

CITY COUNCIL

The City of Orange Township, New Jersey

DATE November 4, 2020

NUMBER 431-2020

TITLE: (AMENDED)

A RESOLUTION AUTHORIZING A CONTRACT TO CUSTOM BANDAG, INC., 401 E. LINDEN AVENUE, LINDEN, NEW JERSEY 07036 TO PURCHASE VARIOUS MODELS AND SIZES OF TIRES VIA CATALOG DISCOUNT FOR AUTOMOTIVE, LIGHT TRUCK AND MEDIUM FLEET VEHICLES UNDER THE ESSEX COUNTY COOPERATIVE PRICING COUNCIL CONTRACT #20-145 COMMENCING OCTOBER 8, 2020 THROUGH SEPTEMBER 7, 2021 IN AN AMOUNT NOT TO EXCEED \$35,000.00

WHEREAS, the City of Orange Township requires a company to purchase various models and sizes of tires for automotive, light truck and medium truck fleet vehicles; and

WHEREAS, the City of Orange Township entered into a voluntary cooperative pricing agreement with the County of Essex Cooperative Pricing Council; and

WHEREAS, the City of Orange Township wishes to obtain Custom Bandag, Inc. to purchase various models and sizes of tires for automotive, light truck and medium fleet vehicles under the Essex County Cooperative Pricing Council Contract #20-145, a copy of which is attached hereto and made part hereof; and

WHEREAS, the Chief Financial Officer of the City of Orange Township has prepared the necessary Certificate of Availability of Funds, a copy of which is attached hereto and made part hereof, certifying that monies are available in the Account No. 0-01-26-315-000-305 (\$10,000.00) to cover October 8, 2020 through December 31, 2020 and \$25,000.00 will be subject to budget appropriation to cover to cover January 1, 2021 to September 7, 2021.

NOW, THEREFORE, BE IT RESOLVED that the proper officers of the City of Orange Township are hereby authorized to enter into an agreement with Custom Bandag, Inc. for the purchase of various models and sizes of tires for automotive, light truck and medium fleet vehicles in an amount not to exceed \$35,000.00, subject to budget appropriations for 2021.

Adopted: November 4, 2020

Joyce L. Lanier
City Clerk

Kerry J. Coley
Council President

CITY COUNCIL

The City of Orange Township, New Jersey

DATE December 19, 2017

NUMBER 429-2017(WO)

TITLE: A RESOLUTION AUTHORIZING THE CITY OF ORANGE TOWNSHIP TO ENTER INTO A VOLUNTARY COOPERATIVE PRICING SYSTEM WITH THE COUNTY OF ESSEX, OFFICE OF PURCHASING FOR THE PURCHASE OF GOODS AND SERVICES.

WHEREAS, N.J.S.A. 40A:11-11 et. seq. authorizes contracting units to establish a Cooperative Pricing System and to enter into a voluntary cooperative pricing for its administration; and

WHEREAS, County of Essex, Office of Purchasing hereinafter referred to as the "Lead Agency" has offered voluntary participation in a cooperative pricing system for the purchase of goods and services; and

WHEREAS, this Resolution shall be known and may be cited as the Cooperative Pricing Resolution of the City of Orange Township.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of N.J.S.A. 40A:11-11 et. seq. the Mayor and the City of Orange is hereby authorized to enter into a voluntary Cooperative Pricing System with the Lead Agency.

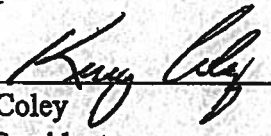
BE IT FURTHER RESOLVED, that the Lead Agency shall be responsible for complying with the provisions of the Local Contracts Law (N.J.S.A. 40A:11-1 et seq) and all other provisions of the revised statutes of the State of New Jersey.

This resolution shall take effect immediately upon passage.

