



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

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File #: 22-1510, Version: 1

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

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

**Type of Service:** Extension of Emergency Contract #E2022-10

**Purpose:** To extend the delivery of Compressed Natural Gas for City's Refuse Removal Vehicles.

**Entity Name:** Clean Energy, Corp.

**Entity Address:** P.O. Box 676911, Dallas, Texas 757267

**Contract Amount:** Not to exceed \$50,000.00

**Funding Source:** 2022 Budget/Department of Public Works/Business Unit: 011, Dept: 060, Div/Project: 0602, Account: 83570, Budget Year: B2022

**Contract Period:** Extended an additional ninety (90) days from September 29, 2022 through December 28, 2022

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

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

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

**Additional Information:**

An Emergency Contract #E2022-10 was awarded for the period of June 29, 2022 through September 28, 2022 to one (1) vendor in an amount not to exceed \$50,000.00 for the Department of Public Works.

This extension of the Emergency Contract #E2022-10 will be for an amount of \$50,000.00 for a total contract award not to exceed \$100,000.00.

**WHEREAS**, on June 29, 2022 the Department of Public Works requested a declaration of emergency for the supplying of compressed natural gas to eight (8) of the city's natural refuse trucks; and

**WHEREAS**, on June 29, 2022, pursuant to N.J.S.A. 40A:11-6 and N.J.A.C. 5:34-6.1(a)3, the Purchasing Agent, QPA, approved the aforementioned request and the Department of Public Works entered into Emergency Contract #E-2022-10 for a period of June 29, 2022 through September 28, 2022 with a "not to exceed" amount of Fifty Thousand Dollars and Zero Cents (\$50,000.00) for Clean Energy, Corp P.O. Box 676911, Dallas, TX 75267. A copy of said Emergency Contract #E-2022-10 is attached hereto and made a part hereof; and

**WHEREAS**, the Department of Public Works continues to be in immediate and emergent need for Compressed Natural Gas to fuel eight (8) of the City's alternative gas refuse trucks to continue the collection of refuse throughout the City of Newark commencing for the period between September 29, 2022 through December 28, 2022.; and

**WHEREAS**, N.J.S.A. 40A: 11-6 provides that Emergency Contracts may be entered into when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of service; and

**WHEREAS**, the Department of Public Works desires to ratify and extend Emergency Contract #E2022-10 for the period commencing from September 29, 2022 and continuing until December 28, 2022 for the total amount not to exceed Fifty Thousand Dollars and Zero Cents (\$50,000.00); and

**WHEREAS**, N.J.A.C. 5:34-6.1(a)3 provides that the emergency purchasing procedure may be used when the need for such goods or services has arisen notwithstanding a good faith effort on the part of a municipality to plan for the purchase of any goods or services required by the municipality; and

**WHEREAS**, it is a matter of public health, safety and welfare that the above-described emergency contract be extended because the City of Newark still needs to ensure the safe and uninterrupted services and any interruption of the services would pose an imminent harm to the health, safety and welfare of the residents if refuse is not removed; and

**WHEREAS**, City Ordinance 6PSF-e adopted on April 6, 2011, Article 2:5-13.2 (E)(1)(b)(c) limits the period of Emergency Contracts to ninety (90) days and no extensions of Emergency Contracts shall be permitted without authorization by the Municipal Council by Resolution; and

**WHEREAS**, the Municipal Council has the exclusive authority to extend an emergency; and

**WHEREAS**, the Department of Administration now seeks authorization by the Municipal Council to ratify and extend the emergency to prevent interruption of Refuse collection throughout the City.

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:**

1. The Mayor, and/or his designees, the Business Administrator, and/or the Purchasing Agent, QPA, are hereby authorized to ratify and execute an extension of Emergency Contract #E2022-10 with: Clean Energy, Corp. P.O. Box 676911, Dallas, TX 757267 for the period commencing on September 29, 2022 through December 28, 2022, for a total amount not to exceed Fifty Thousand Dollars and Zero Cents (\$50,000.00) for One (1) vendor for the City of Newark.
2. This extension will allow for the continuation of the receipt of Compressed Natural Gas to fuel eight (8) of the City's alternative gas refuse trucks so that they can continue to collect trash throughout the City of Newark.
3. The extension of Emergency Contract #E2022-10 is ratified from September 29, 2022 to the date of adoption of this authorizing Resolution and until December 28, 2022.
4. Attached hereto is a Certification of Funds in an amount of Fifty Thousand Dollars and Zero Cents (\$50,000.00) from the Director of the Department of Public Works and the line appropriation of the Official Budget, which shall be charged is: 011-060-0602-83570-B2022.
5. The Qualified Purchasing Agent, for the City of Newark, has filed a copy of Emergency Contract #E2020-22, attached hereto, with 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 ratifies and authorizes the Mayor, and/or his designees, the Business Administrator and/or the Purchasing Agent, QPA, to extend and Emergency Contract #E2022-10: with Clean Energy, Corp. P.O. Box 676911, Dallas, TX 757267; for provisions of the delivery of Compressed Natural Gas for City Refuse Removal Vehicles, for the period commencing on September 29, 2022 through December 28, 2022, for a total amount not to exceed Fifty Thousand Dollars and Zero Cents (\$50,000.00).