



## Legislation Details (With Text)

**File #:** 13-1756      **Version:** 1      **Name:** Rainwear  
**Type:** Resolution      **Status:** Filed  
**File created:** 9/12/2013      **In control:** Administration  
**On agenda:** 12/4/2013      **Final action:** 12/4/2013  
**Title:** Dep't/ Agency: Administration/Division of Central Purchasing  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Type of Service: Bid Contract(s)  
Purpose: Rainwear  
Entity Name(s)/Address(s): 1. Asia Trading International, d/b/a Unipro International, 390 Nye Avenue, Irvington, New Jersey 07111  
2. JLMP Sporting Goods, 110 Mt. Pleasant Ave., Newark, New Jersey 07104  
Contract Amount: Not to exceed \$164,000.00  
Funding Source: The City of Newark Budget/ Departments of Child and Family Well-Being, Water and Sewer Utilities, Neighborhood and Recreational Services and Engineering  
Contract Period: To be established 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  
Entity Name/Address:  
Additional Information:  
Bids solicited: Eleven (11)    Bids received: Three (3)

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### Indexes:

### Code sections:

Date	Ver.	Action By	Action	Result
12/4/2013	1	Municipal Council	Adopt	Pass

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**WHEREAS**, on August 20, 2013, the City of Newark through its Purchasing Director advertised to solicit bids for contractor(s) to provide **Rainwear**, to the Departments of Child and Family Well-Being, Water and Sewer Utilities, Department of Neighborhood and Recreational Services and Engineering, as per the bid proposal attached hereto; and

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

**WHEREAS**, on September 5, 2013, three (3) bids were received in response to this advertisement; and

**WHEREAS**, the Purchasing Director recommends a dual award be made to **Asia Trading International, d/b/a Unipro International, and JLMP Sporting Goods**, the lowest responsive responsible bidders; 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 **Asia Trading International, d/b/a Unipro International, 390 Nye Avenue, Irvington, New Jersey 07111, to receive line items #7, 10-14, 17-19, and 23-28 (various brands and sizes) for both years, and JLMP Sporting Goods, 110 Mt. Pleasant Ave., Newark, New Jersey 07104, to receive line item #1-6, 8, 9, 15-16, 21, 22, and 28, 29 (various brands and sizes) for both years** to provide **Rainwear**, to the City, whose bids were received on the advertised due date and determined to be the lowest responsive and 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 \$164,000.00 for two (2) years.
5. Pursuant to N.J.S.A. 27:25-17, any and all debts, expenses or obligations incurred by the City Department shall be payable only from funds available to the City of Newark, and no liability or obligation shall be incurred by the City Department beyond the extent to which monies are available.
6. A duly executed copy of the contract shall be forthwith filed in the Office of the City Clerk by

the Purchasing Director.

7. 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 **Asia Trading International, d/b/a Unipro International, and JLMP Sporting Goods**, to provide **Rainwear**, to the City of Newark, at a cost not to exceed \$164,000.00 for two (2) years for two (2) vendors.