



Legislation Details (With Text)

File #: 17-1061 **Version:** 1 **Name:** Software and Related Service

Type: Resolution **Status:** Adopted

File created: 5/22/2017 **In control:** Administration

On agenda: 7/12/2017 **Final action:** 7/12/2017

Title: Dept/ Agency: Administration/Division of Central Purchasing
 Action: () Ratifying (X) Authorizing (X) Amending
 Type of Service: Use of State Contract(s) M-0003
 Purpose: Increase the amount to be spent on Software License & Related Service Contract # M-0003 by \$1,500,000.00 for Department of Administration/Division of Information Technology and \$1,500,000.00 for the Department of Public Safety, for an amended combined total not to exceed \$4,800,000.00.
 Entity Name(s)/Address(s): Five vendors; see below
 Contract Amount: Increased by \$1,500,000.00 (Department of Administration/Division of Information Technology) and \$1,500,000.00 (Department of Public Safety) for an amended combined total not to exceed \$4,800,000.00
 Funding Source: City Budget/Department of Administration/Division of Information Technology - Business Unit: NW011, Department: 030, Division/Project: 0306, Account #: 71420 Budget: 71280, Department of Public Safety - Business Unit NW011; Department 190; Division/Project: 1902; Account #: 72220, Budget B2017
 Contract Period: Upon approval by Municipal Council through December 31, 2018
 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 14120 Newbrook Drive, STE 100, Chantilly, Virginia 20151
 # 89851, SHI International Corp., 290 Davidson Avenue, Somerset, New Jersey 08873
 Additional Information:

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
7/12/2017	1	Municipal Council	Adopt	Pass

Dept/ Agency: Administration/Division of Central Purchasing
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Additional Information:

WHEREAS, on November 16, 2015, the City of Newark Municipal Council adopted Resolution 7R1-f, authorizing the Supervising Procurement Specialist to utilize Term Contract M-0003, Software License, Maintenance, Support and Related Services Contract ("Term Contract M-0003"), to purchase Software License & Related Services from an authorized vendor under the New Jersey Cooperative Purchasing Program 1-NJCP, pursuant to N.J.A.C. 5:34-7.29, for the period of November 16, 2015 through June 30, 2020, at a cost not to exceed \$1,800,000.00; and

WHEREAS, the following vendors have been awarded a State contract under the Term Contract M-0003 for the purchase of Software License & Related Service, respectively from date of adoption by Municipal Council to June 30, 2020:

- # 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
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WHEREAS, the Department of Administration/Division of information Technology is seeking to amend Contract M-0003 to increase the amount previously approved for Term Contract M-0003 by \$1,500,000.00 for use by Department of Administration/Division of Information Technology; and

WHEREAS, the Department of Public Safety is also seeking to amend Contract M-0003 to further increase the amount previously approved for Term Contract M-0003 by \$1,500,000.00 for use by the Department of Public Safety; and

WHEREAS, the Supervising Procurement Specialist, QPA, recommends that the City of Newark approve the requests to increase the amount previously approved for Term Contract M-0003 by \$1,500,000.00 for the Department of Administration/Division of Information Technology and \$1,500,000.00 for the Department of Public Safety, for an amended combined total not to exceed \$4,800,000.00; and

WHEREAS, the purchase of goods/services by Local contracting units through State contracts comply 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 procedure and are authorized by Local Public Contracts Law, N.J.S.A. 40A: 11-12; 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, Resolution 7R1-f, adopted on November 16, 2015 is hereby amended and the Supervising Procurement Specialist, QPA, is authorized to increase the amount previously approved for Term Contract M-0003 by \$1,500,000.00 for the Department of Administration/Division of Information Technology and \$1,500,000.00 for the Department of Public Safety, for an amended combined total not to exceed \$4,800,000.00, to provide Software License and Related Services.

2. The term of this amended contract shall be for the period upon authorization by Municipal Council through December 31, 2018.

3. All purchases shall be in accordance with N.J.S.A. 52:25-16.1 *et seq.* The Supervising Procurement Specialist, QPA, 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.

4. 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.

5. The Supervising Procurement Specialist, QPA, 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.

6. There shall be no amendment of this resolution without the approval of the Municipal Council.

7. 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).

8. This amended 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 shall be executed each time a purchase order is placed and charged against this contract and filed in the Office of the City Clerk. This amended contract shall not exceed \$4,800,000.00.

9. Funds in the amount of \$1,500,000.00 for the Department of Administration/Division of Information Technology shall be provided from the following line appropriation of the official municipal budget: Business Unit: NW011; Department: 030; Division/Project: 0306; Account #: 71420; and Budget: 71280. The Department of Administration/Division of Information Technology is the only department that is permitted to process payments under the above budget code numbers.

10. Funds in the amount of \$1,500,000.00 for the Department of Public Safety shall be provided from the following line appropriation of the official Municipal Budget: Business Unit: NW011;

Department: 190; Division/Project: 1902; Account #: 72220; and Budget: B2017. The Department of Public Safety is the only department that is permitted to process payments under the above budget code numbers.

11. 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 procedure.

12. The Purchasing Division shall forthwith file a duly executed copy of the contract(s) in the Office of the City Clerk if applicable.

13. 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 an amendment to Resolution 7R1-f, adopted on November 16, 2015, to increase the amount previously approved for State Contract # M0003 by \$1,500,000.00 for Department of Administration/Division of Information Technology and \$1,500,000.00 for the Department of Public Safety, for an amended combined total not to exceed \$4,800,000.00, to provide Software License and Related Services to the City of Newark.