



Legislation Details (With Text)

**File #:** 23-0266      **Version:** 1      **Name:** T0076 Traffic Flares  
**Type:** Resolution      **Status:** Adopted  
**File created:** 2/9/2023      **In control:** Administration  
**On agenda:** 6/7/2023      **Final action:** 6/7/2023

**Title:** Dept/ Agency: Administration/Division of Central Purchasing  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Type of Service: Use of State Contract(s) #T0076 Traffic Flares - Statewide  
Purpose: To purchase Traffic Flares for Emergency Services.  
Entity Name(s)/Address(s): Orion Safety Products, 28320 St. Michaels Road, Easton, Maryland 21601  
Contract Amount: Not to exceed \$59,750.00  
Funding Source: 2023 Budget/Department of Public Safety/NW011-190-1902-83830-B2023  
Contract Period: Upon approval of Municipal Council through July 31, 2025, inclusive of extensions by the State  
Contract Basis: ( ) Bid (X) State Vendor ( ) Prof. Ser. ( ) EUS  
( ) Fair & Open ( ) No Reportable Contributions ( ) RFP ( ) RFQ  
( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) n/a  
Additional Information:  
This contract will provide Traffic Flares for the Department of Public Safety.

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
6/7/2023	1	Municipal Council	Adopt	Pass

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**Additional Information:**  
This contract will provide Traffic Flares for the Department of Public Safety.

**WHEREAS,** the City of Newark, through its Qualified Purchasing Agent (the “City”), wishes to utilize State Contracts #T0076 Traffic Flares, Master Blanket PO #22-FLEET-18629 for the Department of Public Safety from an authorized vendor under the New Jersey Cooperative Purchasing Program 1-NJCP, pursuant to N.J.A.C. 5:34-7.29; and

**WHEREAS**, the purchase of goods/services by local contracting units are authorized by Local Public Contracts Law, N.J.S.A. 40A:11-12; and

**WHEREAS**, in accordance with N.J.S.A. 40A:11-11(5), N.J.S.A. 52:25-16.1 et seq. and N.J.A.C. 5:34-7.1 et seq., all Cooperative Purchasing Program participants are responsible for ensuring that the Purchase Order issued reflects the correct contract item pricing and that payment is processed accordingly. Only the items/services specified in the applicable State Contract(s) may be purchased from the contract vendor(s) of record. Cooperative Purchasing participants assume full responsibility for all purchase transactions issued through State Contracts, including Purchase Orders, delivery compliance and payments; and

**WHEREAS**, the City wishes to utilize State Contract #T0076 Traffic Flares, Master Blanket PO #22-FLEET-18629 awarded to Orion Safety Products 28320 St Michaels Road, Easton Maryland 21601, to purchase traffic flares for the Department of Public Safety upon approval by the Municipal Council, through July 31, 2025, inclusive of extensions granted by the State at a contract amount not to exceed Fifty Nine Thousand Seven Hundred Fifty Dollars and Zero Cents (\$59,750.00).

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:**

1. Pursuant to N.J.S.A. 40A:11-1 et seq. and N.J.A.C. 5:34-7.29, the Qualified Purchasing Agent is authorized to utilize State Contract #T0076, Master Blanket PO #22-FLEET-18629 awarded to Orion Safety Products, 28320 St. Michaels Road, Easton Maryland 21601 to purchase traffic flares for City the Department of Public Safety for the period commencing upon approval by the Municipal Council through July 31, 2025, inclusive of extensions granted by the State.
2. All purchases, Purchase Orders and other related documentation shall be in accordance with the relevant State Contract, New Jersey Standard Terms and Conditions, Method of Operation and Third Party Agreement, if applicable, as contained in the State Contract documentations and agreements.
3. There shall be no amendments to this Resolution without the approval of the Municipal Council.
4. There shall be no advance payment on this State Contract in accordance with N.J.S.A. 40A:5-16.
5. These are open-ended contracts to be used as needed during the term of each contract. Thus for any and all expenditures against these contracts, a certification of the availability of sufficient funds, as required by N.J.A.C. 5:30-5.5(d)(2), shall be executed before a contractual liability is incurred each time an order is placed. Funds for the purchase shall be made from account line: NW011-190-1902-83830-B2023. This contract shall not exceed a total of Fifty Nine Thousand Seven Hundred Fifty Dollars and Zero Cents (\$59,750.00).
6. This contract complies with Local Pay-to-Play Law, N.J.S.A. 19:44A-20.5, as a State Contract award and constitutes a Fair and Open Procedure.
7. The Division of Central Purchasing shall file a duly executed copy of the contract in the Office of the City Clerk, if applicable.

8. If required by State Law, the City Clerk shall provide the appropriate Notice of Award of this contract to the State Comptroller, no later than twenty (20) business days following such award in accordance with N.J.S.A. 52:15C-10 and the Notice of the Office of the State Comptroller dated May 7, 2008.

### **STATEMENT**

This Resolution authorizes the Mayor of the City of Newark and/or his designees, the Qualified Purchasing Agent and/or the Business Administrator, to utilize State Contract #T0076, Master Blanket PO #22-FLEET-18629 awarded to Orion Safety Products, 28320 St. Michaels Road, Easton Maryland 21601 to purchase traffic flares for the Department of Public Safety for the period commencing upon approval by the Municipal Council through July 31, 2025, inclusive of extensions granted by the State, at a contract amount not to exceed Fifty Nine Thousand Seven Hundred Fifty Dollars and Zero Cents (\$59,750.00).