



## Legislation Details (With Text)

**File #:** 22-0015      **Version:** 1      **Name:** Resolution: State Contract(s) #16-FLEET 00130  
T0103 Park and Playground Equipment - Hennessy Park

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

**File created:** 1/5/2022      **In control:** Administration

**On agenda:** 6/2/2022      **Final action:** 6/2/2022

**Title:** Dept/ Agency: Administration/Division of Central Purchasing  
Action: ☒ Ratifying   ☒ Authorizing   ☐ Amending  
Type of Service: Use of State Contract(s) #16-FLEET-00130 T0103 Park and Playground Equipment  
Purpose: To build a new playground at Hennessy Park.  
Entity Name(s)/Address(s): General Recreation Inc., Newtown Square, Pennsylvania 19073  
Contract Amount: Not to exceed \$238,889.50  
Funding Source: 2020 Budget/Open Space Trust Account/Department of Engineering/NW026-BS-Account 32720-B2020  
Contract Period: Upon approval by the Municipal Council, through May 30, 2022 inclusive of extensions by the State  
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 purchase equipment to build a new playground at Hennessy Park located at the corner of Chestnut and Hennessy Streets, under Contract #16-FLEET-00130 T0103 Park and Playground Equipment.

**Sponsors:** Council of the Whole

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### Code sections:

Date	Ver.	Action By	Action	Result
6/2/2022	1	Municipal Council	Adopt	Pass

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**Additional Information:**  
To purchase equipment to build a new playground at Hennessy Park located at the corner of Chestnut and Hennessy Streets, under Contract #16-FLEET-00130 T0103 Park and Playground Equipment.

**WHEREAS**, the City of Newark, through its Qualified Purchasing Agent (the “City”), wishes to utilize State Contract #16-FLEET-00130 T0103 for the Department of Engineering 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 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 Contract #16-FLEET-00130 T0103 to build a new playground at Hennessy Park located at the corner of Chestnut and Hennessy Streets for the residents of City of Newark through the Department of Engineering upon approval by the Municipal Council, through May 30, 2022, inclusive of extensions by the State; and

**WHEREAS**, the Qualified Purchasing Agent recommends the utilization of State Contract #16-FLEET-00130 T0103 to build a new playground at Hennessy Park, located at the corner of Chestnut and Hennessy Streets, for the residents of the City of Newark through the Department of Engineering; and

**WHEREAS**, usage of this contract will provide park and playground equipment for the residents of City of Newark through the Department of Engineering at a contract amount not to exceed Two Hundred Thirty-Eight Thousand Eight Hundred Eighty-Nine Dollars and Fifty Cents (\$238,889.50).

**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 Qualified Purchasing Agent is authorized to utilize State Contract #16-FLEET-00130, under Contract #T0103 Park and Playground Equipment awarded to General Recreation, Inc., Newtown Square, Pennsylvania 19073 to build a new playground at Hennessy Park located at the corner of Chestnut and Hennessy Streets for the residents of City of Newark through the Department of Engineering for the period commencing upon approval by the Municipal Council through May 30, 2022, inclusive of extensions by the State.
2. All purchases, Purchase Orders and other related documentation shall be in accordance with the relevant State Contract, New Jersey Standard Terms and Conditions, Method of Operation and Third Party Agreement, if applicable, as contained in the State Contract documentations and agreements.
3. There shall be no amendments to 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. Attached hereto is a Certification of Funds issued by the Director of the Department of Finance stating that funds in the amount of Two Hundred Thirty-Eight Thousand Eight Hundred Eighty-Nine Dollars and Fifty Cents (\$238,889.50) are available for the purchase of park and playground equipment in the Open Space Trust Account: NW026-Dept. BS Account 32720; B2020, and the amount for this contract shall not exceed Two Hundred Thirty-Eight Thousand Eight Hundred Eighty-Nine Dollars and Fifty Cents (\$238,889.50.) for the period commencing upon approval by the Municipal Council through May 30, 2022, inclusive of extensions by the State.
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 Division of Central Purchasing shall file a duly executed copy of the contract 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 of the City of Newark and/or his designees, the Qualified Purchasing Agent and/or the Business Administrator, to utilize State Contract #16-FLEET-00130, under Contract #T0103 Park and Playground Equipment awarded to General Recreation Inc., Newtown Square, Pennsylvania 19073 to build a new playground at Hennessy Park located at the corner of Chestnut and Hennessy Streets for the residents of City of Newark through the Department of Engineering, for the period commencing upon approval by the Municipal Council through May 30, 2022, inclusive of extensions by the State, at a contract amount not to exceed \$238,889.50.