



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

File #: 23-0777, Version: 1

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

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

**Type of Service:** Extension of Emergency Contract #E2023-03

**Purpose:** To extend the Emergency Contract to purchase water purification chemicals to be delivered in bulk quantities to the Water Treatment Plant, West Milford.

**Entity Name(s) and Address(s):**

- 1) Chemtrade Chemical US, LLC, 90 East Halsey Road, Parsippany, New Jersey 07054
- 2) George S. Coyne Chemical Co., Inc., 3015 State Road, Croydon, Pennsylvania 19021
- 3) Shannon Chemical, 602 Jeffers Circle, Suite 116, Exton, Pennsylvania 19341
- 4) Carus, LLC, 315 Fifth Street, Peru, Illinois 61354
- 5) Polydyne, Inc., 1 Chemical Plant Road, Riceboro, Georgia 31323
- 6) Carmeuse Lime, Inc., 11 Stanwix Street, 21<sup>st</sup> Floor, Pittsburgh, Pennsylvania 15222

**Contract Amount:** Not to exceed \$500,000.00

**Funding Source:** 2023 Budget/Department of Water and Sewer Utilities/NW037-750-7502-83230-B2023

**Contract Period:** Extended from May 15, 2023 until November 14, 2023

or until new contract(s) are executed whichever comes first

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

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

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

**Additional Information:**

An Emergency Contract #E2023-03 was awarded to six (6) vendors in an amount not to exceed \$200,000.00 for the period of February 16, 2023 through May 15, 2023 for the City's Department Water and Sewer Utilities.

This extension of Emergency Contract #E2023-03 will be in place until new contract(s) are awarded and this extension will increase the contract amount by \$300,000.00 for a new total emergency contract amount not to exceed \$500,000.00.

**WHEREAS**, on February 14, 2023, the Department Water and Sewer Utilities requested a declaration of emergency until the Emergency is abated for a Service Providers to Supply water Purification chemicals to be delivered in bulk quantities to the Water Treatment Plant, West Milford, New Jersey; and

**WHEREAS**, on February 16, 2023, pursuant to N.J.S.A. 40A:11-6 and N.J.A.C. 5:34-6.1(a), the Purchasing Agent, QPA, approved the aforementioned request and the Department of Water and Sewer Utilities entered into Emergency Contract #E2023-03 for a period of February 16, 2023 through May 15, 2023 with a "not to exceed" amount of Two Hundred Thousand Dollars and Zero Cents (\$200,000.00) with 1) Chemtrade Chemical US, LLC., 90 East Halsey Road, Parsippany, N.J. 07054; 2) George S. Coyne Chemical Co. Inc., 3015 State Road, Croydon, P.A. 19021; 3) Shannon Chemical, 602 Jeffers Circle-Suite 116, Exton, P.A. 19341; 4) Carus, LLC., 315 Fifth Street, Peru, IL

61354; 5) Polydyne Inc., 1 Chemical Plant Rd, Riceboro, G.A. 31323; 6) Carmeuse Lime, Inc., 11 Stanwix Street, 21st Floor, Pittsburgh, P.A. 15222; A copy of said Emergency Contract #E-2023-03 is attached hereto and made a part hereof; and

**WHEREAS**, the Department of Water and Sewer Utilities continues to be in immediate and emergent need for Service Providers to Supply Water Purification Chemical deliveries in bulk quantities to the Water Treatment Plant, West Milford, New Jersey as the City prepares bid evaluations and determinations; 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 service; and

**WHEREAS**, the Department of Water and Sewer Utilities desires to ratify and extend Emergency Contract #E2023-03 for the period commencing from May 15, 2023 and continuing until new contract(s) are in place and increase the contract by Three Hundred Dollars and Zero Cents (\$300,000.00) for a new total amount not to exceed Five Hundred Thousand Dollars and Zero Cents (\$500,000.00); 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**, it is a matter of public health, safety and welfare that the above-described emergency contract be extended because the City of Newark still needs to ensure the safe and uninterrupted services and any interruption of the services would pose an imminent harm to the health, safety and welfare of the residents of the City of Newark; and

**WHEREAS**, City Ordinance 6PSF-e adopted on 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; and

**WHEREAS**, the Municipal Council has the exclusive authority to extend an emergency; and

**WHEREAS**, the Department of Administration now seeks authorization by the Municipal Council to ratify and extend the emergency to prevent interruption of declaration of emergency until the Emergency is abated for a Service Provider to Supply Water Purification Chemicals to be delivered in bulk quantities to the Water Treatment Plant, West Milford, New Jersey.

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

1. The Mayor and/or his designees, the Business Administrator, and/or the Purchasing Agent, QPA, are hereby authorized to execute an extension of Emergency Contract #E2023-03 with: 1) Chemtrade Chemical US, LLC., 90 East Halsey Road, Parsippany, N.J. 07054; 2) George S. Coyne Chemical Co., Inc., 3015 State Road, Croydon, P.A. 19021; 3) Shannon Chemical, 602

Jeffers Circle-Suite 116, Exton, P.A. 19341; 4) Carus, LLC., 315 Fifth Street, Peru, IL 61354; 5) Polydyne Inc., 1 Chemical Plant Rd, Riceboro, G.A. 31323; 6) Carmeuse Lime, Inc., 11 Stanwix Street, 21st Floor, Pittsburgh, P.A. 15222 for the period commencing on May 15, 2023 through November 14, 2023 or until new contract(s) are executed whichever comes first; and increase the contract amount by Three Hundred Thousand Dollars and Zero Cents (\$300,000.00) for a total contract amount not to exceed Five Hundred Thousand Dollars and Zero Cents (\$500,000.00).

2. This extension will allow for the continuation of the Service Provider to Supply water Purification chemicals to be delivered in bulk quantities to the Water Treatment Plant, West Milford, New Jersey.
3. The extension of Emergency Contract #E2023-03 is ratified from May 15, 2023 to the date of adoption of this authorizing Resolution until November 14, 2023 or until new contract(s) are executed whichever comes first.
4. Funds are available for Emergency Contract #E2023-03 2023 in an amount not to exceed Five Hundred Thousand Dollars and Zero Cents (\$500,000.00) under line appropriation of the Official Budget, which shall be charged is: 037-750-7502-83230-B2023.
5. The Qualified Purchasing Agent, for the City of Newark, has filed a copy of Emergency Contract #E2023-03, 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 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 ratifies and authorizes the Mayor, and/or his designees, the Business Administrator and/or the Purchasing Agent, QPA, to extend Emergency Contract #E2023-03 with 1) Chemtrade Chemical US, LLC., 90 East Halsey Road, Parsippany, N.J. 07054; 2) George S. Coyne Chemical, Co. Inc, 3015 State Road, Croydon, P.A. 19021; 3) Shannon Chemical, 602 Jeffers Circle-Suite 116, Exton, P.A. 19341; 4) Carus, LLC., 315 Fifth Street, Peru, IL 61354; 5) Polydyne Inc., 1 Chemical Plant Rd, Riceboro, G.A. 31323; 6) Carmeuse Lime, Inc., 11 Stanwix Street, 21st Floor, Pittsburgh, P.A. 15222; for Service Providers to Supply Water Purification Chemicals to be delivered in bulk quantities to the Water Treatment Plant, West Milford, New Jersey, for the period commencing on May 15, 2023 through November 14, 2023 or until new contract(s) are executed whichever comes first; and increase the contract amount by Three Hundred Thousand Dollars and Zero Cents (\$300,000.00) for a new total amount not to exceed Five Hundred Thousand Dollars and Zero Cents (\$500,000.00).