



Legislation Details (With Text)

**File #:** 22-1547      **Version:** 1      **Name:** Resolution: Cooperative Purchasing Agreement - Foveonics Imaging Technologies, Inc., d/b/a Foveonics Document Solutions - Document Management for Records Retention and Disposal  
**Type:** Resolution      **Status:** Adopted  
**File created:** 10/24/2022      **In control:** Administration  
**On agenda:** 12/7/2022      **Final action:** 12/7/2022

**Title:** Dept/ Agency: Administration/ Division of Central Purchasing  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Type of Service: Cooperative Purchasing Agreement  
Purpose: To acquire Document Management for Records Retention and Disposal.  
Entity Name: Foveonics Imaging Technologies, Inc., d/b/a Foveonics Document Solutions  
Entity Address: 99 Grayrock Road, Unit 103, Clinton, New Jersey 08809  
Contract Amount: Not to exceed \$50,000.00  
Funding Source: 2022 Budget/Office of the City Clerk/NW-011-020-0201-71280-B2022  
Contract Period: Upon approval of the Municipal Council through June 30, 2024, inclusive of any contract extensions  
Contract Basis: ( ) Bid ( ) State Vendor ( ) Prof. Ser. ( ) EUS  
( ) Fair & Open ( ) No Reportable Contributions ( ) RFP ( ) RFQ  
( ) Private Sale ( ) Grant ( ) Sub-recipient (X) N/A  
Additional Information:  
This is a Cooperative Purchasing Agreement to provide for the Document Management for Records Retention and Disposal services to digitize arrest records for the Office of the City Clerk.

Additional City Departments are able to utilize this contract for digitizing services and applicable funding sources for other City Departments will be presented with the Certification of Funds signed by the Chief Financial Officer on an as-needed-basis.

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
12/7/2022	1	Municipal Council	Adopt	Pass

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**WHEREAS**, on May 6, 2020 the Municipal Council adopted the Resolution 7R1-f, authorizing the Membership in the Educational Services Commission of New Jersey (“ESCNJ”), 1660 Stelton Road, Piscataway, New Jersey 08854, a New Jersey State Approved Co-op #65MCESCCPS; and

**WHEREAS**, the Educational Services Commission of New Jersey (“ESCNJ”), a locally recognized and accepted cooperative purchasing organization, maintains Local Cooperative Agreement Contracts, which are competitively awarded through which members can make purchases; and

**WHEREAS**, the ESCNJ system was developed for the purpose of utilizing a competitive bidding process to make the procurement process more efficient and provide cost savings to its members; and

**WHEREAS**, the ESCNJ system has offered the City of Newark (the “City”) the opportunity to participate in their Cooperative Purchasing System and the membership is active and continuous; and

**WHEREAS**, the City of Newark, through its Qualified Purchasing Agent (the “City”) wishes to utilize the Educational Services Commission of New Jersey #65MCESCCPS Contract #ESCNJ 22/23 -11 Document Management for Records Retention and Disposal to acquire digitizing services to be used by the Office of the City Clerk, from the authorized Vendor: Foveonics Imaging Technologies d/b/a Foveonics Document Solutions, 99 Grayrock Road, Unit 103, Clinton, New Jersey 08809, upon approval of this Resolution by the Municipal Council through June 30, 2024, inclusive of any contract extensions granted by ESCNJ; and

**WHEREAS**, usage of this contract will provide document management for records retention and disposal services to be used by the Office of the City Clerk at an amount not to exceed Fifty Thousand Dollars and Zero Cents (\$50,000.00); and

**WHEREAS**, the Qualified Purchasing Agent recommends the utilization of this Educational Services Commission of New Jersey #65MCESCCPS Contract award on the grounds that they provide Document Management for Records Retention and Disposal services according to the specifications required by the City of Newark Departments, inclusive but not limited to, Office of the City Clerk.

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

1. All purchases, purchase orders and other related documentation shall be in accordance with the relevant ESCNJ Co-op Contract, including Standard Terms and Conditions, Method of

Operation and Third Party Agreement, if applicable, as contained in the Educational Services Commission of New Jersey #65MCESCCPS Contract documentation and agreements.

2. There shall be no amendments of this Resolution without the approval of the Municipal Council.
3. There shall be no advance payment on this Educational Services Commission of New Jersey contract in accordance with N.J.S.A. 40A:5-16.
4. This is an open-ended contract to be used as needed during the term of the contract. Thus for any and all expenditures against this contract, a Certification of the Availability of Sufficient Funds, as required by N.J.A.C. 5:30-5.5(d)(2), shall be executed before a contractual liability is incurred each time an order is placed, covering the amount of the order from the following Account Code Line: Office of the City Clerk, NW-011-020-0201-71280-B2022. Other user agencies/departments/offices and applicable funding sources will be presented with the Certification of Funds signed by the Chief Financial Officer on the as needed basis. This contract shall not exceed Fifty Thousand Dollars and Zero Cents (\$50,000.00).
5. 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.
6. The Division of Central Purchasing shall file a duly executed copy of the contract in the Office of the City Clerk, if applicable.
7. If required by State law, the Acting City Clerk shall provide the appropriate Notice of Award of this contract to the State Comptroller, no later than twenty (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 Mayor of the City of Newark and/or his designees, the Business Administrator and/or the Qualified Purchasing Agent, to acquire Document Management for Records Retention and Disposal Services through ESCNJ authorized vendor Foveonics Imaging Technologies, Inc. d/b/a Foveonics Document Solutions, 99 Grayrock Road, Unit 103, Clinton, New Jersey 08809, to be used by the Office of the City Clerk for the period commencing upon approval of the Municipal Council through June 30, 2024, at a cost not to exceed \$50,000.00.