



# City of Newark

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

## Legislation Text

File #: 24-0076, Version: 1

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

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

**Type of Service:** Cooperative Purchasing Agreement

**Purpose:** To purchase grounds equipment from the Educational Services Commission Contract #ESCNJ 22/23-12.

**Entity Address:**

- 1) Trius, Inc., 5049 Industrial Road, Farmingdale, New Jersey 07727;
- 2) Storr Tractor Company, 3191 U.S. Highway 22 East, Branchburg, New Jersey 08876;
- 3) North Jersey Bobcat, 201 Maltese Drive, Totowa, New Jersey 07512;
- 4) Foley, Inc., 855 Centennial Avenue, Piscataway, New Jersey 08854;
- 5) Cliffside Body Corp., 130 Broad Avenue, Fairview, New Jersey 07022; and
- 6) Hoffman International, Inc., 300 South Randolphville Road, Piscataway, New Jersey 08855

**Contract Amount:** Not to exceed \$200,000.00

**Funding Source:** 2023 and 2024 Budgets/Department of Public Works/NW011-060-0605-71920/Department of Water and Sewer Utilities/NW037-750-7502-83730-B2024/NW038-800-8003-83740-B2024

**Contract Period:** Upon approval of Municipal Council through February 21, 2024, **inclusive of any extensions granted by ESCNJ**

**Contract Basis:** ( ) Bid ( ) State Vendor ( ) Prof. Ser. ( ) EUS  
( ) Fair & Open ( ) No Reportable Contributions ( ) RFP ( ) RFQ  
( ) Private Sale ( ) Grant ( ) Sub-recipient (X) N/A

**Additional Information:**

Resolution 7R1-d, adopted on November 21, 2023, awarded Educational Services Commission Contract #ESCNJ 22/23-12 in an amount not to exceed \$100,000.00, upon approval of the Municipal Council through February 21, 2024.

The City of Newark seeks to purchase additional grounds equipment for the Department of Water and Sewer Utilities increasing the contract amount by \$100,000.00, for an increased total contract amount not to exceed \$200,000.00.

**WHEREAS**, on November 21, 2023, the Municipal Council adopted Resolution 7R1-d authorizing the City of Newark (the "City") to enter into a contract with multiple vendors from the Educational Services Commission of New Jersey ("ESCNJ") for the purchase of grounds equipment for the Department of Public Works at an amount not to exceed One Hundred Thousand Dollars and Zero Cents (\$100,000.00); and

**WHEREAS**, the Department of Water and Sewer Utilities notified the Division of Central Purchasing of their interest to utilize the contract with multiple awarded vendors in the Educational Services Commission Contract #ESCNJ 22/23-12 (the "Contract") to perform duties of the Contract at a cost not to exceed an amount of One Hundred Thousand Dollars and Zero Cents (\$100,000.00),

which shall cover the amount of goods required, for an increased total Contract amount not to exceed Two Hundred Thousand Dollars and Zero Cents (\$200,000.00); and

**WHEREAS**, all other Contract terms and conditions shall remain the same.

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

1. Resolution 7R1-d, adopted on November 21, 2023, is amended to include the Department of Water and Sewer Utilities as an authorizing department on the Educational Services Commission Contract #ESCNJ 22/23-12 (“Contract”) with the awarded vendors for the purchase of grounds equipment. The term of the Contract is November 21, 2023 through February 21, 2024, **inclusive of any extensions granted by ESCNJ**.
2. This Contract shall be increased by an amount not to exceed One Hundred Thousand Dollars and Zero Cents (\$100,000.00).
3. This Contract shall be ratified back to November 21, 2023, the date of adoption of the original Resolution.
4. There shall be no amendment or 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. 40A:5-16. Funds for 2021 and subsequent years are contingent upon appropriations, pursuant to N.J.A.C. 5:30-5.5(d)(2).
6. This is an Open-ended Contract to be used as needed during the term. 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: 2023 Budget/Department of Public Works/NW011-060-0605-71920; 2024 Budget/Department of Water and Sewer Utilities NW037-750-7502-83730-B2024; 2024 Budget/NW038-800-8003-83740-B2024. This Contract shall not exceed Two Hundred Thousand Dollars and Zero Cents (\$200,000.00) for a period beginning November 21, 2023 through February 21, 2024.
7. The Interim Qualified Purchasing Agent, shall file a copy of this 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, amends and authorizes Resolution 7R1-d adopted on

November 21, 2023, to include the Department of Water and Sewer Utilities as an authorizing department on Educational Services Commission Contract #ESCNJ 22/23-12 and increases the Contract by an amount not to exceed \$100,000.00 for an amended total Contract not to exceed the amount of \$200,000.00. This Contract shall be ratified back to November 21, 2023 from the date of adoption of the original Resolution **through February 21, 2024, inclusive of any extensions granted by ESCNJ.**