



## Legislation Text

File #: 22-0651, Version: 1

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

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

**Type of Service:** Use of State Contract(s) #T2007 Sport Utility Vehicles, Gasoline/Hybrid/Electric

**Purpose:** To purchase two (2) 2022 or newer Ford Explorer SUV Limited Hybrid for the Department of Water and Sewer Utilities.

**Entity Name(s)/Address(s):** Hertrich Fleet Services, Inc., 1427 Bay Road, Milford, Delaware 19963

**Contract Amount:** Not to exceed \$90,816.00

**Funding Source:** 2019 and 2022 Budgets/Department of Water and Sewer Utilities/038-800-8007-94340-B2022 and 038-806-8067-94340-B2019

**Contract Period:** Upon approval of Municipal Council through February 18, 2023, 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:**

This is a one-time purchase.

Use of a State Contract #T2007 to purchase two (2) 2022 or newer Ford Explorer SUV Limited Hybrid vehicles for the Department of Water and Sewer Utilities.

**WHEREAS**, the City of Newark, through its Qualified Purchasing Agent (the "City"), wishes to utilize State Contract #T2007 Sport Utility Vehicles, Gasoline/Hybrid/Electric to purchase two (2) 2022 or newer Ford Explorer SUV Limited Hybrid for the Department of Water and Sewer Utilities; 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:11-11(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 the 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 State Contract #T2007 Sport Utility Vehicles, Gasoline/Hybrid/Electric to purchase two (2) 2022 or newer Ford Explorer SUV Limited Hybrid for the Department of Water and Sewer Utilities from state awarded vendor Hertrich Fleet Services, Inc., 1427 Bay Road, Milford Delaware 19963, upon approval of this Resolution by the Municipal Council through February 18, 2023, inclusive of extensions by the State; and

**WHEREAS**, usage of this contract will provide two (2) 2022 or newer Ford Explorer SUV Limited Hybrid for the Department of Water and Sewer Utilities at a cost not to exceed Ninety Thousand Eight Hundred Sixteen Dollars and Zero Cents (\$90,816.00).

**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 Mayor and/or his designees, the Qualified Purchasing Agent and/or the Business Administrator, are authorized to utilize State Contract #T2007 Sport Utility Vehicles, Gasoline/Hybrid/Electric to purchase two (2) 2022 or newer Ford Explorer SUV Limited Hybrid for the Department of Water and Sewer Utilities, from state awarded vendor Hertrich Fleet Services, Inc., 1427 Bay Road, Milford Delaware 19963 for the period commencing upon approval of this Resolution by the Municipal Council through February 18, 2023, inclusive of extensions by the State.
2. All Purchase Orders and other related documentation shall be in accordance with the relevant State Contract, New Jersey Standard Terms and Conditions, Method of Operation and Third Party Agreement, if applicable, as contained in the State Contract documentations and agreements.
3. There shall be no amendments of this Resolution without the approval of the Municipal Council.
4. There shall be no advance payment on this State Contract in accordance with N.J.S.A. 40A:5-16.
5. Attached hereto is a Certification of Funds for the purchase of two (2) 2022 or newer Ford Explorer SUV Limited Hybrid for the Department of Water and Sewer Utilities encumbered from Funding Sources 038-800-8007-94340-B2022; 038-806-8067-94340-B2019. This contract shall not exceed Ninety Thousand Eight Hundred Sixteen Dollars and Zero Cents (\$90,816.00).
6. 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 Process.
7. The Division of Central Purchasing shall file a duly executed copy of the contract in the Office of the City Clerk, if applicable.
8. If required by state law, the Acting City Clerk shall provide the appropriate Notice of 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 of the City of Newark and/or his designees, the Qualified Purchasing Agent and/or the Business Administrator to utilize State Contract #T2007 Sport Utility Vehicles, Gasoline/Hybrid/Electric to purchase two (2) 2022 or newer Ford Explorer SUV Limited

Hybrid for the Department of Water and Sewer Utilities, from state awarded vendor, Hertrich Fleet Services, Inc., 1427 Bay Road, Milford Delaware 19963 for the period commencing upon approval of this Resolution by the Municipal Council through February 18, 2023, inclusive of extensions by the State, at a cost not to exceed \$90,816.00.