

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
COUNTY OF ESSEX**

RESOLUTION NO. _____ **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:

OFFICE OF THE COUNTY EXECUTIVE, OFFICE OF PUBLIC INFORMATION – CONTRACT AWARD TO SHOP RITE OF NEWARK, THE SOLE RESPONSIVE AND RESPONSIBLE BIDDER TO PROVIDE PROCUREMENT OF FOOD BOXES AND FROZEN TURKEYS FOR FOOD DISTRIBUTION PROGRAM – ONE (1) YEAR CONTRACT FROM DATE OF AWARD – AMOUNT NOT TO EXCEED \$687,300.00

WHEREAS, the County of Essex has a need to have a vendor provide Procurement of Food Boxes and Frozen Turkeys for Food Distribution Program (the “Goods”) for the Office of Public Information; and

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

WHEREAS, the County has received, from one (1) vendor a written response to the aforesaid advertisement for bids; and

WHEREAS, the County’s Office of Purchasing recommends the Board of County Commissioners award the contract for the Services to Shop Rite of Newark, the sole responsive and responsible bidder; and

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

WHEREAS, the New Jersey Public Contracts Law (N.J.S.A. 40a: 11-1 et. seq.) requires that the Board of County Commissioners by resolution approve the awarding of a contract for the provision or performance of any goods or services, the cost of which in the aggregate exceed the statutory bidding threshold; now, therefore, be it.

RESOLVED, by the Essex County Board of County Commissioners:

1. That the award of a Contract for the Services for a one (1) year period at a cost not to exceed \$687,300.00 to Shop Rite of Newark, the sole 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 said contract as aforesaid together with such other documents incident thereto as may be necessary.

2. That the Clerk of the Board of County Commissioners forward two (2) certified copies of this resolution and agreement to the Office of Purchasing & one to the Office of Public Information.

Approved as to form and legality  Date 3/14/23
 ESSEX COUNTY COUNSEL

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

Moved by Commissioner _____
 Second by Commissioner _____

Commissioner	Yes	No	N.V.	ABS	Commissioner	Yes	No	N.V.	ABS
Cooper					Mercado				
Gill					Pomares, V.P.				
Graham					Richardson, Pres.				
Johnson					Sebold				
Luciano									

It is hereby certified that the foregoing Resolution was () adopted () defeated () tabled by roll call vote at a _____ meeting of the Board of County Commissioners of the County of Essex, New Jersey held on _____.

Is Publication Required () Yes () No

Date Published _____

 Wayne L. Richardson, President

Shop Rite of Newark
 3/13/2023



TO: Honorable Robert Jackson
County Administrator

Essex County

DEPARTMENT: _____

FROM: Julius N. Coltre, MPA, QPA
Director of Purchasing

Julius N. Coltre
(W) 3-10-23

DIVISION: _____

DATE: March 9, 2023

INTRODUCTION AND OVERVIEW:

TITLE: TO PROVIDE PROCUREMENT OF FOOD BOXES AND FROZEN TURKEYS FOR FOOD DISTRIBUTION PROGRAM

SOLICITATION NUMBER: 23-051

SOLICITATION TYPE: Bid: X RFP: Comp. Contract: Non-Fair & Open: Other:

REQUESTING AGENCY: Division of Housing and Community Development

ADVERTISEMENT DATE: February 21, 2023 **OPENING DATE:** March 3, 2023

POTENTIAL BIDDERS FROM: Advertisement: 0 Portal: 9 Purchasing: 0 Small Business: 0

BIDDERS(s) REJECTED: N/A **REASON:** N/A

NUMBER OF SUBMITTED BIDS: 1

ASPIRATION GOAL ACKNOWLEDGEMENT FORM (Completed & Returned): Yes: No: X

CONTRACT PERIOD: One (1) year from date of award.

