



Legislation Details (With Text)

**File #:** 23-0584      **Version:** 1      **Name:** Contract #041521 -REH Plastic Refuse and Recycling Containers

**Type:** Resolution      **Status:** Adopted

**File created:** 4/13/2023      **In control:** Administration

**On agenda:** 9/7/2023      **Final action:** 9/7/2023

**Title:** Dept/ Agency: Administration/ Division of Central Purchasing  
 Action: (X) Ratifying (X) Authorizing (X) Amending  
 Type of Service: Amending Resolution 7R1-i122122 Cooperative Purchasing Agreement  
 Purpose: To purchase an additional thirty-thousand (30,000) garbage containers through Sourcewell Cooperative Contract #041521-REH Plastic Refuse and Recycling Containers with Related Technology Solutions.  
 Entity Name: Rehrig Pacific Company  
 Entity Address: 4010 E. 26th Street, Los Angeles, California 90058  
 Contract Amount: Not to exceed \$2,335,700.00  
 Funding Source: 2023 Budget/Department of Public Works/NW011-060-0605-83870  
 Contract Period: Upon approval by the Municipal Council through May 28, 2025, inclusive of any extensions granted by Sourcewell  
 Contract Basis: ( ) Bid ( ) State Vendor ( ) Prof. Ser. ( ) EUS  
 ( ) Fair & Open ( ) No Reportable Contributions ( ) RFP ( ) RFQ  
 ( ) Private Sale ( ) Grant ( ) Sub-recipient (X) N/A  
 Additional Information:  
 This Cooperative Purchasing Agreement will provide for the use of Sourcewell Cooperative Contract #041521-REH Plastic Refuse and Recycling Containers with Related Technology Solutions to purchase an additional thirty-thousand (30,000) garbage containers for the Department of Public Works on behalf of the residents of the City of Newark.  
 This purchase will increase the original contract amount of \$335,700.00 by \$2,000,000.00, for a new contract amount not to exceed \$2,335,700.00.

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
9/7/2023	1	Municipal Council	Adopt	Pass

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This purchase will increase the original contract amount of \$335,700.00 by \$2,000,000.00, for a new contract amount not to exceed \$2,335,700.00.

**WHEREAS**, the Municipal Council authorized the membership in the Sourcewell Cooperative by Resolution 7R1-c (as) adopted on April 20, 2022; and

**WHEREAS**, on December 21, 2022, the Municipal Council adopted Resolution 7R1-i authorizing the City to purchase the initial five thousand (5000) garbage containers for the Department of Public Works; and

**WHEREAS**, on November 11, 2022, the Division of Central Purchasing advertised the City's intention to purchase garbage containers under Contract #041521-REH for the Department of Public Works (attached hereto); and

**WHEREAS**, the City's membership in Sourcewell has been confirmed active; and

**WHEREAS**, the City wishes to continue utilizing Sourcewell Cooperative Contract #041521-REH Plastic Refuse and Recycling Containers with Related Technology Solutions to purchase an additional thirty-thousand (30,000) garbage containers for residents of the City of Newark from the authorized vendor Rehrig Pacific Company, 4010 E. 26<sup>th</sup> Street, Los Angeles, California 90058, at a cost not to exceed Two Million Dollars and Zero Cents (\$2,000,000.00), for an increased total contract amount not to exceed Two Million Three Hundred Thirty-Five Thousand Seven Hundred Dollars and Zero Cents (\$2,335,700.00), upon approval by the Municipal Council through May 28, 2025, inclusive of any extensions granted by Sourcewell; and

**WHEREAS**, the Department of Public Works intends to purchase an additional thirty-thousand (30,000) garbage containers for the residents of the City of Newark within the next two years.

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

1. The Mayor and/or his designees, the Business Administrator and/or the Qualified Purchasing Agent, are hereby authorized to utilize Sourcewell Cooperative Contract #041521-REH Plastic Refuse and Recycling Containers with Related Technology Solutions to purchase thirty-thousand (30,000) garbage containers for residents of the City of Newark from the authorized vendor Rehrig Pacific Company, 4010 E. 26<sup>th</sup> Street, Los Angeles, California 90058.
2. All purchases, Purchase Orders and other related documentation shall be in accordance with the relevant Sourcewell Cooperative Contract, including Standard Terms and Conditions, Method of Operation and Third Party Agreement, if applicable, as contained in the New Jersey

State Approved Cooperative Contract documentations and agreements.

3. There shall be no amendments of this resolution without the approval of the Municipal Council.
4. There shall be no advance payment on this Cooperative Contract in accordance with N.J.S.A. 40A:5-16.
5. This is an open-ended contract to be used as needed during the term of the contract. Thus for any and all expenditures against this contract, 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, covering the amount of the order from the following account code line: Department of Public Works NW-011-060-0605-83870-B2023. This contract shall not exceed Two Million Dollars and Zero Cents (\$2,000,000.00), for an amended total contract amount not to exceed Two Million Three Hundred Thirty-Five Thousand Seven Hundred Dollars and Zero Cents (\$2,335,700.00).
6. This contract complies with Local Pay-to-Play Law, N.J.S.A. 19:44A-20.5 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 and/or his designees, the Business Administrator and/or the Qualified Purchasing Agent, to utilize Sourcewell Cooperative Contract #041521-REH to purchase an additional thirty-thousand (30,000) garbage containers from the authorized vendor, Rehrig Pacific Company, 4010 E. 26<sup>th</sup> Street, Los Angeles, California 90058, at a cost not to exceed Two Million Dollars and Zero Cents (\$2,000,000.00), for an amended total contract amount not to exceed Two Million Three Hundred Thirty-Five Thousand Seven Hundred Dollars and Zero Cents (\$2,335,700.00), to be utilized by the Department of Public Works, for the period commencing upon approval of this resolution by Municipal Council through May 28, 2025, inclusive of any extensions granted by Sourcewell.