



## Legislation Details (With Text)

**File #:** 22-0172 **Version:** 1 **Name:** Resolution: State Contract(s) #21-FOOD-01684 T0983 Environmental Testing Instruments, Equip and Supplies for Air and Water Quality

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

**File created:** 2/8/2022 **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) #21-FOOD-01684 T0983 Environmental Testing Instruments, Equipment and Supplies for Air and Water Quality  
Purpose: To purchase Environmental Testing Instruments, Equipment and Supplies for Air and Water Quality to be used at the Cedar Grove Laboratory and Pequannock Water Treatment Plant.  
Entity Name(s)/Address(s): Hach Company, 5600 Lindbergh Drive, Loveland Colorado 80537  
Contract Amount: Not to exceed \$600,000.00  
Funding Source: 2022 Budget/Department of Water and Sewer Utilities/NW037-750-7502-83230-B2022  
Contract Period: Upon approval by the Municipal Council through August 31, 2024, inclusive of any 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 Environmental Testing Instruments, Equipment and Supplies for Air and Water Quality for use by the Department of Water and Sewer Utilities at its Cedar Grove Laboratory and Pequannock Water Treatment Plant.

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

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

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**Additional Information:**

To purchase Environmental Testing Instruments, Equipment and Supplies for Air and Water Quality for use by the Department of Water and Sewer Utilities at its Cedar Grove Laboratory and Pequannock Water Treatment Plant.

**WHEREAS**, the City of Newark, through its Qualified Purchasing Agent (the "City"), wishes to utilize State Contract #21-FOOD-01684 T0983 Environmental Testing Instruments, Equipment and Supplies for Air and Water Quality to be used at the Cedar Grove Laboratory and Pequannock Water Treatment Plant for the Department of Water and Sewer Utilities, 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 #21-FOOD-01684 T0983 Environmental Testing Instruments, Equipment and Supplies for Air and Water Quality to be used at the Cedar Grove Laboratory and Pequannock Water Treatment Plant awarded to Hach Company, 5600 Lindbergh Drive, Loveland Colorado 80537, under Contract #21-FOOD-01684 T0983 to be used at the Cedar Grove Laboratory and Pequannock Water Treatment Plant upon approval of this Resolution by the Municipal Council through August 31, 2024, inclusive of extensions by the State; and

**WHEREAS**, the Purchasing Agent recommends the utilization of State Contract #21-FOOD-01684 T0983 Environmental Testing Instruments, Equipment and Supplies for Air and Water Quality to be used at the Cedar Grove Laboratory and Pequannock Water Treatment Plant awarded to awarded to Hach Company, 5600 Lindbergh Drive Loveland Colorado 80537 for the purchase of Environmental Testing Instruments, Equipment and Supplies for Air and Water Quality to be used at the Cedar Grove Laboratory and Pequannock Water Treatment Plant according to specifications required by the Department of Water and Sewer Utilities; and

**WHEREAS**, usage of this contract will provide Environmental Testing Instruments, Equipment and Supplies for Air and Water Quality to be used at the Cedar Grove Laboratory and Pequannock Water Treatment Plant at an amount not to exceed Six Hundred Thousand Dollars and Zero Cents (\$600,000.00).

**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 Qualified Purchasing Agent is authorized to utilize State Contract #21-FOOD-01684 T0983 Environmental Testing

Instruments, Equipment and Supplies for Air and Water Quality to be used at the Cedar Grove Laboratory and Pequannock Water Treatment Plant, which includes Contract #21-FOOD-01684 T0983, awarded to Hach Company, 5600 Lindbergh Drive, Loveland, Colorado 80537, to be used at the Cedar Grove Laboratory and Pequannock Water Treatment Plant for the Department of Water and Sewer Utilities, for the period commencing upon approval of this Resolution by the Municipal Council through August 31, 2024, 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 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 Environmental Testing Instruments, Equipment and Supplies for Air and Water Quality to be used at the Cedar Grove Laboratory and Pequannock Water Treatment Plants are encumbered from Funding Source NW037-750-7502-83230. The contract amount shall not exceed Six Hundred Thousand Dollars and Zero Cents (\$600,000.00).
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 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 #21-FOOD-01684 T0983 to be used at the Cedar Grove Laboratory and Pequannock Water Treatment Plant awarded to Hach Company, 5600 Lindbergh Drive, Loveland, Colorado 80537 to purchase Environmental Testing Instruments, Equipment and Supplies for Air and Water Quality to be used at the Cedar Grove Laboratory and Pequannock Water Treatment Plant for the Department of Water and Sewer Utilities, under Contract #21-FOOD-01684 T0983, for the period commencing upon adoption of this Resolution by the Municipal Council through August 31, 2024, inclusive of extensions by the State, at an amount not to exceed \$600,000.00.

