



## Legislation Details (With Text)

**File #:** 13-0240 **Version:** 1 **Name:** Data Communications Equipment  
**Type:** Resolution **Status:** Filed  
**File created:** 2/11/2013 **In control:** Administration  
**On agenda:** 4/3/2013 **Final action:** 4/3/2013  
**Title:** Dept. / Agency: Administration/Division of Central Purchasing  
Action: ☐ Ratifying ☒ Authorizing ☐ Amending  
Type of Service: Use of State Contract(s) # 83083 & 83081  
Purpose: Data Communications Equipment  
Entity Name(s)/Address(s):  
1. Cisco Systems Inc., 170 West Tasman Drive, San Jose, California 95134  
2. Hewlett Packard Company, 3000 Hanover Street, Palo Alto, California 94304  
Contract Amount: Not to exceed \$800,000.00  
Funding Source: City of Newark Budget/ Police Department and the Emergency Operations Center Grant Program FY10  
Contract Period: Upon Authorization by Municipal Council - May 31, 2014, 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:  
Additional Information:

### Sponsors:

### Indexes:

### Code sections:

Date	Ver.	Action By	Action	Result
4/3/2013	1	Municipal Council	Adopt	Pass

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**Additional Information:**

**WHEREAS**, the City of Newark through its Purchasing Director wishes to utilize the *Data Communications Equipment* contract 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. 40A:11-11(5), N.J.S.A. 52:25-16.1 et seq. and N.J.A.C. 5:34-1.7, all Cooperative Purchasing Program participants 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.** Cooperative Purchasing participants 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 for the purchase of *Data Communications Equipment* respectively, for the period December 1, 2012, to May 31, 2014, commencing adoption of this resolution to May 31, 2014 inclusive of any subsequent extensions to the term of the State Contract.

# 83083, Cisco Systems Inc., 170 West Tasman Dr., San Jose CA 95134  
(including authorized dealers/distributors)  
# 83081, Hewlett Packard Co., 3000 Hanover St., Palo Alto, CA 94304  
(including authorized dealers/distributors)

*Authorized Dealers/Distributors for Hewlett Packard Co. #83081*

CDW Government LLC 230 N. Milwaukee Ave. Vernon Hills, IL 60061-9740	Eplus Technology Inc. 133 Gaither Dr./Ste.133-C Mt. Laurel, NJ 08054
SHI International Corp. 290 Davidson Ave. Somerset, NJ 08873	

*Authorized Dealers/Distributors for Cisco Systems Inc. #83083*

CDW Government LLC 230 N. Milwaukee Ave. Vernon Hills, IL 60061-9740	Eplus Technology Inc. 133 Gaither Dr./Ste.133-C Mt. Laurel, NJ 08054
Millennium Communications GRP 11 Melanie Lane Unit 13 East Hanover, NJ 07936	Promedia Technology Svcs. Inc. 535 US Highway 46 Little Falls, NJ 07424

**WHEREAS**, the Purchasing Director recommends the utilization of these state contract awards on the grounds that they provide a mechanism to purchase various data communications and networking equipment, products and maintenance resources according to the requirements of the Department of Police; and

**WHEREAS**, the total cost for the purchase of *Data Communications* Equipment is expected not to exceed \$800,000.00; and

**WHEREAS**, the Chief Financial Officer will certify the availability of funds before each and all 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 Purchasing Director is authorized to utilize contract # 83083 with Cisco Systems Inc., 170 West Tasman Drive., San Jose, California 95134, including authorized dealers and distributors, and #83081 with Hewlett Packard Company, 3000 Hanover Street., Palo Alto, California 94304 including authorized dealers and distributors to provide DATA COMMUNICATIONS EQUIPMENT, for the period commencing from the adoption of this resolution to May 31, 2014.

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

3. There shall be no advance payment on this State Contract in accordance with N.J.S.A. 40A: 5-16. Funds for additional years are contingent upon appropriations; pursuant to N.J.A.C. 5:30-5.5(d).

4. 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 by purchase order; each time an order is placed and charged against this contract. This contract shall not exceed \$800,000.00 inclusive of subsequent extensions to the term of contract by the State.

5. This contract complies with Local Pay to Play, N.J.S.A. 19:44A-20.5 as a state contract award and constitutes a fair and open procedure.

6. The Purchasing Director shall forthwith file a duly executed copy of the contract in the Office of the City Clerk.

7. If required by the 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 usage of a State contract awarded to Cisco Systems Inc., including authorized dealers and distributors; and Hewlett Packard Company, including authorized dealers and distributors, to provide Data Communications Equipment for the period commencing from the adoption of this resolution to May 31, 2014, inclusive of any subsequent extensions to the term, at a cost not to exceed \$800,000.00.