



## Legislation Text

File #: 24-0894, Version: 1

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

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

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

**Purpose:** To provide meals for the 2024 SunUp Summer Food Program.

**Entity Name(s)/Address(s):**

Whitson's Food Service (Bronx), LLC, 1800 Motor Parkway, Islandia, New York, 11749

**Contract Amount:** Not to exceed \$1,219,279.00

**Funding Source:** 2024 Budget/Department of Recreation, Cultural Affairs and Senior Services/NW051-G24-N24C0-72020-B2024

**Contract Period:** June 24, 2024 through August 30, 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:**

This contract will provide meals for the 2024 SunUp Summer Food Program for the Department of Recreation, Cultural Affairs and Senior Services.

Advertisement: May 22, 2024

Bids Downloaded: Five (5)

Bids Received: Two (2)

**WHEREAS**, on May 22, 2024, the City of Newark ("City") through its Interim, Purchasing Agent, advertised to solicit bids for contractors to provide meals for the 2024 SunUp Summer Food Program for the Department of Recreation, Cultural Affairs and Senior Services, as described in the attached bid proposal; and

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

**WHEREAS**, on June 7, 2024, the Division of Central Purchasing received two (2) bids in response to this advertisement; and

**WHEREAS**, the City's Department of Recreation, Cultural Affairs and Senior Services reviewed the submitted bids by Prime Riv LLC dba Riviera Hospitality Group, 3736 Atlantic Avenue, Brooklyn, New York ("Prime Riv, LLC") and Whitson's Food Service (Bronx), LLC, 1800 Motor Parkway, Islandia, New York 11749 ("Whitson's Food Service"); and

**WHEREAS**, the Department of Recreation, Cultural Affairs and Senior Services recommends that a single award be made to Whitson's Food Service, the lowest responsive and responsible bidder; and

**WHEREAS**, the Interim, Purchasing Agent concurs with said recommendation; and

**WHEREAS**, pursuant to N.J.S.A. 19:44A-20.5 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, the Business Administrator and/or the Interim, Purchasing Agent, are hereby authorized to enter into and execute a contract with Whitson's Food Service (Bronx), LLC, 1800 Motor Parkway, Islandia, New York 11749 to provide meals in connection with the 2024 SunUp Summer Food Program, whose bid was determined to be the lowest responsive and responsible bid. The term of the contract will begin June 24, 2024 and terminate August 30, 2024.
2. The Municipal Council ratifies its authorization from June 24, 2024 through the date of adoption of this authorizing resolution.
3. There shall be no amendment or change of this contract without the approval of the Municipal Council.
4. There shall be no advance payment on this 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(b)(2), shall be executed before a contractual liability is incurred each time an order is placed against Account Code Line NW051-G24-N24C0 72020-B2024 City of Newark Summer Food Program / Department of Recreation, Cultural Affairs and Senior Services/Division of Recreation. The total contract amount shall not exceed One Million Two Hundred Nineteen Thousand, Two Hundred Seventy Nine Dollars and Zero Cents (\$1,219,279.00) for the contract period June 24, 2024 through August 30, 2024
6. The Interim, Purchasing Agent, shall file a copy of this resolution and the duly executed copy of the contract in the Office of the City Clerk.

### **STATEMENT**

This resolution authorizes and ratifies the Mayor and/or his designees, the Business Administrator or the Interim Purchasing Agent to enter into and execute a contract with Whitson's Food Service (Bronx), LLC, 1800 Motor Parkway, Islandia, New York 11749 to provide meals for the 2024 SunUp Summer Food Program in an amount not to exceed One Million Two Hundred Nineteen Thousand Two Hundred Seventy-Nine Dollars and Zero Cents (\$1,219,279.00) for the contract period June 24, 2024 through August 30, 2024