



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

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File #: 23-0256, Version: 1

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

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

**Type of Service:** Cooperative Purchasing Agreement

**Purpose:** To purchase automotive vehicles (cars, trucks, vans) for various City of Newark Departments.

**Entity Name:** Educational Services Commission of New Jersey ("ESCNJ")

**Entity Address:** 1660 Stelton Road, Piscataway, New Jersey 08854

**Contract Amount:** Not to exceed \$2,483,439.00

**Funding Source:** 2023 Budget

**Contract Period:** Upon approval and authorization of the Municipal Council for calendar year 2023

**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 authorizes the purchase of vehicles that will provide various City of Newark Departments for the calendar year of 2023.

**WHEREAS**, on May 6, 2020 the City of Newark's governing body adopted the Resolution 7R1-F 050620 authorizing the Membership in the Educational Services Commission of New Jersey - ESCNJ, 1660 Stelton Rd., Piscataway, New Jersey 08854, a New Jersey State Approved Co-op #65MCESCCPS; and

**WHEREAS**, the Educational Services Commission of New Jersey (ESCNJ), a locally recognized and accepted cooperative purchasing organization, maintains Local Cooperative Agreement Contracts, which are competitively awarded through which members can make purchases; and

**WHEREAS**, the ESCNJ system 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**, the City of Newark, through its Qualified Purchasing Agent, wishes to utilize the New Jersey State Approved Co-op #65MCESCCPS - ESCNJ to purchase vehicles to be used by all City of Newark Departments, inclusive but not limited to, Department of Administration, Health and Community Wellness, Economic and Housing Development, Engineering, Public Works, Public Safety, Recreation, Cultural Affairs and Senior Services, Water and Sewer Utilities and the Office of the City Clerk, from authorized vendors under the ESCNJ Co-op; and

**WHEREAS**, due to the volatility of the automotive market, ongoing supply chain issues and shortage of vehicles, an open-end contract award is necessary for economy and efficiency to

respond to the highly competitive market to authorize the purchase of vehicles to supplement, replace the City's fleets without delay when the need arise; and

**WHEREAS**, the Departments will be required to present the certification of funds signed by the Chief Financial Officer or an approved Purchase Order to complete each purchase with agreements subject to the terms and conditions applicable under the current ESCNJ contracts for each item.

**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 are authorized to utilize ESCNJ and enter into contract(s) with authorized ESCNJ vendors for the purchase of automotive vehicles, including, but not limited to, cars, trucks, and vans on an as needed basis to supplement, replace the City's Fleet from January 1, 2023 through December 31, 2023, subject to the terms and conditions applicable to their respective ESCNJ contracts.
2. The budget appropriations for the user Departments are: Department of Water and Sewer Utilities amount not to exceed \$1,000,000.00; Department of Health and Community Wellness amount not to exceed \$250,000.00; Department of Public Safety amount not to exceed \$1,000,000.00; Department of Public Works amount not to exceed \$113,439.00; Department of Economic and Housing Development amount not to exceed \$50,000; and the Office of the City Clerk amount not to exceed \$70,000.00. For a total amount not to exceed Two Million Four Hundred Eighty-Three Thousand Four Hundred Thirty-Nine Dollars and Zero Cents (\$2,483,439.00).
3. All purchases, Purchase Orders, contracts and other related documentation shall be in accordance with the relevant ESCNJ Co-op Contract, including Standard Terms and Conditions, Method of Operation and Third Party Agreement, if applicable, as contained in the Educational Services Commission of New Jersey #65MCESCCPS contract documentation and agreements.
4. There shall be no amendments of this Resolution without the approval of the Municipal Council.
5. This is an open-end contract to be used as needed during the calendar year 2023. 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. All departments/offices and applicable funding sources will be presented with the certification of funds signed by the Chief Financial Officer or an approved purchase order on an as needed basis.
6. A copy of the contract with the purchase documents shall be filed with the Office of the City Clerk on a monthly basis with a copy of this authorizing resolution.

7. No additional Governing Body action is necessary to authorize the purchases of City automotive vehicles, including but not limited to cars, trucks, and vans.
8. If required by State law, the 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 and/or his designees, the Business Administrator and/or the Qualified Purchasing Agent, to utilize Educational Services Commission of New Jersey Cooperative to purchase automotive vehicles as needed for various City of Newark Departments for the calendar year 2023.