



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

File #: 16-0960, Version: 1

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

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

**Type of Service:** Use of State Contract(s) T-2007 Vehicles Sport Utility (SUV) and all applicable vendors

**Purpose:** Purchase of Three (3) Sport Utility Vehicles (SUV)

**Entity Name(s)/Address(s):** Hertich Fleet Services, 1427 Bay Road, Milford, Delaware 19963

**Contract Amount:** \$51,279.00

**Funding Source:** Water and Sewer Utilities Budget, NW037; 755; 7555; 94330; B2014 and NW037; 756; 7565; 94330; B2015

**Contract Period:** Upon approval by the Municipal Council not to exceed October 29, 2016 inclusive of any extension of the State Contract

**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 is a one-time purchase and the Purchase Orders are the contracts.

**WHEREAS**, the City of Newark through its Supervising Procurement Specialist, wishes to utilize the Vehicles, Sport Utility State Contract, #T-2007 to purchase Vehicles, Sport Utility (SUV) from authorized vendors under the New Jersey Cooperative Purchasing Program 1-NJCP, pursuant to N.J.A.C. 5:34-7.29; and

**WHEREAS**, the purchase of goods/services by Local contracting units is authorized by Local Public Contracts Law, N.J.S.A. 40A: 11-12; and

**WHEREAS**, in accordance with N.J.S.A. 40A:11-11(5), N.J.S.A. 52:25-16.1 et seq. and N.J.A.C. 5:34-7.1, all Cooperative Purchasing Program participants are responsible for ensuring that the Purchase Order issued reflects the correct contract 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 the State term contract, # T-2007 Vehicles, Sport Utility (SUV) with the following vendor, commencing adoption of this resolution; upon complete delivery, not to exceed October 29, 2016 and or inclusive of any contract extensions approved by State Contract,

#A83011 Hertrich Fleet Services, 1427 Bay Road, Milford, Delaware 19963

**WHEREAS**, the Supervising Procurement Specialist, recommends the utilization of this State

contract award on the grounds that it provides Vehicles, Sport Utility (SUV) according to specifications recommended by the City of Newark's Department of Engineering, Division of Motors and Department of Water and Sewer Utilities; and

**WHEREAS**, usage of this contract provides the Vehicles, Sport Utility (SUV), required by the Department of Water and Sewer Utilities, at a cost not to exceed \$51,279.00.

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

1. Pursuant to N.J.S.A. 40A:11-1 et seq., and N.J.A.C. 5:34-7.29, the Supervising Procurement Specialist is authorized to utilize State Term Contract # T-2007, Vehicles, Sport Utility (SUV), which includes the following vendor, # A83011 Hertrich Fleet Services, to provide three (3) Vehicles, Sport Utility (SUV) to the City of Newark, for the period commencing from the adoption of this resolution to complete delivery, not to exceed October 29, 2016, inclusive of extensions of this State contract.
2. All purchases, purchase orders and other related documentation shall be in accordance with the relevant State Contract, State of New Jersey Standard Terms and Conditions, Method of Operation and Third Party Agreement/Three Party Agreement (if applicable) as contained in the State Contract Documentations and Agreements.
3. There shall be no amendment of this resolution without the approval of the Municipal Council.
4. There shall be no advance payment on this State contract purchase in accordance with N.J.S.A. 40A: 5-16.
5. Funds for this purchase are encumbered on PO# 0000010621, NW037, Fund 037, Dept. 755, Division/Project. 7555, Account# 94330, B2014 for \$17,093.00 and PO# 0000010623, NW037, Fund 037, Division/Project 7565, Acct. 94330, B2015 for \$34,186.00. This contract shall not exceed \$51,279.00.
6. This contract complies with Local Pay to Play Law, N.J.S.A. 19:44A-20.5 as a State contract award and constitutes a fair and open procedure.
7. The Purchasing Division shall forthwith file a duly executed copy of the contract(s) in the Office of the City Clerk, if applicable.
8. 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 authorizes the Supervising Procurement Specialist to utilize the State Term Contract #

T-2007, which includes an award to the following vendor, Hertrich Fleet Services, to provide three (3) Sport Utility Vehicles (SUV), for the period commencing from the adoption of this resolution by the Municipal Council of the City of Newark, through complete delivery not to exceed, October 29, 2016, and or inclusive of any contract extensions approved by State Contract, at a cost not to exceed \$51,279.00.