



## Legislation Details (With Text)

**File #:** 22-1033      **Version:** 1      **Name:** T0083 Unleaded Automotive Gasoline  
**Type:** Resolution      **Status:** Adopted  
**File created:** 7/20/2022      **In control:** Administration  
**On agenda:** 10/5/2022      **Final action:** 10/5/2022  
**Title:** Dept/ Agency: Administration/Division of Central Purchasing  
Action: ☒ Ratifying ☒ Authorizing ☐ Amending  
Type of Service: Use of State Contract(s) #T0083 Unleaded Automotive Gasoline  
Purpose: To purchase Unleaded Automotive Gasoline for the City of Newark fleet.  
Entity Name(s)/Address(s): Rachles/Michele's Oil Company, Inc., 116 Kuller Road, Clifton, New Jersey 07011  
Contract Amount: Not to exceed \$1,500,000.00  
Funding Source: 2022 Budget/011-060-0602-83510-B2022  
Contract Period: November 1, 2019 through October 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:

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
10/5/2022	1	Municipal Council	Adopt	Pass

**Dept/ Agency:** Administration/Division of Central Purchasing  
**Action:** ☒ Ratifying ☒ Authorizing ☐ Amending  
**Type of Service:** Use of State Contract(s) #T0083 Unleaded Automotive Gasoline  
**Purpose:** To purchase Unleaded Automotive Gasoline for the City of Newark fleet.  
**Entity Name(s)/Address(s):** Rachles/Michele's Oil Company, Inc., 116 Kuller Road, Clifton, New Jersey 07011  
**Contract Amount:** Not to exceed \$1,500,000.00  
**Funding Source:** 2022 Budget/011-060-0602-83510-B2022  
**Contract Period:** November 1, 2019 through October 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:**

**WHEREAS,** the City of Newark, through its Purchasing Agent wishes to utilize the State Contract #T0083 Unleaded Automotive Gasoline to purchase fuel 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 is 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 this contract with awarded vendor Rachles/Michele Oil Co. Inc., 116 Kuller Road, Clifton, NJ 07011 commencing on November 1<sup>st</sup>, 2019 through October 31<sup>st</sup>, 2024, inclusive of any subsequent extensions to the term of the contract; and

**WHEREAS**, the Purchasing Agent recommends the utilization of this State contract award on the grounds that it provides Gasoline, Automotive, according to specifications required by the City of Newark; and

**WHEREAS**, the total cost for the purchase of Gasoline, Automotive is expected not to exceed \$1,500,000.00 (One Million Five Hundred Thousand Dollars and Zero Cents); and

**WHEREAS**, usage of this contract provides automotive gasoline needed for the City's fleet of non-diesel vehicles, most notably, the 24/7 police cars and fire support vehicles; and

**WHEREAS**, the Chief Financial Officer will certify the availability of funds before orders are placed.

**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 Purchasing Agent is authorized to utilize State Contract # T0083 Unleaded Automotive Gasoline and its awarded vendor, Rachles Michele's Oil Co. Inc., to provide gasoline for City of Newark fleet for the period commencing on November 1<sup>st</sup>, 2019 through October 31<sup>st</sup>, 2024, inclusive of any subsequent extensions to the term of this State contract.
2. There shall be no amendment of this resolution without the approval of the Municipal Council.
3. There shall be no advance payment on this state contract in accordance with N.J.S.A. 40A: 5-16. Funds for these purchases are contingent upon appropriations; pursuant to N.J.A.C. 5:30-5.5(c).
4. This contract is awarded as an open-ended contract pursuant to N.J.A.C. 5:30-5.5(d)(2) certification of the availability of funds shall be executed by purchase order, each time an order is placed and charged against this contract. This contract shall not exceed \$1,500,000.00 (One Million Five Hundred Thousand Dollars and Zero Cents).
5. 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.

6. The contract is hereby ratified from November 1, 2019 through the date of the adoption of this authorizing Resolution
7. The Purchasing Agent shall forthwith file a duly executed copy of the contract in the Office of the City Clerk.
8. If required by the State Law, the City Clerk shall provide the appropriate notice of the award of this contract to the State Comptroller no later than 20 business days following such authorization, 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 ratifies and authorizes usage of a State contract award to Rachles/Michele's Oil Company, Inc. located at 116 Kuller Rd, Clifton, New Jersey 07011 to provide for the purchase of Gasoline for the City of Newark fleet, for the period commencing on November 1<sup>st</sup>, 2019 through October 31<sup>st</sup>, 2024, inclusive of any subsequent extensions to the term of this State contract, at a cost not to exceed \$1,500,000.00 (One Million Five Hundred Thousand Dollars and Zero Cents).