

Sure, I can do it.

*Pledge of Allegiance*

**Vice Chair Pyke:**

He took my job. I don’t appreciate that but I’ll let it slide.

**Executive Director John Mahon:**

Remember we learned, when we tried to do it in unison it sounded really bad, so one person doing it-

**Vice Chair Pyke:**

Yes.

**Chair Lombardo:**

Excuse me John, I see Paul is on, is that Shanna the 7332 number?

**Executive Director John Mahon:**

No that would be Dave, Dave is calling in in case we need him.

**Chair Lombardo:**

Okay, gotcha.

**Paul Weeks, Counsel:**

I’m here, can you hear me?

**Unison:**

Yes.

**Executive Director John Mahon:**

So we have the special meeting for the purpose of awarding contracts, and we explained the situation on why we want to get them done before next week.

**Chair Lombardo:**

John, excuse me, shouldn't we have a roll call?

*Executive Director John Mahon then called the roll and the following were present:  
Chair Lombardo, Vice Chair Pyke, Commissioners Doria, Nesheiwat, and Makowski.*

*Commissioner McKennan was absent.*

**Executive Director John Mahon:**

Can all of you hear me because some of you look frozen.

**Unison:**

Yes.

**Executive Director John Mahon:**

We have our special meeting today. We put on the agenda a possibility of four resolutions awarding contracts for recommendation. Three of them we are going to table. Two of them came in over cost estimates and one of those two, it's the third time so we're going to be negotiating. And then the fourth one that we opened today, there has to be some research done as one of the bids came in extremely low and we're just not comfortable with it. The agenda that I had published was for award only so we're not going to reject the other two. And the one bid that we're negotiating we'll probably have to reword—not probably—we do have to reword the resolution because we will be negotiating a price on that if you so desire. And if we have time, Paul put together, did research on what we need to do with that and he can explain that.

But in relation to the resolutions to pass today, there is a resolution awarding a contract for replacing glass block at the walk-ups. We explained previously and through committee that they are in need of repair. We had two bids that came in. They were Panoramic Window and Door Systems at \$1,375,000.00 and D&E Window and Door LLC at \$1,453,000.00, both of which came in under the cost estimate. But we are recommending that Panoramic Window and Door Systems be awarded the contract. Are there any questions on that resolution? No. Okay. Hearing none, do I hear a sponsor for the resolution?

**Commissioner Nesheiwat:**

I'll move it.

**Executive Director John Mahon:**

Okay. And second?

**Commissioner Makowski:**

I'll second.

**Executive Director John Mahon:**

Any discussion. All in favor?

**AYES:** *Chair Lombardo, Vice Chair Pyke, Commissioners Doria, Nesheiwat, and Makowski.*

**OPPOSED:**

**ABSTAIN:**

**MOTION CARRIED.**

**Executive Director John Mahon:**

And I just wanted to add one thing that Dave has confirmed that we do have funds available to do this out of the reserves, which is what we intended to do. Mr. Chairman, I don't know if you want Paul to discuss that negotiating aspect or do you just want to wait for that for the regular meeting next week?

**Chair Lombardo:**

Negotiating aspects for what?

**Executive Director John Mahon:**

Because we bid three times and the bids came in over cost estimates significantly three times. We are allowed to negotiate with anybody that the, excuse me, we are allowed to negotiate with the previous bidders to try and get a better price.

**Chair Lombardo:**

Yeah, Paul can explain that, but I feel that it should go back to the Building and Grounds Committee.

**Executive Director John Mahon:**

For what?

**Chair Lombardo:**

For it to make the determination still on the bids. The bids came in, right?

**Executive Director John Mahon:**

Yes.

**Chair Lombardo:**

And we're having this meeting due to the urgency of what may be happening next week.

**Executive Director John Mahon:**

Right.

**Chair Lombardo:**

So did the Building and Grounds Committee, did they have the opportunity to review the bids?

**Executive Director John Mahon:**

Not these new ones. No.

**Chair Lombardo:**

Prior to... No. So no action will be taken before the next board meeting?

**Executive Director John Mahon:**

Right.

