



Legislation Details (With Text)

File #: 22-0739 **Version:** 1 **Name:** Resolution: Bid Contract - Athletic Apparel (2 Vendors)

Type: Resolution **Status:** Adopted

File created: 5/17/2022 **In control:** Administration

On agenda: 9/8/2022 **Final action:** 9/8/2022

Title: Dept/ Agency: Administration/Division of Central Purchasing
 Action: Ratifying Authorizing Amending
 Type of Service: Bid Contract(s)
 Purpose: To purchase athletic apparel.
 Entity Name(s)/Address(s):
 1) Original Watermen, 1198 Joshua Way, Vista, California 92081; and
 2) JLMP Sporting Goods Corporation, 36 Butler Street, Suite 2K, Elizabeth, New Jersey 07206
 Contract Amount: Not to exceed \$320,000.00
 Funding Source: 2022 Budget/Department of Recreation, Cultural Affairs and Senior Services/Director's Office/NW011-160-1601-71280 and 83850-B2022, Division of Recreation/NW011-160-1606-71280 and 83840-B2022/Division of Recreation/NW011-160-1606-71280 and 83850-B2022/Division of Cultural Affairs/NW011-160-1608-71280 and 83420-B2022/Division of Senior Services/NW011-160-1609-71280 and 83840-B2022
 Contract Period: To be established for a period not to exceed twenty-four (24) consecutive months commencing upon a fully executed contract
 Contract Basis: Bid State Vendor Prof. Ser. EUS
 Fair & Open No Reportable Contributions RFP RFQ
 Private Sale Grant Sub-recipient n/a
 Additional Information:
 To purchase athletic apparel for the Department of Recreation, Cultural Affairs and Senior Services.

1st Advertisement: March 4, 2021
 Bids Solicited: Ten (10)
 Bids Received: Two (2)

2nd Advertisement: June 30, 2021
 Bids Downloaded: Twenty-five (25)
 Bids Received: One (1)

3rd Advertisement: September 8, 2021
 Bids Downloaded: Eighteen (18)
 Bids Received: One (1)

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
9/8/2022	1	Municipal Council	Adopt	Pass

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WHEREAS, on March 4, 2021, the City of Newark through its Purchasing Agent, QPA, advertised to solicit bids for contractors to provide Athletic Apparel for the Department of Recreation, Cultural Affairs and Senior Services, as described in the attached bid proposal; and

WHEREAS, the Division of Central Purchasing also distributed ten (10) bid proposal packages to prospective vendors following the date of advertisement; and

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

WHEREAS, on March 18, 2021, the Division of Central Purchasing received two (2) bids in response to this advertisement; and

WHEREAS, the bid results were shared with the Department of Recreation, Cultural Affairs and Senior Services; and

WHEREAS, on April 7, 2021, the Department of Recreation, Cultural Affairs and Senior Services recommended that as per N.J.S.A. 40A: 11-13.2(d), the bids not be accepted due to substantial revision required to the specifications; and

WHEREAS, the Purchasing Agent, QPA, concurs and with the specification revisions and recommends to re-advertise for Athletic Apparel; and

WHEREAS, revisions were made and increased the line item commodities from seventy-two (72) line items to one hundred twenty-two (122) line items; and

WHEREAS, on June 30, 2021, the City of Newark through its Purchasing Agent, QPA, re-advertised to solicit bids for contractors to provide Athletic Apparel for the Department of Recreation, Cultural Affairs and Senior Services, as described in the attached bid proposal; and

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

WHEREAS, via the Procurement Now Portal twenty-five (25) bid proposal packages were downloaded by prospective vendors following the date of re-advertisement; and

WHEREAS, on July 15, 2021, the Division of Central Purchasing received one (1) bid in response to this re-advertisement; and

WHEREAS, the bid result was shared with the user agency that only line items # 17 and 18 for year one and year two received bid prices; and

WHEREAS, the Department of Recreation, Cultural Affairs and Senior Services recommended that an award be made to: Original Watermen, 1198 Joshua Way, Vista, California 92081, being the only responsive responsible bidder for line items #17 and 18 for year one and year two; and

WHEREAS, the Department of Recreation, Cultural Affairs and Senior Services recommended that we re-advertise for line item commodities #1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, , 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121 and 122; and

