



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

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**File #:** 13-1603, **Version:** 1

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**Dept/ Agency:** Administration/Division of Central Purchasing

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

**Type of Service:** Use of State Contract(s) # 83577 and 83557

**Purpose:** 1.) Vehicles, Trucks, Class 2, Pickup/Utility, with Snow Plow Option

2.) Vehicles, Trucks, Class 3, Pickup/Utility/Dump, with Snow Plow Option

**Entity Name(s)/Address(s):** DFFLM, LLC/215 Routes 202 & 31, Flemington, New Jersey 08822 (Contract No. 83577, Vehicle Class 2) and DFFLM, LLC/215 Routes 202 & 31, Flemington, New Jersey 08822 (Contract No. 83557, Vehicle Class 3)

**Contract Amount:** \$133,316.00 and \$134,280.00 for a combined total of \$267,596.00

**Funding Source:** Department of Neighborhood and Recreational Services Municipal Tonnage Grants

**Contract Period:** Upon Municipal Council Approval not to exceed February 21, 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:**

WHEREAS, the City of Newark through its Purchasing Director wishes to utilize the Vehicles, Trucks, Class 2, Pickup/Utility, with Snow Plow Option state contract (Index No. T-2100) 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 City of Newark through its Purchasing Director also wishes to utilize the Vehicles, Trucks, Class 3, Pickup/Utility/Dump, with Snow Plow Option state contract (Index No. T-2101) 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/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, 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 these contracts with the following vendor commencing the

adoption of this resolution.

# 83577, DFFLM, LLC; 215 Routes 202 & 31, Flemington, New Jersey 08822, (Class 2, commencing the adoption of this resolution thru February 21, 2014) and # 83557, DFFLM, LLC; 215 Routes 202 & 31, Flemington, New Jersey 08822 (Class 3, commencing the adoption of this resolution thru February 18, 2014)

WHEREAS, the Purchasing Director recommends the utilization of these State contract awards on the grounds that they provide Vehicles, Trucks, Class 2, Pickup/Utility, with Snow Plow Option and Vehicles, Trucks, Class 3, Pickup/Utility/Dump, with Snow Plow Option, according to specifications required by the City of Newark; and

WHEREAS, the total cost for the purchase of Vehicles, Trucks, Class 2, Pickup/Utility, with Snow Plow Option shall not exceed \$133,316.00; and

WHEREAS, the total cost for the purchase of Vehicles, Trucks, Class 3, Pickup/Utility/Dump, with Snow Plow Option shall not exceed \$134,280.00; and

WHEREAS, usage of these contracts provides Vehicles, Trucks, Class 2, Pickup/Utility, with Snow Plow Option **and** Vehicles, Trucks, Class 3, Pickup/Utility/Dump, with Snow Plow Option as required by the Department of Neighborhood and Recreational Services.

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 contract no. 83577, DFFLM, LLC, 215 Routes 202 & 31, Flemington, New Jersey 08822; to provide **Vehicles, Trucks, Class 2, Pickup/Utility, with Snow Plow Option** commencing with the adoption of this resolution, until delivery, not to exceed \$133,316.00, until February 21, 2014, and No. 83557, DFFLM, LLC; to provide **Vehicles, Trucks, Class 3, Pickup/Utility/Dump, with Snow Plow Option, 215 Routes 202 & 31, Flemington, New Jersey 08822** for the period commencing from the adoption of this resolution, until delivery, not to exceed \$134,280.00 until February 18, 2014.

2. There shall be no amendment of this resolution without the approval of the Municipal Council.

3. There shall be no advance payment on these State contracts in accordance with N.J.S.A. 40A: 5-16.

4. Funds for the purchase of Vehicles, Class 2 are encumbered on Purchase Order #22156, Fund NW051, Dept. G13, Project 3N330, Acct. 94340, Budget B2013, for \$133,316.00.

5. Funds for the purchase of Vehicles, Class 3 are encumbered on Purchase Order #22163, Fund NW051, Dept. G13, Proj. 3N360, Acct. 94340, Budget B2013, for \$134,280.00

6. These contracts comply 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.

7. The Purchasing Director shall forthwith file a duly executed copy of the contracts 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 these contracts 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 authorizes usage of State contract awards to DFFLM, LLC; to provide for the purchase of two (2) Vehicles, Class 2 and Class 3, for the period commencing from the adoption of this resolution until delivery, not to exceed February 21, 2014, at a combined total not to exceed \$267,596.00.