



Legislation Details (With Text)

File #: 20-0763 **Version:** 1 **Name:** ORDINANCE Increase Purchasing Agent Threshold 40K to 44K
Type: Ordinance **Status:** Adopted
File created: 6/26/2020 **In control:** Administration
On agenda: 7/22/2020 **Final action:** 8/5/2020

Title: ORDINANCE TO AMEND TITLE 2, CHAPTER 5, DEPARTMENT OF ADMINISTRATION, ARTICLE 4 DIVISION OF CENTRAL PURCHASING, SUBSECTION 2:5-13.2., POWERS AND DUTIES OF CITY PURCHASING AGENT, OF THE REVISED ORDINANCES OF THE CITY OF NEWARK, NEW JERSEY, AS AMENDED AND SUPPLEMENTED TO RAISE THE THRESHOLD FOR BIDDING REQUIREMENTS FOR PUBLIC CONTRACTS FROM \$40,000.00 TO \$44,000.00 AND INFORMAL QUOTATION THRESHOLD FROM \$6,000.00 TO \$6,600.00.

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
8/5/2020	1	Municipal Council	Close on Public Hearing and Adopt	Pass
7/22/2020	1	Municipal Council	Advance and Adopt on First Reading as 6F-	Pass

ORDINANCE TO AMEND TITLE 2, CHAPTER 5, DEPARTMENT OF ADMINISTRATION, ARTICLE 4 DIVISION OF CENTRAL PURCHASING, SUBSECTION 2:5-13.2., POWERS AND DUTIES OF CITY PURCHASING AGENT, OF THE REVISED ORDINANCES OF THE CITY OF NEWARK, NEW JERSEY, AS AMENDED AND SUPPLEMENTED TO RAISE THE THRESHOLD FOR BIDDING REQUIREMENTS FOR PUBLIC CONTRACTS FROM \$40,000.00 TO \$44,000.00 AND INFORMAL QUOTATION THRESHOLD FROM \$6,000.00 TO \$6,600.00.

WHEREAS, the City of Newark desires to increase the threshold for bidding requirements for public contracts and informal quotation threshold in order to establish and promote a more efficient and effective municipal government; and

WHEREAS, pursuant to Local Finance Notice 2020-14, municipalities were notified that pursuant to N.J.S.A. 40A:11-3(c), Governor Murphy exercised his authority to adjust bid thresholds for contracting units subject to Local Public Contracts Law, effective July 1, 2020; and

WHEREAS, the Municipal Council, by ordinance, has appointed Jerome Wakefield as its Qualified Purchasing Agent, pursuant to N.J.S.A. 40A:11-9b., and can now take advantage of a higher bid threshold pursuant to N.J.S.A. 40A:11-3(c), which was increased to Forty-Four Thousand Dollars and Zero Cents (\$44,000.00) per LFN 2020-14; and

WHEREAS, as a result of the change in the bid threshold, the 15% threshold for the informal receipt of quotations thresholds of N.J.S.A. 40A:11-6.1(a) is now Six Thousand Six Hundred Dollars and Zero Cents (\$6,600.00); and

WHEREAS, the Mayor and Business Administrator believe it is in the best interest of the City of Newark to raise the threshold for bidding requirements for public contracts from Forty Thousand Dollars and Zero Cents (\$40,000.00) to Forty-Four Thousand Dollars and Zero Cents (\$44,000.00), and the informal quotation threshold from Six Thousand Dollars and Zero Cents (\$6,000.00) to Six Thousand Six Hundred Dollars and Zero Cents (\$6,600.00).

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

[Note: Underlined text represent additions and ~~Strike-throughs~~ represent deletions]

Section 1. Title 2, Administration, Chapter 5, Department of Administration, Article 4, Division of Central Purchasing, Section 13, City Purchasing Agent of the Revised General Ordinances of the City of Newark, New Jersey, as amended and supplemented, be further amended as follows:

2:5-13.2 Powers and Duties.

The City Purchasing Agent, under the direction and supervision of the Business Administrator, shall:

b. 1. Have the power to make awards for all purchases, contracts and agreements for goods and services. In the case of such purchases, contracts and agreements awarded pursuant to this power not in excess of ~~forty thousand (\$40,000.00) dollars~~ Forty-Four Thousand Dollars and Zero Cents (\$44,000.00), the Purchasing Agent shall report such awards to the Municipal Council in the form of a monthly report indicating the date of the awards, the name of the contractor, the amount of the award, the term of the contract, and a brief description of the goods, materials, supplies and/or equipment to be furnished.

2. Except for the case of services involving travel and conferences, have the power to make awards for all purchases, contracts and agreements for the provision of services not in excess of ~~forty thousand (\$40,000.00) dollars~~ Forty-Four Thousand Dollars and Zero Cents (\$44,000.00).

c. Notwithstanding the cost or contract price will exceed ~~forty thousand (\$40,000.00) dollars~~ Forty-Four Thousand Dollars and Zero Cents (\$44,000.00) and subject to rules and regulations as may from time to time be promulgated by the Municipal Council.

2. Have the power to purchase goods, services or property, except real property or any interest therein, not to exceed, in the aggregate ~~six thousand (\$6,000.00)~~, Six Thousand Six Hundred Dollars and Zero Cents (\$6,600.00) for any one (1) emergency without public advertising for bids and bidding therefore when an emergency, other than described in paragraph c. 1., affecting the public health, safety or welfare, requires the immediate delivery of goods or the performance of services before the next scheduled meeting of the Municipal Council and action by the Municipal Council is not practicable.

3. The Purchasing Agent may award contracts not to exceed ~~six thousand (\$6,000.00)~~ Six Thousand Six Hundred Dollars and Zero Cents (\$6,600.00) in aggregate, without soliciting competitive quotations.

STATEMENT

This Ordinance amends and supplements Title 2, Chapter 5, Department of Administration, Article 4 Division of Central Purchasing, Subsection 2:5-13.2, Powers and Duties of City Purchasing Agent, of the Revised Ordinances of the City of Newark, New Jersey to raise the threshold for bidding requirements from \$40,000.00 to \$44,000.00 and the informal quotation threshold from \$6,000.00 to \$6,600.00.