



## Legislation Text

File #: 24-0181, Version: 1

**Dept/ Agency:** Administration/Division of Central Purchasing

**Action:** ( ) Ratifying (X) Authorizing ( ) Amending

**Type of Service:** Use of State Contract(s) #T0103 Master Blanket PO 16-FLEET-00130

**Purpose:** To build a new playground at Mildred Helms Park located at 534-544 Clinton Avenue, provided with new playground equipment and rubber safety surfacing.

**Entity Name(s)/Address(s):** General Recreation, Inc., 25 Reese Avenue, Newtown Square, Pennsylvania 19073

**Contract Amount:** Not to exceed \$239,135.00

**Funding Source:** 2024 Budget/Department of Recreation, Cultural Affairs and Senior Services/Open Space Trust Account/NW026-32720-B2024

**Contract Period:** Upon approval of the Municipal Council through May 30, 2024, inclusive of any extensions by the State

**Contract Basis:** ( ) Bid (X) State Vendor ( ) Prof. Ser. ( ) EUS

( ) Fair & Open ( ) No Reportable Contributions ( ) RFP ( ) RFQ

( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) n/a

**Additional Information:**

This State Contract #16-FLEET-00130 will provide for the purchase of new equipment and rubber safety surfacing for the playground at Mildred Helms Park for the City's Department of Recreation, Cultural Affairs and Senior Services.

**WHEREAS**, the City of Newark ("City"), through its Interim Purchasing Agent, wishes to utilize State contract #T0103 Park and Playground Equipment Master Blanket PO #16-FLEET-00130 to purchase playground equipment and rubber safety surfacing for the Department of Recreation, Cultural Affairs, & Senior Services from an authorized vendor under the New Jersey Cooperative Purchasing Program 1-NJCP, pursuant to N.J.S.A 40A:11-12 and N.J.A.C. 5:34-7.29; and

**WHEREAS**, the purchase of goods and services by local contracting units without advertising is authorized by the Local Public Contracts Law N.J.S.A. 40A: 11-12, where the contract for such goods and services was entered into on behalf of the State of New Jersey by the Division of Purchase and Property within the Department of the Treasury; and

**WHEREAS**, in accordance with N.J.S.A. 52:25-16.1 et seq. and N.J.A.C. 5:34-7.29 all Cooperative Purchasing Program participants are responsible for ensuring that the Purchase Orders issued reflects the correct item pricing and that payment is processed accordingly. Only the items/services specified in the applicable State Contract(s) may be purchased from the contract vendor(s) of record. Cooperative Purchasing participants assume full responsibility for all purchase transactions issued through State Contracts, including Purchase Orders, delivery compliance and payments; and

**WHEREAS**, the City wishes to utilize State Contract #T0103 Park and Playground Equipment Master Blanket PO #16-FLEET-00130 to enter into a contract with General Recreation Inc., 25 Reese

Avenue, Newtown Square, PA 19073 to equip the playground at Mildred Helms Park located at 534-544 Clinton Avenue with new playground equipment and rubber safety surfacing. The term of said contract is to be for the period commencing upon approval of this Resolution by the Municipal Council through May 30 2024, inclusive of any extensions granted by the State, or upon completion of the project, whichever occurs first, at a cost not to exceed Two Hundred Thirty Nine Thousand One Hundred Thirty Five Dollars and Zero Cents (\$239,135.00).

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:**

1. Pursuant to N.J.S.A. 40:11-12 and N.J.A.C. 5:34-7.29, the Mayor of the City of Newark and/or his designees, the Business Administrator or the Interim Purchasing Agent is authorized to utilize State Contract #T0103 Park and Playground Equipment Master Blanket PO #16-FLEET -00130 to enter into a contract with General Recreation Inc., 25 Reese Avenue, Newtown Square, PA 19073 to equip the playground at Mildred Helms Park located at 534-544 Clinton Avenue with new playground equipment and rubber safety surfacing. Said contract term shall be for the period commencing upon approval of this Resolution by the Municipal Council through May 30 2024, inclusive of extensions by the State, at a cost not to exceed Two Hundred Thirty Nine Thousand One Hundred Thirty Five Dollars and Zero Cents (\$239,135.00).
2. All purchases, Purchase Orders and other related documentation shall be in accordance with the relevant State Contract, New Jersey Standard Terms and Conditions, Method of Operation and Third Party Agreement, if applicable, as contained in the State Contract documentation and agreements.
3. There shall be no amendments of this Resolution without the approval of the Municipal Council.
4. There shall be no advance payment of this State Contract in accordance with N.J.S.A. 40A:5-16.
5. This contract is awarded as an open-ended contract; pursuant to N.J.A.C. 5:30-5.5(d)(2). A Certification of the Availability of Funds shall be executed each time a purchase order is placed and charged against the following Funding Sources: NW026 32720-B2024 Open Space Trust Account. This contract shall not exceed Two Hundred Thirty Nine Thousand One Hundred Thirty Five Dollars and Zero Cents (\$239,135.00).
6. This contract complies with the City of Newark's Local Pay-to- Play Law and N.J.S.A. 19:44A-20.5 as an award pursuant to a State Contract and constitutes a Fair and Open Procedure.
7. The Division of Central Purchasing shall file a duly executed copy of the contract in the Office of the City Clerk.
8. If required by State Law, the City Clerk shall provide the appropriate Notice of Award of this contact 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 his designees, the Interim Purchasing Agent and/or the Business Administrator to utilize State Contract #T0103 Park and Playground Equipment Master Blanket PO #16-FLEET-00130 to equip the playground at Mildred Helms Park located at 534-544 Clinton Avenue with new playground equipment and rubber safety surfacing pursuant to a contract to be awarded to General Recreation Inc., 25 Reese Avenue, Newtown Square, PA 19073 for the Department of Recreation, Cultural Affairs, and Senior Services. The contract term is for the period commencing upon adoption of this Resolution by the Municipal Council through May 30, 2024, inclusive of extensions by the State, or upon completion of the project, whichever occurs first, at a cost not to exceed \$239,135.00.