



## Legislation Details (With Text)

**File #:** 19-0322      **Version:** 1      **Name:** T2809 Dump Truck 68,000 LB. GVWB Cab /Chassis w/ 12 cu. yd. Conveyor Body & Accessories

**Type:** Resolution      **Status:** Adopted

**File created:** 2/21/2019      **In control:** Administration

**On agenda:** 6/6/2019      **Final action:** 6/6/2019

**Title:** Dept/ Agency: Administration/Division of Central Purchasing  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Type of Service: Use of State Contract(s) T-2809 Dump Trucks, 68,000 lb. GVWR Cab and Chassis with 12 cu. yd. Conveyor Body and Accessories  
Purpose: Purchase Two (2) Dump Trucks, 68,000 lb. GVWR Cab and Chassis with 12 cu. yd. Conveyor Body and Accessories  
Entity Name(s)/Address(s): Beyer Bros. Corp., 109 Broad Avenue, Fairview, New Jersey 07022  
Contract Amount: \$437,068.00  
Funding Source: 2018-2019 Budget/Department of Water and Sewer Utilities  
Account Code: NW037-755-7552-94430-B2018/NW037-750-7502-94430-B2019  
Contract Period: Upon approval by Municipal Council, with delivery not to exceed January 29, 2020  
Contract Basis: ( ) Bid (X) State Vendor ( ) Prof. Ser. ( ) EUS  
( ) Fair & Open ( ) No Reportable Contributions ( ) RFP ( ) RFQ  
( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) N/A  
Additional Information:  
Pursuant to N.J.S.A. 40A:11-2(21), this is a one-time purchase; the Purchase Order is the contract. The Department of Water and Sewer Utilities is purchasing two (2) dump trucks to replace the current trucks, which are scheduled to be decommissioned.

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
6/6/2019	1	Municipal Council	Adopt	Pass

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Pursuant to N.J.S.A. 40A:11-2(21), this is a one-time purchase; the Purchase Order is the contract.

The Department of Water and Sewer Utilities is purchasing two (2) dump trucks to replace the current trucks, which are scheduled to be decommissioned.

**WHEREAS**, the City of Newark through its Qualified Purchasing Agent (QPA), wishes to utilize State Term Contract T-2809 Dump Truck, 68,000 lb. GVWR Cab and Chassis with 12 cu. yd. Conveyor Body and Accessories, to purchase two (2) 2019 dump trucks 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 or services by local contracting units are 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 Term Contract T-2809 Dump Truck, 68,000 lb. GVWR Cab and Chassis with 12 cu. yd. Conveyor Body and Accessories, awarded to Beyer Bros. Corp. under vendor contract #83470, to purchase two (2) 2019 dump trucks, upon approval of this resolution by the Municipal Council until the date of complete delivery not to exceed January 29, 2020; and

**WHEREAS**, the QPA recommends the utilization of this State contract award on the grounds that it provides Dump Trucks, 68,000 lb. GVWR Cab and Chassis with 12 cu. yd. Conveyor Body and Accessories according to specifications required by the City of Newark, Department of Water and Sewer Utilities; and

**WHEREAS**, usage of this contract will provide two (2) dump trucks at a cost not to exceed Four Hundred Thirty-Seven Thousand Sixty-Eight Dollars and Zero Cents (\$437,068.00).

**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 QPA is authorized to utilize State Term Contract T-2809 Dump Truck, 68,000 lb. GVWR Cab and Chassis with 12 cu. yd. Conveyor Body and Accessories, which includes vendor contract #83470, awarded to Beyer Bros. Corp., 109 Broad Avenue, Fairview, New Jersey 07022, to purchase two (2) 2019 dump trucks for the City of Newark, Department of Water and Sewer Utilities, for a period commencing upon the approval of this resolution by the Municipal Council until the date of complete delivery not to exceed January 29, 2020.
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.
5. Funds for the purchase of these vehicles are encumbered on the following Purchase Orders: (1) NW037-0000013844, Fund 037, Department 755, Division/Project 7552, Account 94430, Budget Reference B2018; and (2) NW037-0000013971, Fund 037, Department 750, Division/Project 7502, Account 94430, Budget Reference B2019. This contract shall not exceed Four Hundred Thirty-Seven Thousand Sixty-Eight Dollars and Zero Cents (\$437,068.00).
6. 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.
7. The Division of Central Purchasing shall file a duly executed copy of the contracts, attached hereto, in the Office of the City Clerk, if applicable.
8. If required by State Law, the City Clerk shall provide the appropriate Notice of Award of this contract to the State Comptroller no later than twenty (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 Mayor and/or his designee, the Qualified Purchasing Agent, to utilize State Term Contract T-2809 Dump Truck, 68,000 lb. GVWR Cab and Chassis with 12 cu. yd. Conveyor Body and Accessories, awarded to Beyer Bros. Corp., 109 Broad Avenue, Fairview, New Jersey 07022, to purchase two (2) dump trucks under vendor contract #83470, for the period commencing from the adoption of this resolution by the Municipal Council of the City of Newark, until the date of complete delivery not to exceed January 29, 2020, at a cost not to exceed Four Hundred Thirty-Seven Thousand Sixty-Eight Dollars and Zero Cents (\$437,068.00).