



## Legislation Text

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File #: 20-1370, Version: 1

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

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

**Type of Service:** Bid Contract(s)

**Purpose:** To purchase ammunition.

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

Atlantic Tactical, Inc., 763 Corporate Circle, New Cumberland, Pennsylvania 17070

**Contract Amount:** Not to exceed \$700,000.00

**Funding Source:** 2020 Budget/Department of Public Safety, Division of Police/NW011-190-1902-83830-B2020

**Contract Period:** To be established for a period not to exceed twenty-four (24) consecutive months commencing upon a fully executed contract

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

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

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

**Additional Information:**

To purchase ammunition for the Department of Public Safety, Division of Police.

Advertisement: September 23, 2020

Bids Solicited: Five (5)

Bid Received: One (1)

**WHEREAS**, on September 23, 2020, the City of Newark through its Purchasing Agent, QPA, advertised to solicit bids for contractors to provide Ammunition for the Department of Public Safety, Division of Police, as described in the attached bid proposal; and

**WHEREAS**, the Division of Central Purchasing also distributed five (5) bid proposal packages to prospective vendors following the date of advertisement; and

**WHEREAS**, the Division of Central Purchasing also published the bid package on the City of Newark's website to provide broader access and download capability to potential bidders; and

**WHEREAS**, on October 8, 2020, the Division of Central Purchasing received one (1) bid in response to this advertisement; and

**WHEREAS**, the Captain of Police Finance and Grant Commander for the Department of Public Safety, Division of Police recommended that an award be made to Atlantic Tactical, Inc., for being the sole responsive and responsible bidder; and

**WHEREAS**, the Purchasing Agent, QPA, recommends that an award be made to: Atlantic Tactical, Inc., the sole bidder per line item commodity and being the only responsive, and responsible bidder to provide ammunition to the City; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-24, the recommended bidder consented to holding their bid beyond sixty (60) days; and

**WHEREAS**, pursuant to N.J.S.A. 19:44A20.5 et seq., solicitations through public bidding in accordance with N.J.S.A. 40A:11-1 et seq. meets the requirements of the Fair and Open Process.

**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 Business Administrator, is hereby authorized to enter into and execute a contract with: Atlantic Tactical, Inc., 763 Corporate Circle, New Cumberland, Pennsylvania 17070 to receive line items #1, 2, 3, 4, 5, 6, 7, 8 and 9 for year one and year two, to provide ammunition to the City, whose bid was received on the advertised due date and determined to be the sole bidder per line item commodity per brand per year and being a responsive and responsible bidder. The term of the contract will be established for twenty-four (24) consecutive months, pursuant to N.J.S.A. 40A:11-15, start date to commence upon fully executed contract.
2. There shall be no amendment or change of this contract without the approval of the Municipal Council.
3. There shall be no advance payment on this contract in accordance with N.J.S.A. 40A:5-16. Funds for 2020 and subsequent years are contingent upon appropriations, pursuant to N.J.A.C. 5:30-5.5(d)(2).
4. This is an open-ended contract to be used as needed during the term of the contract. For any and all expenditures against this contract, a certification of the availability of sufficient funds, as required by N.J.A.C. 5:30-5.5(b)(2), shall be executed before a contractual liability is incurred each time an order is placed from Account Code Line: NW011-190-1902-83830-B2020/ Department of Public Safety, Division of Police, covering the amount of the order. This contract shall not exceed Seven Hundred Thousand Dollars and Zero Cents (\$700,000.00) for twenty-four (24) consecutive months for one (1) vendor.
5. The Purchasing Agent, QPA, shall file a duly executed copy of this contract in 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 authorizes the Mayor and/or his designee, the Business Administrator to enter into and execute a contract with Atlantic Tactical, Inc., to provide ammunition to the City of Newark at a cost not to exceed \$700,000.00 for twenty-four (24) consecutive months for one (1) vendor.

