City of Newark

Legislation Details (With Text)

File #:	19-0158	**Version:** 1	**Name:** Resolution: Summit Information Systems (2019)
Type:	Resolution	**Status:**	Adopted
File created:	1/24/2019	**In control:**	Municipal Council and City Clerk
On agenda:	5/15/2019	**Final action:**	5/15/2019

Title: Dept/ Agency: Offices of Municipal Council/City Clerk
Action: ( ) Ratifying   (X) Authorizing   ( ) Amending
Type of Service: Exception to Public Bidding N.J.S.A. 40A:11-5(1)(dd)
Purpose: To provide for the website hosting, support, upgrades, managed services and maintenance of the Archives Records Management System (ARMS) computer software used by the Archive and Records Management Center (ARMC) of the Office of the City Clerk.
Entity Name: Summit Information Systems, LLC
Entity Address: 118 Westfield Avenue, Suite 6, Clark, New Jersey 07066
Contract Amount: Not to exceed $30,000.00
Funding Source: 2018 Budget/Office of the City Clerk
Contract Period: One (1) year from the date of adoption
Contract Basis: ( ) Bid   ( ) State Vendor   ( ) Prof. Ser.   ( ) EUS
( ) Fair & Open (X) No Reportable Contributions   ( ) RFP   ( ) RFQ
( ) Private Sale ( ) Grant ( ) Sub-recipient ( )   N/A
Additional Information:

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
5/15/2019	1	Municipal Council	Adopt	Pass

Dept/ Agency: Offices of Municipal Council/City Clerk
Action: ( ) Ratifying   (X) Authorizing   ( ) Amending
Type of Service: Exception to Public Bidding N.J.S.A. 40A:11-5(1)(dd)
Purpose: To provide for the website hosting, support, upgrades, managed services and maintenance of the Archives Records Management System (ARMS) computer software used by the Archive and Records Management Center (ARMC) of the Office of the City Clerk.
Entity Name: Summit Information Systems, LLC
Entity Address: 118 Westfield Avenue, Suite 6, Clark, New Jersey 07066
Contract Amount: Not to exceed $30,000.00
Funding Source: 2018 Budget/Office of the City Clerk
Contract Period: One (1) year from the date of adoption
Contract Basis: ( ) Bid ( ) State Vendor ( ) Prof. Ser. ( ) EUS
( ) Fair & Open (X) No Reportable Contributions ( ) RFP ( ) RFQ
( ) Private Sale ( ) Grant ( ) Sub-recipient ( )   N/A
Additional Information:

     WHEREAS, the City Clerk has a need to enter into a contract with Summit Information Systems, LLC (hereinafter "Summit"), to provide hosting, support, upgrades, maintenance and managed services for the Archives Records Management System (ARMS) computer software use by

the Archive and Records Management Center (ARMC) for a period of one (1) year from the date of adoption by the Municipal Council, in an amount not to exceed Thirty Thousand Dollars and Zero Cents ($30,000.00); and

WHEREAS, this maintenance contract is essential for ARMC staff's continued inventory of City records; and

WHEREAS, Summit owns the rights to ARMS and is engaged in the business of providing various "goods and services" ["…including any work, labor, commodities, equipment, materials or supplies of any tangible or intangible nature…" N.J.S.A. 40A:11-2(24)] of the proprietary software; and

WHEREAS, Summit has represented that they are qualified by their training and experience to provide the required services and that they have the exclusive rights to make and sell these goods and services which the City Clerk certifies is essential and necessary for the conduct of its affairs, N.J.S.A. 40A:11-2(39); and

WHEREAS, pursuant to Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(dd), such a contract for proprietary computer system may be awarded as an exception to public bidding because the provision or performance of goods and services are for the support and maintenance of proprietary computer hardware and software; and

WHEREAS, this contract is being awarded pursuant with the "non-fair and open" procedures of State Pay-to-Play Law, N.J.S.A. 19A:44A-20.5; and

WHEREAS, on August 1, 2012, the Newark Municipal Council adopted the Contractor Pay-to-Play Reform Ordinance, 2:4-22C, which forbids, inter alia, the award of a contract to a Business Entity, as defined therein, which has made or solicited political contributions to: (i) a candidate, candidate committee or joint candidates committee of any candidate for elective municipal office in the City of Newark or a holder of public office having ultimate responsibility for the award of a contract; or (ii) to any City of Newark or County of Essex political committee or political party committee; or (iii) to any continuing political committee or political action committee that regularly engages in the support of City of Newark municipal or County of Essex elections and/or City of Newark municipal or County of Essex candidates, candidate committees, joint candidate committees, political committees, political parties, political party committees, (hereinafter "PAC"), in excess of the thresholds specified in Subsection (g) within one (1) calendar year immediately preceding the date of the contract or agreement; and

WHEREAS, the Business Entity and any of its subcontractors, if any, have certified that it is in compliance with the aforementioned Contractor Pay-to-Play Reform Ordinance, 2:4-22C; and

WHEREAS, the City Clerk has determined and certified in writing the value of this contract will not exceed Thirty Thousand Dollars and Zero Cents ($30,000.00).

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

1. The Office of the City Clerk is hereby authorized on behalf of the City of Newark to enter into and execute a contract with Summit Information Systems, LLC, 118 Westfield Avenue, Suite 6,

Clark, New Jersey 07066, to provide website hosting, support, upgrades, maintenance and managed services of computer software and associated services for ARMS for a period of one (1) year from the date of adoption of this resolution by the Municipal Council, in an amount not to exceed $30,000.00.

2. Attached hereto is a Certification of Funds in the amount of Thirty Thousand Dollars and Zero Cents ($30,000.00) from the Director of Finance which states there are available sufficient legally appropriated funds from Account Code Line: Business Unit NW011, Dept. 020 Div./Proj. 0201, Account #71280, Budget Ref. B2018.

3. This contract is being awarded pursuant to and in compliance with the non-fair and open procedures of State Pay-to-Play Law, N.J.S.A. 19A:44A-20.5; the provisions of Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(dd); and in compliance with the Contractor Pay-to-Play Reform Ordinance 2:4-22C.

4. There shall be no amendments or changes to this contract without approval of the Municipal Council.

5. There shall be no advance payments on this contract in accordance with N.J.S.A. 40A:5-16.

6. A copy of the executed contract herein authorized shall be filed in the Office of the City Clerk and made available for public inspection.

STATEMENT

This resolution authorizes the City Clerk to enter into and execute a contract with Summit Information Systems, LLC, 118 Westfield Avenue, Suite 6, Clark, New Jersey 07066, to provide website hosting, support, upgrades, maintenance and managed services of computer software and associated services for ARMS Software for a period of one (1) year from the date of adoption by the Municipal Council, in an amount not to exceed Thirty Thousand Dollars and Zero Cents ($30,000.00).