



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 12-1286, Version: 4

Dept/ Agency: Administration/Division of Central Purchasing

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

Type of Service: Bid Contract(s)

Purpose: Gases with Rental of Tanks

Entity Name(s)/Address(s): 1. Praxair Distribution Mid Atlantic, LLC dba
GTS Welco 5275 Tilghman Street, Allentown, PA 18104

2. Air Gas East, Inc. 27 Northwestern Avenue Salem, NH 03079

Contract Amount: For an amount not to exceed \$43,999.00

Funding Source: City of Newark Budget/Departments of Water and Sewer Utilities, Department of Neighborhood and Recreational Services, Department of Engineering, Child and Family Well-Being and Fire Department.

Contract Period: To be established for a period not to exceed two (2) years

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:

Bids solicited: Eleven (11)

Bids received: Two (2)

WHEREAS, on February 28, 2012, the City of Newark through its Director of Purchasing advertised bids for contractor (s) to provide **Gases with Rental of Tanks** to the Departments of Water and Sewer Utilities, Neighborhood and Recreational Services, Engineering, Child and Family Well Being, and Fire, as per the bid proposal attached hereto; and

WHEREAS, the Division of Central Purchasing distributed eleven (11) bid proposal packages to prospective vendors following the date of advertisement; and

WHEREAS, on March 15, 2012, two (2) bids were received in response to this advertisement; and

WHEREAS, the Director of Purchasing recommends a dual award based on line item pricing to 1. Praxair Distribution Mid Atlantic, LLC d/b/a GTS Welco and 2. Air Gas East, Inc., the only responsible bidders; and

WHEREAS, pursuant to N.J.S.A 40A:11-24, the vendors consented to holding their prices until such time as an award is made; 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 Director of Purchasing, are hereby authorized to enter into a contract with **1. Praxair Distribution Mid Atlantic, LLC dba GTS Welco, 5275 Tilghman Street, Allentown, PA 18104,** to receive line items as shown on the price schedule, and **2. Air Gas East, Inc. 27 Northwestern Avenue, Salem, NH 03079,** to receive line items as shown on the price schedule; to provide **Gases with Rental of Tanks**, to the City, whose bids were received on the advertised due date and determined to be the only responsible bidders, in accordance with bid specifications. The term of the contract will be established for a two (2) year term; pursuant N.J.S.A.40A:11-3(b).
2. There shall be no amendment or change of this contract without the approval of the Municipal Council by resolution.
3. There will be no advance payment on this contract in accordance with N.J.S.A. 40A:5-16. Funds for 2012 and subsequent years are contingent upon appropriations; pursuant to N.J.A.C. 5:30-5.5(d).
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(d), shall be executed before a contractual liability is incurred, each time an order is placed, covering the amount. This contract shall not exceed \$43,999.00 for two (2) years for (2) vendors.
5. A duly executed copy of the contract shall be forthwith filed in the Office of the City Clerk by the Director of Purchasing.
6. If required by the 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 contract is awarded to **1. Praxair Distribution Mid Atlantic, LLC d/b/a GTS Welco, and 2. Air Gas East Inc.,** to provide **Gases with Rental of Tanks** to the City of Newark, **at a cost not to exceed \$43,999.00 for two (2) years for two (2) vendors.**