

CITY COUNCIL

The City of Orange Township, New Jersey

DATE December 20, 2022

NUMBER 499-2022

TITLE: A RESOLUTION AUTHORIZING THE EXTENSION OF THE AGREEMENT FOR THE REMOVAL OF SOLID WASTE AND RECYCLING SERVICES WITH JOSEPH SMENTKOWSKI, INC., 160 JAMES AVENUE, JERSEY CITY, NEW JERSEY 07306 FOR AN ADDITIONAL NINETY DAY (90) PERIOD COMMENCING JANUARY 1, 2023 THROUGH MARCH 31, 2023 IN THE AMOUNT NOT TO EXCEED \$345,000.00.

WHEREAS, the contract between the City of Orange Township and Joseph Smentkowski, Inc., 160 James Avenue, Jersey City, New Jersey 07306, for Solid Waste and Recycling Services will expire on December 31, 2022; and

WHEREAS, the provision of Solid Waste and Recycling Services is a service that must be bid under the Local Public Contracts Law; and

WHEREAS, the current vendor, Joseph Smentkowski, Inc. has agreed to obtain an extension; and

WHEREAS, it is anticipated that an additional ninety day period will be required in order to properly award the Solid Waste and Recycling Services; and

WHEREAS, as a result, the Municipal Council of the City of Orange Township authorized the execution and delivery of an extended contract with Joseph Smentkowski, Inc. and such contract is authorized by N.J.S.A., 40A:11-6; 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, certifying that funds will be available for this purpose in Account No. 3-01-26-305-000-528, contingent upon Council approval and inclusion of said item in the Temporary Budget and adopted 2023 Budget, there will be sufficient funds to contract with Joseph Smentkowski, Inc.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the City of Orange Township does authorize the extension of the contract with Joseph Smentkowski, Inc. for the Solid Waste and Recycling Services for the City of Orange Township, in the amount not to exceed \$345,000.00 for an additional ninety days commencing January 1, 2023 through March 31, 2023.

Adopted: **December 20, 2022**

Joyce L. Lanier
City Clerk

Tency A. Eason
Council President

 A-1171A#7



CITY COUNCIL**The City of Orange Township, New Jersey**DATE September 17, 2019NUMBER 325-2019

TITLE: A RESOLUTION AWARDED A THREE (3) YEAR CONTRACT FOR MUNICIPAL REFUSE AND RECYCLING COLLECTION SERVICES FOR THE CITY OF ORANGE TOWNSHIP TO JOSEPH SMENTKOWSKI, INC., 160 JAMES AVENUE, JERSEY CITY, NEW JERSEY 07306 COMMENCING OCTOBER 1, 2019 THROUGH SEPTEMBER 30, 2022 IN THE AMOUNT NOT TO EXCEED \$2,944,200.00.

WHEREAS, the City of Orange Township did duly advertise on December 27, 2018 for public bids for Refuse and Recycling Collection Services; and

WHEREAS, on August 14, 2019 the City of Orange Township received two (2) public bids pursuant to specification furnished to prospective bidders from the following:

Bidder	Option #2 Cost Per Month	Option #2 Total Cost Per Year	Total Amount for 3 Years
Joseph Smentkowski, Inc. Jersey City, New Jersey	\$ 81,783.33	\$981,400.00	\$2,944,200.00
F. Basso Rubbish Inc. Irvington, New Jersey	\$ 82,225.00	\$986,700.00	\$2,960,100.00

WHEREAS, it is the recommendation of the Director of Public Works & Engineering that the contract be awarded to Joseph Smentkowski, Inc., and

WHEREAS, Joseph Smentkowski, Inc. did furnish to the City of Orange Township with an Affirmative action Affidavit, 10% Stockholder Affidavit, Affidavit of Non-Collusion; and

WHEREAS, Joseph Smentkowski, Inc. 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 of Orange Township 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 Joseph Smentkowski, 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, a copy of which is attached hereto, certifying that funds are available for this purpose in Account No. 9-01-26-305-000-528 for Option # 2 for three (3) years.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Orange Township, that a contract be awarded to Joseph Smentkowski, Inc., 160 James Avenue, Jersey City, New Jersey 07306, the aforesaid lowest responsive bidder, in the amount not to exceed \$2,944,200.00 for three (3) years; and

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

CITY COUNCIL

The City of Orange Township, New Jersey

DATE September 6, 2022

NUMBER 364-2022

TITLE: A RESOLUTION AUTHORIZING THE EXTENSION OF THE AGREEMENT FOR THE REMOVAL OF SOLID WASTE AND RECYCLING SERVICES WITH JOSEPH SMENTKOWSKI, INC., 160 JAMES AVENUE, JERSEY CITY, NEW JERSEY 07306 FOR AN ADDITIONAL NINETY DAY (90) PERIOD COMMENCING OCTOBER 1, 2022 THROUGH DECEMBER 31, 2022 IN THE AMOUNT NOT TO EXCEED \$245,349.99.

WHEREAS, the contract between the City of Orange Township and Joseph Smentkowski, Inc., 160 James Avenue, Jersey City, New Jersey 07306, for Solid Waste and Recycling Services will expire on September 30, 2022; and

WHEREAS, the provision of Solid Waste and Recycling Services is a service that must be bid under the Local Public Contracts Law; and

WHEREAS, the current vendor, Joseph Smentkowski, Inc. has agreed to obtain an extension; and

WHEREAS, it is anticipated that an additional ninety day period will be required in order to properly award the Solid Waste and Recycling Services; and

WHEREAS, as a result, the Municipal Council of the City of Orange Township authorized the execution and delivery of an extended contract with Joseph Smentkowski, Inc. and such contract is authorized by N.J.S.A., 40A:11-6; 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, certifying that monies are available in Account No. 2-01-26-305-000-528.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the City of Orange Township does authorize the extension of the contract with Joseph Smentkowski, Inc. for the Solid Waste and Recycling Services for the City of Orange Township, in the amount not to exceed \$245,349.99 for an additional ninety days commencing October 1, 2022 through December 31, 2022.

