



Legislation Text

File #: 23-0673, Version: 1

Dept/ Agency: Administration/Division of Central Purchasing

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

Type of Service: Bid Contract(s)

Purpose: To purchase Ammunition for the Department of Public Safety, Division of Police.

Entity Name(s)/Address(s): Atlantic Tactical, Inc., 763 Corporate Circle, New Cumberland, Pennsylvania 17070

Contract Amount: Not to exceed \$400,000.00

Funding Source: 2023 Budget/Department of Public Safety, Division of Police/NW011-190-1902-83830-B2023

Contract Period: To be established for a period not to exceed twenty-four (24) consecutive months commencing upon contract execution

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:

This contract will provide Ammunition to the Department of Public Safety, Division of Police.

Advertisement Date: March 29, 2023

Bids Downloaded: Nine (9)

Bid Received: One (1)

[**WHEREAS**, on March 29, 2023, the City of Newark through its Purchasing Agent, QPA, advertised to solicit bids for contractors to provide Ammunition for the Department of Public Safety, Division of Police, as described in the attached bid proposal; and

WHEREAS, the Division of Central Purchasing also published the bid package on the City of Newark's procurement portal to provide broader access and download capability to potential bidders; and

WHEREAS, on April 13, 2023, the Division of Central Purchasing received one (1) bid in response to the advertisement; and

WHEREAS, the Department of Public Safety, Division of Police recommended that a single award be made to Atlantic Tactical Inc., 763 Corporate Circle, New Cumberland, Pennsylvania 17070; and

WHEREAS, the Purchasing Agent, QPA, concurs with the recommendation that a single award be made to Atlantic Tactical Inc., 763 Corporate Circle, New Cumberland, Pennsylvania 17070, the only responsive, and responsible bidder; and

WHEREAS, pursuant to N.J.S.A. 40A:11-24, the recommended bidder consented to holding

their bid beyond sixty (60) days; 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 designees, the Business Administrator, and/or the Qualified Purchasing Agent are hereby authorized to enter into and execute a contract with Atlantic Tactical, Inc., 763 Corporate Circle, New Cumberland, Pennsylvania 17070 to provide Ammunition to the City, whose bid was received on the advertised due date and determined to be the only responsive and responsible bidder in accordance with the specifications. The term of the contract will be established for a period not to exceed twenty-four (24) consecutive months, pursuant to N.J.S.A. 40A:11-15, with the start date to commence upon a fully executed contract.
2. There shall be no amendment or change of this contract without the approval of the Municipal Council.
3. There shall be no advance payment on this contract in accordance with N.J.S.A. 40A:5-16. Funds for 2023 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 from Account Code Line: Department of Public Safety, Division of Police NW011-190-1902-83830-B2023, covering the amount of the order. This contract shall not exceed Four Hundred Thousand Dollars and Zero Cents (\$400,000.00) for twenty-four (24) consecutive months for one (1) vendor.
5. The Purchasing Agent, QPA, shall file a duly executed copy of this contract in the Office of the City Clerk.
6. 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 authorizes the Mayor and/or his designees, the Business Administrator, and/or the Qualified Purchasing Agent to enter into and execute a contract with Atlantic Tactical, Inc., 763 Corporate Circle, New Cumberland, Pennsylvania 17070 to provide Ammunition to the City of Newark at a cost not to exceed Four Hundred Thousand Dollars and Zero Cents (\$400,000.00) for a period to be established and not to exceed twenty-four (24) consecutive months to commence upon contract execution.]

