



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

File #: 20-0758, Version: 1

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

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

**Type of Service:** Use of State Contract(s) G-2004 Furniture: Office, Lounge, and Systems-Statewide

**Purpose:** To provide Using Agencies with the ability to purchase Furniture, Office and Lounge, Files Freestanding Vertical and Lateral, and System Furniture.

**Entity Name(s)/Address(s):** Business Furniture, Inc., 133 Rahway Avenue, Elizabeth, New Jersey 07202-6019

**Contract Amount:** Not to exceed \$520,121.90

**Funding Source:** 2020 Budget/Department of Finance/NW026-46155-B2020

Department of Health and Community Wellness/NW051-G20-2H2P0-A-94010-B2020/NW051-G20-2H2Q0-A-94010-B2020/NW051-G20-2H2R0-A-94010-B2020/NW051-G20-2H2T0-A-94010-B2020/NW027-A18-EC831-A-72090-B2018

**Contract Period:** Upon approval of the Municipal Council through April 30, 2021 inclusive of any extension 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:**

**WHEREAS**, the City of Newark (the "City"), through the Qualified Purchasing Agent, QPA (the "QPA"), wishes to utilize State Term Contract G-2004 Furniture: Office, Lounge and Systems to purchase Furniture, Office and Lounge, Files Freestanding Vertical and Lateral, and System Furniture 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/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:11-5, N.J.S.A. 52:25-16.1 et seq. and N.J.A.C. 5:34-1.7, 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 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 this State Contract G-2004 Furniture: Office, Lounge and Systems with: (1) Herman Miller, Inc., 855 East Main Avenue, Zeeland, Michigan 49464 for the purchase of Furniture, Office and Lounge, Files Freestanding Vertical and Lateral, and System

Furniture under vendor Contract #81620, upon approval of this resolution by the Municipal Council through April 30, 2021 inclusive of extensions by the State; and

**WHEREAS**, Business Furniture, Inc. (#V00001747), 133 Rahway Avenue, Elizabeth, New Jersey 07202 is an authorized subcontractor under State Contract G-2004 Furniture: Office, Lounge and Systems for Herman Miller, Inc., 855 East Main Avenue, Zeeland, Michigan 49464.

**WHEREAS**, the QPA recommends the utilization of this State Contract award on the grounds that it provides Furniture, Office and Lounge, Files Freestanding Vertical and Lateral, and System Furniture according to specifications required by the City's Department of Health and Community Wellness and Department of Finance; and

**WHEREAS**, usage of this State Contract will provide Furniture, Office and Lounge, Files Freestanding Vertical and Lateral, and System Furniture at a cost not to exceed Five Hundred Twenty Thousand One Hundred Twenty-One Dollars and Ninety Cents (\$520,121.90); and

**WHEREAS**, the Chief Financial Officer has certified the funds under Requisition(s): #NW026 0000003117, NW051 0000025278, NW051 0000025277, NW051 0000025276, NW051 0000025275, NW051 0000003032.

**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 QPA is authorized to utilize State Term Contract G-2004 Furniture: Office, Lounge and Systems, which includes vendor Contract #81620 Herman Miller, Inc., 855 East Main Avenue, Zeeland, Michigan 49464; to purchase Furniture, Office and Lounge, Files Freestanding Vertical and Lateral, and System Furniture, for the period commencing upon adoption of this resolution by the Municipal Council through April 30, 2021 inclusive of extensions by the State.
2. Herman Miller, Inc., 855 East Main Avenue, Zeeland, Michigan 49464, an authorized vendor under State Contract G-2004 Furniture: Office, Lounge and Systems, is permitted to use an authorized subcontractor, Business Furniture, Inc., 133 Rahway Avenue, Elizabeth, New Jersey 07202-6019 to provide Furniture, Office and Lounge, Files Freestanding Vertical and Lateral, and System Furniture.
3. All purchases, Purchase Orders and other related documentation shall be in accordance with the relevant State Contract, State of New Jersey Standard Terms and Conditions, Method of Operation and Third Party Agreement/Three Party Agreement (if applicable) as contained in the State Contract Documentations and Agreements.
4. There shall be no amendment of this resolution without the approval of the Municipal Council.
5. There shall be no advance payment on this State contract in accordance with N.J.S.A. 40A:5-16. Funding is contingent upon appropriation, pursuant to N.J.A.C. 5:30-5.5(c).
6. This contract is awarded as an open-ended contract, pursuant to N.J.A.C. 50:30-5.5(d)(2). A certification of the availability of funds shall be executed each time an order is placed and