**Chair Lombardo:**

Correct?

**Executive Director John Mahon:**

Right.

**Chair Lombardo:**

So I'll defer to the Building and Grounds Committee if they'd like Paul to explain it here or get back to the committee. Keith, JJ?

**Paul Weeks, Counsel:**

What I can do is I don't think they have a copy of the negotiation memo that I put together just explaining the process. It's fairly straightforward. I don't mind taking just a few moments to explain it. But what I'll do is certainly forward-

**Executive Director John Mahon:**

And we do have a meeting anyway on Friday.

**Chair Lombardo:**

Well okay, so why-

**Paul Weeks, Counsel:**

So why don't I do this? Why don't [inaudible 00:07:13]-

**Executive Director John Mahon:**

I wanted to make sure the whole board knew what was going on first.

**Paul Weeks, Counsel:**

I'll forward the memo and then I can be-

**Chair Lombardo:**

Bob, do you have a question?

**Executive Director John Mahon:**

I'm sorry, Bob.

**Commissioner Doria:**

[inaudible] so I can't understand.

**Executive Director John Mahon:**

Can't hear you Bob.

**Commissioner Pyke:**

We can't hear you Bob.

**Executive Director John Mahon:**

No, you can now.

**Commissioner Pyke:**

It's just very low.

**Commissioner Doria:**

Can you hear me now, I guess?

**Paul Weeks, Counsel:**

No, you're very low, Bob.

**Commissioner Doria:**

Okay. All right. I guess I'm not sure what the problem is. But I just want them to explain how it works with the bidders. Do they negotiate with all of them or they select one and negotiate with one?

**Executive Director John Mahon:**

Paul, go ahead.

**Paul Weeks, Counsel:**

So the answer to that question is that you have to notify all of the bidders. You can't just choose one. You have to notify all of them and negotiate with all of them. And they have to be given a reasonable opportunity to negotiate. There aren't any specific rules, formats or anything.

But what I'll do is I'll forward this memo to JJ and to Keith so that they can see it. It's fairly straightforward. It just says that if there are two consecutive bids where the bids are, they exceed the bid threshold, that we have the authority to notify all the bidders and then we just negotiate without public advertising for bids. It's just a way for us to get done what needs to get done. There are a few rules. One of them is you have to notify all the bidders. The other is that you can't accept a bid that's higher than the lowest one that was submitted by sealed bid. It's really very-

**Executive Director John Mahon:**

And it doesn't get awarded without board approval.

**Paul Weeks, Counsel:**

Yeah. And it has to be three... The vote has to- is a little higher. Let me just see.

**Chair Lombardo:**

Along those lines. Paul, when you send it, you also have to send it to Shana.

**Executive Director John Mahon:**

Well, she's on the committee and we're going to be going over it again more on Friday.

**Paul Weeks, Counsel:**

And Shana, sure.

**Chair Lombardo:**

Yeah. But just so they have that. And so I'd rather, since we're not having action on it, I personally like to see it go through the process we've established.

**Executive Director John Mahon:**

Yes, I just, but it's important for you to know, and you told me the last time you didn't want to go over everything the committee did starting from scratch at the meeting because that's why we have the committees. So since this is the first time I've ever done this, and this is different, I thought if you had a couple minutes now, just Paul, as he explained it, that's all this is.

**Chair Lombardo:**

Sure.

**Executive Director John Mahon:**

Not ignoring it, just getting information out there for you all.

**Chair Lombardo:**

Yeah, no, that's fine. I agree with you on that, John. My point being is that just that if we're not acting on it today, let's go through the normal process.

**Executive Director John Mahon:**

Yeah, we are. We just added today to it, that's all.

**Chair Lombardo:**

Yes, yeah. No, that's fine. We're on the same page as always. It's just the way we deliver it.

**Paul Weeks, Counsel:**

Okay. Any questions?

**Commissioner Doria:**

No.

**Paul Weeks, Counsel:**

Okay.

**Executive Director John Mahon:**

And the only thing I'll add to it real quick is that it's usually two times we have the ability to do it. I remember I recommended we do it a third time just to be safe. So we went out to bid an extra time.

