



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 19-0647, **Version:** 1

Dept/ Agency: Administration/Division of Central Purchasing

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

Type of Service: Bid Contract(s)

Purpose: To provide Refuse Truck Lease/Purchase for the Department of Public Works/Division of Sanitation.

Entity Name(s)/Address(s): Air Brake and Equipment, 225 Route 22 West, Hillside, New Jersey 07205

Contract Amount: \$4,000,000.00

Funding Source: 2019 Budget/Department of Public Works/Division of Sanitation/NW011-060-0605 -71940-B2019

Contract Period: For a period not to exceed five (5) 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:

The Department of Public Works/Division of Sanitation requests to procure ten (10) refuse trucks through a lease to purchase agreement for a duration of five (5) years.

Advertisement Date: March 1, 2019

Bids Solicited in addition to advertisement: Three (3)

Bids Received: One (1)

WHEREAS, on March 1, 2019, the City of Newark through its Purchasing Agent, QPA, advertised to solicit bids for contractors to provide Refuse Truck Lease/Purchase for the Department of Public Works/ Division of Sanitation, as described in the attached bid proposal; and

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

WHEREAS, on March 21, 2019, the Division of Central Purchasing received one (1) bid in response to this advertisement; and

WHEREAS, the Department of Public Works recommended that an award be made to Air Brake and Equipment, 225 Route 22 West, Hillside, New Jersey 07205, the only responsive and responsible bidder; and

WHEREAS, the QPA concurred with the recommendation from the Department of Public Works/ Division of Sanitation that a single award be made to Air Brake and Equipment, 225 Route 22 West, Hillside, New Jersey 07205, the only responsive, responsible bidder; and

WHEREAS, pursuant to N.J.S.A. 40A:11-24, the recommended bidder consented to holding

their prices beyond sixty (60) days; 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 authorized to enter into and execute a contract with: Air Brake and Equipment, 225 Route 22 West, Hillside, New Jersey 07205; to provide Refuse Truck Lease/Purchase to the City of Newark, Department of Public Works/ Division of Sanitation, whose bid was received on the advertised due date and determined to be the only responsive and responsible bidder. The term of the contract will be established for five (5) years, pursuant to N.J.S.A. 40A:15, at a cost not to exceed \$4,000,000.00 for one (1) vendor.
2. There shall be no amendment or change of this contract without the approval of the Municipal Council.
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)(2).
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 Account Code Line: NW011-060-0605-71940-B2019. This contract shall not exceed Four Million Dollars and Zero Cents (\$4,000,000.00) for five (5) 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 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 QPA, to enter into and execute a contract with: Air Brake and Equipment, 225 Route 22 West, Hillside, New Jersey, 07205, to provide Refuse Truck Lease/Purchase to the City of Newark, Department of Public Works/Division of Sanitation, at a cost not to exceed Four Million Dollars and Zero Cents (\$4,000,000.00) for five (5) years. .