



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

File #: 22-0646, Version: 1

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

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

**Type of Service:** Use of State Contract(s) #T2007 Sport Utility Vehicles, Gasoline/Hybrid/Electric

**Purpose:** To purchase seven (7) 2022 or newer Ford Edge SE 4WD.

**Entity Name(s)/Address(s):** Hertrich Fleet Services, Inc., 1427 Bay Road, Milford, Delaware 19963

**Contract Amount:** Not to exceed \$198,243.15

**Funding Source:** 2019, 2020 and 2022 Budgets/Department of Water and Sewer Utilities/037-756-7565-94330-B2019/037-755-7555-94330-B2020; Department of Finance/011-050-0501-94330 2022

**Contract Period:** Upon approval of Municipal Council through February 18, 2023, inclusive of any extension by the State

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

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

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

**Additional Information:**

To purchase seven (7) 2022 or newer Ford Edge SE 4WD; five (5) vehicles for the Department of Water and Sewer Utilities and two (2) vehicles for the Department of Finance, Division of Tax Abatement and Special Taxes.

**WHEREAS**, the City of Newark, through its Qualified Purchasing Agent (the "City"), wishes to utilize State Contract #T2007 Sport Utility Vehicles, Gasoline/Hybrid/Electric to purchase seven (7) 2022 or newer Ford Edge SE 4WD for the Department of Water and Sewer Utilities and for the Department of Finance, Division of Tax Abatement and Special Taxes; and

**WHEREAS**, the purchase of goods/services by local contracting units are 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 State Contract #T2007 Sport Utility Vehicles, Gasoline/Hybrid/Electric to purchase seven (7) 2022 or newer Ford Edge SE 4WD for the Department of Water and Sewer Utilities and for the Department of Finance, Division of Tax Abatement and Special Taxes from state awarded vendor Hertrich Fleet Services, Inc., 1427 Bay Road, Milford, Delaware 19963, upon approval of this Resolution by the Municipal Council through February 18, 2023, inclusive of extensions by the State; and

**WHEREAS**, usage of this contract will provide seven (7) 2022 or newer Ford Edge SE 4WD for the Department of Water and Sewer Utilities and for the Department of Finance, Division of Tax Abatement and Special Taxes at a cost not to exceed One Hundred Ninety-Eight Thousand Two Hundred Forty-Three Dollars and Fifteen Cents (\$198,243.15).

**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 Qualified Purchasing Agent is authorized to utilize State Contract #T2007 Sport Utility Vehicles, Gasoline/Hybrid/Electric to purchase seven (7) 2022 or newer Ford Edge SE 4WD for the Department of Water and Sewer Utilities and for the Department of Finance, Division of Tax Abatement and Special Taxes Division, which includes state awarded vendor Hertrich Fleet Services, Inc., 1427 Bay Road, Milford, Delaware 19963 for the period commencing upon approval of this Resolution by the Municipal Council through February 18, 2023, inclusive of extensions by the State.
2. All purchases, Purchase Orders and other related documentation shall be in accordance with the relevant State Contract, New Jersey Standard Terms and Conditions, Method of Operation and Third Party Agreement, if applicable, as contained in the State Contract documentations and agreements.
3. There shall be no amendments of this Resolution without the approval of the Municipal Council.
4. There shall be no advance payment on this State Contract in accordance with N.J.S.A. 40A:5-16.
5. Funds for the purchase of seven (7) 2022 or newer Ford Edge SE 4WD for the Department of Water and Sewer Utilities and for the Department of Finance, Division of Tax Abatement and Special Taxes are encumbered from Funding Sources 037-756-7565-94340-B2019; 037-755-7555-94330-B2020; 011-050-0501-94330-B2022. This contract shall not exceed One Hundred Ninety Eight Thousand Two Hundred Forty-Three Dollars and Fifteen Cents (\$198,243.15).
6. This contract complies with Local Pay-to-Play Law, N.J.S.A. 19:44A-20.5, as a State Contract award and constitutes a Fair and Open Process.
7. The Division of Central Purchasing shall file a duly executed copy of the contract in the Office of the City Clerk, if applicable.
8. If required by State Law, the Acting City Clerk shall provide the appropriate Notice of 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 of the City of Newark and/or his designees, the Qualified Purchasing Agent and/or the Business Administrator to utilize State Contract #T2007 Sport Utility Vehicles, Gasoline/Hybrid/Electric to purchase seven (7) 2022 or newer Ford Edge SE 4WD for the Department of Water and Sewer Utilities and for the Department of Finance, Division of Tax Abatement and Special Taxes, which includes state awarded vendor, Hertrich Fleet Services, Inc., 1427 Bay Road, Milford, Delaware 19963 for the period commencing upon approval of this Resolution by the Municipal Council through February 18, 2023, inclusive of extensions by the State, at a cost not to exceed \$198,243.15.