



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

File #: 18-1121, Version: 1

**Dept/ Agency:** Public Safety/Division of Police

**Action:**  Ratifying  Authorizing  Amending

**Type of Service:** Exception to Public Bidding - specific exception

**Purpose:** To Provide Support and Maintenance of E-Ticketing Devices

**Entity Name:** Gold Type Business Machines Inc., (GTBM)

**Entity Address:** 351 Patterson Avenue, East Rutherford, New Jersey 07073

**Contract Amount:** Not to exceed \$960,000.00 annually

**Funding Source:** Recurring Cost Savings and Collections from the payment of traffic fines

**Contract Period:** January 1, 2018 through December 31, 2019, with two, one year options to renew

**Contract Basis:**  Bid  State Vendor  Prof. Ser.  EUS

Fair & Open  No Reportable Contributions  RFP  RFQ

Private Sale  Grant  Sub-recipient  n/a NJSA 40A:11-5 (1) (dd)

**Additional Information:**

**WHEREAS**, the Department of Public Safety, Police Division has previously purchased the electronic ticketing system from Gold Type Business Machines (herein after "GTBM"), 351 Patterson Avenue, East Rutherford, New Jersey 07073, which is designed to improve the operational efficiency of law enforcement agencies relative to the issuance and processing of motor vehicle summonses, and

**WHEREAS**, the Department of Public Safety desires to enter into a contract with "GTBM", 351 Patterson Avenue, East Rutherford, New Jersey 07073, for the support and maintenance services of the E-Ticketing Solutions, which is a proprietary software, from January 1, 2018 through December 31, 2019, with two (2) one (1) year options to renew, and

**WHEREAS**, this maintenance agreement is essential for the Police Division to continue to utilize the E-Ticketing Solution for the issuance and processing of motor vehicle summonses, and

**WHEREAS**, GTBM has represented that they are qualified by their training and experience to provide the required services and that they have exclusive right to make and sell these services, which the Public Safety Director 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 software may be awarded as the provision or performance of goods or services is for the support and/or maintenance of proprietary hardware and software; and

**WHEREAS**, the Public Safety Director has determined and certified in writing that the value of this contract will exceed \$17,500.00; and

**WHEREAS**, this contract is being awarded pursuant to a “non-fair and open” process pursuant to State Pay-to-Play Law N.J.S.A.19:44A-20.5: and

**WHEREAS**, GTBM has completed and submitted a Business Entity Disclosure Certification which certifies that GTBM has not made any reportable contributions to a political or candidate committee in the City of Newark in the previous one year, and this contract will prohibit GTBM from making any reportable contributions through the term of the contract; and

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

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

1. The Mayor and/or his designee, the Public Safety Director of the Newark Police Division, are authorized to enter into and execute a contract with Gold Type Business Machines, 351 Patterson Avenue, East Rutherford, New Jersey 07073 for the provision of maintenance services of the E-Ticketing Systems, which are proprietary software programs, in order to maintain the software’s overall operational health, for an amount not to exceed \$960,000.00 annually, for a total two year contract not to exceed \$1,920,000.00 for the period commencing on January 1, 2018 and terminating on December 31, 2019, with two (2) one (1) year options to renew.
2. This contract is hereby ratified from January 1, 2018 to the date of adoption of this authorizing resolution.
3. Pursuant to *N.J.A.C. 5:30-5.5(a)*, Temporary Budget, attached hereto is the Chief Finance Officer’s Certification, which states partial funds in the amount of \$121,550.00 are available in the 2018 Temporary Budget NW011-200-2001-72250-B2018, the balance to be provided in the 2018 Adopted Budget. The Certification shall be filed, along with the original resolution and the executed contract in the Office of the City Clerk. The remainder of the funding for this contract will be subject to appropriation in the 2018 and 2019 Budget and included in a line item for the award of this contract and said funds will be certified prior to services being provided by the contractor.
4. This contract is being awarded pursuant to the non-fair and open procedures of State Pay-to-Play Law, N.J.S.A. 19:44A-20.5, and pursuant to the provisions of Local Public Contracts Law N.J.S.A.40A:11-5(1)(dd), and is in compliance with the Contractor Pay-to-Play Reform ordinance 2:4-22C.
5. There shall be no advance payments made against this contract in accordance with N.J.S.A.40A:5-16.
6. The Business Entity Disclosure Certification and the Determination of Value are attached in support of this Resolution and shall be placed on file with the Office of the City Clerk by the Public Safety Director.
7. A copy of the contract is attached hereto. A duly executed copy of the aforesaid contract shall be filed in the Office of the City Clerk by the Public Safety Director.

8. Notice of this action shall be published in the newspaper authorized to publish legal advertisements and as required by the law within ten (10) days of the date of adoption.

### **STATEMENT**

This resolution ratifies and authorizes the Mayor and/or his designee, the Public Safety Director of the Newark Police Division, to enter into and execute, on behalf of the City of Newark, an agreement with Gold Type Business Machines, 351 Patterson Avenue, East Rutherford, New Jersey 07073, where GTBM will provide support to the Newark Police Division 24 hours a day, 7 days a week, 365 days a year for the maintenance services and support of the E-Ticketing Solutions, which is a proprietary software program, in order to maintain the software's overall operational health, for an amount not to exceed \$960,000.00 annually for the period commencing on January 1, 2018, and terminating on December 31, 2019.