



## Legislation Text

File #: 23-1099, Version: 1

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

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

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

**Purpose:** Flashlights and Batteries

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

- 1) Continental Trading and Hardware, 400 Delancey Street, Newark, New Jersey 07105
- 2) Plastic Express, Inc., 667 Lehigh Avenue, Union, New Jersey 07083
- 3) Star Data Co., P.O. Box 12, Hewlett, New York 11557

**Contract Amount:** Not to exceed \$138,400.00

**Funding Source:** Departments of Administration: Division of Central Purchasing/NW011-030-0303-94220-B2023, Office of Violence Prevention and Trauma Recovery/NW011-030-0312-718-B2023, Department of Administration: Economic & Housing Development/ NW011-150-1504-83360-B2023; Department of Engineering: Director's Office/ NW011-110-1101-83130-B2023, Department of Engineering: Division of Traffic & Signals/ NW011-110-1107-B2023; Department of Health and Community Wellness: Division of Environmental Health/ NW011-120-1203-83030-B2023, Department of Health and Community Wellness: Division of Immunization/ NW-051-G22-2H22H-8387-B2022, Department of Health and Community Wellness: Office of Health Education and Community Engagement NW051-G22-2H22M-8387-B2023, Department of Health and Community Wellness: Division of Childhood Lead/ NW051-622-2H22K-83010-B2022, Department of Health and Community Wellness: Division of Lead Abatement/NW051-620-H20Q0-83010-B2020, Department of Health and Community Wellness: Division of Surveillance & Protection, Division of Medical Care Services/ NW026-46545-B2023, NW051-G21-H21Q0-83010-B2021, Department of Public Safety: Division of Fire/ NW011-190-1903-94510-B2023, Department of Public Safety: Division of Police/ NW011-190-1902-83850-B2023, Department of Public Safety: Office of Emergency Management/ NW011-190-1904-8380-B2023; Department of Public Works: Division of Public Buildings NW011-060-8387-B2023, Department of Public Safety: Division of Motors/ NW011-060-0602-8301-B2023, Department of Public Safety: Division of Sanitation/ NW011-606-0605-83870-B202, Office of City Clerk and Municipal Council/ NW011-020-0201-83870-B2023

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

**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:**

This contract will provide for the purchase of Flashlights and Batteries for the Departments of Administration, Economics and Housing Development, Engineering, Health and Community Wellness, Public Safety, Public Works, Water and Sewer Utilities, and the Office of the City Clerk and Municipal Council.

Advertisement Date: June 16, 2023

Bids Solicited: Nineteen (19)

Bids Received: Three (3)

**WHEREAS**, on June 16, 2023, pursuant to N.J.S.A. 40A:11-4, the City of Newark, through its Purchasing Agent, QPA, advertised to solicit bids for contractors to provide Flashlights and Batteries for the Departments of Administration, Division of Central Purchasing, Office of Violence Prevention & Trauma Recovery, Economic & Housing Development; Department of Engineering, Director's Office and Division of Traffic & Signals; Health and Community Wellness, Division of Environmental Health, Division of Immunization & Surveillance and Prevention, Division of Medical Care Services; Department of Public Safety, Division of Fire, Division of Police, Office of Emergency Management; Department of Public Works, Division of Public Buildings, Division of Motors, Division of Sanitation, Office of City Clerk and Municipal Council as described in the attached bid proposal; and

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

**WHEREAS**, on June 29, 2023, the Division of Central Purchasing received three (3) bids in response to this advertisement; and

**WHEREAS**, the Department of Water and Sewer Utilities recommended that a multiple award be made to 1) Continental Trading & Hardware, 400 Delancey Street, Newark, New Jersey 07105, 2) Plastic Express, Inc., 667 Lehigh Avenue, Union, New Jersey 07083 and 3) Star Data Co., PO Box 12, Hewlett, New York 11557; and

**WHEREAS**, the Purchasing Agent, QPA, concurs with the recommendation from that a multiple award be made to 1) Continental Trading & Hardware 400 Delancey Street Newark, New Jersey 07105, 2) Plastic Express, Inc. 667 Lehigh Avenue, Union, New Jersey 07083 and 3) Star Data Co. PO Box 12, Hewlett, New York 11557, the lowest, responsive and responsible bidders per line item commodity, per year to provide Flashlights and Batteries; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-24, the recommended bidders consented to holding the bid for consideration until such time as an award is made, as the law permits; and

