



Legislation Details (With Text)

File #: 17-1612 **Version:** 1 **Name:** Dump Truck 68,000 LB, CAB/CHASSIS CONVEYOR BODY & ACCESSORIES

Type: Resolution **Status:** Adopted

File created: 9/1/2017 **In control:** Administration

On agenda: 9/20/2017 **Final action:** 9/20/2017

Title: Dept/ Agency: Administration/Division of Central Purchasing
 Action: () Ratifying (X) Authorizing () Amending
 Type of Service: Use of State Contract(s) T-2809 Dump Truck, 68,000 LB. GVWR Cab/Chassis W/ 12 CU. YD Conveyor Body & Accessories
 Purpose: Purchase of thirteen (13) 2017 or newer Dump Trucks with Snow Plow and Material Spreaders
 Entity Name(s)/Address(s): Beyer Bros. Corp., 109 Broad Avenue, Fairview, New Jersey 07022
 Contract Amount: Amount not to exceed \$2,717,637.00
 Funding Source:
 Department of Public Works: Capital Improvement Fund NW045; 17G; 17A15; 94710; B2017
 Contract Period: Upon approval by Municipal Council through January 29, 2018
 Contract Basis: () Bid (X) State Vendor () Prof. Ser. () EUS
 (X) Fair & Open () No Reportable Contributions () RFP () RFQ
 () Private Sale () Grant () Sub-recipient () n/a
 Additional Information:
 One (1) Purchase Order has already been issued for the full cost of the contract (copy attached), and therefore, pursuant to N.J.A.C. 5:30-5.4(a)(6), the certification of availability of funds was executed through the budgetary accounting encumbrance process.

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
9/20/2017	1	Municipal Council	Adopt	Pass

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through the budgetary accounting encumbrance process.

WHEREAS, the City of Newark's Department of Public Works is in need of thirteen (13) 2017 or newer Dump Trucks with Snow Plow and Material Spreaders (see "Award Letter" and "Recommendation Letter" attached hereto); and

WHEREAS, the City of Newark, through its Supervising Procurement Specialist, QPA, wishes to utilize a certain State Cooperative Purchasing Contract, more specifically, Term Contract T-2809, Dump Truck, 68,000 LB. GVWR Cab/Chassis W/ 12 CU.YD. Conveyor Body & Accessories (hereinafter referred to as the "State Contract" (Copy attached)), to purchase thirteen (13) "2017 or newer Dump Trucks with Snow Plow and Material Spreaders", from authorized vendors 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 is 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. 5:34-1.7, 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, and Cooperative Purchasing participants assume full responsibility for all purchase transactions issued through State contracts, including Purchase Orders, delivery compliance, and payments; and

WHEREAS, the Supervising Procurement Specialist, QPA, recommends the utilization of the State Contract T-2809, Dump Truck, 68,000 LB. GVWR Cab/Chassis W/ 12 CU.YD. Conveyor Body & Accessories with vendor Beyer Bros. Corp., 109 Broad Avenue, Fairview, New Jersey 07022, to purchase thirteen (13) "2017 or newer Dump Trucks with Snow Plow and Material Spreaders", commencing upon adoption of this resolution through completion of deliveries, which shall be no later than January 29, 2018; and

WHEREAS, the vehicles being purchased meet the specifications required by the City's Department of Public Works; and

WHEREAS, usage of this contract provides the required thirteen (13) 2017 or newer Dump Trucks with Snow Plow and Material Spreaders at a total cost not to exceed \$2,717,637.00; and

WHEREAS, the Director of Finance will certify the availability of funds before orders are placed.

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 Mayor and/or his designee, the Supervising Procurement Specialist, QPA, is authorized to utilize State Contract T-2809, Dump Truck, 68,000 LB. GVWR Cab/Chassis W/ 12 CU.YD. Conveyor Body & Accessories with vendor Beyer Bros. Corp. 109 Broad Avenue, Fairview, New Jersey 07022, to purchase thirteen (13) "2017 or newer Dump Trucks with Snow Plow and Material

Spreaders,” at a total cost not to exceed \$2,717,637.00, commencing upon adoption of this resolution through completion of deliveries, which shall be no later than January 29, 2018.

2. All purchases, purchase orders and other related documentation shall be in accordance with State Contract T-2809 and the State of New Jersey Standard Terms and Conditions (copy attached), Method of Operation and Third Party Agreement/Three Party Agreement (if applicable) as contained in the State Contract Documentations and Agreements.
3. There shall be no amendment to the contract 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. Funds for the purchase of these vehicles are encumbered on Purchase Order NW045 #0000002461 Capital Improvement Fund NW045; 17G; 17A15; 94710; B2017 for \$2,717,637.00 (copy of said Purchase Order is attached). This contract shall not exceed a total of \$2,717,637.00
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. A copy of the fully executed State contract shall be provided to the Office of the City Clerk by the City’s Supervising Procurement Specialist.
8. If required by State Law, the City Clerk shall provide the appropriate notice of the award of this contract to the State Comptroller no later than 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 designee, the Supervising Procurement Specialist, QPA, to utilize State Cooperative Purchasing Contract T-2809, pursuant to which the City will purchase from Beyer Bros. Corp. 109 Broad Avenue, Fairview, New Jersey 07022, thirteen (13) 2017 or newer Dump Trucks with Snow Plow and Material Spreaders, for a total cost not to exceed \$2,717,637.00, commencing upon adoption of this resolution through completion of deliveries, which shall be no later than January 29,2018.