WHEREAS, the Purchasing Agent, QPA, concurs with the recommendation to award Original Watermen, 1198 Joshua Way, Vista, California 92081, the only responsible and responsive bidder for line items #17 and 18 for year one and year two; and

WHEREAS, on September 8, 2021, the City of Newark through its Purchasing Agent, QPA, re-advertised to solicit bids for contractors to provide Athletic Apparel for the Department of Recreation, Cultural Affairs and Senior Services, as described in the attached bid proposal; and

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

WHEREAS, via the Procurement Now Portal eighteen (18) bid proposal packages were downloaded by prospective vendors following the date of re-advertisement; and

WHEREAS, on September 23, 2021, the Division of Central Purchasing received one (1) bid in response to this re-advertisement; and

WHEREAS, the bid result was shared with the user agency; and

WHEREAS, on August 1, 2022, the Department of Recreation, Cultural Affairs and Senior Services recommended that an award be made to: JLMP Sporting Goods Corporation, 36 Butler Street, Suite 2K, Elizabeth, New Jersey 07206 being the only responsive responsible bidder in response to this re-advertisement for line item commodities #1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, , 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121 and 122; and

WHEREAS, the Purchasing Agent, QPA, concurs with the recommendation that an award be made to: JLMP Sporting Goods Corporation, 36 Butler Street, Suite 2K, Elizabeth, New Jersey 07206, the only, responsible and responsive bidder in response to the re-advertisement on September 21, 2021 to provide Athletic Apparel; and

WHEREAS, the Purchasing Agent, QPA, recommends that a dual award be made to: Original Watermen, 1198 Joshua Way, Vista, California 92081 the only responsible and responsive bidder for line items #17 and 18 for year one and year two; and JLMP Sporting Goods Corporation, 36 Butler Street, Suite 2K, Elizabeth, New Jersey 07206 the only, responsible and responsive bidders being the only responsive responsible bidder in response to this re-advertisement for line item commodities #1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, , 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121 and 122to provide Athletic Apparel; and

WHEREAS, pursuant to N.J.S.A. 40A:11-24, the recommended bidders consented to holding their bid beyond sixty (60) days; 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 Business Administrator hereby authorized to enter into and execute a dual contract with: (1) Original Watermen, Inc., 1198 Joshua Way, Vista, California 92081 to receive line items #17 and 18 for year one and year two; and (2) JLMP Sporting Goods Corporation, 36 Butler Street, Suite 2K, Elizabeth, New Jersey 07206 to receive line items #1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121 and 122 for year one and year two, and line items 17 and 18 for extended sizes 1X, 2X and 3X for year one

and year two, to provide Athletic Apparel for the City of Newark, whose bids were received on the advertised due dates and determined to be the, responsible and responsive bidders per line item commodity per year, per advertisement. The term of the contract will be established for twenty-four (24) consecutive months, pursuant to N.J.S.A. 40A:11-15, start date to commence upon fully executed contract. There were no bids for line item #31 for year one (1) and year two (2).

2. There shall be no amendment or change of this contract without the approval of the Municipal Council.
3. There shall be no advance payment on this contract in accordance with N.J.S.A. 40A:5-16. Funds for 2022 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: NW011-160-1601-71280 and 83850-B2022/Department of Recreation, Cultural Affairs and Senior Services/Director's Office, NW011-160-1606-71280 and 83840-B2022/Division of Recreation, NW011-160-1606-71280 and 83850-B2022/Division of Recreation, NW011-160-1608-7120 and 83420-B2022/Division of Cultural Affairs, NW011-160-1609-71280 and 83840-B2022/Division of Senior Services, covering the amount or the order. This contract shall not exceed Three Hundred Twenty Thousand Dollars and Zero Cents (\$320,000.00) for twenty-four (24) consecutive months for two (2) vendors.
5. The Purchasing Agent, QPA, shall file a duly executed copy of this contract in the Office of the City Clerk.
6. If required by State Law, the Acting 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 Business Administrator to enter into and execute a dual contract with Original Watermen, Inc., 1198 Joshua Way, Vista, California 92081 and JLMP Sporting Corporation, 36 Butler Street, Suite 2K, Elizabeth, New Jersey 07206 to provide Athletic Apparel to the City of Newark at a cost not to exceed \$320,000.00 for twenty-four (24) consecutive months for two (2) vendors.