



Legislation Details (With Text)

**File #:** 22-0556      **Version:** 1      **Name:** Resolution: Sourcewell Co-op to purchase Excavator and Tow master Trailer  
**Type:** Resolution      **Status:** Adopted  
**File created:** 4/6/2022      **In control:** Administration  
**On agenda:** 8/3/2022      **Final action:** 8/3/2022

**Title:** Dept/ Agency: Administration/ Division of Central Purchasing  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Type of Service: Cooperative Purchasing Agreement  
Purpose: To purchase one (1) 2022 or newer Caterpillar Excavator Model 317GC GCI and one (1) 2022 or newer Tow Master Trailer Model T-70DTG for the Department of Public Works through membership with Sourcewell Cooperative.  
Entity Name: Foley, Inc.  
Entity Address: 1660 Shelton Road, Piscataway, New Jersey 08854  
Contract Amount: Not to exceed \$325,335.00  
Funding Source: 2021 Budget/Department of Public Works/045-21A-21A01-94710-B2021  
Contract Period: Upon Municipal Council approval through purchase completion  
Contract Basis: ( ) Bid ( ) State Vendor ( ) Prof. Ser. ( ) EUS  
( ) Fair & Open ( ) No Reportable Contributions ( ) RFP ( ) RFQ  
( ) Private Sale ( ) Grant ( ) Sub-recipient (X) N/A

Additional Information:

To use Sourcewell Cooperative Contract #032019-CAT (Heavy Construction Equipment with Related Accessories, Attachments and Supplies) and Contract #121918-MNR (Trailers with Related Equipment, Accessories and Services) to purchase one (1) 2022 or newer Caterpillar Excavator Model 317GC GCI and one (1) 2022 or newer Tow Master Trailer Model T-70DTG.

This equipment will be utilized by the Department of Public Works to continue the City of Newark housing and building demolition.

This is a one-time purchase.  
The purchase order is the contract.

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
8/3/2022	1	Municipal Council	Adopt	Pass

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**WHEREAS**, the Municipal Council authorized the joining of the Sourcewell Cooperative by Resolution 7R1-c(AS) adopted on April 20, 2022; and

**WHEREAS**, the City of Newark (the "City") in furtherance of its goals to search for lower costs, greater efficiency and improved product quality, wishes to use Sourcewell Cooperative Contract #032019-CAT (Heavy Construction Equipment with Related Accessories, Attachments and Supplies), and Contract #121918-MNR (Trailers with Related Equipment, Accessories and Services); and

**WHEREAS**, Cooperative Purchasing is an inclusive term used to describe all purchasing systems where two (2) or more local contracting units join together for the provision or performance of goods or services as provided for by the Local Public Contracts Law, N.J.S.A. 40A:11-1et seq.; and

**WHEREAS**, the purchase of goods or services by two (2) or more contracting units increases proportionate saving in costs gained by an increased level of production; and

**WHEREAS**, the City, a sub-political body of the State of New Jersey, is permitted to join Cooperative Purchasing Programs, pursuant to N.J.S.A. 52:34-6.2(b)(3); and

**WHEREAS**, the Sourcewell Cooperative, a nationally recognized and accepted Cooperative Purchasing organization, maintains National Cooperative Agreement Contracts, which are competitively awarded through which members can make purchases; and

**WHEREAS**, the Sourcewell Cooperative system was developed for the purpose of utilizing a competitive bidding process to make the procurement process more efficient and provide cost savings to its members; and

**WHEREAS**, the Sourcewell Cooperative has offered the City the opportunity to use its Contract #032019-CAT (Heavy Construction Equipment with Related Accessories, Attachments and Supplies), and Contract #121918-MNR (Trailers with Related Equipment, Accessories and Services) to purchase one (1) 2022 or newer Caterpillar Excavator model 317GC GCI and one (1) 2022 or newer Tow Master Trailer model T-70DTG for the Department of Public Works; and

**WHEREAS**, on April 18, 2022, the Division of Central Purchasing advertised the City's intention to enter into an agreement with Foley, Inc., under Sourcwell's Contract #032019-CAT and Contract #121918-MNR, for the purchase of tow master trailer and excavator (attached hereto); and

**WHEREAS**, the Department of Public Works desires to use membership in the Sourcwell Cooperative, to purchase one (1) 2022 or newer Caterpillar Excavator model 317GC GCI and one (1) 2022 or newer Tow Master Trailer model T-70DTG from Foley, Inc., 1660 Shelton Road, Piscataway, New Jersey 08854, holder of Sourcwell authorized Contract #032019-CAT (Heavy Construction Equipment with Related Accessories, Attachments and Supplies), and Sourcwell authorized Contract #121918-MNR (Trailers with Related Equipment, Accessories and Services), in order to make the procurement process more efficient, to maximize buying power and to provide cost savings to the City overall.

**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 designees, the Business Administrator and/or the Qualified Purchasing Agent, QPA, are hereby authorized to use Sourcwell Cooperative Purchasing System's contract #032019-CAT (Heavy Construction Equipment with Related Accessories, Attachments and Supplies), and Contract #121918-MNR (Trailers with Related Equipment, Accessories and Services) to purchase one (1) 2022 or newer Caterpillar Excavator model 317GC GCI and one (1) 2022 or newer Tow Master Trailer model T-70DTG from Foley, Inc., 1660 Shelton Road, Piscataway, New Jersey 08854 for the amount not to exceed Three Hundred Twenty-Five Thousand Three Hundred Thirty-Five Dollars and Zero Cents (\$325,335.00).
2. The funds for this purchase are encumbered on 045-21A-21A01-94710-B2021.
3. The Division of Central Purchase through the Qualified Purchasing Agent, QPA, shall ensure that the goods and/or services procured through the system comply with applicable laws of the State of New Jersey, Local Public Contracts Law, N.J.S.A. 40A:11-1et seq. and all other provisions of the revised statutes of the State of New Jersey.
4. A duly executed copy of the Cooperative Purchasing Contract is attached hereto to be forthwith filed in the Office of the City Clerk by the Purchasing Agent, QPA.
5. If required by State law, the Acting City Clerk shall provide the appropriate notice of the authorization of this contract usage to the state Comptroller no later than twenty (20) business days following such authorization, 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 designees, the Business Administrator and/or the Qualified Purchasing Agent, QPA, to purchase one (1) 2022 or

newer Caterpillar Excavator model 317GC GCI and one (1) 2022 or newer Tow Master Trailer model T-70DTG, from Foley, Inc., 1660 Shelton Road, Piscataway, New Jersey 08854, an authorized holder of Sourcewell Cooperative Contract #032019-CAT (Heavy Construction Equipment with Related Accessories, Attachments and Supplies) and Contract #121918-MNR (Trailers with Related Equipment, Accessories and Services), for the amount not to exceed \$325,335.00, to be utilized by the Department of Public Works, to allow the City of Newark to procure goods and services, which will maximize procurement dollars, improve product quality and increase efficiency.