



Legislation Details (With Text)

**File #:** 18-0324      **Version:** 1      **Name:** Extension of Emergency Contract E2017-19 - BJ Manicured Lawn Service, LLC  
**Type:** Resolution      **Status:** Adopted  
**File created:** 3/5/2018      **In control:** Administration  
**On agenda:** 3/27/2018      **Final action:** 3/27/2018

**Title:** Dept/ Agency: Administration/Division of Central Purchasing  
Action:  Ratifying    Authorizing    Amending  
Type of Service: Extension of Emergency Contract #E2017-19  
Purpose: Maintenance of City Entranceways  
Entity Name: BJ Manicured Lawn Service, LLC.  
Entity Address: 92 Hansbury Avenue, Newark, New Jersey 07112  
Contract Amount: Amount Not to Exceed \$100,000.00  
Funding Source: 2018 Budget/ Department of Public Works, Division of Sanitation  
Account Code Line: NW011-060-0603-71280  
Contract Period: October 1, 2017 through March 31, 2018, or until a contract is awarded, but in no event beyond June 30, 2018, unless authorized by Municipal Council.  
Contract Basis:  Bid    State Vendor    Prof. Ser.    EUS  
 Fair & Open    No Reportable Contributions    RFP    RFQ  
 Private Sale    Grant    Sub-recipient    n/a  
Additional Information:

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
3/27/2018	1	Municipal Council	Adopt	Pass

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**Additional Information:**

**WHEREAS,** on July 27, 2017, the Department of Public Works (“DPW”) declared an Emergency for the cleaning and maintaining of City entranceways and on August 8, 2017 the Central

Purchasing Director awarded an Emergency Contract for the period of July 2017 through September 2017; and

**WHEREAS**, the DPW is currently working on finalizing the bid specifications for the cleaning and maintaining of City entranceways and plans to advertise for these services in April 2018; and

**WHEREAS**, it is imperative that the City continue cleaning and maintaining the City's entranceways, as not doing so will promote conditions that will affect the health, safety, and welfare of the citizens of Newark; and

**WHEREAS**, N.J.S.A. 40A:11-6 provides that Emergency Contracts may be entered into when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; and

**WHEREAS**, N.J.A.C. 5:34-6.1(a)3 provides that the emergency purchasing procedure may be used when the need for such goods or services has arisen notwithstanding a good faith effort on the part of a municipality to plan for the purchase of any goods or services required by the municipality; and

**WHEREAS**, the Department of Public Works, requests an extension of the Emergency Contract with BJ Manicured Lawn Service, LLC, 92 Hansbury Avenue, Newark, New Jersey 07112, to continue to provide services related to the cleaning and maintaining of City entranceways; and

**WHEREAS**, it is a matter of public health and welfare that the above-described emergency contract be extended because the City of Newark still needs to ensure the safe and functional operation of its public facilities; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-6, notwithstanding a good faith effort by the contracting unit to award a contract, the need has arisen for a continued emergency contract for cleaning and maintaining of City entranceways; and

**WHEREAS**, City Ordinance 6PSF-e April 6, 2011, Article 2:5-13.2 (E) (.1) (b) (c) limits the period of Emergency Contracts to ninety (90) days and no extensions of emergency contracts shall be permitted without authorization by the Municipal Council by resolution.

**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 and/or the Business Administrator and/or the Director of the Department of Public Works, are hereby authorized to execute an extension of Emergency Contract #E2017-19 with BJ Manicured Lawn Service, LLC, 92 Hansbury Avenue, Newark, New Jersey 07102, to continue providing services for the cleaning and maintaining of City entranceways at a cost not to exceed One Hundred Thousand Dollars and Zero Cents (\$100,000.00), from October 1, 2017 through March 31, 2018, or until a new contract is in place, but in no event beyond June 30, 2018, unless authorized by the Municipal Council.
2. This extension will allow the continuation of Contract # E2017-19, which was originally authorized for three (3) months from July through September 2017.

3. The above-described extension of Emergency Contract # E2017-19 is ratified from October 1, 2017 to the date of adoption of this resolution.
4. Pursuant to N.J.A.C. 5:30-5.5, Temporary Budget, attached hereto is a Partial Certification of Funds in the amount of Twenty-Four Thousand, Four Hundred Eighty-Eight Dollars and Thirty-Three Cents (\$24,488.33) from the Director of Finance for the City of Newark and the line appropriation of the official budget which shall be charged is Business Unit NW011; Dept. ID 066; Division 0665; Account # 71280, Budget Ref: B 2017. The remainder of the funding for this contract will be subject to appropriation in the 2018 Budget and included in a line item for the award of this contract and said funds will be certified prior to services being provided by the contractor. There will be no expenditure of funds authorized until a certification of funds is obtained and a copy filed with the City Clerk.
5. The Supervising Procurement Specialist, QPA, for the City of Newark shall file a copy of Contract # E2017-19, attached hereto, with the Office of the City Clerk.
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 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 ratifies and authorizes the Mayor and/or his designee, the Supervising Procurement Specialist, QPA, and/or the Business Administrator and/or the Director of the Department of Public Works to extend Emergency Contract #E2017-19 for six (6) months from October 1, 2017 to March 31, 2018, or until such time as a new contract is awarded but in no event beyond June 30, 2018, unless authorized by the Municipal Council, to BJ Manicured Lawn Service, LLC, 92 Hansbury Avenue, Newark, New Jersey 07102 to continue providing services for the cleaning and maintenance of City entranceways, in the amount not to exceed \$100,000.00.