



Legislation Details (With Text)

File #: 21-1692 **Version:** 1 **Name:** Resolution: Bid Contract - Paint, Painting Tools and Supplies
Type: Resolution **Status:** Adopted
File created: 11/12/2021 **In control:** Administration
On agenda: 5/4/2022 **Final action:** 5/4/2022

Title: Dept/ Agency: Administration/Division of Central Purchasing
Action: () Ratifying (X) Authorizing () Amending
Type of Service: Bid Contract(s)
Purpose: Paint, Painting Tools and Supplies
Entity Name(s)/Address(es): The Sherwin-Williams Company, 226 Talmadge Road, Edison, New Jersey 08817
Contract Amount: Not to exceed \$284,000.00
Funding Source: 2021 Budget/Department of Public Works, Division of Public Buildings/NW011-060-0604-83370/Department of Engineering, Division of Traffic and Signals/NW011-110-1107-83720/Department of Public Works, Division of Sanitation/NW011-060-0605-83370/Department of Water and Sewer Utilities/NW037-750-7502-83370
Contract Period: To be established for a period not to exceed (24) consecutive months commencing upon fully executed contract
Contract Basis: (X) Bid () State Vendor () Prof. Ser. () EUS
() Fair & Open () No Reportable Contributions () RFP () RFQ
() Private Sale () Grant () Sub-recipient () N/A
Additional Information:
This Resolution will authorize the City to enter into a contract with a vendor to provide the City's Departments of Public Works, Divisions of Public Buildings and Sanitation, the Department of Engineering, Division of Traffic and Signals and the Department of Water and Sewer Utilities with Paint, Painting Tools and Supplies.

Advertisement: October 13, 2021
Bid Downloaded: Eleven (11)
Bid Received: One (1)

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
5/4/2022	1	Municipal Council	Adopt	Pass

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Bid Downloaded: Eleven (11)

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WHEREAS, on October 13, 2021, the City of Newark through its Purchasing Agent, QPA (the "City"), advertised to solicit bids for contractors to provide Paint, Painting Tools and Supplies for the Department of Public Works, Division of Sanitation and the Departments of Public Buildings, Water and Sewer Utilities and the Department of Engineering, Division of Traffic and Signals, as described in the attached bid proposal; and

WHEREAS, the Division of Central Purchasing published the bid package on the City of Newark's new electronic procurement portal to provide a broader access and download capability to potential bidders; and

WHEREAS, on October 28, 2021, the Division of Central Purchasing received one (1) bid in response to this advertisement; and

WHEREAS, the Directors of Public Works, Water and Sewer Utilities and the Manager of the Division of Public Buildings each recommended that a single award be made to: Sherwin-Williams Company, 226 Talmadge Road, Edison, New Jersey 08817, the only responsive and responsible bidder; and

WHEREAS, the Purchasing Agent concurs with the recommendation from the Directors of the Departments of Public Works and Water and Sewer Utilities and the Manager of the Division of Public Buildings, that a single award be made to: Sherwin-Williams Company, 226 Talmadge Road, Edison, New Jersey 08817, the only responsive and responsible bidder; and

WHEREAS, pursuant to N.J.S.A. 40A:11-24, the recommended bidder consented to holding its 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 of the City of Newark and/or his designee, the Business Administrator, are hereby authorized to enter into and execute a contract with: Sherwin-Williams Company, 226

Talmadge Road, Edison, New Jersey 08817 to provide Paint, Painting Tools and Supplies for the City's Department of Public Works, Division of Public Buildings and the Division of Sanitation, the Department of Engineering, Division of Traffic and Signals and the Department of Water and Sewer Utilities, whose bid was received on the advertised due date and determined to be the only responsive and responsible bidder in accordance with the bid specifications. 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 by Resolution.
3. There shall be no advance payment on this contract in accordance with N.J.S.A. 40A:5-16. Funds for 2020 and subsequent years are contingent upon appropriations, pursuant to N.J.A.C. 5:30-5.5(d).
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: NW011-060-0604-83370-B2021/Department of Public Works, Division of Public Buildings; NW011-110-1107-83720-B2021/Department of Engineering, Division of Traffic and Signals; NW011-060-0605-83370-B2021/Department of Public Works, Division of Sanitation and NW037-750-7502-83370-B2021/Department of Water and Sewer Utilities. This contract shall not exceed Two Hundred Eighty-Four Thousand Dollars and Zero Cents (\$284,000.00) for one (1) vendor for twenty-four (24) consecutive months with the start date commencing upon a fully executed contract.
5. A duly executed copy of the contract shall be filed in the Office of the City Clerk, by the Purchasing Agent, QPA.
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 of the City of Newark and/or his designee, the Business Administrator, to enter into and execute a contract with Sherwin-Williams Company, 226 Talmadge Road, Edison, New Jersey 08817 to provide Paint, Painting Tools and Supplies to the City's Department of Public Works, Division of Public Buildings and the Division of Sanitation, the Department of Engineering, Division of Traffic and Signals and the Department of Water and Sewer Utilities at a contract amount not to exceed \$284,000.00 for a period of twenty-four (24) consecutive months for one (1) vendor to commence upon a fully executed contract.