



## Legislation Text

File #: 24-0189, Version: 1

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

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

**Type of Service:** Extension of Emergency Contract #E2023-14

**Purpose:** To extend the Emergency Contract #E2023-14 to provide removal and replacement of (3) elevators located at 110 William Street, 94 William Street, and 394 University Avenue for the next (9) months.

**Entity Name:** Liberty Elevator Corporation

**Entity Address:** 62 East 24<sup>th</sup> Street, Paterson, New Jersey 07514

**Contract Amount:** Not to exceed \$1,019,536.00

**Funding Source:** 2023 Budget/Department of Health and Community Wellness/NW051-G23-H230F-71280-B2023

**Contract Period:** Extended an additional nine (9) months, from March 6, 2024 through December 5, 2024

**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:**

Contract #E2023-14, was awarded to Liberty Elevator Corporation, in an amount not to exceed \$1,019,536.00 for the period of December 6, 2023, through March 5, 2024.

This Resolution shall extend the Emergency Contract #E2023-14 to an end date through December 5, 2024.

All other terms of the original Emergency Declaration will remain the same.

**WHEREAS**, on December 6, 2023, the Department of Health and Community Wellness (“DHCW”) requested a declaration of emergency for a service provider for the removal and replacement of three (3) elevators located at 110 William Street, 94 William Street, and 394 University Avenue; and

**WHEREAS**, on December 6, 2023, pursuant to N.J.S.A. 40A:11-6 and N.J.A.C. 5:34-6.1(a), the Purchasing Agent, QPA, approved the aforementioned request and DHCW entered into Emergency Contract #E2023-14 with Liberty Elevator Corporation, 62 East 24th Street, Paterson, New Jersey, 07514 for a period of December 6, 2023, through March 5, 2024, with a not to exceed amount of One Million Nineteen Thousand Five Hundred Thirty-Six Dollars and Zero Cents (\$1,019,536.00); and

**WHEREAS**, the DHCW continues to be in immediate and emergent need of the removal and replacement of three (3) elevators located at 110 William Street, 94 William Street, and 394 University Avenue; and

**WHEREAS**, N.J.S.A. 40A:11-6 provides that Emergency Contracts may be entered into when an emergency affecting the public health, safety, or welfare requires the immediate delivery of goods

or the performance of service; and

**WHEREAS**, the DHCW desires to ratify and extend Emergency Contract #E2023-14 for the period commencing December 6, 2023, through December 5, 2024, at an amount not to exceed One Million Nineteen Thousand Five Hundred Thirty-Six Dollars and Zero Cents (\$1,019,536.00); and

**WHEREAS**, N.J.A.C. 5:34-6.1(a)(3) provides that the emergency purchasing procedure may be used when the need for such goods or services has arisen notwithstanding a good faith effort on the part of a municipality to plan for the purchase of any goods or services required by the municipality; and

**WHEREAS**, it is a matter of public health, safety, and welfare that the above-described emergency contract be extended because the City of Newark (the "City") still needs to ensure that the necessary elevator replacement pieces are available and permit submissions are approved within the allotted time; and

**WHEREAS**, City Ordinance 6PSF-e adopted on April 6, 2011, Article 2:5-13.2 (E)(1)(b)(c) limits the period of Emergency Contracts to ninety (90) days and no extensions of Emergency Contracts shall be permitted without authorization by the Municipal Council by Resolution; and

**WHEREAS**, the Municipal Council has the exclusive authority to extend an emergency; and

**WHEREAS**, the Department of Administration now seeks authorization from the Municipal Council to ratify and extend the emergency to prevent interruption of the declaration of emergency until December 5, 2024.

**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 Business Administrator, and/or the Interim Purchasing Agent, QPA, are authorized to enter into and execute an extension of Emergency Contract #E2023-14 with Liberty Elevator Corporation, 62 East 24<sup>th</sup> Street, Paterson, New Jersey, 07514 to provide removal and replacement of three (3) elevators located at 110 William Street, 94 William Street, and 394 University Avenue with an amount not to exceed One Million Nineteen Thousand Five Hundred Thirty-Six Dollars and Zero Cents (\$1,019,536.00) from December 6, 2023 through December 5, 2024.
2. The extension of the Emergency Contract #E2023-14 is ratified from March 6, 2024, to the date of the adoption of this authorizing Resolution.
3. Funds are available in the Department of Health and Community Wellness budget and will be charged to NW051-G23-H230F-71280-B2023.
4. The Interim Qualified Purchasing Agent, for the City of Newark, has filed a copy of Emergency Contract #E2023-14, attached hereto, with the Office of the City Clerk.
5. 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 amends, ratifies, and authorizes the Mayor of the City of Newark and/or his designees, the Business Administrator and/or the Interim Purchasing Agent, QPA, to extend Emergency Contract #E2023-14 with Liberty Elevator Corporation, 62 East 24<sup>th</sup> Street, Paterson, New Jersey 07514 to provide removal and replacement of three (3) elevators located at 110 William Street, 94 William Street, and 394 University Avenue with the contract amount not to exceed at \$1,019,536.00 from the period beginning December 6, 2023 through December 5, 2024.