



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 12-1185, Version: 1

Dept/ Agency: Administration/Division of Central Purchasing

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

Type of Service: Bid Contract(s)

Purpose: Outdoor Equipment, Powered (Lawn)

Entity Name(s)/Address(s): 1. Cherry Valley Tractor Sales, Inc., 35 Route 70 West, Marlton, New Jersey 08053

2. Colonial Hardware Corporation, 33 Commerce Street, Springfield, New Jersey 07081

Contract Amount: \$40,000.00

Funding Source: City of Newark Budget/Departments of Engineering and Neighborhood and Recreational Services

Contract Period: For a period not to exceed two (2) years

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: Eleven (11)

Bids received: Two (2)

WHEREAS, on April 17, 2012, the City of Newark, through its Purchasing Director, advertised to solicit bids for contractor(s) to provide, **Outdoor Equipment, Powered (Lawn)**, to the Departments of Engineering and Neighborhood and Recreational Services; as per the Bid Proposal attached hereto; and

WHEREAS, the Division of Central Purchasing distributed eleven (11) bid proposal packages to the prospective vendors following the date of advertisement; and

WHEREAS, on May 3, 2012, two (2) bids were received in response to this advertisement; and

WHEREAS, the Purchasing Director recommends a dual award based on line item pricing to **Cherry Valley Tractor Sales, Inc. and Colonial Hardware Corporation**, the only responsible bidders; and

WHEREAS, pursuant to N.J.S.A.40A:11-24, the selected responsible bidders consented to hold prices 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 **Cherry Valley Tractor Sales, Inc., 35 Route 70 West, Marlton, New Jersey 08053, to receive line items #1, 2, 3, 5 and 6 (various brands) for both years and Colonial Hardware Corporation, 33 Commerce Street, Springfield, New Jersey 07081, to receive line item #1 (Honda only) for both years;** to provide **Outdoor Equipment, Powered (Lawn)**, to the City, 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 2012 and subsequent years are contingent upon appropriations; pursuant to N.J.A.C. 5:30-5.5(d).

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 \$40,000.00 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 **Cherry Valley Tractor Sales, Inc., and Colonial Hardware Corporation**, to provide **Outdoor Equipment, Powered (Lawn)**, to the City of Newark, at a cost not to exceed \$40,000.00 for two (2) years for two (2) vendors.