



## Legislation Details (With Text)

**File #:** 14-0377      **Version:** 2      **Name:** Parts & Repairs For Road Maintenance Equipment  
**Type:** Resolution      **Status:** Filed  
**File created:** 3/17/2014      **In control:** Administration  
**On agenda:** 4/16/2014      **Final action:** 4/16/2014

**Title:** Dept/ Agency: Administration/Division of Central Purchasing  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Type of Service: Use of State Contract(s) #85862, #85846, #85850, #85853, #85861, #85863, #85849, #85857, Term No. T-2188  
Purpose: Parts and Repairs for Road Maintenance Equipment  
Entity Name(s)/Address(s): See below  
Contract Amount: Not to exceed \$500,000.00  
Funding Source: City Budget Depts. of Engineering, Neighborhood & Recreational Services & the Water & Sewer Utilities Budget  
Contract Period: Upon approval by Municipal Council - January 29, 2017, inclusive of extensions by the State  
Contract Basis: ( ) Bid (X) State Vendor ( ) Prof. Ser. ( ) EUS  
( ) Fair & Open ( ) No Reportable Contributions ( ) RFP ( ) RFQ  
( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) n/a  
Entity Name/Address: (Use only for long list)  
#85862, Eagle Equipment Inc., d/b/a Pierce Equipment Co., P.O. Box 5208,  
3388 Route 22 West, Somerville, New Jersey 08876  
#85846, Foley Incorporated, 855 Centennial Avenue, P.O. Box 1555, Piscataway, New Jersey 08855-1555  
#85850, Lawson Products Inc., 8770 W. Bryn Mawr Avenue, Suite 900. Attn: Bill Dept.  
Chicago, Illinois 60631-3515  
#85853, N. E. Auto & Truck Parts LLC, 976 Broadway, Bayonne, New Jersey 07002  
#85861, Old Dominion Brush Co. 5118 Glen Alden Dr. Richmond, Virginia 23231  
#85863, Steelfab Division of Peter Garafano & Son Inc. 500 Marshall Street, Paterson, NJ 07503  
#85849, Transaxle LLC, 2501 Rt. 73 South, P.O. Box 2306, Cinnaminson, New Jersey 08077  
#85857, W. E. Timmerman Co. Inc. P.O. Box 71 Rte. 22, Whitehouse, New Jersey 08888  
Additional Information:

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
4/16/2014	2	Municipal Council	Adopt	Pass

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**Additional Information:**

**WHEREAS**, the City of Newark through its Purchasing Director wishes to utilize the **Parts and Repairs for Road Maintenance Equipment** contract, to purchase products or services from an authorized vendor under the New Jersey Cooperative Purchasing Program 1-NJCP, pursuant to N.J.A.C. 5:34-7.29; and

**WHEREAS**, the purchase of goods/services by Local contracting units is authorized by Local Public Contracts Law, N.J.S.A. 40A: 11-12; and

**WHEREAS**, in accordance with N.J.S.A. 40A:11-11(5), N.J.S.A. 52:25-16.1 et seq. and N.J.A.C. 5:34-1.7, all Cooperative Purchasing Program participants are responsible for ensuring that the Purchase Order issued reflects the correct contract item pricing and that payment is processed accordingly. Only the items/services specified in the applicable State contract(s) may be purchased from the contract vendor(s) of record. Cooperative Purchasing participants assume full responsibility for all purchase transactions issued through State contracts, including Purchase Orders, delivery compliance, and payments; and

**WHEREAS**, the City wishes to utilize State Contract, Term No. T-2188 with the following vendors commencing adoption of this resolution to June 28, 2014, inclusive of any subsequent extensions to the term of the contract.

#85862, Eagle Equipment Inc., d/b/a Pierce Equipment Co., P.O. Box 5208,  
3388 Route 22 West, Somerville, New Jersey 08876

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**WHEREAS**, the Purchasing Director recommends the utilization of these State contract awards on the grounds that they provide Parts and Repairs for Road Maintenance Equipment, according to specifications required by the City of Newark; and

**WHEREAS**, the total cost for the purchase of Parts and Repairs for Road Maintenance Equipment, is expected not to exceed \$500,000.00; and

**WHEREAS**, usage of these contracts provides Parts and Repairs for Road Maintenance Equipment, as required by the Department(s) of Engineering, Neighborhood & Recreational Services and the Water and Sewer Utilities; and

**WHEREAS**, the Acting Chief Financial Officer will certify the availability of funds before orders are placed.

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:**

1. Pursuant to N.J.S.A. 40A:11-1 *et seq.*, and N.J.A.C. 5:34-7.29, the Purchasing Director is authorized to utilize State Term Contract #T-2188 with the following vendors: # 85862, Eagle Equipment Inc., d/b/a Pierce Equipment Co., #85846, Foley Incorporated, #85850, Lawson Products Inc., #85853, N. E. Auto & Truck Parts LLC, #85861, Old Dominion Brush Co. #85863, Steelfab Div. of Peter Garafano & Son Inc. #85849, Transaxle LLC, #85857, and W. E. Timmerman Co. Inc. to provide, **PARTS AND REPAIRS FOR ROAD MAINTENANCE EQUIPMENT**, for the period commencing from the adoption of this resolution to January 29, 2017, inclusive of any subsequent extensions to the term of this state contract.

2. There shall be no amendment of this resolution without the approval of the Municipal Council.

3. There shall be no advance payment on this state contract in accordance with N.J.S.A. 40A: 5-16. Funds for expenditures against this contract are contingent upon appropriations; pursuant to N.J.A.C. 5:30-5.5(c).

4. This contract is awarded as an open-ended contract pursuant to N.J.A.C. 5:30-5.5(d)(2). Certification of the Availability of Funds shall be executed by purchase order, each time an order is placed and charged against this contract. This contract shall not exceed \$500,000.00 inclusive of subsequent extensions to the term of contract by the state.

5. This contract complies with Local Pay- to- Play, N.J.S.A. 19:44A-20.5 as a state contract award and constitutes a fair and open procedure.

6. The Acting Purchasing Director shall forthwith file a duly executed copy of the contract in the Office of the City Clerk.

7. 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 authorization, 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 usage of a State contract award to Eagle Equipment Inc., d/b/a Pierce Equipment Co., Foley Incorporated, Lawson Products Inc., N. E. Auto & Truck Parts LLC, Old Dominion Brush Co., Steelfab Div. of Peter Garafano & Son Inc., Transaxle LLC, and W. E. Timmerman Co. Inc., to provide for the purchase of Parts and Repairs for Road Maintenance Equipment, for the period commencing from the adoption of this resolution to January 29, 2017, inclusive of any subsequent extensions to the term, at a cost not to exceed \$500,000.00.