



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

File #: 13-1675, Version: 1

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

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

**Type of Service:** Use of State Contract(s) Nos. 769070, 76910, 76908, 76921, 76917

**Purpose:** Parts and Repairs for Lawn and Grounds Equipment

**Entity Name(s)/Address(s):** if long list- See below

**Contract Amount:** Not to exceed \$25,000.00

**Funding Source:** City of Newark Budget Departments of Neighborhood and Recreational Services, Water and Sewer Utilities Budget

**Contract Period:** upon approval by Municipal Council - June 28, 2014, inclusive of 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

**Entity Name/Address:** (Use only for long list)

# 76907, Cherry Valley Tractor Sales, ACH Electronic Payment, 35 Route 70 W, Marlton, New Jersey 08053

#76910, Lawson Products Inc., 530 Palmer Farm Dr., Yardley, Pennsylvania 19067

#76908, Northeastern Arborist Supplies, 50 Notch Road, W. Paterson, New Jersey 07424

#76921, Storr Tractor Company, ACH Electronic Payment, 3191 US HWY 22, Branchburg, New Jersey 08876

#76917, Trico Equipment Services LLC, 551 N. Harding Highway, Vineland, New Jersey 08360

**Additional Information:**

**No Action Taken 7R1-j 102313**

**WHEREAS**, the City of Newark through its Purchasing Director wishes to utilize State Term Contract, Index No. T-2187, Parts and Repairs for Lawn and Grounds Equipment, to purchase products or services from an authorized vendor 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 and 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. 5:341.7, [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, [2] only the items/services specified in the applicable State contract(s) may be purchased from the contract vendor(s) of record and [3] 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 this contract with the following vendors commencing adoption of this resolution through June 28, 2014, inclusive of any subsequent extensions to the term of the

contract pursuant to N.J.S.A. 40A:11-15(42):

# 76907, Cherry Valley Tractor Sales, ACH Electronic Payment, 35 Route 70 W, Marlton, New Jersey 08053

#76910, Lawson Products Inc., 530 Palmer Farm Dr., Yardley, Pennsylvania 19067

#76908, Northeastern Arborist Supplies, 50 Notch Road, W. Paterson, New Jersey 07424

#76921, Storr Tractor Company, ACH Electronic Payment, 3191 US HWY 22, Branchburg, New Jersey 08876

#76917, Trico Equipment Services LLC, 551 N. Harding Highway, Vineland, New Jersey 08360

**WHEREAS**, the Purchasing Director recommends the utilization of these state contract awards on the grounds that they provide Parts and Repairs for Lawn and Grounds Equipment, according to specifications required by the City of Newark; and

**WHEREAS**, the total cost for the purchase of Parts and Repairs for Lawn and Grounds Equipment, shall not to exceed \$25,000.00; and

**WHEREAS**, usage of these contracts provides Parts and Repairs for Lawn and Grounds Equipment, as required by the Departments of Neighborhood and Recreational Services and the Water and Sewer Utilities; and

**WHEREAS**, this is an open ended contract as defined at N.J.A.C. 5:30-11.2, the Chief Financial Officer will certify the availability of funds before orders are placed pursuant to N.J.A.C. 5:30-5.5(b), N.J.A.C. 5:30-5.5(c)(2) and N.J.A.C. 5:30-5.5(d)(2) .

**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 Purchasing Director is authorized to utilize contract # 76907, Cherry Valley Tractor Sales, #76910, Lawson Products Inc., #76908, Northeastern Arborist Supplies, #76921, Storr Tractor Company, and #76917, Trico Equipment Services LLC, to provide **PARTS AND REPAIRS FOR LAWN AND GROUNDS EQUIPMENT**, for the period commencing from the adoption of this resolution to June 28, 2014, inclusive of any subsequent extensions to the term of this state contract.

2. There shall be no amendment of this resolution without the approval of the Municipal Council.

3. There shall be no advance payment on this State contract in accordance with N.J.S.A. 40A: 5-16. Funds for expenditures against this contract are contingent upon appropriations; pursuant to N.J.A.C. 5:30-5.5(b), N.J.A.C. 5:30-5.5(c)(2) and N.J.A.C. 5:30-5.5(d)(2) .

4. This contract is awarded as an open-ended contract pursuant to N.J.A.C. 5:30-5.5(b), N.J.A.C. 5:30-5.5(c)(2) and N.J.A.C. 5:30-5.5(d)(2). Certification of the Availability of Funds shall be executed by purchase order; each time an order is placed and charged against this contract. This contract shall not exceed \$25,000.00 inclusive of subsequent extensions to the term of contract by the state.

5. This contract complies with Local Pay-to- Play, N.J.S.A. 19:44A-20.5 as a state contract award

and constitutes a fair and open procedure.

6. The Purchasing Director shall forthwith file a duly executed copy of the contract in the Office of the City Clerk.

7. 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 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 OF INTENT:**

This resolution authorizes an open-ended contract for the use of a State contract award to Cherry Valley Tractor Sales, Lawson Products Inc., Northeastern Arborist Supplies, Storr Tractor Company, and Trico Equipment Services LLC, to provide for the purchase of Parts and Repairs for Lawn and Grounds Equipment, for the period commencing from the adoption of this resolution to June 28, 2014, inclusive of any subsequent extensions to the term, at a cost not to exceed \$25,000.00.