**Paul Weeks, Counsel:**

Yeah, it's an unusual situation. We sent out for bids three times and three times the bids came in over the estimate. So it gives us-

**Executive Director John Mahon:**

Yeah, we'll go over the nuances on Friday.

**Paul Weeks, Counsel:**

Okay.

**Executive Director John Mahon:**

All right. Anybody have any questions?

**Commissioner Doria:**

That's on two and three, right? Number four, you just-

**Executive Director John Mahon:**

Number four is the one that we opened today and the low bid came in so low we're not comfortable. We have to do more research to make sure that they can do it for that price. It came in at \$97,000.00 and we don't even think that's enough to cover the materials, because it's a roof. So we're going to have to look into that more. And then obviously look at bid number two.

**Chair Lombardo:**

Right. John, and Paul, as a matter of course, given that the concern and why we had this meeting, the fact that we already opened up and we're discussing those other two bids that are being negotiated, does that preclude anything from taking place after January 20th?

**Executive Director John Mahon:**

No.

**Chair Lombardo:**

Okay. So we can't just say we tabled it?

**Executive Director John Mahon:**

Yeah. The whole thing with this was, my concern was in the past when HUD had things going on, if you had, and they tried to recapture money or offset money, if you had something signed and executed in addition to the award, they backed off. So that's what we're going to have things executed by the end of the week so we beat on Monday. And you know what? If they don't shut things down, it's just the chance they may. If they don't and we award stuff afterwards, we'll still earmark it to the reserves. But we're just trying to do as much as we can to prevent any offset or return of funds. We're doing a good job, by the way.

**Chair Lombardo:**

Yes. Thanks.

**Paul Weeks, Counsel:**

Okay.

**Chair Lombardo:**

Thank you.

**Executive Director John Mahon:**

Cool. We will see personnel and finance tomorrow and we'll see building, grounds and tenant relations on Friday.

**Paul Weeks, Counsel:**

What time is the Friday meeting?

**Executive Director John Mahon:**

We do 4:45.

**Paul Weeks, Counsel:**



Okay. Thank you.

**Executive Director John Mahon:**

Okay.

**Commissioner Doria:**

And four o'clock's good with everybody tomorrow?

**Chair Lombardo:**

Yes.

**Commissioner Nesheiwat:**

Keith, you good for Friday?

**Commissioner Pyke:**

Yes.

**Commissioner Makowski:**

Yeah, I should be there-

**Chair Lombardo:**

I may be there by 4:05. And do we have all the agenda items for tomorrow?

**Commissioner Doria:**

Pretty much. I think they were all sent out.

**Executive Director John Mahon:**

Yeah.

**Chair Lombardo:**

But we have that one outstanding issue that we've been doing month to month. I just want to make sure that's the agenda.

**Executive Director John Mahon:**

Which one's that?

**Chair Lombardo:**

The legal contract.

**Executive Director John Mahon:**

Paul's- You get it to us, Paul. That's why, I've been waiting for it.

**Paul Weeks, Counsel:**

Okay. I'll get that over to you, John.

**Executive Director John Mahon:**

Okay.

**Chair Lombardo:**

Motion to adjourn? Oh, can we have a motion to adjourn?

**Commissioner Doria:**

I'll move.

**Executive Director John Mahon:**

Did you have a question?

**Executive Director John Mahon:**

Oh, okay. Then we have a motion to adjourn by Commissioner Doria. Second?

**Commissioner Pyke:**

Second.

**Executive Director John Mahon:**

A second I heard Irene, I think.

**Commissioner Pyke:**

Yes.

**Executive Director John Mahon:**

All in favor?

**AYES:** *Chair Lombardo, Vice Chair Pyke, Commissioners Doria, Nesheiwat, and Makowski.*

**OPPOSED:**

**ABSTAIN:**

**MOTION CARRIED.**

**Chair Lombardo:**

Thank you.

**Executive Director John Mahon:**

Thank you very much everyone.

*The meeting was then adjourned at 4:15 PM.*