



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 22-1655, Version: 1

Dept/ Agency: Administration/ Division of Central Purchasing

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

Type of Service: Cooperative Purchasing Agreement

Purpose: To authorize the use of Sourcewell Cooperative Contract #041521 -REH Plastic Refuse and Recycling Containers with Related Technology Solutions to purchase (5,000) garbage containers for the residents of the City of Newark.

Entity Name: Rehrig Pacific Company

Entity Address: 4010 E. 26th Street, Los Angeles, California 90058

Contract Amount: Not to exceed \$335,700.00

Funding Source: 2022 Budget/Department of Public Works/NW-011-060-0605-71280-B2022

Contract Period: Upon approval by the Municipal Council through May 28, 2025, inclusive of any extensions granted by Sourcewell

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:

This Cooperative Purchasing Agreement will provide for the use of Sourcewell Cooperative Contract #041521-REH Plastic Refuse and Recycling Containers with Related Technology Solutions to purchase five thousand (5,000) garbage containers for the Department of Public Works on behalf of the residents of the City of Newark.

WHEREAS, the Municipal Council authorized the membership in the Sourcewell Cooperative by Resolution 7R1-c (as) adopted on April 20, 2022; and

WHEREAS, the City, in furtherance of its goals to search for lower costs, greater efficiency and improved product quality, wishes to enter into a contract for cooperative purchasing; and

WHEREAS, cooperative purchasing is an inclusive term used to describe all purchasing systems where two or more local contracting units join together for the provision or performance of goods or services as provided for by the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, the purchase of goods or services by two (2) or more contracting units increases proportionate saving in costs gained by an increased level of production; and

WHEREAS, the City, a sub-political body of the State of New Jersey is permitted to join Cooperative Purchasing Programs, pursuant to N.J.S.A. 52:34-6.2(b)(3); and

WHEREAS, Sourcewell, a nationally recognized and accepted cooperative purchasing organization, maintains National Cooperative Agreement Contracts, which are competitively awarded through which members can make purchases; and

WHEREAS, Sourcewell was developed for the purpose of utilizing a competitive bidding process to make the procurement process more efficient and provide cost savings to its members; and

WHEREAS, Sourcewell has offered the City the opportunity to participate in the Cooperative Purchasing System for the purchase of garbage containers, and

WHEREAS, the City's membership in Sourcewell has been confirmed active; and

WHEREAS, the Department of Public Works requests to utilize Sourcewell Cooperative Contract #041521-REH Plastic Refuse and Recycling Containers with Related Technology Solutions to purchase garbage containers for residents of the City of Newark from the authorized vendor Rehrig Pacific Company, 4010 E. 26th Street, Los Angeles, California 90058, with an initial purchase of five thousand (5,000) garbage containers; and

WHEREAS, the Division of Central Purchasing has conducted due diligence to determine if the contract will result in cost savings after all factors, including charges for service, material and delivery, have been considered, to ensure there is documentation to support this determination (attached hereto); and

WHEREAS, the Qualified Purchasing Agent, QPA, recommends the usage of this contract to facilitate the needs of the City to procure garbage containers for residents of the City of Newark for the Department of Public Works at a cost not to exceed Three Hundred Thirty Five Thousand Seven Hundred Dollars and Zero Cents (\$335,700.00); and

WHEREAS, on November 11, 2022 the Division of Central Purchasing advertised the City's intention to purchase garbage containers under Contract #041521-REH for the Department of Public Works (attached hereto).

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

1. The Mayor and/ or the Business Administrator and/ or designee to utilize Sourcewell Cooperative Contract #041521-REH Plastic Refuse and Recycling Containers with Related Technology Solutions to purchase garbage containers for residents of the City of Newark from the authorized vendor Rehrig Pacific Company, 4010 E. 26th Street, Los Angeles, California 90058, with an initial purchase of five thousand (5,000) garbage containers
2. All purchases, Purchase Orders and other related documentation shall be in accordance with the relevant Sourcewell Cooperative Contract, including Standard Terms and Conditions, Method of Operation and Third Party Agreement, if applicable, as contained in the New Jersey State Approved Cooperative 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 Cooperative Contract in accordance with N.J.S.A. 40A:5-16.
5. 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(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: Department of Public Works NW-011-060-0605-71280-B2022. This contract shall not exceed Three Hundred Thirty Five Thousand Seven Hundred Dollars and Zero Cents (\$335,700.00).
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 procedure.
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 Qualified Purchasing Agent 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 and/or his designees, the Business Administrator and/or the Qualified Purchasing Agent, to utilize Sourcewell Cooperative Contract #041521-REH to purchase five thousand (5,000.) garbage containers from the authorized vendor, Rehrig Pacific Company, 4010 E. 26th Street, Los Angeles, California 90058, at a cost not to exceed Three Hundred Thirty Five Thousand Seven Hundred Dollars and Zero Cents (\$335,700.00) to be utilized by the Department of Public Works, for the period commencing upon approval of this resolution by Municipal Council through May 28, 2025, inclusive of any extensions granted by Sourcewell.

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