



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 12-0207, Version: 1

Dept/ Agency: Offices of Municipal Council/City Clerk

Action: (X) Ratifying (X) Authorizing () Amending

Type of Service: : Exception to Public Bidding - N.J.S.A. 40A:11-5 (dd)

Purpose: Contract for provision of services for the support or maintenance of the Legistar Legislative Management Software

Entity Name: Granicus, Inc.

Entity Address: 600 Harrison Street, Suite 120, San Francisco, CA 94107

Contract Amount: \$158,280.00

Funding Source: City of Newark Budget/Office of the City Clerk

Contract Period: January 1, 2012 to December 31, 2012

Contract Basis: () Bid () State Vendor () Prof. Ser. () EUS

() Fair & Open (X) No Reportable Contributions () RFP () RFQ

() Private Sale () Grant () Sub-recipient (X) N/A

Additional Information:

WHEREAS, the Office of the City Clerk of the City of Newark has a need for the support or maintenance of the Legistar Legislative Management Software, which is a proprietary software product, as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 et seq. and the City of Newark Executive Order on Pay-to-Play Reform, ME0-07-0001; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-5 (dd)) provides that a contract for the support and maintenance of proprietary software and associated services are excluded from public bidding; and

WHEREAS, the City of Newark has been using the proprietary software product, which is an integral part of the legislative process; and

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

WHEREAS, to accomplish the foregoing, the Office of the City Clerk of the City of Newark wishes to retain the services of Granicus Inc., 600 Harrison Street, Suite 120, San Francisco, CA 94107, in an amount not to exceed \$158,280.00, for the period of January 1, 2012 to December 31, 2012; and

WHEREAS, the Mayor of the City of Newark signed into law Executive Order Number MEO-07-0001 (hereinafter "Pay-to-Play Executive Order"), which requires reporting of political contributions during the duration of the contract. The award of this contract is in compliance with the

City of Newark Executive Order on Pay-to-Play Reform, MEO-07-0001; and

WHEREAS, this contract has been determined and certified in writing to have a value in excess of \$17,500 and is being awarded as a non-fair and open contract pursuant to N.J.S.A. 19:44A-20.5 et seq.

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

1. The Mayor of the City of Newark and/or his designee is hereby authorized on behalf of the City of Newark to execute a contract with Granicus Inc., 600 Harrison Street, Suite 120, San Francisco, CA 94107, for the support and maintenance of the proprietary Legistar Legislative Management Software, and associated services, in an amount not to exceed \$158,280.00, for the period of January 1, 2012 to December 31, 2012.
2. The Council ratifies this contract for the period of January 1, 2012 to the date of adoption of this resolution.
3. Attached hereto is the Comptroller's certification which states the funds in the amount of \$20,000.00 are available in the 2012 Temporary Budget, Fund 011, Agency 020, Organization 0201, Object 7128, the balance to be provided in the 2012 Adopted Budget. The certification shall be filed along with the original resolution and the executed contract in the Office of the City Clerk.
4. This contract is being awarded pursuant to and in compliance with the non-fair and open procedures of the Pay-to-Play Law N.J.S.A 19:44A-20.5 et seq. and the City of Newark Executive Order on Pay-to-Play Reform, MEO-07-0001, and as an exception to the Local Public Contracts Law N.J.S.A. 40A:11-5 (dd) because these goods and services are for the support or maintenance of proprietary software and associated services.
5. Granicus Inc., has represented that they are qualified by their training and experience to provide the required services and that they have the exclusive right to make and sell these services, which the City Clerk certifies is essential and necessary for the conduct of its affairs (N.J.S.A. 40A:11-2(39)).
6. The contract will contain language prohibiting any contributions in violation of any State or local law.
7. That the Business Entity Disclosure Certification and the Determination of Value be placed on file with this resolution.
8. A copy of the executed agreement herein authorized shall be filed in the Office of the City Clerk and shall be made available for public inspection.

STATEMENT

This resolution ratifies and authorizes the contract between the City of Newark and Granicus Inc., 600 Harrison St., Suite

120, San Francisco, CA 94107, for the support and maintenance of the proprietary Legistar Legislative Management Software, and associated services, in an amount not to exceed \$158,280.00, for the period of January 1, 2012 to December 31, 2012.