



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

File #: 22-1386, Version: 1

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

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

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

**Purpose:** To purchase Lumber, All Kinds.

**Entity Name(s)/Address(s):** Continental Hardware, Inc., 400 Delancy Street, Newark, New Jersey 07105

**Contract Amount:** Not to exceed \$325,000.00

**Funding Source:** 2022 Budget/Department of Water and Sewer Utilities/NW037-750-7502-83410-B2022/Department of Public Works, Division of Sanitation/NW011-060-0605-83360-B2022 and Division of Public Buildings/NW011-060-0604-83360-B2022

**Contract Period:** To be established for a period not to exceed (24) consecutive months, commencing upon a fully executed contract

**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:**

This contract will provide Lumber, All Kinds to the Department of Public Works, Division of Sanitation and the Division of Public Buildings.

Advertisement: August 31, 2022

Bids Downloaded: Six (6)

Bids Received: One (1)

**WHEREAS**, on August 31, 2022, the City of Newark through its Qualified Purchasing Agent, QPA, advertised to solicit bids for contractors to provide Lumber, All Kinds for the Departments of Water and Sewer Utilities, Public Works, Divisions of Sanitation and Public Buildings, as described in the attached bid proposal; and

**WHEREAS**, the Division of Central Purchasing published the bid package on the City of Newark's electronic procurement portal to provide a broader access and download capability to potential bidders; and

**WHEREAS**, on September 15, 2022, the Division of Central Purchasing received one (1) bid in response to this advertisement; and

**WHEREAS**, the Director of the Department of Water and Sewer Utilities recommended that a single award be made to Continental Hardware Inc., 400 Delancy Street., Newark, New Jersey 07105, the only responsive and responsible bidder; and

**WHEREAS**, the Qualified Purchasing Agent, QPA, concurs with the recommendation from the

Director of Water and Sewer Utilities that a single award be made to Continental Hardware Inc., 400 Delancy Street, Newark, New Jersey 07105, 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. 19:44A20.5 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 designees, and the Business Administrator and the Qualified Purchasing Agent, QPA, are hereby authorized to enter into and execute a contract with Continental Hardware Inc., 400 Delancy Street, Newark, New Jersey 07105; to purchase Lumber, All Kinds for the City of Newark, Departments of Water and Sewer Utilities, Public Works, Divisions of Sanitation and Public Buildings, whose bid was received on the due date and determined to be the only responsive and responsible bidder in accordance with the bid specifications. The term of the contract will be established for a period not to exceed twenty-four (24) consecutive months, 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 2022 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 Account Code Lines: NW037-750-7502-83410-B2022, NW011-060-0605-83360-B2022, NW011-060-0604-83360-B2022, 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. This contract shall not exceed Three Hundred and Twenty Five Thousand Dollars and Zero Cents (\$325,000.00) for one (1) vendor for twenty-four (24) consecutive months with start date commencing when contract is fully executed.
5. The Qualified Purchasing Agent, QPA, shall file a copy of the resolution and the 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 Business Administrator, to enter into and execute a contract with Continental Hardware Inc., 400 Delancy Street, Newark, New Jersey 07105, to provide Lumber, All Kinds to the City of Newark, at an amount not to exceed Three Hundred Twenty Five Thousand Dollars and Zero Cents (\$325,000.00) for a period to be established and not to exceed twenty-four (24) consecutive months for one (1) Vendor with the start date commencing upon the parties entering into a fully executed contract.