



## Legislation Text

File #: 23-0939, Version: 1

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

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

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

**Purpose:** Amend Resolution 7R1-e050422, for Paint, Painting Tools and Supplies.

**Entity Name(s)/Address(s):** The Sherwin-Williams Company, 226 Talmadge Road, Edison, New Jersey 08817

**Contract Amount:** Not to exceed \$494,400.00

**Funding Source:** 2023 Budget/Office of the Mayor, Municipal Court/NW011-010-0107-83010-B2023/Department of Recreation, Cultural Affairs and Senior Services/NW026-160-1606-83840-B2023

**Contract Period:** January 15, 2023 through June 14, 2025

**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:**

Resolution 7R1-e adopted on May 4, 2022 awarded a contract in an amount to exceed 284,000.00 for a period not to exceed twenty-four (24) consecutive months.

This Resolution authorizes the Office of the Mayor/Municipal Court and the Department of Recreation, Cultural Affairs and Senior Services to utilize the contract for Paint, Painting Tools and Supplies and to increase the not to exceed contract amount by \$210,400.00 for a total contract amount to exceed \$494,400.00.

**WHEREAS**, on May 4, 2022 Municipal Council adopted Resolution 7R1-e authorizing the Department Public Works, Division of Public Buildings, Department of Engineering, Division of Traffic and Signals, Department of Public Works/Division Sanitation and the Department of Water and Sewer Utilities to enter into a contract with The Sherwin-Williams Company, 226 Talmadge Road, Edison, New Jersey 08817 for the provision of Paint Painting Tools and Supplies at an amount not exceed Two Hundred Eighty-Four Thousand Dollars and Zero Cents \$284,000.00 and

**WHEREAS**, the Office of Mayor/Municipal Courts and the Department of Recreation and Cultural Affairs and Senior Services notified the Division of Central Purchasing of their desire to amend the contract with The Sherwin-Williams Company, 226 Talmadge Road Edison New Jersey 08817, to utilize the contract to purchase Paint, Painting Tools and Supplies at a cost not to exceed Two Hundred Ten Thousand Four Hundred Dollars (\$210,400.00) for an increased total contract amount not to exceed Four Hundred Ninety Four Thousand Four Hundred Dollars and Zero Cents (\$494,400.00); and

**WHEREAS**, all other contract terms and conditions will remain the same.

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

1. Resolution 7R1-e adopted on May 4, 2022 is amended to include the Offices of the Mayor/Municipal Courts and the Department of Cultural Affairs and Senior Services as an authorizing department on the contract with The Sherwin-Williams Company, 226 Talmadge Road, Edison New Jersey 08817 to provide Paint, Painting Tools and Supplies, whose bid was received on the advertised due date and determined to be the lowest responsive and bid responsible bidder in accordance with the bid specifications. The term of the contract is January 15, 2023 through June 14, 2025.
2. This contract shall increase by an amount not to exceed Two Hundred Ten Thousand Four Hundred Dollars (\$210,400.00) for an increased total contract amount not to exceed Four Hundred Ninety Four Thousand Four Hundred Dollars and Zero Cents (\$494,400.00).
3. This contract shall be ratified back to January 15, 2023 from the date of the adoption of this amending Resolution.
4. There shall be no amendment to change of this contract without the approval of the Municipal Council by Resolution.
5. There shall be no advance payment on this contract in accordance with N.J.S.A. 40:5-30.5.5 (d)(2).
6. This is an open-ended contract to be used as needed during the term of the contract. Thus, 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: 2021 Budget/Department Public Works, Division of Public Buildings/NW011-060-0604-83370/Department of Engineering, Division of Traffic and Signals/NW011-110-1107-83720/Department of Public Works, Division of Sanitation/NW011-11-060-0605-83370/Department of Water and Sewer Utilities/NW037-750-7502-83370 Office of the Mayor/Municipal Courts/NW011-010-0107-0830 -B2023, Department of Recreation and Cultural Affairs and Senior Services NW011-160-1606-83480-B2023, this contract shall not exceed Four Hundred Ninety Four Thousand Four Hundred Dollars and Zero Cents (\$494,400.00) for one (1) vendor for the contract term January 15, 2023 through June 14, 2025.
7. The Purchasing Agent, QPA, shall file a copy of the Resolution and the duly executed copy of the contract in the Office of the City Clerk.
8. 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, authorizes and amends Resolution 7R1-e adopted on May 4, 2022 to include the Office of the Mayor/Municipal Courts and the Department of Recreation and Cultural Affairs and Seniors Services as authorizing departments on the contract with The Sherwin-Williams Company, 226 Talmadge Road, Edison New Jersey 08817, to purchase Paint, Painting Tools and Supplies, and increase the contract by an amount not to exceed Two Hundred Ten Thousand Four Hundred Dollars (\$210,400.00), for an amended total contract amount not to exceed Four Hundred Ninety Four Thousand Four Hundred Dollars and Zero Cents (\$494,400.00). This contract shall be ratified back to January 15, 2023 from the date of adoption of this amending resolution.