**WHEREAS**, pursuant to N.J.S.A. 19:44A-20.5 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, and/or Purchasing Agent, QPA, are hereby authorized to enter into and execute a contract with 1) **Continental Trading & Hardware**, 400 Delancey Street Newark, New Jersey 07105 to receive for **Year 1** and **Year 2** line items #24, 25, 26, 27, 28, 29, 32, 39, 40, and 50; and 2) **Plastic Express, Inc.** 667 Lehigh Avenue, Union, New Jersey 07083 to receive for **Year 1** and **Year 2** line items #31 and 3) **Star Data Co.**, PO Box 12, Hewlett, New York 11557 to receive for **Year 1** line items #1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 30, 33, 34, 35, 36, 37, 38, 40, 41, 42, 43, 44, 45, 46, 47, 48 and 49 and for **Year 2** line items #1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 30, 33, 34, 35, 36, 37, 38, 40, 41, 42, 43, 44, 45, 46, 47, 48 and 49 for Year 2,

to purchase Flashlights and Batteries for the City of Newark whose bids were received on the advertised due date and determined to be the lowest responsive and responsible bidders in accordance with the bid specifications. The term of the contract will be established for a period not to exceed twenty-four (24) consecutive months, pursuant to N.J.S.A. 40A:11-15 to commence on the date the contract is executed, at a cost not to exceed One Hundred Thirty-Eight Thousand Four Hundred Dollars and Zero Cents (\$138,400.00).

2. There shall be no amendment or change of this contract without the approval of the Municipal Council by resolution.
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. 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: Department of Administration: Division of Central Purchasing/NW011-030-0303-94220-B2023, Office of Violence Prevention & Trauma Recovery/ NW011-030-0312-718-B2023, Economic & Housing Development/ NW011-150-1504-83360-B2023; Department of Engineering: Director's Office/ NW011-110-1101-83130-B2023, Division of Traffic & Signals/ NW011-110-1107-B2023; Department of Health and Community Wellness: Division of Environmental Health/ NW011-120-1203-83030-B2023, Division of Immunization/ NW-051-G22-2H22H-8387-B2022, Office of Health Education and Community Engagement NW051-G22-2H22M-8387-B2023, Division of Childhood Lead/ NW051-622-2H22K-83010-B2022, Division of Lead Abatement/NW051-620-H20Q0-83010-B2020, Division of Surveillance & Protection, Division of Medical Care Services/ NW026-46545-B2023, NW051-G21-H21Q0-83010-B2021; Department of Public Safety: Division of Fire/ NW011-190-1903-94510-B2023, Division of Police/ NW011-190-1902-83850-B2023, Office of Emergency Management/ NW011-190-1904-8380-B2023; Department of Public Works: Division of Public Buildings NW011-060-8387-B2023, Division of Motors/ NW011-060-0602-8301-B2023, Division of Sanitation/ NW011-0606-0605-83870-B202, Office of City Clerk and Municipal Council/ NW011-020-0201-83870-B2023. This contract shall not exceed One Hundred Thirty-Eight Thousand Four Hundred Dollars and Zero Cents (\$138,400.00) for a period to be established and not to exceed twenty-four (24) consecutive months for three (3) vendors with the start date of the contract commencing upon contract execution.
5. The Purchasing Agent, QPA, shall file a copy of this resolution and the duly executed copy of the 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 and/or the Purchasing Agent, QPA, to enter into and execute a contract with to 1) Continental Trading & Hardware 400 Delancey Street Newark, New Jersey 07105, 2) Plastic Express, Inc. 667 Lehigh Avenue, Union, New Jersey 07083 and 3) Star Data Co. PO Box 12, Hewlett, New York 11557, to provide Flashlights and Batteries to the City of Newark at a cost not to exceed One Hundred Thirty-Eight Thousand Four Hundred Dollars and Zero Cents (\$138,400.00) for a period to be established and not to exceed twenty-four (24) consecutive months with the start date commencing upon contract execution.