

## City of Newark

City Hall 920 Broad Street Newark, New Jersey 07102

## Legislation Details (With Text)

22-1033	Version:	1	Name:	10083 Unleaded Autom	otive Gasoline
Resolution	ı		Status:	Adopted	
7/20/2022			In control:	Administration	
10/5/2022			Final action:	10/5/2022	
Action: (X Type of So Purpose: Entity Nar Jersey 07 Contract A Funding S Contract F State Contract E ( ) Fair & ( ) Private	(x) Řatifying (X) ervice: Use of S To purchase Urne(s)/Address(s) 011 Amount: Not to esource: 2022 Bu Period: Novemb Basis: ( ) Bid ( Open ( ) No e Sale ( ) Gra	() Auth State Conleade (): Rac exceed udget/() per 1, 2 (X) Sta Repor	norizing ( ) A Contract(s) #T00 ed Automotive G chles/Michele's d \$1,500,000.00 011-060-0602-8 2019 through O ate Vendor ( )	mending  083 Unleaded Automotive Grasoline for the City of Neward Oil Company, Inc., 116 Kulls  03510-B2022 Ctober 31, 2024, inclusive of Prof. Ser. ( ) EUS ons ( ) RFP ( ) RFQ	ark fleet. ler Road, Clifton, New
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֡֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜	7/20/2022 10/5/2022 Dept/ Age Action: (X Type of Se Purpose: Entity Nan Jersey 070 Contract A Funding S Contract E ( ) Fair & ( ) Private Additional Council of  Ver. Actio 1 Mun : Administ atifying ce: Use of ourchase s)/Addres  eunt: Not ce: 2022 od: Nove	Resolution 7/20/2022  10/5/2022  Dept/ Agency: Administra Action: (X) Ratifying (X) Type of Service: Use of Service: 2022 But Contract Amount: Not to example to the State Contract Basis: ( ) Bid ( ( ) Fair & Open ( ) No ( ) Private Sale ( ) Grant Additional Information:  Council of the Whole  Ver. Action By  1 Municipal Council Administration/Divisional Information: Council of the Whole  Ver. Action By  1 Municipal Council Administration/Divisional Information: Council of the Whole  Ver. Action By  1 Municipal Council Administration/Divisional Information: Ce: Use of State Contract Council C	Resolution 7/20/2022  10/5/2022  Dept/ Agency: Administration/D Action: (X) Ratifying (X) Auth Type of Service: Use of State (C) Purpose: To purchase Unleaded Entity Name(s)/Address(s): Rad Jersey 07011  Contract Amount: Not to exceed Funding Source: 2022 Budget// Contract Period: November 1, 3 State Contract Basis: ( ) Bid (X) State ( ) Fair & Open ( ) No Report ( ) Private Sale ( ) Grant ( ) Additional Information: Council of the Whole  Ver. Action By  1 Municipal Council Council of the Whole  Ver. Action By 1 Municipal Council Council of the Whole  Rec: Use of State Contract(state) Courchase Unleaded Automore Council of the State Contract(state) Courchase Unleaded Automore Council Not to exceed \$1,500, Ce: 2022 Budget/011-060-	Resolution 7/20/2022 In control: 10/5/2022 Final action:  Dept/ Agency: Administration/Division of Centr Action: (X) Ratifying (X) Authorizing () A Type of Service: Use of State Contract(s) #T00 Purpose: To purchase Unleaded Automotive Gentity Name(s)/Address(s): Rachles/Michele's Jersey 07011 Contract Amount: Not to exceed \$1,500,000.00 Funding Source: 2022 Budget/011-060-0602-8 Contract Period: November 1, 2019 through Ostate Contract Basis: () Bid (X) State Vendor () State Contract Basis: () Bid (X) State Vendor () () Fair & Open () No Reportable Contributi () Private Sale () Grant () Sub-recipient Additional Information: Council of the Whole  Ver. Action By Action	Resolution  7/20/2022  In control: Administration  10/5/2022  Final action: 10/5/2022  Dept/ Agency: Administration/Division of Central Purchasing Action: (X) Ratifying (X) Authorizing () Amending Type of Service: Use of State Contract(s) #T0083 Unleaded Automotive George Purpose: To purchase Unleaded Automotive Gasoline for the City of Newson Entity Name(s)/Address(s): Rachles/Michele's Oil Company, Inc., 116 Kull 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 State  Contract Basis: () Bid (X) State Vendor () Prof. Ser. () EUS () Fair & Open () No Reportable Contributions () RFP () RFQ () Private Sale () Grant () Sub-recipient () n/a  Additional Information:  Council of the Whole  Ver. Action By Action  1 Municipal Council Adopt  Adopt  Administration/Division of Central Purchasing atifying (X) Authorizing () Amending  Ce: Use of State Contract(s) #T0083 Unleaded Automotive Gasourchase Unleaded Automotive Gasoline for the City of Newark (a)/Address(s): Rachles/Michele's Oil Company, Inc., 116 Kulles (a)/Address(s):

**WHEREAS**, the purchase of goods/services by Local contracting units is authorized by Local Public Contracts Law, <u>N.J.S.A</u>. 40A: 11-12; and

**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**, 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 st, 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 1st, 2019 through October 31st, 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 <u>N.J.S.A</u>. 40A: 5-16. Funds for these purchases are contingent upon appropriations; pursuant to <u>N.J.A.C</u>. 5:30-5.5(c).
- 4. This contract is awarded as an open-ended contract pursuant to <u>N.J.A.C</u>. 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, <u>N.J.S.A</u>. 19:44A-20.5 as a State contract award and constitutes a fair and open procedure.

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- 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 07011to 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).