

**CITY COUNCIL**

**The City of Orange Township, New Jersey**

**DATE** October 17, 2023

**NUMBER** 424-2023

**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 THIRTY ONE DAY PERIOD COMMENCING DECEMBER 1, 2023 THROUGH DECEMBER 31, 2023 IN THE AMOUNT NOT TO EXCEED \$115,000.00.

**WHEREAS**, the extension of 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 expires on November 30, 2023; 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**, the City is scheduled to receive bids for Solid Waste and Recycling Services on November 30, 2023; and

**WHEREAS**, it is anticipated that an additional thirty one 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 are available for this purpose in Account No. 3-01-26-305-000-528.

**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 \$115,000.00 for an additional thirty one days commencing December 1, 2023 through December 31, 2023.

Adopted: **October 17, 2023**

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

\_\_\_\_\_  
Tency A. Eason  
Council President

  
A. McBlair  
CITY ATTORNEY

CITY OF ORANGE  
FINANCE DEPARTMENT

CERTIFICATION OF FUNDS  
2023 ADOPTED BUDGET

I, Nile Clements, Chief Financial Officer for the City of Orange, do hereby certify to the best of my knowledge and belief that there are sufficient funds to Contract with:

Vendor Name: Joseph Smentkowski, Inc.

Address: 160 James Ave.

City: Jersey City

State: New Jersey

Zip Code: 07306

Purpose: Extension of Solid Waste and Recycling services  
for December 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 # : 23-00016

Add'l Amount not to exceed: \$ 115,000.00

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Division Head

Date

*Nile Clements*

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Chief Financial Officer

Date

## **ADDENDUM AGREEMENT**

This Addendum Agreement, made and entered into this \_\_\_\_ day of \_\_\_\_\_ 2023, 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 #\_\_\_\_-2023** dated \_\_\_\_\_, 2023 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 \$115,000.00.
2. This addendum agreement shall be effective commencing on December 1, 2023 through December 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

# Request for Taxpayer Identification Number and Certification

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

Go to [www.irs.gov/FormW9](http://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 Szwentkowski Jr.*

2 Business name/disregarded 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 (C=C corporation, S=S corporation, P=Partnership) ▶ \_\_\_\_\_

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

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 maintained outside the U.S.)*

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)

Requester's name and address (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.

Note: 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

			-			-				
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or

Employer identification number

22	-	1890699	8
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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 II, later.

Sign Here Signature of U.S. person ▶ *[Signature]* Date ▶ *2/1/2023*

## 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](http://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 (canceled 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.