



## Legislation Details (With Text)

**File #:** 17-1078      **Version:** 1      **Name:** Purchase of Pharmaceuticals and Vaccines  
**Type:** Resolution      **Status:** Adopted  
**File created:** 5/24/2017      **In control:** Administration  
**On agenda:** 8/2/2017      **Final action:** 8/2/2017  
**Title:** Dept/ Agency: Administration/Division of Central Purchasing  
Action: ☐ Ratifying ☒ Authorizing ☐ Amending  
Type of Service: Use of State Contract #88811 (Term Index #M-1659) Pharmaceuticals and Vaccines  
Purpose: Purchase of Pharmaceuticals and Vaccines  
Entity Name(s)/Address(s): Cardinal Health 110 LLC., 1120 Commerce Boulevard, Swedesboro, New Jersey 08085  
Contract Amount: Amount not to exceed \$127,678.00  
Funding Source: 2017 Budget/Department of Health and Community Wellness/ City NW011-120-1202-83220-B2017; \$50,544.00;  
HRSA Grant NW051- G17-H27PO \$42,134.00;  
City NW011-120-1208-83220-B2017; \$35,000.00  
Contract Period: Upon approval by Municipal Council through October 31, 2017  
Contract Basis: ☐ Bid ☒ State Vendor ☐ Prof. Ser. ☐ EUS  
☐ Fair & Open ☐ No Reportable Contributions ☐ RFP ☐ RFQ  
☐ Private Sale ☐ Grant ☐ Sub-recipient ☐ n/a  
Additional Information:

### Sponsors:

### Indexes:

### Code sections:

Date	Ver.	Action By	Action	Result
8/2/2017	1	Municipal Council	Adopt	Pass

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**Additional Information:**

**WHEREAS**, the City of Newark through its Supervising Procurement Specialist, QPA, wishes to utilize the Purchase of Pharmaceuticals and Vaccines State Contract Term Index # M-1659, to purchase pharmaceuticals and vaccines 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. 5:34-7.1 et seq., 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 the State Contract #88811 (Term Index #M-1659) Pharmaceuticals and Vaccines, with the following vendor commencing upon the adoption of this resolution, and continuing through delivery completion, which will be no later than October 31, 2017:

Contract #88811, Cardinal Health 110 LLC, 1120 Commerce Boulevard, Swedesboro, New Jersey 08085; and

**WHEREAS**, the Supervising Procurement Specialist, QPA, recommends the utilization of this State Contract #88811 Term Index #M-1659 award on the grounds that it provides Pharmaceuticals and Vaccines as required by the City of Newark's Department of Health and Community Wellness; and

**WHEREAS**, usage of this contract to provide pharmaceuticals and vaccines shall not exceed a cost of \$127,678.00; 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 Supervising Procurement Specialist, QPA, is authorized to utilize State Contract #88811 (Term Index # M-1659) Pharmaceuticals and Vaccines, with the vendor Cardinal Health 110 LLC, 1120 Commerce Boulevard., Swedesboro, New Jersey 08085, to purchase Pharmaceuticals and Vaccines for the City of Newark, for the period commencing upon the adoption of this resolution through October 31, 2017, and inclusive of any extension to the term of this State contract.
2. All purchases, purchase orders and other related documentation shall be in accordance with the relevant State Contract, State of New Jersey Standard Terms and Conditions, Method of Operation and Third Party Agreement/Three Party Agreement (if applicable) as contained in the State Contract Documentations and Agreements.

3. There shall be no amendment of this resolution without the approval of the Municipal Council.
4. There shall be no advance payment on this State contract in accordance with N.J.S.A. 40A:5-16. Funding is contingent upon appropriation, pursuant to N.J.A.C. 5:30-5.5(c).
5. This contract is awarded as an open ended contract; pursuant to N.J.A.C. 5:30-5.5(d) (2). A Certification of Funds shall be executed each time a purchase order is placed and charged against this contract. This contract shall not exceed \$127,678.00.
6. This contract complies with Local Pay- to- Play Law, N.J.S.A. 19:44A-20.5 as a State contract award and constitutes a fair and open procedure.
7. The Purchasing Division shall forthwith file a duly executed copy of the State contract(s) in the Office of the City Clerk, if applicable.
8. 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 the Supervising Procurement Specialist, QPA, to use State Contract #88811 (Term Index # M-1659), Pharmaceuticals and Vaccines, awarded to Cardinal Health 110 LLC, 1120 Commerce Boulevard, Swedesboro, New Jersey 08085, to provide Pharmaceuticals and Vaccines, for the period commencing from the adoption of this resolution by the Municipal Council of the City of Newark, through October 31, 2017, inclusive of any extension to the term of this State contract, at a cost not to exceed \$127,678.00.