



Legislation Details (With Text)

**File #:** 19-1803      **Version:** 1      **Name:** Membership in the Educational Services Commission of New Jersey

**Type:** Resolution      **Status:** Adopted

**File created:** 11/4/2019      **In control:** Administration

**On agenda:** 5/6/2020      **Final action:** 5/6/2020

**Title:** Dept/ Agency: Administration/ Division of Central Purchasing  
 Action: ( ) Ratifying (X) Authorizing ( ) Amending  
 Type of Service: Cooperative Purchasing Agreement  
 Purpose: Membership in the Educational Services Commission of New Jersey (ESCNJ)  
 Entity Name: The Educational Services Commission of New Jersey  
 Entity Address: 1660 Stelton Rd., Piscataway, New Jersey 08854  
 Contract Amount: No municipal funds required  
 Contract Period: Upon approval of the Municipal Council  
 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 participate in a Cooperative Purchasing Program which will improve product quality and increase efficiency.

**Sponsors:** Augusto Amador

**Indexes:**

**Code sections:**

| Date     | Ver. | Action By         | Action | Result |
|----------|------|-------------------|--------|--------|
| 5/6/2020 | 1    | Municipal Council | Adopt  | Pass   |

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**Additional Information:**  
 To participate in a Cooperative Purchasing Program which will improve product quality and increase efficiency.

**WHEREAS**, the City of Newark (“City”) in furtherance of its goals to search for lower costs, greater efficiency and improved product quality, wishes to enter into an Interlocal Contract for Cooperative Purchasing; and

**WHEREAS**, cooperative purchasing is an inclusive term used to describe all purchasing

systems where two 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 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**, N.J.S.A. 40A:11-10(a)(1) authorizes two or more contracting units to establish a Cooperative Pricing System and to enter into a Cooperative Pricing Agreement for its administration; and

**WHEREAS**, the Educational Services Commission of New Jersey (ESCNJ), a locally recognized and accepted cooperative purchasing organization, maintains Local Cooperative Agreement Contracts, which are competitively awarded through which members can make purchases; and

**WHEREAS**, the ESCNJ 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 ESCNJ has offered the City of Newark the opportunity to participate in their Cooperative Purchasing System; and

**WHEREAS**, the City desires to enter into an agreement with the ESCNJ to become a member of the ESCNJ Cooperative Purchasing System from the date of adoption of this resolution until May 21, 2022 (attached hereto)

**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 Purchasing Agent, QPA, are hereby authorized to enter into a Cooperative Pricing Agreement under the Educational Services Commission of New Jersey (ESCNJ) Cooperative Purchasing Program.
2. The Division of Central Purchasing through the 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.
3. Any purchases procured through ESCNJ are subject to Municipal Council approval.
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 City Clerk shall provide the appropriate notice of the authorization of this contract usage to the State Comptroller no later than 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 and/or his designees, the Business Administrator and the Purchasing Agent, QPA, to execute a membership agreement with Educational Services Commission of New Jersey (ESCNJ) for the purpose of purchasing from their Cooperative Purchasing Program, to allow the City of Newark to procure goods and services which will maximize procurement dollars, improve product quality and increase efficiency.