



Legislation Details (With Text)

File #: 23-0397 **Version:** 1 **Name:** Resolution: Extension of an Emergency Contract #E2023-01 - M&R Elevators and Chair Lifts

Type: Resolution **Status:** Adopted

File created: 3/9/2023 **In control:** Administration

On agenda: 5/3/2023 **Final action:** 5/3/2023

Title: Dept/ Agency: Administration/Division of Central Purchasing
Action: (X) Ratifying (X) Authorizing () Amending
Type of Service: Extension of Emergency Contract #E2023-01
Purpose: To extend the Emergency Contract for Maintenance and Repair of Elevators and Chair Lifts.
Entity Name: Big Apple Elevator Service and Consulting, LLC
Entity Address: 125 Half Mile Road, Suite 200, Red Bank, New Jersey 07701
Contract Amount: Not to exceed \$250,000.00
Funding Source: 2023 Budget/Department of Public Works/NW011-060-0604-71660-B2023
Contract Period: Extended from April 4, 2023 through December 31, 2023
Contract Basis: () Bid () State Vendor () Prof. Ser. () EUS
() Fair & Open () No Reportable Contributions () RFP () RFQ
() Private Sale () Grant () Sub-recipient (X) n/a
Additional Information:
An Emergency Contract #E2023-01 was awarded to one (1) vendor in an amount not to exceed \$250,000.00 for the period of January 4, 2023 through April 3, 2023 for the City's Department of Public Works.
This extension of the Emergency Contract #E2023-01 will extend the contract period through December 31, 2023.

Sponsors:

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
5/3/2023	1	Municipal Council	Adopt	Pass

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Additional Information:
An Emergency Contract #E2023-01 was awarded to one (1) vendor in an amount not to exceed \$250,000.00 for the period of January 4, 2023 through April 3, 2023 for the City's Department of Public Works.

This extension of the Emergency Contract #E2023-01 will extend the contract period through December 31, 2023.

WHEREAS, on January 3, 2023, the Department of Public Works requested a declaration of emergency for the maintenance and repair of the elevators and chair lifts; and

WHEREAS, on January 4, 2023, pursuant to N.J.S.A. 40A:11-6 and N.J.A.C. 5:34-6.1(a), the Purchasing Agent, QPA, approved the aforementioned request and the Department of Public Works entered into Emergency Contract #E2023-01 for a period of January 4, 2023 through April 3, 2023 with a not to exceed amount of Two Hundred Fifty Thousand Dollars and Zero Cents (\$250,000.00) with Big Apple Elevator Service and Consulting, LLC, 125 Half Mile Road, Suite 200, Red Bank, New Jersey 07701. A copy of said Emergency Contract #E-2023-01 is attached hereto and made a part hereof; and

WHEREAS, the Department of Public Works continues to be in immediate and emergent need for the maintenance and repair of the City's elevators and chair lifts as the City prepares the specifications to be solicited; and

WHEREAS, N.J.S.A. 40A: 11-6 provides that Emergency Contracts may be entered into when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of service; and

WHEREAS, the Department of Public Works desires to ratify and extend Emergency Contract #E2023-01 for the period commencing from April 4, 2023 and continuing until December 31, 2023 for a total amount not to exceed Two Hundred Fifty Thousand Dollars and Zero Cents (\$250,000.00); and

WHEREAS, N.J.A.C. 5:34-6.1(a)(3) provides that the emergency purchasing procedure may be used when the need for such goods or services has arisen notwithstanding a good faith effort on the part of a municipality to plan for the purchase of any goods or services required by the municipality; and

WHEREAS, it is a matter of public health, safety and welfare that the above-described emergency contract be extended because the City of Newark still needs to ensure the safe and uninterrupted services and any interruption of the services would pose an imminent harm to the health, safety and welfare of the residents of the City of Newark; and

WHEREAS, City Ordinance 6PSF-e adopted on April 6, 2011, Article 2:5-13.2 (E)(1)(b)(c) limits the period of Emergency Contracts to ninety (90) days and no extensions of Emergency Contracts shall be permitted without authorization by the Municipal Council by Resolution; and

WHEREAS, the Municipal Council has the exclusive authority to extend an emergency; and

WHEREAS, the Department of Administration now seeks authorization by the Municipal Council to ratify and extend the emergency to prevent interruption of elevator use in City Buildings.

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 Purchasing Agent, QPA, are hereby authorized to enter into and execute an extension of Emergency Contract #E2023-01 with Big Apple Elevator Service and Consulting, LLC, 125 Half Mile Road, Suite 200, Red Bank, New Jersey 07701 for the period commencing on April 4, 2023 through December 31, 2023, for a total amount not to exceed Two Hundred Fifty Thousand Dollars and Zero Cents (\$250,000.00).
2. This extension will allow for the continuation of the maintenance and repairs to the City's elevators.
3. The extension of Emergency Contract #E2023-01 is ratified from April 4, 2023 to the date of adoption of this authorizing Resolution and until December 31, 2023.
4. Funds are available for Emergency Contract #E2023-01 2023 in an amount not to exceed Two Hundred Fifty Thousand Dollars and Zero Cents (\$250,000.00) under line appropriation of the Official Budget, which shall be charged is: 011-060-0604-71660-B2023.
5. The Qualified Purchasing Agent, for the City of Newark, has filed a copy of Emergency Contract #E2023-01, attached hereto, with 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 ratifies and authorizes the Mayor of the City of Newark, and/or his designees, the Business Administrator and/or the Purchasing Agent, QPA, to extend Emergency Contract #E2023-01 with Big Apple Elevator Service and Consulting, LLC, 125 Half Mile Road, Suite 200, Red Bank, New Jersey 07701 for the maintenance and repair of the City's elevators and chair lifts, for the period commencing on April 4, 2023 through December 31, 2023, for a total contract amount not to exceed \$250,000.00.