



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

File #: 19-0251, Version: 1

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

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

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

**Purpose:** To provide athletic apparel to the City

**Description:** Athletic Apparel

**Entity Name(s)/Address(s):**

1) BSN Sports LLC, P.O. Box 49, Jenkintown, Pennsylvania 19046

2) JLMP Sporting Goods Corp., 110 Mount Pleasant Avenue, Newark, New Jersey 07104

**Contract Amount:** \$320,000.00

**Funding Source:** 2019 Budget/Department of Recreation, Cultural Affairs and Senior Services

**Account Code Line:**

NW011-160-1601-71280-83850-B2019; NW011-160-1606-71280-83840-B2019

NW011-160-1606-71280-83850-B2019; NW011-160-1608-71280-83420-B2019

NW011-160-1609-71280-83260-B2019

**Contract Period:** To be established for a period not to exceed two (2) years

**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: January 15, 2019

Bids Solicited: Seven (7)

Bids Received: Two (2)

**Failed 7R1-d 040319**

**WHEREAS**, on January 15, 2019, the City of Newark, through its Qualified Purchasing Agent (QPA), advertised to solicit bids for contractors to provide athletic apparel for the Department of Department of Recreation, Cultural Affairs and Senior Services, as per the bid proposal attached hereto; and

**WHEREAS**, the Division of Central Purchasing also distributed seven (7) bid proposal packages to prospective vendors following the date of advertisement; and

**WHEREAS**, on January 31, 2019, two (2) bids were received in response to this advertisement; and

**WHEREAS**, the Director of the Department of Recreation, Cultural Affairs and Senior Services, recommended a dual award to (1) BSN Sports, LLC and (2) JLMP Sporting Good Corp., the only responsive and responsible bidders per line item commodity; and

**WHEREAS**, the QPA concurred with the recommendation that a dual award be made to (1) BSN Sports LLC and (2) JLMP Sporting Goods Corp., the only responsive and responsible bidders

per line item commodity; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-24, the recommended vendors consented to holding their prices until such time as an award is made, as permitted by law; 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 QPA, are hereby authorized to enter into a contract with (1) BSN Sports LLC, P.O. Box 49, Jenkintown, Pennsylvania 19046 to receive the following Line Item #: 37 and 38 for year one and year two; and (2) JLMP Sporting Goods Corp., 110 Mount Pleasant Avenue, Newark, New Jersey 07104 to receive the following Line Item numbers: 1 through 30, 32 through 36, 39 through 61, 63 and 64, and 66 through 72; to provide Athletic Apparel for the Department of Recreation, Cultural Affairs and Senior Services, whose bids were received on the advertised due date and determined to be the only responsive and responsible bidders per line item commodity in accordance with the bid specifications. There were no bids received for Line Item # 31, 62 and 65. The term of the contract will be established for a term not to exceed two (2) years, for 2 vendors, pursuant to N.J.S.A. 40A:11-15.
2. There shall be no amendment or change of this contract without the approval of the Municipal Council by resolution.
3. There shall be no advance payment on this contract in accordance with N.J.S.A. 40A:5-16. Funds for 2019 and subsequent years are contingent upon appropriations, pursuant to N.J.A.C. 5:30-5.5(d).
4. This is an open-ended contract to be used as needed during the term of the contract. Thus, for any and all expenditures against this contract, a certification of the availability of sufficient funds, as required by N.J.A.C. 5:30-5.5(b)(2), shall be executed before a contractual liability is incurred each time an order is placed from the following Account Code Lines: (1) NW011-160-1601-71280-83850-B2019, (2) NW011-160-1606-71280-83840-B2019, (3) NW011-160-1606-71280-83850-B2019, (4) NW011-160-1608-71280-83420-B2019, and (5) NW011-160-1609-71280-83260-B2019; covering the amount of the order. This contract shall not exceed \$320,000.00 for a term of two (2) years.
5. The QPA shall forthwith file a duly executed copy of this 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 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 QPA, to enter into and execute a contract with (1) BSN Sports, LLC and (2) JLMP Sporting Goods Corp. to provide Athletic Apparel to the City of Newark, Department of Department of Recreation, Cultural Affairs and Senior Services, at a cost not to exceed \$320,000.00 for a term of two (2) years for 2 vendors.