



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

File #: 23-1062, Version: 1

**Dept/ Agency:** Administration/Office of Information Technology

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

**Type of Service:** Use of State Contract(s) #T0167 Master Blanket POs #21- FOOD-01747, #21-FOOD-01748, #21-FOOD-01749

**Purpose:** To purchase Electrical Equipment and Supplies.

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

1) Pemberton Electrical Supply Company LLC, 140 Mount Holly Bypass, Unit 7, Lumberton, New Jersey 08048

2) Keer Electrical Supply Co., Inc., 287 Mt. Pleasant Avenue, Newark, New Jersey 07104

3) Jewel Electric, LLC, 455 Third Street, Jersey City, New Jersey 07302

**Contract Amount:** Not to exceed \$100,000.00

**Funding Source:** 2023 Budget/Department of Water and Sewer Utilities/ NW037-750-7502-83380-B2023 and NW037-750-7502-83730-B2023

**Contract Period:** Upon approval of Municipal Council through September 30, 2024, 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

**Additional Information:**

This contract will provide for the purchase Electrical Equipment and Supplies on an as-needed basis from these state contracts for the Department of Water and Sewer Utilities.

**Whereas**, the City of Newark, through its Qualified Purchasing Agent (the "City"), wishes to utilize State Contracts #T0167 Electrical Equipment and Supplies, Master Blanket POs #21-FOOD-01747, #21-FOOD-01748, and #21-Food-01749 for Department of Water and Sewer Utilities 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 are 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 et seq., 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 State Contracts #T0167 Electrical Equipment and Supplies; Master Blanket PO #21-FOOD-01747 awarded to Pemberton Electrical Supply Company LLC, 140

Mount Holly Bypass, Lumberton, New Jersey 08048, #21-FOOD-01748 awarded to Keer Electrical Supply Co. Inc., 287 Mt. Pleasant Avenue, Newark, New Jersey 07104 and #21-FOOD-0174 awarded to Jewel Electric LLC, 455 Third Street, Jersey City, New Jersey 07302 for the Department of Water and Sewer Utilities to purchase Electrical Equipment and Supplies at an amount not to exceed One Hundred Thousand Dollars (\$100,000.00), upon approval by the Municipal Council, through September 30, 2024, inclusive of extensions by the State.

**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 Qualified Purchasing Agent is authorized to utilize State Contract #T0167 Electrical Equipment and Supplies; Master Blanket PO #21-FOOD-01747 awarded to Pemberton Electrical Supply Company LLC, 140 Mount Holly Bypass, Lumberton, New Jersey 08048, #21-FOOD-01748 awarded to Keer Electrical Supply Co. Inc., 287 Mt. Pleasant Avenue, Newark, New Jersey 07104 and #21-FOOD-0174 awarded to Jewel Electric LLC, 455 Third Street, Jersey City, New Jersey 07302 for the Department of Water and Sewer Utilities for the period commencing upon approval by the Municipal Council through September 30, 2024, inclusive of extensions granted by the State.
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 documentations and agreements.
3. There shall be no amendments to this Resolution without the approval of the Municipal Council.
4. There shall be no advance payment on this State Contract in accordance with N.J.S.A. 40A:5-16.
5. These are open-ended contracts to be used as needed during the term of each contract. Thus for any and all expenditures against these contracts, a certification of the availability of sufficient funds, as required by N.J.A.C. 5:30-5.5(d)(2), shall be executed before a contractual liability is incurred each time an order is placed. Funds for the purchase shall be made from Funding Source: Department of Water and Sewer Utilities NW037-750-7502-83380-B2023 and NW037-750-7502-83730-B2023. These contracts shall not exceed a total of One Hundred Thousand Dollars and Zero Cents (\$100,000.00).
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 Division of Central Purchasing shall file a duly executed copy of the contract in the Office of the City Clerk, if applicable.
8. If required by State Law, the City Clerk shall provide the appropriate Notice of 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 of the City of Newark and/or his designees, the Business Administrator, and/or the Purchasing Agent, QPA, are hereby authorized to utilize State Contracts #T0167 Electrical Equipment and Supplies; Master Blanket PO #21-FOOD-01747 awarded to Pemberton Electrical Supply Company LLC, 140 Mount Holly Bypass, Lumberton, New Jersey 08048, #21-FOOD-01748 awarded to Keer Electrical Supply Co. Inc., 287 Mt. Pleasant Avenue, Newark, New Jersey 07104 and #21-FOOD-0174 awarded to Jewel Electric LLC, 455 Third Street, Jersey City, New Jersey 07302 to purchase Electrical Equipment and Supplies for the Department of Water and Sewer Utilities for the period commencing upon approval by the Municipal Council through September 30, 2024, inclusive of extensions granted by the State, at a contract amount not to exceed One Hundred Thousand Dollars and Zero Cents (\$100,000.00).