Adopted: December 19, 2017



Joyce L. Daniel
City Clerk



Kerry J. Coley
Council President



OFFICE OF PURCHASING
 THE COUNTY OF ESSEX, NJ
<http://purchasing.essexcountynj.org>

You are logged in as:
 Ellie Serrano
 eserrano@cl.orange.nj.us

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Voluntary Co-Op Bid # 20-145: To Furnish and deliver Various Car and Light Truck Tires via catalog Discounts as per specifications. Contract Period to be One (1) Year from date of award by the Board of Chosen Freeholders. A one (1) year optional period will be offered upon mutual agre



Award Information

Award To	Award Date	Award Amount	Co-Op
Custom Bandag, Inc. Barnwell House Of Tires F and S Tire Corp.	10/08/2020	\$ 75,000.00	Yes

Resolution Number: 2020-00747

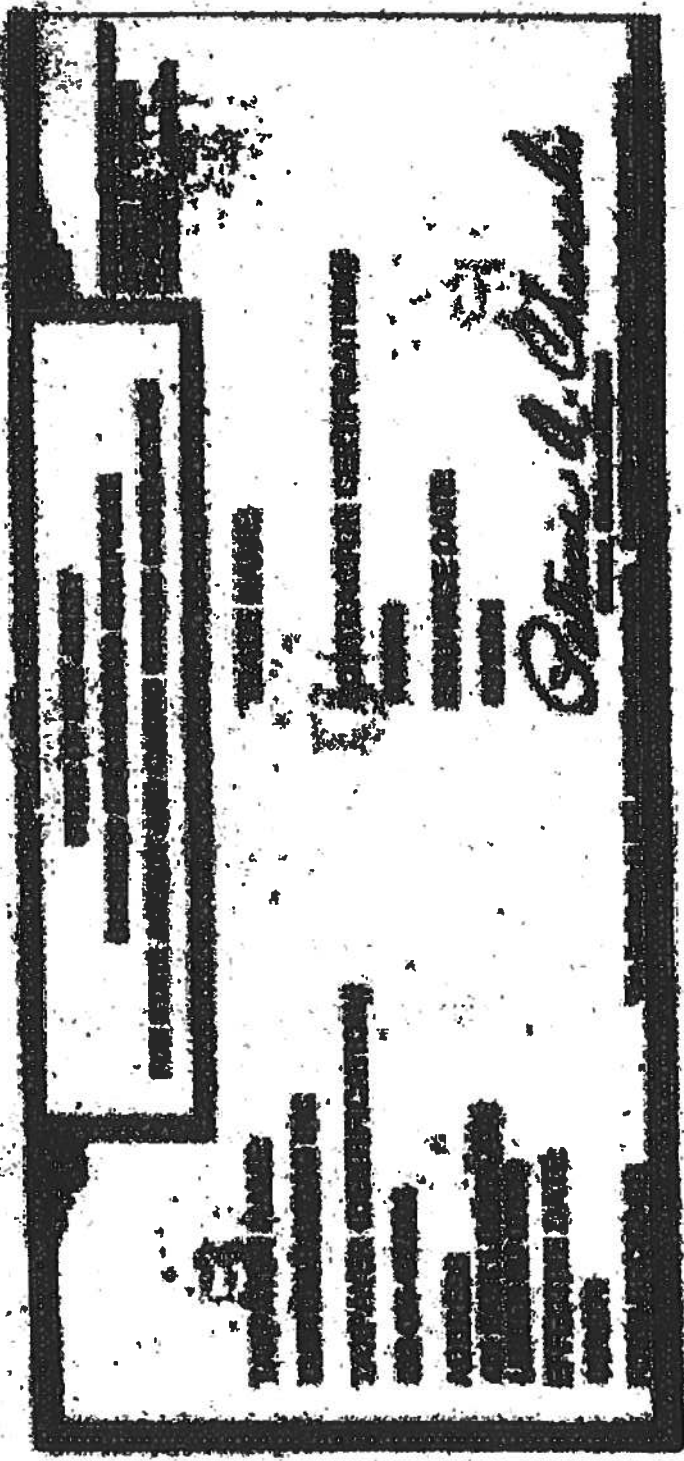
Purchasing Comments: To Furnish & Deliver Various size & brands of Tires for Fleet Vehicles via catalog discounts

General Information

Bid 20-145 : Awarded	Subject
Submission Complete	To Furnish and deliver Various Car and Light Truck Tires via catalog Discounts as per specifications. Contract Period to be One (1) Year from date of award by the Board of Chosen Freeholders. A one (1) year optional period will be offered upon mutual agre
Date Issued	
08/11/2020	
Date Due	Commodity Type
08/26/2020	Automotive Vehicles, Accessories, Parts, Supplies and Services
Requesting Agency	Performance Period
Department of Public Works	One (1) year from award date
Agency Contact	Proposer's Conference
Christopher Calvanese Tel: 973-621-5102 Fax: 973-621-5109 ccalvanese@admin.essexcountynj.org	N/A
Questions	Other Instructions
Fax To: 973-621-5109 Att: Christopher Calvanese	as per specifications

