

RESOLUTION OF THE BOARD OF CHOSEN FREEHOLDERS  
COUNTY OF ESSEX

#14

RESOLUTION NO. <sup>A-2015</sup> 00734 AUTHORITY FOR RESOLUTION:

N.J.S.A. 40:41A-38(n)

PROPOSED BY: COUNTY EXECUTIVE AUTHORITY FOR ACTION:

N.J.S.A. 40:41A-36(i)

SUBJECT:

DEPARTMENT OF PUBLIC WORKS – CONTRACT AWARD TO Z & Z SUPPLY COMPANY, INC., D/B/A JOHNSTONE SUPPLY, THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER TO FURNISH AND DELIVER FREON PRODUCTS AND REFRIGERANTS – TWELVE MONTH CONTRACT – AMOUNT NOT TO EXCEED \$100,000.00

WHEREAS, the County of Essex has need for a vendor to Furnish and Deliver Freon Products and Refrigerants (the “Goods”) for the Department of Public Works; and

WHEREAS, the County’s Office of Purchasing has publicly advertised for bids for the Goods; and

WHEREAS, the County has received, from two (2) vendors, written responses to the aforesaid advertisement for bids; and

WHEREAS, the County’s Office of Purchasing recommends the Board of Chosen Freeholders award the contract for the Goods for a twelve (12) month period to Z & Z Supply Company, Inc., d/b/a Johnstone Supply, the lowest responsive and responsible bidder; and

WHEREAS, the Chief Financial Officer has certified that he will further certify the availability of funds to pay such a contract when services are ordered (which certificate is attached hereto); and

**WHEREAS**, New Jersey Public Contracts Law (NJSA 40A:11-1 et seq.) requires the Board of Chosen Freeholders to approve, by resolution, the awarding of a contract for the provision or performance of any goods or services, the cost of which, in the aggregate, exceeds the statutory bidding threshold; now, therefore, be it

**RESOLVED**, by the Essex County Board of Chosen Freeholders as follows:

1. That the award of a contract for the Goods for a twelve (12) month period at a cost not to exceed \$100,000.00 to Z & Z Supply Company, Inc., d/b/a Johnstone Supply, the lowest responsive and responsible bidder in accordance with the recommendation of the County's Office of Purchasing, be and hereby is approved, and that the County Administrator be and hereby is authorized to enter into and execute a contract as aforesaid, together with such other documents incident thereto, as may be necessary.
2. That the Clerk of the Board of Chosen Freeholders forward two (2) certified copies of this Resolution and agreement to the Office of Purchasing and one (1) to the Department of Public Works.

RECEIVED  
CLERK OF THE BOARD  
2015 SEP -9 PM 1:00  
ESSEX COUNTY  
BOARD OF  
CHOSEN FREEHOLDERS

Approved as to form and legality Courtney Date 9/3/15

ESSEX COUNTY COUNSEL

RECORD OF VOTE (X=Vote N.V.=Abstention ABS=Absent)

Moved By Freeholder Toro  
 Second by Freeholder Luciano

Freeholder	Yes	No	N.V.	ABS	Freeholder	Yes	No	N.V.	ABS
Bobadilla	✓				Richardson	✓			
Gill, V.P.	✓				Sebold	✓			
Johnson	✓				Timberlake, Pres.	✓			
Jones				✓	Toro	✓			
Luciano	✓								

It is hereby certified that the foregoing Resolution was (✓) adopted ( ) defeated ( ) tabled by roll call vote at a regular meeting of the Board of Chosen Freeholders of the County of Essex, New Jersey held on Sept 30, 2015

Is Publication Required ( ) Yes ( ) No

Date Published \_\_\_\_\_

  
 Britnee N. Timberlake, President

Z & Z Supply Company, Inc., d/b/a Johnstone Supply

**MI ORANDUM OF AGREEMENT  
BETWEEN**

22015-00734

**VENDOR**

**COUNTY**

NAME: Z&Z Supply Co. Inc. dba Johnstone Supply County of Essex  
ADDRESS: 370 Market Street Hall of Records  
Kenilworth, N.J. 07033 465 Dr. Martin Luther King Blvd.  
Newark, New Jersey 07102

BID #: 15-141  
DATE ADVERTISED: July 21, 2015  
DATE RECEIVED: August 6, 2015  
CONTRACT PERIOD: Twelve (12) months from date of award by Freeholder Board  
BASIS OF AWARD: Lowest responsive/responsible bidder for listed line items  
COMMODITY: Furnish & Deliver Freon Products & Refrigerants for the Department of  
DESCRIPTION: Public Works

**CONDITIONS:**

The Essex County Chief Financial Officer has certified that funds are available for this expenditure (N.J.S.A. 5:30-5.1 et seq.).

The vendor identified above hereby agrees to comply with the terms and conditions of the bid specifications, advertisement, and vendor's proposal, as submitted by the vendor listed above under the bid number stated above, which are incorporated herein and made part hereof, and to faithfully perform the obligations therein to furnish & deliver the good or service listed above.

