



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 17-0623, Version: 1

Dept/ Agency: Administration/Division of Central Purchasing

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

Type of Service: Use of State Contract(s) M-0483 and all applicable vendors and dealers

Purpose: NASPO ValuePoint Computer Equipment, State Contract

Entity Name(s)/Address(s):

1. Panasonic Corporation of North America, Three Panasonic Way 7F-3, Secaucus, New Jersey 07094-2997

2. EMC Corporation, 176 South Street, Hopkinton, Massachusetts 01748-2208

Contract Amount: Amount not to exceed \$500,000.00 for both vendors, combined

Funding Source: 2017 Budget/ Department of Administration, Office of Information

Technology/NW011- 030- 0306-Accounts: 71420 & 94210-B2017 and NW045-17G-17A02-94710-B2017

Contract Period: To be established by the Municipal Council for a period up to and including March 31, 2018 for Panasonic Corporation, and March 31, 2020 for EMC Corporation, inclusive of extensions by the State

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

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

() Private Sale () Grant () Sub-recipient () n/a

Additional Information:

WHEREAS, the City of Newark (hereinafter referred to as "City"), through its Supervising Procurement Specialist, wishes to utilize the NASPO ValuePoint Computer Equipment, State of New Jersey Term Contract, # M-0483 ("State Computer Contract" or "State Contract") to purchase laptops and tablets together with their related peripherals and services from authorized vendors or distributors 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. 52:25-16.1 et seq., local contracting units are responsible for ensuring that the purchase order issued by the contract vendor(s) 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. Local contracting units assume full responsibility for all purchase transactions issued through State contracts, including purchase orders, delivery compliance, and payments; and

WHEREAS, the City wishes to utilize the State Computer Contract to purchase laptops and tablets,

and their related peripherals and services, from the following two (2) vendor awardees: #89980, Panasonic Corporation of North America, Three Panasonic Way 7f-3, Secaucus, New Jersey 07094-2997 and authorized dealers and distributors for Panasonic (“Panasonic”), and #89968 EMC Corporation, 176 South Street, Hopkinton, Massachusetts 01748-2208 and authorized dealers and distributors for EMC (“EMC”); and

WHEREAS, the City wishes to utilize the State Computer Contract for the period to be established by the Municipal Council, up to and including: March 31, 2018 for Panasonic, and March 31, 2020 for EMC, inclusive of State extensions; and

WHEREAS, the Supervising Procurement Specialist recommends the award and utilization of this State Computer Contract because it provides the laptops and tablets, together with their related peripherals and services, required by the City’s Department of Administration, Office of Information Technology; and

WHEREAS, usage of this contract provides the laptops and tablets together with their related peripherals and services required to operate and maintain the City’s information technology systems, at a cost not to exceed \$500,000.00; and

WHEREAS, the City’s Chief Financial Officer will certify the availability of funds before the City places any orders under the Contract.

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 City of Newark’s Supervising Procurement Specialist is authorized to utilize the NASPO ValuePoint Computer Equipment State Contract, term M-0483 to purchase laptops, and tablets and their related peripherals and services, from the following two (2) vendors: #89980, Panasonic Corporation of North America, Three Panasonic Way 7F-3, Secaucus, New Jersey 07094-2997 and #89968 EMC Corporation, 176 South Street, Hopkinton, Massachusetts 01748-2208 and their respective authorized dealers and distributors at a combined cost not to exceed \$500,000.00 for both vendors.
2. This use under the State Contract is authorized upon Municipal Council approval up to and including March 31, 2018, for Panasonic Corporation of North America, and March 31, 2020 for EMC Corporation, inclusive of extensions by the State.
3. All purchases under the Contract shall be in accordance with N.J.S.A. 52:25-16.1 et seq. and only those items/services specified in the applicable State contract(s) may be purchased from the contract vendor(s) of record.
4. All purchases, purchase orders and other related documentation shall be in accordance with the relevant State Contract, State of New Jersey Standard Terms and Conditions, Method of Operation and Third Party Agreement/Three Party Agreement (if applicable) as contained in the State Contract Documentations and Agreements.
5. The Agreement(s) shall not be amended without the approval of the Municipal Council.

6. In accordance with N.J.S.A. 40A: 5-16, there shall be no advance payment under this Contract. Pursuant to N.J.A.C. 5:30-5.5(c), funding is contingent upon appropriation.

7. This Contract is awarded as an open ended contract; pursuant to N.J.A.C. 5:30-5.5(d) (2). A certification of the availability of funds shall be executed each time a purchase order is placed and charged against this Contract. This Contract shall not exceed a combined total of \$500,000.00 for both vendors.

8. 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.

9. The City's Purchasing Division shall file a duly executed copy of the Contract(s) in the Office of the City Clerk, if applicable.

10. If required by 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 the Supervising Procurement Specialist to utilize the NASPO ValuePoint Computer Equipment, State term contract M-0483, for the provision of laptops and tablets and their related peripherals and services from the following two (2) vendors: #89980, Panasonic Corporation of North America, and #89968 EMC Corporation, and their respective authorized dealers and distributors. The City is authorized to use the Contract for the period to be established upon Municipal Council approval up to and including March 31, 2018 for Panasonic, and March 31, 2020 for EMC, inclusive of extensions by the State, at a cost not to exceed a combined total of \$500,000.00 for both vendors.