MINORITY STATUS OF RECOMMENDED VENDOR:

(WBE): (MGM): (SBE): (VOB): (Other): X

VENDOR NAME: Shoprite of Newark c/o Brookdale Shoprite (Bloomfield, NJ)

Year 1:

Food Boxes: \$56.59 Per Box X 10,000 quantity = Total Price: \$565,900.00
Frozen Turkeys: \$26.60 Per Box X 4,000 quantity = Total Price: \$106,720.00
Allowance: \$15,000.00 (for any unforeseen expenses during this contractual agreement)
Total amount: \$ 687,300.00 (not to exceed)

Year 2:

Food Boxes: \$56.59 Per Box X 10,000 quantity = Total Price: \$565,900.00
Frozen Turkeys: \$26.60 Per Box X 4,000 quantity = Total Price: \$106,720.00
Allowance: \$15,000.00 (for any unforeseen expenses during this contractual agreement)
Total amount: \$ 687,300.00 (not to exceed)

RECOMMENDATION:

Based upon the recommendation of the Director of Public Information which is attached hereto and after reviewing the submitted bids, it is recommended that the Board of County Commissioners award by resolution a contract to: **Shoprite of Newark c/o Brookdale Shoprite, 1409 Broad Street, Bloomfield, New Jersey, 07003.**

REASON FOR RECOMMENDATION:

The Essex County Division of Housing and Community Development has determined that this vendor has met the requirements of the advertised specifications and is the lowest responsive/responsible bidder to the county based on to provide the services and is capable to provide your services.

FISCAL IMPACT:

The Director of Public Information, Anthony Puglisi, has stated in the attached recommendation letter that this project will be funded contingent on the Division of Housing and Community Development through the CDBG Program The total cost shall not exceed: **Year 1: \$687,300.00/ Year 2: \$705,920.00.** The associated trusted account is:03-287-56-345-016-108.

ALTERNATIVE:

There is no alternative to procure this service except to advertise & solicit bids under the "fair & open bidding process in compliance with the Local Public Contracts Law N.J.S.A.40A:11-1 et seq.

HISTORY:

To date, this vendor has previously awarded contracts by the Board of County Commissioners with the County of Essex under Resolution: R-2021-00803.

ADVERTISEMENT FOR BIDS:

In Accordance with the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)

ATTACHMENTS:

- 1) Memorandum of agreement (3 originals)
- 2) Political Contribution Disclosure Form
- 3) Business Registration Certificate
- 4) Affirmative Action Requirements/ Form AA302
- 5) Recommended Vendor's Price Pages
- 6) Recommendation Document for the Requesting Agency

JNC: mr

MEMORANDUM OF AGREEMENT
BETWEEN

	<u>VENDOR</u>		<u>COUNTY</u>
NAME:	Shoprite of Newark	c/o Brookdale Shoprite	County of Essex County
ADDRESS:	206 Springfield Avenue Newark, NJ 07103	1409 Broad Street Bloomfield, NJ 07003	Hall of Records 465 Dr. Martin Luther King Jr. Blvd. Newark, NJ 07102
BID:	Bid 23-051		
DATE ADVERTISED:	February 21, 2023		
DATE RECEIVED:	March 3, 2023		
CONTRACT PERIOD:	One (1) year from date of award.		
BASIS OF AWARD:	Lowest responsive/responsible bidder		
COMMODITY DESCRIPTION:	Procurement of Food Boxes and Frozen Turkeys for the Food Distribution Program.		

CONDITIONS:

The award of this contract is subject to the approval of the Essex County Board of County Commissioners 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 County Commissioners.

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 County reserves the option for extension of the contract by an additional one (1) year, upon approval of the Essex County Board of County Commissioners.*

PAYMENT TERMS:

CONTRACT PERIOD: One (1) year from date of award.

Year One (1)

FOOD BOXES: Quantity: 10,000 /Unit Price: \$56.59 per box /Total price: \$565,900

FROZEN TURKEYS: Quantity: 4,000 /Unit Price: \$26.60 per box /Total price: \$106,400

ALLOWANCE: \$15,000.00 (for any unforeseen expenses during this contractual agreement)

AMOUNT NOT TO EXCEED: \$687,300.00 (not to exceed)

Year Two (2)

FOOD BOXES: Quantity: 10,000 /Unit Price: \$59.42 per box /Total price: \$594,200.00

FROZEN TURKEYS: Quantity: 4,000 /Unit Price: \$27.93 per box /Total price: \$111,720.00

ALLOWANCE: \$15,000.00 (for any unforeseen expenses during this contractual agreement)

