



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

File #: 22-1217, Version: 1

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

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

**Type of Service:** Use of State Contract(s) #19-FLEET-00677 and #17-FLEET-00740

**Purpose:** To provide Maintenance and Repair, Equipment and Supplies for Personal Protective Equipment.

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

- 1) Grainger, 1001 Hadley Road, South Plainfield, New Jersey 07080; and
- 2) Lawmen Supply Company of New Jersey, Inc., 7150 Airport Highway, Pennsauken, New Jersey 08109

**Contract Amount:** Not to exceed \$638,554.00

**Funding Source:** Department of Public Safety/NW051-G20-P20F0-83870

**Contract Period:** Contract #19-FLEET-00677- Upon Municipal Council approval through June 30, 2023, inclusive of any extensions authorized by the State; and

Contract #17-FLEET-00740 - Upon Municipal Council approval through May 14, 2023, inclusive of any extension authorized 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:**

The Department of Public Safety wishes to use vendors associated with equipment and supplies for personal protective equipment.

Other City Departments that wish to use these vendors to purchase equipment and supplies for PPE shall be able to use State Contracts #19-FLEET-00677 and #17-FLEET-00740.

Applicable funding sources for other City Departments will be presented with the Certification of Funds signed by the Chief Financial Officer on an as needed basis.

**WHEREAS**, the City of Newark through its Qualified Purchasing Agent, wishes to utilize State contracts #19-FLEET-00677 and 17-FLEET-00740, under State Term Contract, to purchase Maintenance and Repair, Equipment and Supplies for Personal Protective Equipment, from authorized vendors 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. 5:34-7.1 et seq., 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 the State Term Contracts, #19-FLEET-00677, commencing upon Municipal Council approval through June 30, 2023, inclusive of any extension authorized by the State; and 17-FLEET-00740 commencing upon Municipal Council approval through May 14, 2023, inclusive of any extension authorized by the State; to purchase Maintenance and Repair, Equipment and Supplies for Personal Protective Equipment, with State awarded vendors Grainger, 1001 Hadley Road, South Plainfield, New Jersey 07080, and Lawmen Supply Company of New Jersey Inc., 7150 Airport Highway, Pennsauken, New Jersey 08109; and

**WHEREAS**, the Qualified Purchasing Agent recommends the utilization of these State contract awards on the grounds that they provide Maintenance and Repair, Equipment and Supplies for Personal Protective Equipment according to specifications required by the City of Newark Departments, inclusive but not limited to Department of Public Safety; Department of Health and Community Wellness; Administration; City Clerk; Municipal Courts; Water and Sewer Utilities; Department of Public Works; Department of Engineering; Office of the Mayor; Department of Finance; Department of Recreation and Senior Services and Department of Economic Housing Development; and

**WHEREAS**, usage of the State contracts provides the Maintenance and Repair, Equipment and Supplies for Personal Protective Equipment required to operate and maintain the City's equipment and supplies for personal protection, at a cost not to exceed Six Hundred Thirty Eight Thousand Five Hundred Fifty-Four Dollars and Zero Cents (\$638,554.00); and

**WHEREAS**, the Chief Financial Officer will certify the availability of funds before orders are placed.

**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 Agent is authorized to utilize State Term Contract #19-FLEET-00677 and 17-FLEET-00740, to provide Maintenance and Repair, Equipment and Supplies for Personal Protective Equipment which includes vendors Grainger, 1001 Hadley Road, South Plainfield, New Jersey 07080 for the period commencing upon Municipal Council approval through June 30, 2023, inclusive of any extension authorized by the State; and Lawmen Supply Company of New Jersey, Inc., 7150 Airport Highway, Pennsauken, New Jersey 08109 for the period commencing upon Municipal Council approval through May 14, 2023, inclusive of any extension authorized by the State.
2. All purchases, purchase orders and other related documentation shall be in accordance with the relevant State Contract, State of New Jersey Standard Terms and Conditions, Method of Operation and Third Party Agreement/Three Party Agreement (if applicable) as contained in the State Contract Documentations and Agreements.
3. There shall be no amendment 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. Funding is contingent upon appropriation pursuant to N.J.A.C. 5:30-5.5(c).
5. These are open-ended contracts to be used as needed during the term of each contract. Thus for any and all expenditures against these contracts, a certification of the availability of sufficient funds, as required by N.J.A.C. 5:30-5.5(d)(2), shall be executed before a contractual liability is incurred each time an order is placed, covering the amount of the order from the following account code line: NW051-G20-P20F0-83870. Other user departments/offices and applicable funding sources will be presented with the certification of funds signed by the Chief Financial Officer on the as needed basis. Amount spent on these contracts for the Department of Public Safety shall not exceed Six Hundred Thirty Eight Thousand Five Hundred Fifty-Four Dollars and Zero Cents (\$638,554.00).
6. These contracts comply 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 procedure.
7. The Purchasing Division shall file a duly executed copy of the contract(s) in the Office of the City Clerk, if applicable.
8. 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 designees, the Qualified Purchasing Agent and/or the Business Administrator, to use State Term Contracts #19-FLEET-00677 and 17-FLEET-00740 for Maintenance and Repair, Equipment and Supplies for Personal Protective Equipment, which includes awards to the vendors Grainger, 1001 Hadley Road, South Plainfield, New Jersey 07080, for the period commencing upon Municipal Council approval through June 30, 2023, inclusive of any extension authorized by the State; and Lawmen Supply Company of New Jersey, Inc., 7150 Airport Highway Pennsauken, New Jersey 08109, for the period commencing upon Municipal Council approval through May 14, 2023, inclusive of any extension authorized by the State, at a cost not to exceed Six Hundred Thirty Eight Thousand Five Hundred Fifty Four Dollars and Zero Cents (\$638,554.00).