

**CITY COUNCIL****The City of Orange Township, New Jersey**DATE April 7, 2020NUMBER 154-2020**TITLE:**

**A RESOLUTION AWARDING A CONTRACT TO UNITEMP, INC.  
26 WORLDS FAIR DRIVE D, SOMERSET, NEW JERSEY 08873  
FOR HEATING AND AIR CONDITIONING MAINTENANCE  
SERVICES AT THE FREDDIE POLHILL LAW & JUSTICE  
COMPLEX, 25-29 PARK STREET, ORANGE, NEW JERSEY FOR  
THE PERIOD OF MARCH 1, 2020 UNTIL DECEMBER 31, 2020 IN  
AN AMOUNT NOT TO EXCEED \$45,528.00.**

**WHEREAS**, the City of Orange Township did duly advertise on Wednesday, February 12, 2020, for public bids for Heating and Air Conditioning Maintenance Services at the Freddie Polhill Law & Justice Complex, 25-29 Park Street, Orange, New Jersey; and

**WHEREAS**, on Thursday, February 27, 2020, the City of Orange Township received one (1) bid pursuant to the plans and specifications furnished to prospective bidder from the following:

Bidder	Regular Preventative Maintenance	Standard Service Hourly Rate	Emergency Service Hourly Rate	Emergency after Hour Service Hourly Rate	Allowance for parts, materials and equipment	Total price Annual Maintenance and repair services cost
Unitemp, Inc.	\$12,800	\$11,200	\$2,688	\$3,840	\$15,000.00	\$45,528.00

**WHEREAS**, the Director of Public Works did duly examine and study the bid submitted and recommends that a contract be awarded to Unitemp, Inc.; and

**COMPANY:****Unitemp, Inc.****TOTAL BID****\$45,528.00**

**WHEREAS**, the City Attorney has reviewed the bid for form and legality; and

**WHEREAS**, the aforementioned Unitemp, Inc. has furnished the City of Orange Township, with a ten percent (10%) Stockholder Affidavit in accordance with Assembly Bill OCR-A-22; and

**WHEREAS**, Unitemp has completed and submitted a Business Disclosure Certification which certifies that it has not made any reportable contributions to a political or candidate committee in the City in the previous one (1) year, except that the year 2005 is an exception to this requirement as the one year immediately proceeding the effective date of the law, as that term is defined below, and that the contract will prohibit Unitemp, Inc. from making any reportable contributions throughout the term of the contract; and

**WHEREAS**, the Chief Financial Officer of the City of Orange Township has prepared the necessary Certificate of Availability of Funds certifying that funds (\$45,528.00) are available for this purpose in Account No. 0-01-26-310-000-528 to cover March 1, 2020 through December 31, 2020.

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the City of Orange Township, New Jersey that a contract be awarded for the Heating and Air Conditioning Maintenance Services for the Freddie Polhill Law & Justice Complex to Unitemp Inc. in an amount not to exceed \$45,528.00.

**BE IT FURTHER RESOLVED**, that the proper officers of the City of Orange Township be and they are hereby authorized to return to the unsuccessful bidders, the certified checks, cashier's checks or bid bonds evidencing their guarantee in accordance with provisions of N.J.S.A. 40A:11-24.

Adopted:

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Joyce L. Lanier  
City Clerk

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Tency A. Eason  
Council President

# AGREEMENT

This Agreement, made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2020, between the City of Orange Township (“the City”), 29 N. Day Street, Orange, New Jersey 07050 and Unitemp, 26 World’s Fair Drive, Unit D, Somerset, New Jersey 08873.

**WHEREAS**, the City of Orange Township wishes to retain a company for the purpose of providing Heating & Air Conditioning Maintenance Services at the Freddie Polhill Law & Justice Complex, 29 Park Street, Orange, New Jersey 07050 as provided in the bid specifications, which is made a part of this agreement.

**WHEREAS**, the City wishes to retain Unitemp.

**WHEREAS**, this firm and the individuals of the firm are to be retained pursuant to the Agreement as specified in the bid specifications.