Specification Download Center

Opportunity Download
Opportunity Bid_20-



Business registration o Open with Launch PCR

CITY OF ORANGE TOWNSHIP
FINANCE DEPARTMENT

CERTIFICATION OF FUNDS

I, Chief Financial Officer for the City of Orange Township, do hereby confirm that, based on the experience record of the prior year, and based on the Quote, RFP, or RFQ bid results, "extraordinary unspecifiable services" without competitive bids or inclusion in a cooperative which the City has approved, and contingent upon Council approval and inclusion of said item in the Temporary Budget and the adopted 2020, and 2021 Budgets, there will be sufficient funds to contract with:

Vendor Name: Custom Bandag, Inc.
Address: 401 East Linden Avenue
City: Linden
State: New Jersey
Zip Code: 07036

Purpose: Purchase various models and sizes of tires
11/01/2020-09/07/2021

Fund: Current Fund
Line Description EVM - Tires and Tubes
Budget years: 2020 2021
Account Numbers(s): 0-01-26-315-000-305
10,000.00 25,000.00

Vendor ID: CUSTO025

holding PO Number: 20-01711

Amount not to exceed: \$ 35,000.00

Division Head

Date



Chief Financial Officer

11-04-2020

Date

AGREEMENT

This Agreement, made and entered into this ____ day of _____ 2020, between the City of Orange Township and **Custom Bandag Inc., 401 E. Linden Avenue, Linden, New Jersey 07036.**

WHEREAS, the City of Orange Township wishes to retain a firm for the purpose of **purchasing various models and sizes of tires via catalog discount for automotive, light truck and medium fleet vehicles under the Essex County Co-Op Bid File #20-145** for the City of Orange Township, as specifically set forth in the attached proposal in the amount not to exceed (\$10,000.00 to cover October 8, 2020 through December 31, 2020; (\$25,000.00) to cover January 1, 2021 through September 7, 2021.

WHEREAS, the City of Orange Township wishes to retain **Custom Bandag, Inc.** with offices located at **401 E. Linden Avenue, Linden, New Jersey 07036.**

WHEREAS, this firm and the individuals of the firm are to be retained pursuant to the Agreement as specified under the **Essex County Co-Op**; and

WHEREAS, the City Council of the City of Orange Township has, by **Resolution No. _____** dated _____ 2020, authorizes **Custom Bandag, Inc.** for the purpose of **purchasing various models and sizes of tires via catalog discount for automotive, light truck and medium fleet vehicles**, as specified in the attached proposal.

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

1. **Custom Bandag, Inc.** is hereby contracted by the City of Orange Township to provide services as specified in the attached proposal.

2. This agreement shall be effective commencing on **October 8, 2020** and terminating on **September 7, 2021**.
3. This agreement shall not be assigned nor shall any duties under this agreement be delegated by **Custom Bandag, Inc.** 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 assigns when not expressly prohibited by this agreement.
6. In case any one or more of the provisions contained in this agreement shall for any reason be held to be invalid, illegal or unenforceable in any respect, the invalidity, illegality, or unenforceability shall not affect any other provision of it this agreement shall for any reason be held to be invalid, illegal, or unenforceable provision had never been contained in it.
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 days notice with **Custom Bandag, Inc.** In the event that this agreement is deemed to be terminated, the City shall pay **Custom Bandag, Inc.** for those services provided as of the effective date of termination. This agreement is final and cannot be amended, supplemented, changed or modified without said being in writing.

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

ATTEST:

CITY OF ORANGE TOWNSHIP:

Joyce L. Lanier Date
City Clerk

Dwaync D. Warren, Esq. Date
Mayor

ATTEST:

Custom Bandag, Inc.
401 E. Linden Avenue
Linden, New Jersey 07036

Print Name

Print Name

Signature Date

Signature Date

Approved as to Form and Sufficiency

Gracia R. Montilus Date
City Attorney