



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

File #: 13-1487, Version: 1

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

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

**Type of Service:** Use of State Contract(s) # 84205

**Purpose:** Catch Basin Castings, Inlets & Manholes

**Entity Name(s)/Address(s):** Campbell Foundry Co., 800 Bergen Street, Harrison, New Jersey 07029

**Contract Amount:** Not to Exceed \$750,000.00

**Funding Source:** Water & Sewer Utilities Budget

**Contract Period:** Upon Municipal Council Approval - May 31, 2016, 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:**

**Additional Information:**

**No Action Taken 7R1-b 100213**

**No Action Taken 7R1-b 101013**

**WHEREAS**, the City of Newark through its Purchasing Director wishes to utilize State Term Contract (Index No. T- 0148), Catch Basin Castings, Inlets & Manholes contract, 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. 5:34-1.7, (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, (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 vendor commencing adoption of this resolution to May 31, 2016, inclusive of any subsequent extensions to the term of the contract; pursuant to N.J.S.A. 40A:11-15(42).

# 84205, Campbell Foundry Company, 800 Bergen Street, Harrison, New Jersey 07029

**WHEREAS**, the Purchasing Director recommends the utilization of this state contract award

on the grounds that it provides Catch Basin Castings, Inlets & Manholes, according to specifications required by the City of Newark; and

**WHEREAS**, the total cost for the purchase of Catch Basin Castings, Inlets & Manholes, is expected not to exceed \$750,000.00; and

**WHEREAS**, usage of this contract provides Catch Basin Castings, Inlets & Manholes, as required by the Department of 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 # 84205, Campbell Foundry Co., 800 Bergen Street, Harrison, New Jersey 07029 to provide CATCH BASIN CASTINGS, INLETS & MANHOLES, for the period commencing from the adoption of this resolution to May 31, 2016, 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 2013 and subsequent year's expenditures 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 \$750,000.00 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

This resolution authorizes an open-ended contact for the use of State Term Contract T-0148 awarded to Campbell Foundry Co., to provide for the purchase of Catch Basin Castings, Inlets & Manholes, for the period commencing from the adoption of this resolution to May 31, 2016, inclusive of any subsequent extensions to the term, at a cost not to exceed \$750,000.00.