AMOUNT NOT TO EXCEED: \$705,920.00 (not to exceed)

TOTAL AWARD TO ALL VENDORS UNDER THIS BID: Year 1: \$687,300.00 (not to exceed) / Year 2: \$705,920.00 (not to exceed)

ESSEX COUNTY

DATE _____

Joseph N. DiVincenzo, Jr.
Essex County Executive

WITNESS: _____

Deborah Davis Ford

VENDOR

DATE 3/7/2023

Authorized Vendor Signature

WITNESS: _____

Clerk of the Board

Essex County Emergency Food Distribution Program

Pricing Page

CONTRACT PERIOD: The undersigned has read and understands the specifications herein, and agrees to provide the services that is herein, and recognizes that the contract period shall be from one (1) year from date of award made by the Essex County Board of County Commissioners (BOCC).

The County reserves the right offer a one (1) year extension to the awarded bidder, at the end of the awarded contract, if mutually agreeable at such time.

<u>QUANTITY</u>	<u>DESCRIPTION</u>	<u>UNIT PRICE</u>	<u>TOTAL PRICE</u>
Year 1:			
10,000	Food Boxes	\$ <u>56.59</u> per box	\$ <u>565,900</u>
4,000	Frozen Turkeys	\$ <u>26.60</u> per turkey	\$ <u>106,400</u>
		Year 1: Bid Total	\$ <u>672,300</u>

Allowance: \$15,000.00 (for any unforeseen expenses during this contractual agreement)

Grand Total for Year 1: \$ 687,300
(Including allowance)

Year 2 (Extension Option):

10,000	Food Boxes	\$ <u>59.42</u> per box	\$ <u>594,200</u>
4,000	Frozen Turkeys	\$ <u>27.93</u> per turkey	\$ <u>111,720</u>
		Year 2: Bid Total	\$ <u>705,920</u>

Allowance: \$15,000.00 (for any unforeseen expenses during this contractual agreement)

Grand Total for Year 2: \$ 720,920
(Including allowance)

VENDOR'S COMPANY NAME Shoo Rite of Newark
AUTHORIZED SIGNATURE *Neil Greenstein* DATE 2/22/23
PRINT NAME Neil Greenstein TITLE President
PHONE NUMBER 973-338-4465 FAX 973-338-0209
EMAIL ADDRESS Neil.Greenstein@wakefern.com

**STATEMENT OF CERTAIN
POLITICAL CONTRIBUTIONS MADE AFTER JULY 11, 1986**

(This statement is part of the proposal packet)

Ordinance Number 0-86-0007, as amended by Ordinance Number 0-95-0003, adopted by the Board of Commissioners of the County of Essex, requires that all proposals for negotiated contracts submitted by individuals and/or business entities seeking to provide goods or to perform services for the County of Essex shall contain a statement setting forth each political contribution by them of \$500.00 or more made within five years next preceding the date of said contract, either directly or indirectly, to any County elected political official, County political party and/or County official, political organization, or any State political party.

Set forth name of County elected official, County political party and/or County official, political organization, or State political party to whom a political contribution of \$500.00 or more was made by proposers within five (5) years of the date hereof.

If none, write "none".

Name	Amount
NONE	

Proposer: Shop Rite of Newark

By: *Neil Greenstein*
(Signature)

Name of Signatory: Neil Greenstein
(Print or Type)

06/07/14

Taxpayer Identification# 463-971-729/000

Dear Business Representative:

Congratulations! You are now registered with the New Jersey Division of Revenue.

Use the Taxpayer Identification Number listed above on all correspondence with the Divisions of Revenue and Taxation, as well as with the Department of Labor (if the business is subject to unemployment withholdings). Your tax returns and payments will be filed under this number, and you will be able to access information about your account by referencing it.

Additionally, please note that State law requires all contractors and subcontractors with Public agencies to provide proof of their registration with the Division of Revenue. The law also amended Section 92 of the Casino Control Act, which deals with the casino service industry.

We have attached a Proof of Registration Certificate for your use. To comply with the law, if you are currently under contract or entering into a contract with a State agency, you must provide a copy of the certificate to the contracting agency.

If you have any questions or require more information, feel free to call our Registration Hotline at (609)292-9292.