**WHEREAS**, the City Council of the City of Orange Township has, by Resolution No. \_\_\_\_\_, dated \_\_\_\_\_, authorized Unitemp to provide Heating and Air Conditioning Maintenance at the Freddie Polhill Law & Justice Complex, 29 Park Street, Orange, New Jersey.

**NOW, THEREFORE, BE IT AGREED** by and between the parties, for the mutual convenience set forth herein below:

1. Unitemp is hereby contracted by the City of Orange Township to provide services as specified in the bid specifications.
2. This agreement shall be effective March 1, 2020 and shall until December 31, 2021 with an option to renew for an additional twelve (12) month period, unless sooner terminated by the City by giving ten (10) days written notice to the other party.

month period, unless sooner terminated by the City by giving ten (10) days written notice to the other party.

3. This agreement shall not be assigned nor shall any duties under this agreement be delegated by Unitemp, without prior written consent of the City.
4. The validity of this agreement and its terms or provisions, as well as the rights and duties of the contracting parties, shall be governed by and construed in accordance with the laws of the State of New Jersey.
5. This agreement shall be binding on and inure to the benefit of the contracting parties and their respective heirs, executors, administrators, legal representatives, successors, and assign when not expressly prohibited by this agreement.
6. If any term of this agreement is to any extent invalid, illegal or incapable of being enforced, such term shall be excluded to the extent of such invalidity, illegality, or unenforceability; all other terms herein shall remain in full force and effect.
7. This agreement constitutes the sole agreement of the contracting parties and supersedes any prior understandings or written or oral agreements between the parties respecting its subject matter.
8. All notices and other communications shall be sent by certified mail, return receipt requested, and shall be deemed to have been given when sent to the parties at their respective addresses as set forth above, unless a different address has been selected after the execution of this agreement and has been duly communicated to the party giving notice.

9. The City may terminate this Agreement upon three (3) day notice to Unitemp.

In the event that this agreement is deemed to be terminated, the City shall pay Unitemp for those services provided as of the effective date of termination.

**IN WITNESS WHEREOF**, the parties hereto have set their hands and seals on the day and year first above written.

**ATTEST:**

**CITY OF ORANGE TOWNSHIP:**

\_\_\_\_\_  
Joyce L. Lanier  
City Clerk

\_\_\_\_\_  
Hon. Dwayne D. Warren, Esq.  
Mayor

**ATTEST:**

**Unitemp, Inc.**

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

**Approved as to Form and Sufficiency**

\_\_\_\_\_  
Gracia Robert Montilus, City Attorney

CITY OF ORANGE TOWNSHIP  
FINANCE DEPARTMENT

CERTIFICATION OF FUNDS  
NEXT BUDGET

I, Chief Financial Officer for the City of Orange Township, do hereby confirm that based on the Quote or RFP, RFQ, bid results or "extraordinary unspecifiable services" without competitive bids for 2020 service contract, and the resolution presented to the Council for approval, and contingent upon Council approval and inclusion of said item in the Temporary Budget and adopted 2020 Budget, there will be sufficient funds to contract with:

Vendor Name: Unitemp, Inc.  
Address: 26 Worlds Fair Drive  
Suite D  
City: Somerset  
State: New Jersey  
Zip Code: 08873

Purpose: Heating and Air Conditioning Maintenance  
Vendor ID: UNITE040

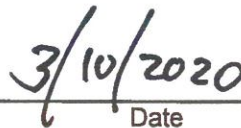
Temporary Budget: \$ 11,500.00  
Fund: Current Fund  
Line Description BDG- Building & Grounds - Contractual Services  
Account Numbers(s): CY'20 0-01-26-310-000-528

The remainder of: \$ 34,028.00  
will be provided in  
Fund: Current Fund  
Line Description BDG- Building & Grounds - Contractual Services  
Account Numbers(s): CY'20 0-01-26-310-000-528

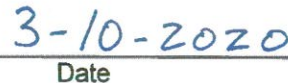
Purchase Order Number : 20-00652

Amount not to exceed: \$ 45,528.00

  
\_\_\_\_\_  
Division Head

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Chief Financial Officer

  
\_\_\_\_\_  
Date