



## Legislation Details (With Text)

**File #:** 23-1090      **Version:** 1      **Name:** Extension of Emergency Contract to purchase medical supplies, equipment, vaccines and pharmaceuticals

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

**File created:** 7/8/2023      **In control:** Administration

**On agenda:** 9/7/2023      **Final action:** 9/7/2023

**Title:** Dept./Agency: Administration/Division of Central Purchasing  
 Action:  Ratifying  Authorizing  Amending  
 Type of Service: Extension of Emergency Contract #E2023-02  
 Purpose: To extend the Emergency Contract to purchase medical supplies, equipment, vaccines and pharmaceuticals for the Department of Health and Community Wellness.  
 Entity Name: Cen-med Enterprise, Inc.  
 Entity Address: 121 Jersey Avenue, New Brunswick, New Jersey 08901  
 Contract Amount: Not to exceed \$350,000.00  
 Funding Source: 2023 Budget/Department of Health and Community Wellness/NW026-46545  
 Contract Period: Extended from April 17, 2023 until September 30, 2023 or until new contract(s) are executed, whichever occurs first  
 Contract Basis:  Bid  State Vendor  Prof. Ser.  EUS  
 Fair & Open  No Reportable Contributions  RFP  RFQ  
 Private Sale  Grant  Sub-recipient  n/a  
 Additional Information:  
 An Emergency Contract #E2023-02 was awarded to Cen Med Enterprises, Inc. in an amount not to exceed \$175,000.00 for the period of January 17, 2023 through April 16, 2023 for the City's Department of Health and Community Wellness.

This extension of Emergency Contract #E2023-02 will be in place until September 30, 2023 or until the new contract(s) are awarded and this extension will increase the contract amount by \$175,000.00 for a new total emergency contract amount not to exceed \$350,000.00.

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
9/7/2023	1	Municipal Council	Adopt	Pass

**Dept./Agency:** Administration/Division of Central Purchasing  
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**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 #E2023-02 was awarded to Cen Med Enterprises, Inc. in an amount not to exceed \$175,000.00 for the period of January 17, 2023 through April 16, 2023 for the City's Department of Health and Community Wellness.

This extension of Emergency Contract #E2023-02 will be in place until September 30, 2023 or until the new contract(s) are awarded and this extension will increase the contract amount by \$175,000.00 for a new total emergency contract amount not to exceed \$350,000.00.

**WHEREAS**, on January 11, 2023, the Department of Health and Community Wellness requested a declaration of emergency to purchase medical supplies, equipment, vaccines and pharmaceuticals for the new access point located at 701 South Orange Avenue and the mobile medical vans; and

**WHEREAS**, on January 11, 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 Health and Community Wellness entered into Emergency Contract #E2023-02 for a period of January 17, 2023 through April 16, 2023 with a "not to exceed" amount of One Hundred Seventy-five Thousand Dollars and Zero Cents (\$175,000.00) with Cen Med Enterprises, Inc., 121 Jersey Avenue, New Brunswick, New Jersey 08901; A copy of said Emergency Contract #E-2023-02 is attached hereto and made a part hereof; and

**WHEREAS**, the Division of Central Purchasing are in the process of executing the contracts for Hospital, Surgical and Related Medical Accessories; and

**WHEREAS**, the Department of Health and Community Wellness continues to be in immediate and emergent need to maintain adequate quantities of medical equipment and supplies in order to provide primary, mental and dental care to the residents as the City executes the contracts; 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 Health and Community Wellness desires to ratify and extend Emergency Contract #E2023-02 for the period commencing from April 17, 2023 and continuing until new contract(s) are in place and increase the contract by One Hundred Seventy-five Thousand Dollars and Zero Cents (\$175,000.00) for a new total amount not to exceed Three Hundred Fifty Thousand Dollars and Zero Cents (\$350,000.00); 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 declaration of emergency until the Emergency is abated for the purchase of medical equipment and supplies.

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:**

1. The Mayor and/or his designees, the Business Administrator, and/or the Purchasing Agent, QPA, are hereby authorized to execute an extension of Emergency Contract #E2023-02 with Cen Med Enterprises Inc., 121 Jersey Avenue, New Brunswick, New Jersey 08901 for the period commencing on April 17, 2023 through September 30, 2023 or until new contract(s) are executed whichever comes first; and increase the contract amount by One Hundred Seventy-five Thousand Dollars and Zero Cents (\$175,000.00) for a new total amount not to exceed Three Hundred Fifty Thousand Dollars and Zero Cents (\$350,000.00).
2. This extension will allow for the purchase of medical supplies, equipment, vaccines and pharmaceuticals for
3. The extension of Emergency Contract #E2023-02 is ratified from April 17, 2023 to the date of adoption of this authorizing Resolution until September 30, 2023 or until new contract(s) are executed whichever comes first.
4. Funds are available for Emergency Contract #E2023-02 in an amount not to exceed Three Hundred Fifty Thousand Dollars and Zero Cents (\$350,000.00) under line appropriation of the Official Budget, which shall be charged is: 026-46545-B2023.
5. The Qualified Purchasing Agent, for the City of Newark, has filed a copy of Emergency Contract #E2023-02, attached hereto, with the Office of the City Clerk.
6. If required by State Law, the 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, and/or his designees, the Business Administrator and/or the Purchasing Agent, QPA, to extend Emergency Contract #E2023-02 with Cen Med Enterprises Inc., 121 Jersey Avenue, New Brunswick, New Jersey 08901; to purchase medical supplies, equipment, vaccines and pharmaceuticals for the period commencing on April 17, 2023 through September 30, 2023 or until new contract(s) are executed whichever occurs first; and increase the contract amount by One Hundred Seventy-five Thousand Dollars and Zero Cents

(\$175,000.00) for a new total amount not to exceed Three Hundred Fifty Thousand Dollars and Zero Cents (\$350,000.00).