



Legislation Details (With Text)

File #: 16-1172 **Version:** 1 **Name:** Software License and Related Service
Type: Resolution **Status:** Adopted
File created: 7/11/2016 **In control:** Administration
On agenda: 12/21/2016 **Final action:** 12/21/2016

Title: Dept/ Agency: Administration/Division of Central Purchasing
Action: () Ratifying (X) Authorizing () Amending
Type of Service: Use of State Contract(s) M-0003
Purpose: Software License and Related Services
Entity Name(s)/Address(s): See below
Contract Amount: \$900,000.00
Funding Source: 2016 Budget/ Department of Administration, Information Technology
Division/NW011-030-0306-71420-71280
Contract Period: Upon adoption by the Municipal Council through June 30, 2020 inclusive of extensions by the State
Contract Basis: () Bid (X) State Vendor () Prof. Ser. () EUS
() Fair & Open () No Reportable Contributions () RFP () RFQ
() Private Sale () Grant () Sub-recipient () n/a
Entity Name/Address:
89849, CDW Government LLC., 230 North Milwaukee Avenue, Vernon Hills, Illinois 60061-9740
89850, Dell Marketing LP., One Dell Way, Round Rock, Texas 78682
89853, Insight Public Sector Inc., 6820 South Harl Avenue, Tempe, Arizona 85283
89854, PCMG Inc., 14160 Newbrook Drive, STE 210, Chantilly, Virginia 20151
89851, SHI International Corporation, 290 Davidson Avenue, Somerset, New Jersey 08873
Additional Information:

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
12/21/2016	1	Municipal Council	Adopt	Pass

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Additional Information:

WHEREAS, the City of Newark and the Division of Information Technology wish to utilize the Software License and Related Services multi-source State Term Contract, M-0003 to purchase products or services from an authorized vendor under the New Jersey Cooperative Purchasing Program 1-NJCP, pursuant to N.J.A.C. 5:34-7.29; and

WHEREAS, the purchase of goods/services by Local contracting units is authorized by Local Public Contracts Law, N.J.S.A. 40A: 11-12; and

WHEREAS, in accordance with N.J.S.A. 52:25-16.1 et seq. Local Contracting Units are responsible for ensuring that the Purchase Order issued reflects the correct contract item pricing and that payment is processed accordingly. Only the items/services specified in the applicable State contract(s) may be purchased from the contract vendor(s) of record. Local Contracting Units assume full responsibility for all purchase transactions issued through State contracts, including Purchase Orders, delivery compliance, and payments; and

WHEREAS, the following vendors have been awarded a State contract under the State Term Contract, #M-0003 for the purchase of Software License and Related Services, respectively for the period September 1, 2015, to June 30, 2020:

89849, CDW Government LLC, 230 North, Milwaukee Ave. Vernon Hills, Illinois 60061-9740
89850, Dell Marketing LP, One Dell Way, Round Rock, Texas 78682
89853, Insight Public Sector Inc. 6820 South, Harl Avenue, Tempe, Arizona 85283
89854, PCMG Inc. 14160 Newbrook Drive, STE 210, Chantilly, Virginia 20151
89851, SHI International Corporation, 290 Davidson Avenue, Somerset, New Jersey 08873

WHEREAS, the Supervising Procurement Specialist, recommends the utilization of these State contract awards on the grounds that they provide, Software License and Related Services, according to specifications required by the Department of Administration, Information Technology Division; and

WHEREAS, usage of these contracts provides the licenses, maintenance and related services required to operate and maintain the City's computer equipment, licenses, programs and provides software support including upgrades at a cost not to exceed \$900,000.00; and

WHEREAS, the Chief Financial Officer will certify the availability of funds before orders are placed.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:

1. Pursuant to N.J.S.A. 40A:11-1 et seq. and N.J.A.C. 5:34-7.29, the Supervising Procurement Specialist, is authorized to utilize State Term Contract

M-0003, which includes the following State contract vendors: # 89849, CDW Government LLC, # 89850 Dell Marketing LP, # 89853, Insight Public Sector Inc., # 89854, PCMG Inc. and #89851 SHI International Corporation, to provide Software License and Related Services, to the City of Newark, for a contract period commencing upon adoption of this resolution through June 30, 2020, inclusive of any extensions to the State contract.

2. All purchases shall be in accordance with N.J.S.A. 52:25-16.1 et seq. the Supervising Procurement Specialist, is responsible for ensuring that the Purchase Order issued reflects the correct contract item pricing and that payment is processed accordingly. Only those items/services specified in the applicable State contract(s) may be purchased from the contract vendor(s) of record.

3. All purchases, Purchase Orders and other related documentation shall be in accordance with the relevant State Contract, State of New Jersey Standard Terms and Conditions, Method of Operation and Third Party Agreement/Three Party Agreement (if applicable) as contained in the State Contract Documentations and Agreements.
4. The Director of the Division of Information Technology shall review all documents, price quotes and Scope of Work submitted by the vendors to ensure that the terms in the quotes do not conflict with the terms of the State contract.
5. There shall be no amendment of this resolution without the approval of the Municipal Council.
6. There shall be no advance payment on this State contract in accordance with N.J.S.A. 40A: 5-16. Funding is contingent upon appropriation; pursuant to N.J.A.C. 5:30-5.5(c).
7. This contract is awarded as an open ended contract; pursuant to N.J.A.C. 5:30-5.5(d) (2). Certification of the availability of funds identifying from the City Budget / Department of Administration, Information Technology Division, NW011 - 030 - 0306 - Accounts 71420 and/or 71280, shall be executed each time a purchase order is placed and charged against this contract. This contract shall not exceed \$900,000.00.
8. This contract complies with Local Pay to Play Law, N.J.S.A. 19:44A-20.5 as a State contract award and constitutes a fair and open process.
9. The Division of Central Purchasing shall forthwith file a duly executed copy of the contract(s) in the Office of the City Clerk, if applicable.
10. If required by State Law, the City Clerk shall provide the appropriate notice of the award of this contract to the State Comptroller no later than 20 business days following such award, in accordance with N.J.S.A. 52:15C-10 and the Notice of the Office of the State Comptroller dated May 7, 2008.

STATEMENT

This resolution authorizes the Supervising Procurement Specialist, to utilize the Software License & Related Services multi-source State Term Contract # M-0003, which includes awards to CDW Government LLC, Dell Marketing LP, Insight Public Sector Inc., PCMG Inc. and SHI International Corporation, to provide Software License and Related Services to the City of Newark, at a cost not to exceed \$900,000.00 for a contract period commencing upon adoption of this resolution, through June 30, 2020, inclusive of extensions to the State contract.