



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

File #: 17-1358, Version: 1

**Dept/ Agency:** Administration/Division of Central Purchasing  
**Action:** ( ) Ratifying (X) Authorizing ( ) Amending  
**Type of Service:** Bid Contract(s)  
**Purpose:** To provide communication and networking equipment  
**Description:** Communication and Networking Equipment  
**Entity Name(s)/Address(s):** ITSP2, LLC., 256 Ferry Street, Newark, New Jersey 07105  
**Contract Amount:** Amount not to exceed \$600,000.00  
**Funding Source:** City Budget/ Administration/ Information Technology  
**Account Code Line:** NW011-030-0306-71420-B2017; NW045-005-05A17-94710-B2005  
**Contract Period:** To be established for a period not to exceed two (2) years  
**Contract Basis:** (X) Bid ( ) State Vendor ( ) Prof. Ser. ( ) EUS  
(X) Fair & Open ( ) No Reportable Contributions ( ) RFP ( ) RFQ  
( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) n/a  
**Additional Information:**  
Advertisement Date: February 28, 2017  
Bids Solicited: Sixteen (16)  
Bids Received: Two (2)  
**Deferred 7R1-a 011018**

**WHEREAS**, on February 28, 2017, the City of Newark, through its Supervising Procurement Specialist, QPA, advertised to solicit bids for contractor(s) to provide Communication and Networking Equipment, to the Department of Administration, Information Technology, as per the bid proposal attached hereto; and

**WHEREAS**, the Division of Central Purchasing, also distributed sixteen (16) bid proposal packages to prospective vendors following the date of advertisement; and

**WHEREAS**, on March 16, 2017, the Division of Central Purchasing received two (2) bids in response to this advertisement; and

**WHEREAS**, the Chief Information Officer of the Office of Information Technology recommends that an award be made to ITSP2, LLC, the lowest responsive and responsible bidder based on percentage discount off; and

**WHEREAS**, the Supervising Procurement Specialist, QPA, concurs with the recommendation from the Office of Information Technology that an award be made to ITSP2, LLC, the lowest responsive, responsible bidder based on percentage discount off; and

**WHEREAS**, the bid submitted by Millennium Communications Group, Inc., the apparent lowest bidder, was rejected as non-responsive due to a condition precedent and additional cost being placed

on the City, namely the purchase of Cisco Systems' SMARTnet plan, in order for the vendor to comply with the specifications and the mandatory turnaround time to address failed equipment; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-24, the bidder consented to holding prices bid for consideration, until such time as an award is made, as the law permits; and

**WHEREAS**, pursuant to N.J.S.A.19:44A-20.5 et seq., solicitations through public bidding in accordance with N.J.S.A.40A:11-1, et seq., meets the requirements of the fair and open process.

**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 Supervising Procurement Specialist, QPA, are hereby authorized to enter into a contract with ITSP2, LLC, 256 Ferry Street, Newark, New Jersey 07105, to provide Communication and Networking Equipment to the City, whose bid was received on the advertised due date and determined to be the lowest responsive and responsible bidder based on the percentage discount off, in accordance with the bid specifications. The term of the contract will be established for a period not to exceed two (2) years, pursuant to N.J.S.A.40A:11-15.

2. There shall be no amendment or change of this contract without the approval of the Municipal Council by resolution.

3. There shall be no advance payment on this contract in accordance with N.J.S.A. 40A:5-16. Funds for 2017 and subsequent years are contingent upon appropriations; pursuant to N.J.A.C. 5:30-5.5(d).

4. This is an open-ended contract to be used as needed during the term of contract. Thus, for any and all expenditures against this contract, a certification of the availability of sufficient funds, as required by N.J.A.C. 5:30-5.5(b)(2), shall be executed before a contractual liability is incurred each time an order is placed, from account code lines, NW011-030-0306-71280-B2017 and NW045-005-05A17-94710-B2005 covering the amount of the order. This contract shall not exceed \$600,000.00 for a period to be established not to exceed two (2) years.

5. The Supervising Procurement Specialist, QPA, shall file a duly executed copy of the contract in the Office of the City Clerk.

6. 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**

Resolution authorizing the Mayor and/or his designee, the Supervising Procurement Specialist, QPA, to enter into a contract with ITSP2, LLC, to provide Communication and Networking Equipment to the City of Newark, at a cost not to exceed \$600,000.00 for a period to be established not to exceed two

(2) years.