



Legislation Details (With Text)

File #: 19-0941 **Version:** 1 **Name:** Gases with Rental of Tanks
Type: Resolution **Status:** Adopted
File created: 5/31/2019 **In control:** Administration
On agenda: 9/18/2019 **Final action:** 9/18/2019
Title: Dept/ Agency: Administration/Division of Central Purchasing
Action: ☐ Ratifying ☒ Authorizing ☐ Amending
Type of Service: Bid Contract(s)
Purpose: Gases with Rental of Tanks
Entity Name(s)/Address(s): Praxair Distribution Inc., 5275 Tilghman Street, Allentown, Pennsylvania 18104
Contract Amount: Not to exceed \$110,000.00
Funding Source: 2019 Budget/Department of Water and Sewer Utilities/Division of Sewers and Water Supply NW037-750-7502-72210-B2019/
Department of Public Works/Division of Motors/NW011-060-0602-71770-B2019/
Departments of Public Safety/Division of Fire, Special Services/NW011-190-1903-72210-B2019/Division of Police/NW011-190-1902-83850-B2019
Contract Period: To be established for a period not to exceed two (2) years
Contract Basis: ☐ Bid ☐ State Vendor ☐ Prof. Ser. ☐ EUS
☐ Fair & Open ☐ No Reportable Contributions ☐ RFP ☐ RFQ
☐ Private Sale ☐ Grant ☐ Sub-recipient ☐ n/a
Additional Information:
To provide gases with rental tanks to the Departments of Water and Sewer Utilities, Public Works and Public Safety.

Advertisement Date: April 23, 2019
Bids Solicited: Four (4)
Bids Received: One (1)
Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
9/18/2019	1	Municipal Council	Adopt	Pass

Dept/ Agency: Administration/Division of Central Purchasing
Action: ☐ Ratifying ☒ Authorizing ☐ Amending
Type of Service: Bid Contract(s)
Purpose: Gases with Rental of Tanks
Entity Name(s)/Address(s): Praxair Distribution Inc., 5275 Tilghman Street, Allentown, Pennsylvania 18104
Contract Amount: Not to exceed \$110,000.00
Funding Source: 2019 Budget/Department of Water and Sewer Utilities/Division of Sewers and Water Supply NW037-750-7502-72210-B2019/
Department of Public Works/Division of Motors/NW011-060-0602-71770-B2019/
Departments of Public Safety/Division of Fire, Special Services/NW011-190-1903-72210-B2019/Division of Police/NW011-190-1902-83850-B2019
Contract Period: To be established for a period not to exceed two (2) years

Contract Basis: () Bid () State Vendor () Prof. Ser. () EUS
() Fair & Open () No Reportable Contributions () RFP () RFQ
() Private Sale () Grant () Sub-recipient () n/a

Additional Information:

To provide gases with rental tanks to the Departments of Water and Sewer Utilities, Public Works and Public Safety.

Advertisement Date: April 23, 2019

Bids Solicited: Four (4)

Bids Received: One (1)

WHEREAS, on April 23, 2019, the City of Newark through its Purchasing Agent, QPA, advertised to solicit bids for contractors to provide Gases with Rental of Tanks for the Departments of Water and Sewer Utilities, Department of Public Works and the Department of Public Safety, as described in the attached bid proposal; and

WHEREAS, the Division of Central Purchasing also distributed four (4) bid proposal packages to prospective vendors following the date of advertisement; and

WHEREAS, the Division of Central Purchasing also posted the bid proposal package to our bid management website to allow registered vendors to access and download the bid proposal package; and

WHEREAS, on May 9, 2019, the Division of Central Purchasing received one (1) bid in response to this advertisement; and

WHEREAS, the Department of Water and Sewer Utilities, the Department of Public Safety and the Department of Public Works, recommended that a single award be made to Praxair Distribution Inc., 5275 Tilghman Street, Allentown, Pennsylvania 18104, the only responsive and responsible bidder; and

WHEREAS, the Purchasing Agent, QPA, concurred with the recommendations from the Department of Water and Sewer Utilities, the Department of Public Safety and the Department of Public Works, that a single award be made to Praxair Distribution Inc., 5275 Tilghman Street, Allentown, Pennsylvania 18104; and

WHEREAS, pursuant to N.J.S.A. 40A:11-24, the recommended bidder consented to holding their prices beyond sixty (60) days; and

WHEREAS, pursuant to N.J.S.A. 19:44A20.5 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 Agent, QPA, are hereby authorized to enter into and execute a contract with Praxair Distribution Inc., 5275 Tilghman Street, Allentown, Pennsylvania 18104; to provide Gases with Rental of Tanks, for the City of Newark, the Department of Water and Sewer Utilities, Department of Public Works and the Department of

Public Safety, whose bid was received on the advertised due date and determined to be the only responsive and responsible bidder. The term of the contract will be established for twenty-four (24) consecutive months, pursuant to N.J.S.A. 40A:11-15.

2. There shall be no amendment or change of this contract without the approval of the Municipal Council.
3. There shall be no advance payment on this contract in accordance with N.J.S.A. 40A:5-16. Funds for 2019 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 the 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 from Account Code Line: Department of Water and Sewer Utilities/Division of Sewers and Water Supply NW037-750-7502-72210-B2019
Department of Public Works/Division of Motors / NW011-060-0602-71770-B2019
Department of Public Safety/Fire Special Services Division / NW011-190-1903-72210-B2019
Department of Public Safety/Division of Police / NW011-190-1902-83850-B2019. This contract shall not exceed One Hundred Ten Thousand Dollars and Zero Cents (\$110,000.00) for a period not to exceed two (2) years for one (1) vendor.
5. The Purchasing Agent, QPA, shall forthwith file a duly executed copy of this contract in the Office of the City Clerk.
6. 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 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 Purchasing Agent, QPA, to enter into and execute a contract with Praxair Distribution Inc., 5275 Tilghman Street, Allentown, Pennsylvania 18104, to provide Gases with Rental of Tanks to the City of Newark, the Departments of Water and Sewer Utilities/ Division of Sewers and Water Supply, Department of Public Works/Division of Motors, Department of Public Safety/Division of Police, and the Department of Public Safety/Fire Special Services Division, at a cost not to exceed One Hundred Ten Thousand Dollars and Zero Cents (\$110,000.00) for a period not to exceed two (2) years.