



City of Newark

City Hall
920 Mayor Kenneth A.
Gibson Boulevard
Newark, New Jersey 07102

Legislation Text

File #: 17-1458, Version: 1

Dept/ Agency: Administration/Division of Central Purchasing

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

Type of Service: Use of State Contract(s) Term Contract T2187 and all applicable vendors and dealers

Purpose: Parts and Repair for Lawn and Grounds Equipment

Entity Name(s)/Address(s): See below.

Contract Amount: Not to exceed \$35,000.00

Funding Source: 2017 Budget/

Department of Water and Sewer Utilities,

Fund: NW037-Dept.750-Div.7502-Acct-72220-B2017

Department of Public Works,

Fund: NW011-Dept.-060-Div.0605-Acct's-71280, 82420, 82870 and 94330-B2017

Contract Period: Upon approval by Municipal Council through February 16, 2020 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:

#43022 Cherry Valley Tractor Sales, 35 Route 70 W., Marlton, NJ 08053-3009

#43030 Keehn Power Products, 132 Johnson Ave., Hackensack, NJ 07601

#43031 Northeast Equipment, 1190 Route 23 South, Cedar Grove, NJ 07009

#43038 Storr Tractor Company, 3191 US Highway 22, Branchburg, NJ 08876

Additional Information:

Cost is not to exceed \$10,000.00 for the Department of Water and Sewer Utilities and not to exceed \$25,000.00 for the Department of Public Works, for a combined total cost not to exceed \$35,000.00.

WHEREAS, the City of Newark (hereinafter "City") through its Supervising Procurement Specialist, QPA, wishes to utilize the Parts and Repair for Lawn and Grounds Equipment, State Term Contract T2187 (hereinafter referred to as "Contract") to repair City lawn and grounds equipment and purchase parts from authorized vendors or distributors 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 through State contracts 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 and is authorized by Local Public Contracts Law, N.J.S.A. 40A:11-12; and

WHEREAS, in accordance with N.J.S.A. 52:25-16.1 et seq., local contracting units are responsible for ensuring that the Purchase Orders issued reflect 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. Local contracting units assume full

responsibility for all purchase transactions issued through State contracts, including purchase orders, delivery compliance, and payments; and

WHEREAS, the State awarded the Contract to the following vendors:

#43022 to Cherry Valley Tractor Sales, 35 Route 70 W, Marlton, NJ 08053-3009;

#43030 to Keehn Power Products, 132 Johnson Ave. Hackensack, NJ 07601; #43031 to Northeast Equipment, 1190 Route 23 South, Cedar Grove, NJ 07009; and

#43038 to Storr Tractor Company, 3191 US Highway 22, Branchburg, NJ 08876.

WHEREAS, the Department of Water and Sewer Utilities seeks an amount not to exceed \$10,000.00 to use the Contract for repairs and parts replacement of City lawns and grounds equipment; and

WHEREAS, the Department of Public Works seeks an amount not to exceed \$25,000.00 to use the Contract for repairs and parts replacement of City lawns and grounds equipment; and

WHEREAS, the Supervising Procurement Specialist, QPA, recommends the utilization of this Contract on the grounds that it provide parts and repairs of lawn and grounds equipment services according to specifications required by the City of Newark, Department of Water and Sewer Utilities and the Department of Public Works; and

WHEREAS, usage of this Contract provides the services required to repair and maintain the City's lawn and grounds equipment at a maximum contract value of \$35,000.00; and

WHEREAS, the Chief Financial Officer will certify the availability of funds before orders are placed.

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 Supervising Procurement Specialist, QPA, is authorized to utilize the Parts and Repairs for Lawn and Grounds Equipment State Term Contract, T-2187 which includes the following vendors: #43022 Cherry Valley Tractor Sales, 35 Route 70 W., Marlton, NJ 08053-3009; #43030 Keehn Power Products, 132 Johnson Ave. Hackensack, NJ 07601; #43031 Northeast Equipment, 1190 Route 23 South, Cedar Grove, NJ 07009; and #43038 Storr Tractor Company, 3191 US Highway 22, Branchburg, NJ 08876 to provide parts and repairs to the City of Newark, upon approval by Municipal Council through February 16, 2020, inclusive of extensions by the State.

2. It is requested that the Municipal Council authorize this Contract usage from the date of adoption of this authorizing resolution, to facilitate maintenance service continuity of the City's Lawn and Grounds-Keeping equipment and machinery.

3. All purchases shall be in accordance with N.J.S.A. 52:25-16.1 et seq. The Supervising Procurement Specialist, QPA, is responsible for ensuring that the purchase order(s) issued reflect the correct contract item pricing and that payment is processed accordingly. Only those items/services specified in the applicable State contract(s) may be purchased from the contract vendor(s) of record.

4. 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.

5. There shall be no amendment of this resolution without the approval of the Municipal Council.
6. There shall be no advance payment on this State contract in accordance with N.J.S.A. 40A:5-16. Funding is contingent upon appropriations pursuant to N.J.A.C. 5:30-5.5(c).
7. This contract is awarded as an open-ended contract; pursuant to N.J.A.C. 5:30-5.5(b)(2). A certification of the Availability of Funds shall be executed each time a purchase order is placed and charged against this contract. This contract shall not exceed \$10,000.00 (Department of Water and Sewer Utilities) and shall not exceed \$25,000.00 (for the Department of Public Works) for a combined total amount not to exceed \$35,000.00.
8. Funds in the amount not to exceed \$10,000.00 for the Department of Water and Sewer Utilities shall be provided from the following line appropriation of the official Municipal Budget: Department of Water and Sewer Utilities, Fund: NW037, Dept. 750, Div. 7502, Acct. 72220 - B2017. The Department of Water and Sewer Utilities is the only Department that is permitted to process payments under the above budget code numbers.
9. Funds in the amount not to exceed \$25,000.00 for the Department of Public Works shall be provided from the following line appropriation of the official Municipal Budget: Department of Public Works, Fund: NW011, Dept. 060, Division 0605, Acct's 71280, 82420, 82870 and 94330 - B2017. The Department of Public Works is the only Department that is permitted to process payments under the above budget code numbers.
10. 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.
11. The Purchasing Division shall forthwith file a duly executed copy of the contract(s) in the Office of the City Clerk, if applicable.
12. 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 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 usage of the Parts and Repair of Lawn and Grounds Equipment State Term Contract T2187, which includes an award to the following vendors: # 43022 Cherry Valley Tractor Sales, ; # 43030 Keehn Power Products, ; # 43031 Northeast Equipment, ; and #43038 Storr Tractor Company, for the provision of Parts and Repairs of Lawn and Grounds Keeping Equipment, for the Department of Water and Sewer Utilities and Department of Public Works , at a cost not to exceed \$35,000.00.