I wish you continued success in your business endeavors.

Sincerely,

James J. Fruscione
Director
New Jersey Division of Revenue

STATE OF NEW JERSEY BUSINESS REGISTRATION CERTIFICATE		<small>DEPARTMENT OF TREASURY/ DIVISION OF REVENUE PO BOX 242 TRENTON, NJ 08646-0252</small>
TAXPAYER NAME: NEWARK SHOPRITE LLC	TRADE NAME:	
ADDRESS: 188-234 SPRINGFIELD AVENUE NEWARK NJ 07103	SEQUENCE NUMBER: 1879246	
EFFECTIVE DATE: 06/06/14	ISSUANCE DATE: 06/07/14	
FORM BRC	 Director, New Jersey Division of Revenue	
<small>This Certificate is NOT assignable or transferable. It must be conspicuously displayed at above address.</small>		

AFFIRMATIVE ACTION COMPLIANCE NOTICE

N.J.S.A. 10:5-31 et seq. and N.J.A.C.17:27

GOODS AND SERVICES CONTRACTS
(INCLUDING PROFESSIONAL SERVICES)

This form is a summary of the successful bidder's requirement to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C.17:27.

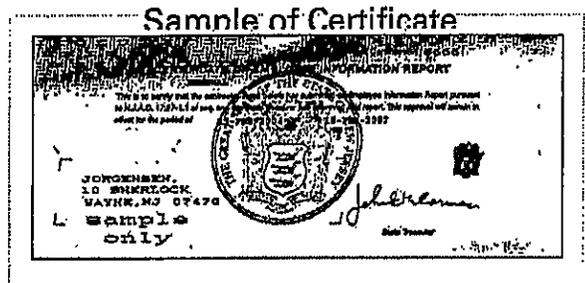
The successful bidder shall submit to the public agency, after notification of award but prior to execution of this contract, one of the following three documents as forms of evidence:

- (a) A photocopy of a valid letter that the contractor is operating under an existing Federally approved or sanctioned affirmative action program (good for one year from the date of the letter);

OR

- (b) A photocopy of a Certificate of Employee Information Report approval, issued in accordance with N.J.A.C. 17:27-4;

OR



- (c) A photocopy of an Employee Information Report (Form AA302) provided by the Division and distributed to the public agency to be completed by the contractor in accordance with N.J.A.C. 17:27-4.

The successful vendor may obtain the Affirmative Action Employee Information Report (AA302) from the contracting unit during normal business hours.

The successful vendor(s) must submit the copies of the AA302 Report to the Division of Contract Compliance and Equal Employment Opportunity in Public Contracts (Division). The Public Agency copy is submitted to the public agency, and the vendor copy is retained by the vendor.

The undersigned vendor certifies that he/she is aware of the commitment to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C.17:27 and agrees to furnish the required forms of evidence.

The undersigned vendor further understands that his/her bid shall be rejected as non-responsive if said contractor fails to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C.17:27.

COMPANY: Shorvik of NEWARK SIGNATURE: [Signature]

PRINT NAME: Neil Greenstein TITLE: President

DATE: 2/22/23

Division of Purchase & Property
Contract Compliance Audit Unit
EEO Monitoring Program

EMPLOYEE INFORMATION REPORT

IMPORTANT-READ INSTRUCTIONS CAREFULLY BEFORE COMPLETING FORM. FAILURE TO PROPERLY COMPLETE THE ENTIRE FORM AND TO SUBMIT THE REQUIRED \$150.00 FEE MAY DELAY ISSUANCE OF YOUR CERTIFICATE. DO NOT SUBMIT EEO-1 REPORT FOR SECTION B, ITEM 11. For instructions on completing the form, go to: https://www.state.nj.us/treasury/contract_compliance/documents/pdf/forms/ea302ins.pdf

SECTION A - COMPANY IDENTIFICATION

1. FID. NO. OR SOCIAL SECURITY: 463971729

2. TYPE OF BUSINESS: 1. MFG 2. SERVICE 3. WHOLESALE 4. RETAIL 5. OTHER

3. TOTAL NO. EMPLOYEES IN THE ENTIRE COMPANY: 252

4. COMPANY NAME: Shop Rite of Newark

5. STREET: C/O Brookdale Shop Rite, 1409 Broad St, Bloomfield NJ CITY: Bloomfield COUNTY: Essex STATE: NJ ZIP CODE: 07003

