



## Legislation Text

File #: 23-1571, Version: 1

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

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

**Type of Service:** Cooperative Purchasing Agreement

**Purpose:** To authorize the City of Newark to enter into and execute a Membership Agreement with Equalis Group, LLC.

**Entity Name:** Equalis Group, LLC

**Entity Address:** 5550 Granite Parkway, Suite 298, Plano, Texas 75024

**Contract Amount:** No municipal funds required

**Contract Period:** Upon approval of the Municipal Council until the cooperative membership is formally terminated by the City and/or Equalis Group, LLC.

**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:**

This Cooperative Purchasing Agreement will authorize membership in the Equalis Group Cooperative on behalf of the City of Newark (Various Departments).

**WHEREAS**, the City of Newark ("City"), in furtherance of its goals to search for lower costs, greater efficiency, and improved product quality, wishes to enter into an Interlocal Contract for Cooperative Purchasing; and

**WHEREAS**, cooperative purchasing is an inclusive term used to describe all purchasing systems where two (2) or more local contracting units join together for the provision or performance of goods or services as provided for by the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, the purchase of goods or services, by two (2) or more contracting units, increases proportionate saving in costs gained by an increased level of production; and

**WHEREAS**, the City, a sub-political body of the State of New Jersey is permitted to join Cooperative Purchasing Programs, pursuant to N.J.S.A. 52:34-6.2(b)(3); and

**WHEREAS**, N.J.S.A. 40A:11-10(a)(1) authorizes two (2) or more contracting units to establish a Cooperative Pricing System and to enter into a Cooperative Pricing Agreement for its administration; and

**WHEREAS**, the State of New Jersey passed Public Law 2011, Chapter 139, that allows local contracting units to utilize national cooperative contracts as an acceptable procurement method, explained in detail in the New Jersey Department of Community Affairs, Division of Local Government Services, Local Finance Notice No. LFN 2012-10, dated May 14, 2012; and

**WHEREAS**, Equalis Group LLC, 5550 Granite Parkway, Suite 298, Plano, Texas 75024, a recognized and accepted cooperative purchasing organization maintains Local Cooperative Agreement Contracts which are competitively awarded through which members can make purchases; and

**WHEREAS**, Equalis Group LLC has offered the City of Newark the opportunity to participate in their Cooperative Purchasing System; and

**WHEREAS**, the City desires to enter into an agreement with Equalis Group LLC to become a member of the Equalis Group Cooperative Purchasing System from the date of adoption of this resolution until the City and/or Equalis Group formally terminates the cooperative membership.

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

1. The Mayor of the City of Newark and/or his designees, the Qualified Purchasing Agent, QPA and/or the Business Administrator are hereby authorized to enter into and execute a Cooperative Pricing Agreement with Equalis Group LLC, 5550 Granite Parkway, Suite 298, Plano, Texas 75024, for a term commencing upon approval of the Municipal Council until the City and/or Equalis Group formally terminates the cooperative membership.
2. The Division of Central Purchasing through the Qualified Purchasing Agent, QPA, shall ensure that the goods and/or services procured through the system comply with applicable laws of the State of New Jersey, Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. and all other provisions of the revised statutes of the State of New Jersey.
3. Purchases procured through Equalis Group LLC are subject to Municipal Council approval if the cost exceeds the City's bid threshold.
4. There shall be no amendments of this resolution without the approval of the Municipal Council.
5. There shall be no advance payments on this Cooperative Contract in accordance with N.J.S.A. 40A:5-16.
6. A duly executed copy of the Cooperative Purchasing Contract is attached hereto to be filed forthwith in the Office of the City Clerk by the Qualified Purchasing Agent.
7. If required by State law, the City Clerk shall provide the appropriate notice of the authorization of this contract usage to the State Comptroller, no later than twenty (20) business days following such authorization, 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 designees, the Business Administrator and/or the

Purchasing Agent, QPA, to enter into and execute a cooperative membership agreement with Equalis Group LLC, 550 Granite Parkway, Suite 298, Plano, Texas, 75024, for a term commencing upon Municipal Council approval until the City and/or Equalis Group formally terminates the cooperative membership.