



## Legislation Details (With Text)

**File #:** 14-1091      **Version:** 1      **Name:** ENVIRONMENTAL TESTING INSTRUMENTS  
**Type:** Resolution      **Status:** Filed  
**File created:** 7/23/2014      **In control:** Administration  
**On agenda:** 11/17/2014      **Final action:** 11/17/2014

**Title:** Dept/ Agency: Administration/Division of Central Purchasing  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Type of Service: Use of State Contract(s) # 85091, Term Contract No. T-0983  
Purpose: Environmental Testing Instruments  
Entity Name(s)/Address(s): Hach Company, PO Box 389, Loveland, Colorado 80539-0608  
Contract Amount: Not to exceed \$75,000.00  
Funding Source: Water and Sewer Utilities Budget, Water Treatment Plant  
Contract Period: Upon Municipal Council approval until September 30, 2016, inclusive of any subsequent extensions.  
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: ( )  
Additional Information:  
RTA 7R1-s 070914

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
11/17/2014	1	Municipal Council	Adopt	Pass

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**WHEREAS**, the City of Newark through its Purchasing Director wishes to utilize the **Environmental Testing Instruments** 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 this contract with the following vendor commencing adoption of this resolution to September 30, 2016, inclusive of any subsequent extensions to the term of the contract.

**# 85091, Hach Company, PO Box 389, Loveland, Colorado 80539-0608,  
Term Contract No. T-0983**

**WHEREAS**, the Purchasing Director recommends the utilization of this State contract award on the grounds that it provides **Environmental Testing Instruments**, according to specifications required by the City of Newark; and

**WHEREAS**, the total cost for the purchase of **Environmental Testing Instruments**, is expected not to exceed \$75,000.00; and

**WHEREAS**, usage of this contract provides **Environmental Testing Instruments**, as required by the Water and Sewer Utilities, Water Treatment Plant; and

**WHEREAS**, the 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 Contract **# 85091, Hach Company, PO Box 389, Loveland, Colorado 80539-0608, Term Contract No. T-0983**, to provide **Environmental Testing Instruments**, for the period commencing from the adoption of this resolution to September 30, 2016, 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 2014 and subsequent year's expenditures 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 \$75,000.00 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 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 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 usage of a State contract award to **Hach Company**, to provide for the purchase of **Environmental Testing Instruments**, for the period commencing from the adoption of this resolution to September 30, 2016, inclusive of any subsequent extensions to the term, at a cost not to exceed \$75,000.00.