



Legislation Details (With Text)

File #: 16-0203 **Version:** 1 **Name:** Outdoor Equipment Powered, (Generators)
Type: Resolution **Status:** Adopted
File created: 2/5/2016 **In control:** Administration
On agenda: 1/19/2017 **Final action:** 1/19/2017

Title: Dept/ Agency: Administration/Division of Central Purchasing
Action: Ratifying Authorizing Amending
Type of Service: Bid Contract(s)
Purpose: Outdoor Equipment Powered, (Generators)
Description: Equipment, Major Tools
Entity Name(s)/Address(s):
1.Colonial Hardware Corporation, 33 Commerce Street, Springfield, New Jersey 07081
2.Warshauer Generator, LLC., 800 Shrewsbury Avenue, Tinton Falls, New Jersey 07724
Contract Amount: \$87,000.00
Funding Source: 2016 Budget/Department of Engineering-NW-011-080-83380/Department of Public Safety, Division of Fire-NW-011-090-0901- 9442/Department of Recreation, Cultural Affairs and Senior Services-NW-011-080-160-1604-83860/Department of Water and Sewer Utilities-NW-011-037-750-7502-9443
Contract Period: To be established for a period not exceeding two (2) years
Contract Basis: Bid State Vendor Prof. Ser. EUS
 Fair & Open No Reportable Contributions RFP RFQ
 Private Sale Grant Sub-recipient n/a
Additional Information:
1st Advertised Date: November 18, 2015
Bids Solicited: Five (5)
Bids Received: One (1)
2nd Advertised Date: December 11, 2015
Bids Solicited: Two (2)
Bids Received: Two (2)

Sponsors: Council of the Whole

Indexes:

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Date	Ver.	Action By	Action	Result
1/19/2017	1	Municipal Council	Adopt	Pass

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Bids Solicited: Five (5)

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2nd Advertised Date: December 11, 2015

Bids Solicited: Two (2)

Bids Received: Two (2)

WHEREAS, on November 18, 2015, the City of Newark, through its Supervising Procurement Specialist, advertised to solicit bids for contractor(s) to provide Outdoor Equipment Powered, (Generators), to the Departments of Engineering, Fire, Neighborhood and Recreational Services and Water and Sewer Utilities, as per the bid proposal attached hereto; and

WHEREAS, the Division of Central Purchasing distributed five (5) bid proposal packages to prospective vendors following the date of advertisement; and

WHEREAS, on December 3, 2015, the Division of Central Purchasing received one (1) bid in response to the November 18, 2015 advertisement; and

WHEREAS, the Supervising Procurement Specialist rejected the non-competitive response and re-advertised the bid in the best interest of the City; and

WHEREAS, on December 11, 2015, the City of Newark, through its Supervising Procurement Specialist, re-advertised to solicit additional bids for contractor(s) to provide Outdoor Equipment Powered, (Generators), to the Departments of Engineering, Fire, Neighborhood and Recreational Services and Water and Sewer Utilities, as per the bid proposal attached hereto; and

WHEREAS, the Division of Central Purchasing distributed two (2) bid proposal packages to the prospective vendors following the date of advertisement; and

WHEREAS, on December 30, 2015, the Division of Central Purchasing received two (2) bids in response to the December 11, 2015 advertisement; and

WHEREAS, the Supervising Procurement Specialist recommends awarding a contract to the only two (2) responsive responsible bidders, Colonial Hardware Corporation and Warshauer Generator, LLC, for the purchase by the City of the lowest priced, Outdoor Equipment Powered, (Generators), based upon catalog discounts and available brands ; and

WHEREAS, pursuant to N.J.S.A. 40A:11-24, the bidders consent to hold 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., meet 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 and/or his designee, the Supervising Procurement Specialist, are hereby authorized to enter into a contract for the purchase by the City of the lowest priced, Outdoor Equipment Powered, (Generators,) based upon catalog discounts and brand availability, with Colonial Hardware Corporation, 33 Commerce Street, Springfield, New Jersey 07081, and Warshauer Generator, LLC, 800 Shrewsbury Avenue, Tinton Falls, New Jersey, 07724, as said vendors were, determined to be the only two (2) responsive responsible bidders in accordance with the bid specifications and their respective bids were received on the advertised due date. The term of the contract will be established for a two (2) year term, pursuant to N.J.S.A. 40A:11-3.
2. There shall be no amendments or changes to 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. Pursuant to N.J.A.C. 5:30-5.5(d), funds for 2016 and subsequent years are contingent upon appropriations. .
4. This is an open-ended contract to be used as needed during the term of contract. Thus, , as required by N.J.A.C. 5:30-5.5(b)(2), for any and all expenditures against this contract, each time an order is placed, a certification of the availability of sufficient funds covering the amount of the order shall be executed before contractual liability is incurred, from account code lines NW-011- 080/83380- Engineering/Public Buildings
NW-011-090-0901/9442-Engineering
NW-011-080-160-1604/83860-Fire
NW-011-037-750-7502/9443-Water and Sewer Utilities. This contract shall not exceed the total of Eighty-seven Thousand Dollars and Zero Cents (\$87,000.00) for both vendors, collectively, for the two (2) year term.
5. A duly executed copy of the contract shall be forthwith filed in the Office of the City Clerk by the Supervising Procurement Specialist.
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 and/or his designee, the Supervising Procurement Specialist, to enter into a two (2) year contract with Colonial Hardware Corporation and Warshauer Generator, LLC, for the purchase of the lowest priced Outdoor Equipment Powered, (Generators), based upon the respective vendors' catalog discounts and available brands, at a cost not to exceed Eighty Seven Thousand Dollars and Zero Cents (\$87,000.00) for the two (2) year period, for both vendors, collectively.