



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

File #: 18-0376, Version: 1

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

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

**Type of Service:** Bid Contract(s)

**Purpose:** To Provide Rental of Portable Toilets

**Entity Name(s)/Address(s):** Johnny On The Spot, LLC., 3168 Bordentown Avenue, Old Bridge, New Jersey 08857

**Contract Amount:** \$126,400.00

**Funding Source:** 2018 Budget/ Department of Recreation, Cultural Affairs and Senior Services, Public Safety/ Police, Office of the City Clerk, Public Works/ Sanitation

**Account Code Lines:** Department of Recreation Cultural Affairs and Senior Services:

NW011, 160, 1601 71288, B2018 - NW011, 160, 1606 & 71280 & 71610, B2018 - NW011, 160, 1608 & 71280 & 71610, B2018 - NW011, 160, 1609 & 71280 & 71610, B2018

Public Safety/ Police: NW011, 190, 1902, 72250, B2018

Office of the City Clerk: NW011, 020, 0201, 72130, B2018

Public Works/ Sanitation: NW011, 060, 0601 & 0603 & 0605, 71610, B2018

**Contract Period:** The term of the contract will be established for a two (2) year period.

**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:**

Advertisement Date: October 24, 2017

Bids solicited: Three: (3)

Bids received: Two (2)

**WHEREAS**, on October 24, 2017, the City of Newark, through its Supervising Procurement Specialist, QPA, advertised to solicit bids for contractor(s) to provide Rental of Portable Toilets to the City of Newark's Office of the City Clerk, Departments of Public Works/Sanitation, Public Safety/Police, and Recreation Cultural Affairs and Senior Services, as per the bid proposal attached hereto; and

**WHEREAS**, the Division of Central Purchasing also distributed three (3) bid proposal packages to prospective vendors following the October 24, 2017, advertisement; and

**WHEREAS**, on November 16, 2017, two (2) bids were received in response to the October 24, 2017 advertisement; and

**WHEREAS**, the Director of Public Works, the City Clerk, the Director of the Department of Recreation Cultural Affairs and Senior Services, and the Public Safety Director recommended the Rental of Portable Toilets be awarded to the lowest responsive and responsible bidder, Johnny On the Spot, LLC; and

**WHEREAS**, the Supervising Procurement Specialist, QPA, concurred with the Departments' recommendations that an award be made to Johnny On The Spot, LLC, the lowest responsive and responsible bidder; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-24 the vendor consented to holding prices bid for consideration, until such time as an award is made, as the law permits; and

**WHEREAS**, pursuant to N.J.S.A.19:44A-20.5 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 and/or his designee, the Supervising Procurement Specialist, QPA, are hereby authorized to enter into a contract with Johnny On The Spot, LLC, 3168 Bordertown Avenue, Old Bridge, New Jersey 08857, to provide Rental of Portable Toilets as said vendor was determined to be the lowest responsive and responsible bidder in accordance with bid specifications, received on the advertised due date. Upon adoption of the resolution by Municipal Council, the term of the contract will be established for a two (2) year term pursuant to N.J.S.A. 40A:11-3(b).

2. There shall be no amendment or change of this contract without the approval of the Newark Municipal Council, by resolution.

3. There shall be no advance payment of this contract in accordance with N.J.S.A. 40A:5-16. Pursuant to N.J.A.C. 5:30-5.5, funds for 2018 and subsequent years are contingent upon appropriations.

4. This is an open ended contract to be used as needed during the term of the contract as required by N.J.A.C. 5:30-5.5(b)(2), thus, for any and all expenditures against this contract, each time an order is placed, a certification of the availability of sufficient funds covering the amount of the order shall be executed before contractual liability is incurred from the Department of Recreation Cultural Affairs and Senior Services Account Code Lines NW011, 160, 1601 71288, B2018; NW011, 160, 1606 & 71280 & 71610, B2018; NW011, 160, 1608 & 71280 & 71610, B2018; NW011, 160, 1609 & 71280 & 71610, B2018; Public Safety/Police Account Code Lines NW011, 190, 1902, 72250, B2018; Office of the City Clerk Account Code Lines NW011, 020, 0201, 72130, B2018; and Public Works/Sanitation Account Code Lines NW011, 060, 0601 & 0603 & 0605, 71610, B2018. This Contract shall not exceed \$126,400.00 for a two (2) year term.

5. The Supervising Procurement Specialist, QPA, shall file a duly executed copy of the contract in 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 authorizes the Mayor and/or his designee, the Supervising Procurement Specialist, QPA, to enter into a contract with Johnny on the Spot, LLC, 3168 Bordentown Avenue, Old Bridge, New Jersey 08857 for Rental of Portable Toilets at a cost not to exceed \$126,400.00 for a two (2) year term.