

County of Passaic

Board of County Commissioners



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 Clerk Of The Board

Date: Apr 09, 2024 - 5:30 PM

Agenda: RESOLUTION INCREASING THE APPROPRIATION TO MIVILA CORP. D/B/A MIVILA FOODS FOR MEAT PRODUCTS AND PROVISIONS FOR PREAKNESS HEALTHCARE CENTER, PURSUANT TO N.J.A.C. 5:30-11.10 AND SB-23-069

THIS RESOLUTION WAS REQUESTED BY:
 PREAKNESS HEALTHCARE CENTER

REVIEWED BY:

Matthew P. Jordan, Esq.

APPROVED AS TO FORM AND LEGALITY:

Nadege D. Allwaters, Esq.

Official Resolution#	
Meeting Date	4/9/2024
Introduced Date	4/4/2024
Adopted Date	
Agenda Item	34.
CAF#	4-01-27-172-001-M02 (\$15,000)
Purchase Req. #	
Result	

Health and Human Services

COMMITTEE NAME

RESOLUTION INCREASING THE APPROPRIATION TO MIVILA CORP. D/B/A MIVILA FOODS FOR MEAT PRODUCTS AND PROVISIONS FOR PREAKNESS HEALTHCARE CENTER, PURSUANT TO N.J.A.C. 5:30-11.10 AND SB-23-069

WHEREAS, the County of Passaic (“County”) is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

WHEREAS, pursuant to N.J.S.A. 40:20-1, the Board of County Commissioners of the County of Passaic (“Board”) is vested with managing the property, finances, and affairs of the County; and

WHEREAS, Preakness Healthcare Center (“Preakness”) is a New Jersey Department of Health licensed, 406-bed skilled nursing facility that is owned and operated by the Board; and

WHEREAS, pursuant to N.J.S.A. 40A:11-4, et seq., for every contract awarded by the County for the provision or performance of any goods or services, the cost of which in the aggregate exceeds the bid threshold established pursuant to N.J.S.A. 40A:11-3, shall be awarded by resolution of the Board to the lowest responsible bidder after public advertising for bids and bidding thereof; and

WHEREAS, on June 30, 2023, the Passaic County Purchasing Agent issued SB-23-069, Meat Products and Provisions for Preakness Healthcare Center (“SB-23-069”), soliciting competitive pricing from qualified vendors for the goods and services sought therein; and

WHEREAS, on July 13, 2023, the Purchasing Agent unsealed bid proposals responsive to SB-23-069, and Mivila Corp. d/b/a Mivila Foods was among the lowest responsible bidders; and

WHEREAS, on August 8, 2023, the Board passed Resolution No. R-23-0739, authorizing a contract award to Mivila Corp. d/b/a Mivila Foods for meat products and provisions for Preakness for a one (1) year term, commencing August 9, 2023 and expiring August 8, 2024, in an amount not to exceed seventy thousand five hundred dollars (\$70,500.00), with one-year option to be exercised at the discretion of the Board; and

WHEREAS, the Executive Director of Preakness is recommending to authorize an additional appropriation to Mivila Corp. d/b/a Mivila Foods for meat products and provisions for Preakness, in an amount not to exceed fifty thousand dollars (\$50,000.00); and

WHEREAS, pursuant to N.J.A.C. 5:30-11.10, the County is permitted to increase the award amount under contracts competitively bid pursuant to N.J.S.A. 40A:11-4, where such contracts are deemed open-ended contracts, as is the case here; and

WHEREAS, pursuant to N.J.S.A. 52:32-60-1, et seq., Mivila Corp. d/b/a Mivila Foods executed the Non-Involvement in Prohibited Activities in Russia or Belarus Certification, attached hereto and made part of this Resolution, certifying the vendor is not involved in prohibited activities in Russia and Belarus, and the County confirmed Mivila Corp. d/b/a Mivila Foods is not identified on the Specially Designated Nationals and Blocked Persons list created by the Office of Foreign Assets Control; and

WHEREAS, funds are available in Accounts No. 4-01-27-172-001-M02 (\$15,000.00) and 4-01-27-172-001-F04 (\$35,000.00), or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been contingently certified by the Chief Financial Officer subject to sufficient funds being appropriated by the Board in the 2024 and/or subsequent County budget(s), which is attached hereto and made part of this Resolution; and

WHEREAS, this matter was discussed at the April 2, 2024, Health and Human Services Committee meeting, and is being recommended to the Board for approval; and

NOW, THEREFORE, LET IT BE RESOLVED, pursuant to N.J.A.C. 5:30-11.10, the Board of County Commissioners of the County of Passaic authorizes an additional appropriation to Mivila Corp. d/b/a Mivila Foods for meat products and provisions for Preakness Healthcare Center, in an amount not to exceed fifty thousand dollars (\$50,000.00), for a total contract award in an

amount not to exceed one hundred twenty thousand five hundred dollars (\$120,500.00) for the contract term, commencing August 9, 2023 and expiring August 8, 2024, with one-year option to be exercised at the discretion of the Board, in accordance with the terms and conditions set forth in SB-23-069.

LET IT BE FURTHER RESOLVED, that the Clerk of the Board, County Counsel, Purchasing Agent, Executive Director of Preakness, and Director of the Board are authorized to take any action necessary to carry out the purpose of this Resolution.

SF

April 9, 2024