Adopted: September 20, 2022


Joyce L. Lanier
City Clerk


Tency A. Eason
Council President

 A-01-2022-11

CITY OF ORANGE TOWNSHIP
FINANCE DEPARTMENT

CERTIFICATION OF FUNDS
NEXT BUDGET - CURRENT FUND

I, Nile Clements, 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 2023 service contract, and the resolution to be presented to the Council for approval, and contingent upon Council approval and inclusion of said item in the Temporary Budget and adopted 2023 Budget, there will be sufficient funds to contract with:

Vendor Name: Joseph Smentkowski, Inc.

Address: 3 New York Ave.

City: Jersey City

State: New Jersey

Zip Code: 07307

Purpose: Solid waste and recycling services
Jan. - March 2023

Vendor ID: JOSEP010

Fund: Current Fund

Line Description RR - Refuse Removal - Contractual Services

Account Numbers(s): CY'23 3-01-26-305-000-528 \$ 345,000.00

Purchase Order # : TBD

Amount not to exceed: \$ 345,000.00

Division Head

Date

Nile Clements

12/13/2022

Chief Financial Officer

Date

ADDENDUM AGREEMENT

This Addendum Agreement, made and entered into this ____ day of _____
2022, between the City of Orange Township and **Joseph Smentkowski, Inc., 160 James Avenue, Jersey City, New Jersey 07306.**

WHEREAS, the City Council of the City of Orange Township has, by
Resolution # _____ dated _____, 2022, authorized **Joseph Smentkowski, Inc., for the continuation of the solid waste and recycling services in the City of Orange Township.**

WHEREAS, continuation of the solid waste and recycling services are required for an additional ninety day period;

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

1. The amount of the services shall not exceed in the amount of \$345,000.00.
2. This addendum agreement shall be effective commencing on January 1, 2023 through March 31, 2023 approved by resolution of the City Council of the City of Orange Township.
3. This addendum agreement shall not be assigned nor shall any duties under this agreement be delegated by **Joseph Smentkowski, Inc.** without prior written consent of the City.
4. The City may terminate this Agreement upon three days notice to **Joseph Smentkowski, Inc.** In the event that this agreement is deemed to be terminated, the City shall pay **Joseph Smentkowski, Inc.** for those services and supplies provided as of the effective date of termination.

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
Municipal Clerk

Dwayne D. Warren, Esq.
Mayor

ATTEST:

Joseph Smentkowski, Inc.

Print Name

Print Name

Signature

Signature
160 James Avenue
Jersey City, New Jersey 07306

Approved as to Form and Sufficiency

Gracia R. Montilus, City Attorney



Joseph Smentkowski, Inc.

160 James Avenue * Jersey City, NJ 07306 * Voice: 201-866-7510 * Fax: 201-420-7491

City of Orange
29 North Day Street
Orange, NJ 07051

December 9, 2022

Re: Solid Waste & Recyclable Materials Collection Services

In response to the City's request, Joseph Smentkowski, Inc will provide an extension for all current contract services for a period of three months. The price will be as follows:

- | | |
|------------------|---------------|
| 1. January 2023 | \$ 115,000.00 |
| 2. February 2023 | \$ 115,000.00 |
| 3. March 2023 | \$115,000.00 |

If the proposal is accepted, please provide a P.O. by December 28 ,2022 for the January 2023 monthly service.

Thank you for your attention in this matter and please feel free to contact us if any additional information is required.

Yours truly,

Thomas Giordano
Vice President
Joseph Smentkowski, Inc



**STATE OF NEW JERSEY
BUSINESS REGISTRATION CERTIFICATE**

Taxpayer Name: JOSEPH SMFNTKOWSKI, INC.
Trade Name:
Address: 3 NEW YORK AVE
JERSEY CITY, NJ 07307
Certificate Number: 1118635
Effective Date: January 11, 2005
Date of Issuance: May 17, 2022

For Office Use Only:
20220517093432742

Request for Taxpayer Identification Number and Certification

Give Form to the
 requester. Do not
 send to the IRS.

▶ Go to www.irs.gov/FormW9 for instructions and the latest information.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.
Joseph Smentkowski, Inc

2 Business name (unrelated entity name, if different from above)

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.

Individual/sole proprietor or single-member LLC

C Corporation

S Corporation

Partnership

Trust/estate

Limited liability company. Enter the tax classification (D=C corporation, S=S corporation, P=Partnership) ▶ _____

Other (see instructions) ▶ _____

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) _____

Exemption from FATCA reporting code (if any) _____

(Applies to accounts established outside the US)

5 Address (number, street, and apt. or suite no.) See instructions.
160 JAMES AVE

6 City, state, and ZIP code
Jersey City, NJ 07304

7 List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Notes: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number

--	--	--	--	--	--	--	--	--	--

or

Employer identification number

22	-	1890694
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Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part I, later.

Sign Here

Signature of U.S. person ▶ *[Signature]*

Date ▶ *1/28/21*

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (cancelled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See *What is backup withholding*, later.

