



## Legislation Details (With Text)

**File #:** 13-1631      **Version:** 1      **Name:** Gymnasium Apparatus and Equipment (Weight Lifting)

**Type:** Resolution      **Status:** Filed

**File created:** 8/13/2013      **In control:** Administration

**On agenda:** 11/7/2013      **Final action:** 11/7/2013

**Title:** Dep't/ Agency: Administration/Division of Central Purchasing  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Type of Service: Bid Contract(s)  
Purpose: Gymnasium Apparatus and Equipment (Weight Lifting Equipment)  
Entity Name(s)/Address(s): Fitness Lifestyles, Inc., 614 Cookman Avenue, Asbury Park, New Jersey, 07712, BSN Sports / Passon's Sports & US Games, P.O. Box 49, Jenkintown, Pennsylvania, 19046 and JLMP Sporting Good Corp., 110 Mt. Pleasant Avenue, Newark, New Jersey 07104  
Contract Amount: Not to exceed \$100,000.00  
Funding Source: City of Newark's Budget, Department of Neighborhood and Recreational Services  
Contract Period: To be established for a period of two (2) years  
Contract Basis: (X) Bid ( ) State Vendor ( ) Prof. Ser. ( ) EUS  
(X) Fair & Open ( ) No Reportable Contributions ( ) RFP ( ) RFQ  
( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) N/A  
Entity Name/Address:  
Additional Information:  
Bids solicited: Five (5)  
Bids received: Zero (0)  
Bids re-advertised  
Bids solicited: Six (6)  
Bids received: Zero (0)  
Bids re-advertised  
Bids solicited: Nine (9)  
Bids received: Three (3)

### Sponsors:

### Indexes:

### Code sections:

Date	Ver.	Action By	Action	Result
11/7/2013	1	Municipal Council	Adopt	Pass

**Dep't/ Agency:** Administration/Division of Central Purchasing

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

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

**Purpose:** Gymnasium Apparatus and Equipment (Weight Lifting Equipment)

**Entity Name(s)/Address(s):** Fitness Lifestyles, Inc., 614 Cookman Avenue, Asbury Park, New Jersey, 07712, BSN Sports / Passon's Sports & US Games, P.O. Box 49, Jenkintown, Pennsylvania, 19046 and JLMP Sporting Good Corp., 110 Mt. Pleasant Avenue, Newark, New Jersey 07104

**Contract Amount:** Not to exceed \$100,000.00

**Funding Source:** City of Newark's Budget, Department of Neighborhood and Recreational Services

**Contract Period:** To be established for a period of two (2) years

**Contract Basis:** (X) Bid ( ) State Vendor ( ) Prof. Ser. ( ) EUS

( X ) Fair & Open ( ) No Reportable Contributions ( ) RFP ( ) RFQ  
( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) N/A

**Entity Name/Address:**

**Additional Information:**

Bids solicited: Five (5)

Bids received: Zero (0)

Bids re-advertised

Bids solicited: Six (6)

Bids received: Zero (0)

Bids re-advertised

Bids solicited: Nine (9)

Bids received: Three (3)

**WHEREAS**, on April 2, 2013, the City of Newark through its Purchasing Director, advertised to solicit bids for contractor(s) to provide, **Gymnasium Apparatus and Equipment (Weight Lifting Equipment)**, to the Department of Neighborhood and Recreational Services, as per the bid proposal attached hereto; and

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

**WHEREAS**, on April 18, 2013, no bids were received in response to this advertisement; and

**WHEREAS**, on April 30, 2013, the City of Newark through its Purchasing Director re-advertised to solicit bids for contractor(s) to provide, **Gymnasium Apparatus and Equipment (Weight Lifting Equipment)**, to the Department of Neighborhood and Recreational Services, as per the bid proposal attached hereto; and

**WHEREAS**, the Division of Central Purchasing distributed six (6) bid proposal packages to the prospective vendors following the date of re- advertisement; and

**WHEREAS**, on May 16, 2013, no bids were received in response to this re-advertisement; and

**WHEREAS**, the Division of Central Purchasing revised the specifications and pricing schedule to provide clarity to potential bidders; and

**WHEREAS**, on July 16, 2013, the City of Newark through its Purchasing Director re-advertised to solicit bids for contractor(s) to provide, **Gymnasium Apparatus and Equipment (Weight Lifting Equipment)**, to the Department of Neighborhood and Recreational Services, as per the bid proposal attached hereto; and

**WHEREAS**, the Division of Central Purchasing distributed nine (9) bid proposal packages to the prospective vendors following the date of re-advertisement; and

**WHEREAS**, on August 1, 2013, three (3) bids were received in response to this re-advertisement; and

**WHEREAS**, the Purchasing Director recommends a multiple award be made to **Fitness Lifestyles, Inc., BSN Sports / Passon's Sports & US Games and JLMP Sporting Good Corp.**, the only responsive responsible bidders; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-24, the bidder consented to holding prices bid for consideration, until such time as an award is made and as the law permits; 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 **Fitness Lifestyles, Inc., 614 Cookman Avenue, Asbury Park, New Jersey, 07712, to receive line items #1, 2, 5, 10, 19, 28, 30, 31, 34, 35, 36 and 38-44 (various brands) for year one and year two, BSN Sports / Passon's Sports & US Games, P.O. Box 49, Jenkintown, Pennsylvania, 19046, to receive line items #4, 8, 9, 11, 13-17, 20, 22 & 23, 27, 29 and 33 (various brands) for year one and year two, and JLMP Sporting Good Corp., 110 Mt. Pleasant Ave., Newark, New Jersey 07104, to receive line items #3, 6, 7, 12, 18, 21, 24-26, 32, and 37 (various brands) for year one and year two, to provide Gymnasium Apparatus and Equipment (Weight Lifting Equipment), to the City, whose bids were received on the advertised due date and determined to be the only responsive responsible bidders, based on line item awards in accordance with the 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 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 \$100,000.00 for two (2) years.

5. Pursuant to N.J.S.A. 27:25-17, any and all debts, expenses or obligations incurred by the Department of Neighborhood and Recreational Services shall be payable only from funds available to the City of Newark, and no liability or obligation shall be incurred by the Department of Neighborhood and Recreational Services beyond the extent to which monies are available.

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 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 **Fitness Lifestyles, Inc., BSN Sports / Passon's Sports & US Games and JLMP Sporting Good Corp.**, to provide **Gymnasium Apparatus and Equipment (Weight Lifting Equipment)**, to the City of Newark, at a cost not to exceed \$100,000.00 for two (2) years for three (3) vendors.