



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

File #: 23-0544, Version: 1

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

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

**Type of Service:** Amend Resolution 7R1-c adopted on November 15, 2021 to add the Department of Health and Community Wellness.

**Purpose:** To provide rental of Portable Toilets.

**Entity Name:** Johnny on the Spot, LLC

**Entity Address:** 3168 Bordentown Avenue, Old Bridge, New Jersey 08857

**Contract Amount:** Not to exceed \$156,737.00

**Funding Source:** 2023 Budget/Department of Health and Community Wellness/NW026-026-46545-B2023

**Contract Period:** February 1, 2022 through January 31, 2024

**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:**

Resolution 7R1-c adopted on November 15, 2021, awarded a contract in an amount not to exceed \$134,000.00 for a period not to exceed twenty-four (24) consecutive months.

This Resolution authorizes an increase to the contract amount by \$22,737.00 for a total contract amount not to exceed \$156,737.00.

**WHEREAS**, on November 15, 2021, the Municipal Council adopted Resolution 7R1-c authorizing the Departments of Recreation, Cultural, Affairs, and Senior Services and Water and Sewer Utilities, to enter into and execute a contract with Johnny on the Spot, LLC, 3168 Bordentown Avenue, Old Bridge New Jersey, 08857, for the provision of Rental of Portable Toilets, at an amount not to exceed One Hundred Thirty-Four Thousand Dollars and Zero Cents (\$134,000.00); and

**WHEREAS**, the Department of Health and Community Wellness/Mary Eliza Mahoney Health Centers (hereinafter "DHCW") notified the Division of Central Purchasing of their desire to amend the contract with Johnny on the Spot, LLC, 3168 Bordentown Avenue, Old Bridge, New Jersey 08857, in order to utilize the contract to provide Rental of Portable Toilets for DHCW events at an amount not to exceed Twenty-Two Thousand Seven Hundred Thirty-Seven Dollars and Zero Cents (\$22,737.00), for an increased total contract amount not to exceed One Hundred Fifty-Six Thousand Seven Hundred and Thirty-Seven Dollars and Zero Cents (\$156,737.00); and

**WHEREAS**, all other contract terms and conditions will remain the same.

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

1. Resolution 7R1-c adopted on November 15, 2021 is amended to include the Department of

Health and Community Wellness/Mary Eliza Mahoney Health Centers as an authorizing department on the contract with Johnny on the Spot, LLC, 3168 Bordentown Avenue, Old Bridge New Jersey 08857, to provide Rental of Portable Toilets for the City of Newark's Departments; whose bid was received on the advertised due date and determined to be the lowest, responsive and responsible bidder in accordance with the bid specifications. The term of the contract is February 1, 2022 through January 31, 2024.

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 2021 and subsequent years are contingent upon appropriations, pursuant to N.J.A.C. 5:30-5.5(d) (2).
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 Line: Department of Recreation, Cultural Affairs and Senior Services/NW011-160-1606-71810-B2022; Department of Water and Sewer Utilities/NW037-750-7502-72210-B2020; Department of Public Safety/NW011-190-1902-71280-B2020; Office of the City Clerk/NW011-020-0201-7213-B2020, and the Department of Health and Community Wellness/NW026-026-46545-B2023. This contract shall not exceed One Hundred Fifty-Six Thousand Seven Hundred Thirty-Seven Dollars and Zero Cents (\$156,737.00).
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 Acting 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 amends Resolution 7R1-c adopted on November 15, 2021, and authorizes to include the Department of Health and Community Wellness as a Department on the contract for Rental of Portable Toilets with Johnny on the Spot, LLC, 3168 Bordentown Avenue, Old Bridge New Jersey 08857, to provide Rental of Portable Toilets to the City, adding additional funds not to exceed an amount of \$22,737.00, at an amended total contract amount not to exceed \$156,737.00.