The award of this contract is subject to the approval of the Essex County Board of Chosen Freeholders by resolution and such resolution will be prepared and presented to the Board at its regularly scheduled meeting. This contract becomes effective & binding upon adoption by resolution by the Essex County Board of Chosen Freeholders.

This vendor has agreed to participate in the Voluntary Cooperative Purchasing System extending exact pricing & equipment specifications to all County Cooperative Agencies for the term of this contract. YES X NO \_\_\_\_\_ DOES NOT APPLY \_\_\_\_\_

**PAYMENT TERMS:**

CONTRACT PERIOD: Twelve (12) months from award date by Freeholder Board  
AWARDED ITEMS: Line Items as Follows: (Unit Prices Per Cylinder)  
(1a) R-410A (25lb): \$78.65 (1b) R-410 (100lb): \$312.85  
(2a) R-22 (30lb): \$349.50 (2b) R-22 (125lb): \$1,456.88  
(3) R-407C (25lb): \$107.22 (4) R-134A (30lb): \$116.11  
(5b) R-123 (100lb): \$949.00  
AMOUNT NOT TO EXCEED: \$100,000.00 (open-ended contract) 12/month period  
MONTHLY PAYMENT: N/A  
ANNUAL PAYMENT: Not to exceed: \$100,000.00  
TOTAL AWARD TO VENDOR As per above

**ESSEX COUNTY**

**VENDOR**

DATE \_\_\_\_\_ DATE 8/24/15

Joseph N. DiVincenzo, Jr. Michael J. ...  
Joseph N. DiVincenzo, Jr. Authorized Vendor Signature

ATTEST: Deborah Davis Ford WITNESS: Margaret ...  
Deborah Davis Ford: Clerk of the Board

To: Ralph Ciallella  
County Administrator

From: Julius N. Coltre  
A/Director of Purchasing



Essex County

DEPARTMENT: \_\_\_\_\_  
Department of Public Works

DIVISION: \_\_\_\_\_

*EXPIRES 9-29-16*

August 26, 2015

**Subject: Furnish & Deliver various Freon Products & Refrigerants for the County of Essex  
Bid File# 15-141**

**Introduction:**

The Essex County Department of Public Works has requested to purchase various Freon Products for their facilities throughout Essex County locations. In accordance with the Local Public Contract Law (N.J.S.A. 40A:11-1 et seq.), the County's Office of Purchasing advertised for bids on July 21, 2015. Two (2) bidders responded from nineteen (19) potential bidders who received specifications. Four (4) vendors were from the Office of Purchasing data base and fifteen (15) bidders downloaded the bid from the Essex County bid portal, and no vendor responded from the public advertisement. The following information has been obtained:

Vendor:	Line Item & Product:	Price:
Z & Z Supply Co., Inc. dba Johnstone Supply	(1a) R-410A 25lb. cylinder	\$78.65
	(1b) R-410 100lb. cylinder	\$312.85
	(2a) R-22 30lb. cylinder	\$349.50
	(2b) R-22 125lb. cylinder	\$1,456.88
	(3) R-407C 25lb. cylinder	\$107.22
	(4) R-134A 30lb. cylinder	\$116.11
	(5b) R-123 100lb. cylinder	\$949.00
Airgas Refrigerants	(1a) "	\$109.75
	(1b) "	\$439.00
	(2a) "	\$418.50
	(2b) "	\$1,743.75
	(3) "	\$123.00
	(4) "	\$142.50
	(5b) "	\$1,019.00

- Contract Period: Twelve (12) months from date of award by Freeholder Board
- Contract Amount: not to exceed \$100,000.00
- Contract Type: Open-Ended

*Rest# 15-00734*

Completed copy of bid proposal page and required documents are attached for review.

**Recommendation:**

Based upon the recommendation of the Director of Department of Public Works which is attached hereto and after reviewing the submitted bids, it is recommended that the Board of Chosen Freeholders, authorize by resolution a contract to: Z & Z Supply Co., Inc. dba Johnstone Supply 370 Market Street Kenilworth, N.J. 07033.

**Reason for Recommendation:**

The Essex County Department of Public Works has reviewed the proposals and determined that this recommended vendor meets the requirements in the specifications and is the lowest responsive/responsible bidder to supply this commodity.

**Fiscal Impact:**

Funding for this contract will be from Operating Account# 101-1602-441-2100. The total amount of this open-ended contract shall not exceed \$100,000.00.

**Alternative:**

There is no alternative, but to prepare specifications for a public bid. This commodity is not available through any type of cooperative purchasing procurement agreements.

**Conclusion:**

The Essex County Department of Public Works has the need for this commodity and will spend more than the bid threshold, therefore it must be procured through the fair & open bidding process.

JNC:cmc

Attachment: memorandum of agreement, agency recommendation, proposal price page, political contribution disclosure, certificate of insurance.