



## Legislation Text

File #: 12-2394, Version: 1

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

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

**Type of Service:** Bid Contract(s)

**Purpose:** Paper and Plastic Products

**Entity Name(s)/Address(s):** 1. TSP Maintenance Supply, LLC, 52 East Drive, Livingston, New Jersey 07039

2. Alliance Supply Group, LLC, 92 E. Main Street, Freehold, New Jersey 07728

**Contract Amount:** Not to Exceed \$80,000.00

**Funding Source:** City of Newark Budget/Offices of the Mayor and City Clerk, Departments of Child and Family Well-Being, Engineering, Fire, Neighborhood and Recreational Services and Water & Sewer Utilities

**Contract Period:** the contract will be established for a two (2) year term

**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: Ten (10)

Bids received: Five (5)

Bids disqualified: One (1)

Submission to award rejected by Law Dept. due to vendors inability to support Set-Aside program certification

Bids re-solicited: Five (5)

Bids received: Two (2)

**WHEREAS**, on April 3, 2012, the City of Newark through its Purchasing Director advertised to solicit bids for contractor(s) under the Set-Aside Program to provide, **Paper and Plastic Products**, to the Offices of the Mayor and City Clerk, and the Departments of Child and Family Well Being, Engineering, Fire, Neighborhood and Recreational Services; and Water & Sewer Utilities, as per the bid proposal attached hereto; and

**WHEREAS**, this contract is a Set-Aside Program contract for minority and/or women owned businesses, only those businesses' which meet the requirement of a Minority Business Enterprise or a Women Business Enterprise may be awarded a contract; and

**WHEREAS**, the Division of Central Purchasing distributed ten (10) bid proposal packages to the prospective vendors following the date of advertisement; and

**WHEREAS**, on April 19, 2012, five (5) bids were received in response to this advertisement; and

**WHEREAS**, one (1) bidder was disqualified for not meeting the City of Newark's Set-Aside Program criteria; and

**WHEREAS**, the Purchasing Director recommended a dual award based on line item pricing to **TSP Maintenance Supply, LLC, and Alliance Supply Group, LLC**, the lowest responsible bidders; and

**WHEREAS**, on October 10, 2012, the award was disapproved, due to the vendor's inability to document their set-aside program certification; and

**WHEREAS**, on November 20, 2012, the City of Newark through its Purchasing Director re-advertised to solicit bids for contractor(s) under the Set-Aside Program to provide **Paper and Plastic Products**; and

**WHEREAS**, the Division of Central Purchasing distributed five (5) bid proposal packages to the prospective vendors following the date of re-advertisement; and

**WHEREAS**, on December 6, 2012, two (2) bids were received in response to this advertisement; and

**WHEREAS**, pursuant to N.J.S.A.40A:11-24, the selected responsible bidders consented to hold prices bid until such time 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 Purchasing Director, are hereby authorized to enter into a contract with **TSP Maintenance Supply, LLC, 52 East Drive, Livingston, New Jersey 07039, to receive line items #2,3,5-7,12-15,17,18 and 21 for year one and #2,3,5-7,12-15, 17,18 and 21 for year two, and Alliance Supply Group, LLC 92 E. Main Street, Freehold, New Jersey 07728, to receive line items #1,4,8-11,16,19 and 20 for year one and #1,4,8-11,16,19 and 20 for year two, as per the price schedules to provide Paper and Plastic Products, to the City of Newark, whose bids were received on the advertised due date and determined to be the only responsible bidders, based on line item awards in accordance with bid specifications. The term of the contract will be established for a two (2) year term, pursuant to N.J.S.A.40A:11-3.**

2. There shall be no amendment or change of this contract without the approval of the Municipal Council by resolution.

3. There shall be no advance payment on this contract in accordance with N.J.S.A. 40A:5-16. Funds for 2013 and subsequent years are contingent upon appropriations; pursuant to N.J.A.C. 5:30-5.5(d) (2).

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), shall be executed before a contractual liability is incurred each time an order is placed, covering the amount of the order. This contract shall not exceed \$80,000.00 for two (2) years.

5. A duly executed copy of the contract shall be forthwith filed in the Office of the City Clerk by the Purchasing Director.

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 **TSP Maintenance Supply, LLC, and Alliance Supply Group, LLC**, to provide **Paper and Plastic Products**, to the City of Newark at a cost not to exceed \$80,000.00 for a two (2) year term, for two (2) vendors.