



Legislation Details (With Text)

**File #:** 15-1997      **Version:** 1      **Name:** Software License and Related Service  
**Type:** Resolution      **Status:** Filed  
**File created:** 10/19/2015      **In control:** Administration  
**On agenda:** 11/16/2015      **Final action:** 11/16/2015

**Title:** Dept/ Agency: Administration/Division of Central Purchasing  
Action:  Ratifying  Authorizing  Amending  
Type of Service: Use of State Contract(s) #89849, 89850, 89853, 89854 and 89851  
Purpose: Software License & Related Service  
Entity Name(s)/Address(s): See below  
Contract Amount: \$1,800,000.00  
Funding Source: City Budget / Departments of Administration, Information Technology Division, NW011 - 030 - 0306 - Accounts 71420 & 71280  
City Budget/ Department of Police NW011 - 080 - 0801 - Account 72220  
Contract Period: Upon approval by Municipal Council, from September 1, 2015 - June 30, 2020 inclusive of extensions by the State  
Contract Basis:  Bid  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 S. Harl Avenue Tempe, Arizona 85283  
# 89854, PCMG 14160 Newbrook Drive, STE 210, 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
11/16/2015	1	Municipal Council	Adopt	Pass

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**Additional Information:**

**WHEREAS**, the City of Newark through its Supervising Procurement Specialist, wishes to utilize the Software License & Related Service multi-source contract, Term No.# M0003 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 term contract, #M0003 for the purchase of Software License & Related Service, 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, AZ 85283  
# 89854, PCMG Inc. 14160 Newbrook Drive, STE 210, Chantilly, Virginia 20151  
# 89851, SHI International Corp. 290 Davidson Ave. Somerset, NJ 08873

**WHEREAS**, the Supervising Procurement Specialist, recommends the utilization of these State contract awards on the grounds that they provide, Software License & Related Service, according to specifications required by the City of Newark, Department of Administration, Information Technology Division and the Department of Police, 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 provide software support including upgrades at a cost not to exceed \$1,800,000.00; 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 term contract #M0003 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 Corp., to provide SOFTWARE LICENSE & RELATED SERVICE, to the City of Newark, as authorized by the Municipal Council from September 1, 2015, through June 30, 2020, inclusive of any extensions to the State contract.

2. It is requested that the Municipal Council ratify this contract usage from September 1, 2015, to the date of adoption of this authorizing resolution, to facilitate maintenance service continuity of the City's information technology platform.
3. 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 Supervising Procurement Specialist 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 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 contract shall not exceed \$1,800,000.00.
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 procedure.
9. The Purchasing Division 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 ratifies and authorizes usage of term contract # M0003 which includes awards to CDW Government LLC, Dell Marketing LP, Insight Public Sector Inc., PCMG Inc. and SHI International Corp., to provide Software License & Related Service for the period September 1, 2015, upon authorization by Municipal Council through June 30, 2020, to the City of Newark, at a cost not to exceed \$1,800,000.00.