



Legislation Details (With Text)

**File #:** 20-1022      **Version:** 1      **Name:** Resolution: Johnny on the Spot, LLC - Rental of Portable Toilets  
**Type:** Resolution      **Status:** Adopted  
**File created:** 8/20/2020      **In control:** Administration  
**On agenda:** 11/15/2021      **Final action:** 11/15/2021

**Title:** Dept/ Agency: Administration/Division of Central Purchasing  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Type of Service: Bid Contract(s)  
Purpose: Rental of Portable Toilets  
Entity Name(s)/Address(s): Johnny on the Spot, LLC, 3168 Bordentown Avenue, Old Bridge, New Jersey 08857  
Contract Amount: Not to exceed \$134,000.00  
Funding Source: 2020 Budgets/Department of Recreation, Cultural Affairs and Senior Services/NW011-160-1606-71610-B2020;  
Department of Water and Sewer Utilities/NW037-750-7502-72210-B2020;  
Department of Public Safety/NW011-190-1902-71280-B2020;  
Office of the City Clerk/NW011-020-0201-7213-B2020  
Contract Period: To be established for a period not to exceed twenty-four (24) consecutive months  
Contract Basis: (X) Bid ( ) State Vendor ( ) Prof. Ser. ( ) EUS  
( ) Fair & Open ( ) No Reportable Contributions ( ) RFP ( ) RFQ  
( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) n/a  
Additional Information:  
Contract will be used to rent portable toilets for various City departments.

Advertisement Date: July 29, 2020  
Bids Solicited: Six (6)  
Bids Received: Three (3)

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
11/15/2021	1	Municipal Council	Adopt	Pass

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Advertisement Date: July 29, 2020

Bids Solicited: Six (6)

Bids Received: Three (3)

**WHEREAS**, on July 29, 2020, the City of Newark, through its Purchasing Agent, QPA, advertised to solicit bids for contractors to provide Rental of Portable Toilets for the Department of Recreation, Cultural Affairs and Senior Services, Water and Sewer Utilities, Public Safety and the Office of the City Clerk, as described in the attached bid proposal; and

**WHEREAS**, the Division of Central Purchasing distributed six (6) bid proposal packages to prospective vendors following the date of advertisement; and

**WHEREAS**, the Division of Central Purchasing published the bid package on the City of Newark's website to provide broader access and download capability to potential bidders; and

**WHEREAS**, on August 13, 2020, the Division of Central Purchasing received three (3) bids in response to this advertisement; and

**WHEREAS**, the Directors of the Departments of Recreation, Cultural Affairs and Senior Services, Water and Sewer Utilities and the Office of the City Clerk recommended that a single award be made to Johnny on the Spot, LLC, 3168 Bordentown Avenue, Old Bridge, New Jersey 08857, the lowest, responsive and responsible bidder; and

**WHEREAS**, the Purchasing Agent, QPA, concurs with the recommendations from the Directors of the Departments of Recreation, Cultural Affairs and Senior Services, Water and Sewer Utilities and the Office of the City Clerk that a single award be made to Johnny on the Spot, LLC, 3168 Bordentown Avenue, Old Bridge, New Jersey 08857, the lowest, responsive and responsible bidder; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-24, the recommended bidder consented to holding prices bid for consideration until such time as an award is made, as the law permits; and

**WHEREAS**, pursuant to N.J.S.A. 19:44A-20.5 et seq., solicitations through public bidding in accordance with N.J.S.A. 40A:11-1 et seq. meets the requirements of the Fair and Open Process.

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

1. The Mayor of the City of Newark and/or his designee, the Business Administrator, are hereby authorized to enter into and execute a contract with Johnny on the Spot, LLC, 3168 Bordentown Avenue, Old Bridge, New Jersey 08857, the lowest, responsive and responsible bidder; to provide Rental of Portable Toilets for the City of Newark, Departments of Recreation, Cultural Affairs and Senior Services, Water and Sewer Utilities, Public Safety and the Office of

the City Clerk, whose bid was received on the advertised due date and determined to be the lowest, responsive and responsible bidder in accordance with the bid specifications. The term of the contract will be established for a period not to exceed twenty-four (24) consecutive months, pursuant to N.J.S.A. 40A:11-15, at a cost not to exceed One Hundred Thirty-Four Thousand Dollars and Zero Cents (\$134,000.00).

2. There shall be no amendment or change of this contract without the approval of the Municipal Council by resolution.
3. There shall be no advance payment on this contract in accordance with N.J.S.A. 40A:5-16. Funds for 2020 and subsequent years are contingent upon appropriations, pursuant to N.J.A.C. 5:30-5.5(d)(2).
4. 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(b)(2), shall be executed before a contractual liability is incurred each time an order is placed from Account Code Line: Department of Recreation, Cultural Affairs and Senior Services NW011-160-1606-71610-B2020; Department of Water and Sewer Utilities NW037-750-7502-72210-B2020; Department of Public Safety NW011-190-1902-71280-B2020; and the Office of the City Clerk NW011-020-0201-7213-B2020. This contract shall not exceed One Hundred Thirty-four Thousand Dollars and Zero Cents (\$134,000.00) for a period to be established and not to exceed twenty-four (24) consecutive months to commence after fully executed contract for one (1) vendor.
5. The Purchasing Agent, QPA, shall file a copy of this Resolution and the duly executed copy of the contract in the Office of the City Clerk.
6. 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 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 designee, the Business Administrator, to enter into and execute a contract with Johnny on the Spot, LLC, 3168 Bordentown Avenue, Old Bridge, New Jersey 08857 to provide Rental of Portable Toilets to the City of Newark, Departments of Recreation, Cultural Affairs and Senior Services, Water and Sewer Utilities, Public Safety and the Office of the City Clerk, at a cost not to exceed \$134,000.00 for a period to be established and not to exceed twenty-four (24) consecutive months to commence upon a fully executed contract.