



Legislation Details (With Text)

File #: 22-1671 **Version:** 1 **Name:** Resolution: Bid Contract - Gates Flsg and Banner and ConServ Company (2 Vendors)

Type: Resolution **Status:** Adopted

File created: 11/10/2022 **In control:** Administration

On agenda: 3/1/2023 **Final action:** 3/1/2023

Title: Dept/ Agency: Administration/Division of Central Purchasing
Action: () Ratifying (X) Authorizing () Amending
Type of Service: Bid Contract(s)
Purpose: To purchase Flags and Accessories.
Entity Name(s)/Address(s):
1) Gates Flag and Banner, 6 East 1st Street, Clifton, New Jersey 07011
2) ConServ Company, 1003 Illinois Street, Sidney, Nebraska 69162
Contract Amount: Not to exceed \$126,000.00
Funding Source: 2022 Budget/Department of Public Works/NW011-060-0604-83870-B2022/Department of Public Safety, Division of Police/NW011-190-1902-83870-B2022/Department of Public Safety, Division of Fire/NW011-190-1903-72210-B2022/Office of the City Clerk/NW011-020-0201-83870-B2022
Contract Period: To be established for a period not to exceed twenty-four (24) consecutive months
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 contract will provide flags and accessories for the City of Newark.

Advertisement: September 7, 2022
Bids Downloaded: Ten (10)
Bids Received: Three (3)

Sponsors: Council of the Whole

Indexes:

Code sections:

| Date | Ver. | Action By | Action | Result |
|----------|------|-------------------|--------|--------|
| 3/1/2023 | 1 | Municipal Council | Adopt | Pass |

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Advertisement: September 7, 2022

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WHEREAS, on September 7, 2022 the City of Newark through its Qualified Purchasing Agent, QPA, advertised to solicit bids for contractors to provide Flags and Accessories for the Departments of Public Works, Public Safety, Divisions of Police and Fire, and the Office of the City Clerk, as described in the attached bid proposal; and

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

WHEREAS, on September 22, 2022, the Division of Central Purchasing received three (3) bids in response to this advertisement; and

WHEREAS, the Director of the Department of Public Safety, Divisions of Police and Fire and the Office of the City Clerk recommended that a multiple award be made to: Gates Flag and Banner, 6 East 1st Street, Clifton, New Jersey 07011 and JLMP Sporting Goods Corp., 36 Butler Street, Suite 2K, Elizabeth, New Jersey 07206 and ConServ Company, 1003 Illinois Street, Sidney, Nebraska 69162, the lowest, responsive and responsible bidders per line item commodity per year to provide flags and accessories to the City; and

WHEREAS, JLMP Sporting Goods Corp's proposal was deemed non-responsive due to failure to submit the Statement of Ownership Disclosure with the bid proposal; and

WHEREAS, the Qualified Purchasing Agent, QPA, concurs with the recommendation from the Director of the Department of Public Safety, Divisions of Police and Fire and the Office of the City Clerk Office that a multiple award be made to: Gates Flag and Banner, 6 East 1st Street, Clifton, New Jersey 07011 and ConServ Company, 1003 Illinois Street, Sidney, Nebraska 69162 the lowest, responsive and responsible bidders per line item commodity per year to provide flags and accessories to the City, and

WHEREAS, pursuant to N.J.S.A. 40A:11-24, the recommended bidders consented to holding their 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 designees, the Business Administrator and/or the

Qualified Purchasing Agent, QPA, are hereby authorized to enter into and execute a contract with Gates Flag and Banner, 6 East 1st Street, Clifton, New Jersey 07011 to receive line items # 8, 17, 26, 27, 29, 33, 35, 38, 39, 40, 44, 54, 56, 58, 60, 64, 66, 71, and 73 for year 1 and line items # 8, 17, 27, 29, 33, 35, 38, 39, 40, 44, 54, 56, 58, 60, 64, 66, 71, and 73 for year 2; and with ConServ Company, 1003 Illinois Street, Sidney, Nebraska 69162 to receive line items #1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21, 22, 23, 24, 28, 30, 31, 32, 34, 36, 37, 41, 42, 43, 45, 46, 47, 48, 52, 62, 63, 68, 69, 70, 72, and 76 for year 1 and 2 and line item #26 for year 2 to purchase Flags and Accessories for the City of Newark, Departments of Public Works, Public Safety, Divisions of Police and Fire, and the Office of the City Clerk, whose bids were received on the due date and determined to be the responsive and responsible bidders per line item commodity per year in accordance with the bid specifications. The term of the contract will be established for a period not to exceed twenty-four (24) consecutive months, pursuant to N.J.S.A. 40A:11-15, at an amount not to exceed One Hundred Twenty-Six Thousand Dollars and Zero Cents (\$126,000.00). There were no awards made for line items #25, 49, 50, 51, 53, 55, 57, 59, 61, 65, 67, 74, 75, 77, and 78.

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 2022 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 Lines: Department of Public Works/NW011-060-0604-83870-B2022/Department of Public Safety, Division of Police/NW011-190-1902-83870-B2022/Department of Public Safety, Division of Fire/NW011-190-1903-72210-B2022/Office of the City Clerk/NW011-020-0201-83870-B2022. Other user departments/offices and applicable funding sources will be presented with the Certification of Funds signed by the Chief Financial Officer on an as needed basis. This contract shall not exceed One Hundred Twenty-Six Thousand Dollars and Zero Cents (\$126,000.00) for a period to be established and not to exceed twenty-four (24) consecutive months for two (2) vendors.
5. The Qualified Purchasing Agent, QPA, shall file a copy of the Resolution and the duly executed copy of the contract in the Office of the City Clerk.
6. If required by State Law, the Acting 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 designees, the Business Administrator and/or the Qualified Purchasing Agent, QPA, to enter into and execute a

multiple award contract with Gates Flag and Banner, 6 East 1st Street, Clifton, New Jersey 07011 and ConServ Company, 1003 Illinois Street, Sidney, Nebraska 69162 to provide Flags and Accessories to the City of Newark, at an amount not to exceed \$126,000.00 for a period not to exceed twenty-four (24) consecutive months.