



Legislation Details (With Text)

**File #:** 20-0188      **Version:** 1      **Name:** Waste Receptacles: Metal, Plastic Recycle Containers and Tote Bins

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

**File created:** 1/28/2020      **In control:** Administration

**On agenda:** 3/24/2020      **Final action:** 3/24/2020

**Title:** Dept/ Agency: Administration/Division of Central Purchasing  
 Action: ( ) Ratifying (X) Authorizing ( ) Amending  
 Type of Service: Bid Contract(s)  
 Purpose: To purchase waste receptacles metal, plastic recycle containers and tote bins for the Department of Public Works, Division of Sanitation.  
 Entity Name(s)/Address(s):  
 1) Osar, LLC, 30 Raynor Road, Morristown, New Jersey 07960;  
 2) R & K Duncan Enterprises, LLC, 165 1/2 D Avon Avenue, Newark, New Jersey 07108; and  
 3) W. B. Mason, Co., Inc., 535 Secaucus Road, Secaucus, New Jersey 07094  
 Contract Amount: Not to exceed \$300,000.00  
 Funding Source: 2020 Budget/Department of Public Works, Division of Sanitation/NW011-060-0605-71940-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:  
 To purchase waste receptacles metal, plastic recycle containers and tote bins for the Department of Public Works/Division of Sanitation.

Advertisement Date: October 30, 2019  
 Number of Bids Solicited: Eight (8)  
 Number of Bids Received: Six (6)  
 Number of Bids Rejected: One (1)

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
3/24/2020	1	Municipal Council	Adopt	Pass

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**WHEREAS**, on October 30, 2019, the City of Newark, through its Purchasing Agent, QPA, advertised to solicit bids for contractor(s) to provide Waste Receptacles: Metal, Plastic Recycle Containers and Tote Bins, to the Department of Public Works, Division of Sanitation, as per the bid proposal attached hereto; and

**WHEREAS**, the Division of Central Purchasing also distributed eight (8) bid proposal packages to the 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 November 14, 2019, the Division of Central Purchasing received six (6) bids in response to this advertisement; and

**WHEREAS**, one (1) bid was deemed non-responsive due to a letter submitted with its bid package with a list of requested changes, adjustments, and additions added to the price schedules; and

**WHEREAS**, the Director of the Department of Public Works, Division of Sanitation recommends that a multiple award be made to: 1) Osar, LLC, 30 Raynor Road, Morristown, New Jersey 07960; 2) R & K Duncan Enterprises, LLC, 165 ½ D Avon Avenue, Newark, New Jersey 07108; and 3) W. B. Mason, Co., Inc., 535 Secaucus Road, Secaucus, New Jersey 07094 the lowest, responsive and responsible bidders, per line item commodities to provide Waste Receptacles: Metal, Plastic Recycle Containers and Tote Bins; and

**WHEREAS**, the Purchasing Agent, QPA, concurs with the recommendations made by Corporate Counsel and the Director of Public Works, Division of Sanitation that a multiple award be made to: 1) Osar, LLC, 30 Raynor Road, Morristown, New Jersey 07960; 2) R & K Duncan Enterprises, LLC, 165 ½ D Avon Avenue, Newark, New Jersey 07108; and 3) W. B. Mason, Co., Inc., 535 Secaucus Road, Secaucus, New Jersey 07094 the lowest, responsive and responsible bidders, per line item commodities to provide Waste Receptacles: Plastic Recycle Containers and Tote Bins; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-24, the bidders 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 and/or his designee, the Purchasing Agent, QPA, are hereby authorized to enter and execute contracts with three (3) vendors: 1) Osar, LLC, 30 Raynor Road, Morristown, New Jersey 07960 for Line Items 10,12, 17, 18, 19 and 20, for Year One and Year Two and Line Item 11 for Year Two only; 2) R & K Duncan Enterprises, LLC, 165 ½ D Avon Avenue, Newark, New Jersey 07108 for Line Items 1, 2, 3, 4, 5, 6, 7 and 8, for Year One and Year Two; and 3) W. B. Mason, Co., Inc., 535 Secaucus Road, Secaucus, New Jersey 07094 for Line Items 9, 13, 14, 15 and 16 for Year One and Year Two, and Line Item 11 for Year One only, to purchase Waste Receptacles: Metal, Plastic Recycle Containers and Tote Bins, whose bids were received on the advertised due date and determined to be the lowest, responsive and responsible bidders in accordance with the bid specifications. The term of the contracts will be established for a period not to exceed a twenty-four (24) consecutive month term, pursuant to N.J.S.A. 40A:11-15.

2. There shall be no amendment or change of the contracts without the approval of the Municipal Council by resolution.

3. There shall be no advance payment on these contracts 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).

4. This is an open-ended contract to be used as needed during the term of 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, for Account Code Lines: NW011, 060, 0605, 71940, B2020-Department of Public Works, Division of Sanitation, covering the amount of the order. This contract shall not exceed Three Hundred Thousand Dollars and Zero Cents (\$300,000.00) for a period to be established not to exceed twenty-four (24) consecutive months with three (3) vendors.

5. The Purchasing Agent, QPA, shall file a duly executed copy of the contract in the Office of the City Clerk.

6. If required by the 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 Director of Purchasing, QPA, to enter into and execute three (3) contracts with the following vendors: 1) Osar, LLC, 30 Raynor Road, Morristown, New Jersey 07960; 2) R & K Duncan Enterprises, LLC, 165 ½ D Avon Avenue, Newark, New Jersey 07108; and 3) W. B. Mason, Co., Inc., 535 Secaucus Road, Secaucus, New Jersey 07094, to purchase Waste Receptacles: Metal, Plastic Recycle Containers and Tote

Bins, for the Department of Public Works, Division of Sanitation at an amount not to exceed Three Hundred Thousand Dollars and Zero Cents (\$300,000.00) for a period not to exceed twenty-four (24) consecutive months with three (3) vendors.