



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 13-1589, Version: 1

Dept/ Agency: Administration/Division of Central Purchasing

Action: () Ratifying (X) Authorizing () Amending

Type of Service: Use of State Contract(s) # A79572

Purpose: New Holland B95C Tractor Loader Backhoe

Entity Name(s)/Address(s): Gaithersburg Farmers Supply Inc. / 700 E. Diamond Avenue, Gaithersburg, Maryland 20877

Contract Amount: \$160,402.00

Funding Source: Neighborhood and Recreational Services, Municipal Tonnage Grants

Contract Period: Upon Municipal Council approval - July 31, 2014

Contract Basis: () Bid (X) State Vendor () Prof. Ser. () EUS

() Fair & Open () No Reportable Contributions () RFP () RFQ

() Private Sale () Grant () Sub-recipient () n/a

Entity Name/Address:

Additional Information:

No Action Taken 7R1-i 102313

WHEREAS, the City of Newark through its Purchasing Director wishes to utilize the New Holland B95C Tractor Loader Backhoe, State Contract No. A79572 (Index No. G-8017), to purchase products or services 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 and 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, (1) 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, (2) only the items/services specified in the applicable State contract(s) may be purchased from the contract vendor(s) of record. (3) Cooperative Purchasing participants assume full responsibility for all purchase transactions issued through State contracts, including Purchase Orders, delivery compliance, and payments; and

WHEREAS, the following vendor has been awarded a State contract for the purchase of a Loader / Backhoe New Holland, for the period commencing adoption of this resolution to July 31, 2014, inclusive of any subsequent extension to the term of the state contract.

A79572, Gaithersburg Farmers Supply Inc., 700 E. Diamond Avenue, Gaithersburg, Maryland 20877

WHEREAS, the Purchasing Director recommends the utilization of this State contract award on the grounds that it provides a New Holland B95C Tractor Loader Backhoe, according to specifications

required by the City of Newark; and

WHEREAS, the total cost for the purchase of New Holland B95C Tractor Loader Backhoe, is expected not to exceed \$160,402.00; and

WHEREAS, usage of this contract provides two (2) loader / backhoe combinations required by the Department of Neighborhood Services, Division of Sanitation.

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 Director is authorized to utilize State Contract No. A79572 (Index No. G-8017), Gaithersburg Farmers Supply Inc., 700 E. Diamond Avenue, Gaithersburg, Maryland 20877 to provide two (2) New Holland B95C Tractor Loader Backhoe, combinations, for the period commencing from the adoption of this resolution to July 31, 2014, 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.
4. Funds for this purchase are encumbered on PO No. NW051 DEPT. G13, PROJ. 3N320, ACCT. 94340, BUDGET B2013 for \$160,402.00. The contract shall not exceed \$160,402.00.
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 Purchasing Director shall forthwith file a duly executed copy of the contract in the Office of the City Clerk.
7. 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 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 OF INTENT:

This resolution authorizes usage of a state contract award to Gaithersburg Farmers Supply Inc., to provide for the purchase of a New Holland B95C Tractor Loader Backhoe, for the period commencing from the adoption of this resolution to July 31, 2014, inclusive of any subsequent extensions to the term, at a cost not to exceed \$160,402.00.