6. NAME OF PARENT OR AFFILIATED COMPANY (IF NONE, SO INDICATE): NONE

7. CHECK ONE: IS THE COMPANY: SINGLE-ESTABLISHMENT EMPLOYER MULTI-ESTABLISHMENT EMPLOYER

8. IF MULTI-ESTABLISHMENT EMPLOYER, STATE THE NUMBER OF ESTABLISHMENTS IN NJ: N/A

9. TOTAL NUMBER OF EMPLOYEES AT ESTABLISHMENT WHICH HAS BEEN AWARDED THE CONTRACT: 252

10. PUBLIC AGENCY AWARDED CONTRACT: The County of Essex CITY: Newark COUNTY: Essex STATE: NJ ZIP CODE: 07102

11. 465 Dr. Martin Luther King Jr Blvd, Room 335 CITY: NEWARK, NJ STATE: NJ ZIP CODE: 07102

Official Use Only	DATE RECEIVED	NAUG. DATE	ASSIGNED CERTIFICATION NUMBER

SECTION B - EMPLOYMENT DATA

11. Report all permanent, temporary and part-time employees ON YOUR OWN PAYROLL. Enter the appropriate figures on all lines and in all columns. Where there are no employees in a particular category, enter a zero. Include ALL employees, not just those in minority/non-minority categories, in columns 1, 2, & 3. DO NOT SUBMIT AN EEO-1 REPORT.

JOB CATEGORIES	ALL EMPLOYEES			PERMANENT MINORITY/NON-MINORITY EMPLOYEE BREAKDOWN									
	COL. 1 TOTAL (Cols. 2 & 3)	COL. 2 MALE	COL. 3 FEMALE	***** MALE *****					***** FEMALE *****				
				BLACK	HISPANIC	AMER. INDIAN	ASIAN	NON MIN.	BLACK	HISPANIC	AMER. INDIAN	ASIAN	NON MIN.
Officials/ Managers	6	5	1	2	2	-	-	1	1	-	-	-	-
Professionals	7	4	3	2	1	-	-	1	-	-	-	-	3
Technicians	-	-	-	-	-	-	-	-	-	-	-	-	-
Sales Workers	-	-	-	-	-	-	-	-	-	-	-	-	-
Office & Clerical	26	17	9	10	3	-	-	4	7	-	-	-	2
Craftworkers (Skilled)	11	8	3	3	3	1	-	1	3	-	-	-	-
Operatives (Semi-skilled)	96	33	63	23	5	-	1	4	56	2	-	-	5
Laborers (Unskilled)	106	54	52	40	8	1	-	5	41	9	-	-	2
Service Workers	-	-	-	-	-	-	-	-	-	-	-	-	-
TOTAL	252	121	131	80	22	2	1	16	108	11	-	-	12
Total employment From previous Report (if any)	336	149	187	113	18	3	-	15	157	14	1	-	15
Temporary & Part-Time Employees	The data below shall NOT be included in the figures for the appropriate categories above.												

12. HOW WAS INFORMATION AS TO RACE OR ETHNIC GROUP IN SECTION B OBTAINED? 1. Visual Survey 2. Employment Record 3. Other (Specify)

13. DATES OF PAYROLL PERIOD USED: From As of 2/1/2023 To 2/22/23

14. IS THIS THE FIRST Employee Information Report Submitted? 1. YES 2. NO

15. IF NO, DATE LAST REPORT SUBMITTED: MO. 8 DAY 30 YEAR 2021

SECTION C - SIGNATURE AND IDENTIFICATION

16. NAME OF PERSON COMPLETING FORM (Print or Type): Neil Greenstein SIGNATURE: [Signature] TITLE: President DATE: MO. 2 DAY 22 YEAR 23

17. ADDRESS NO. & STREET: 1409 Broad Street CITY: Bloomfield COUNTY: NJ STATE: NJ ZIP CODE: 07003 PHONE (AREA CODE, NO., EXTENSION): 973-338-4465