



Legislation Text

File #: 20-0046, Version: 1

Dept/ Agency: Public Safety, Police Division

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

Type of Service: Exception to Public Bidding - specific exception - N.J.S.A. 40A:11-5(1)(dd)

Purpose: To provide Support and Maintenance of Proprietary Software.

Entity Name: Enforsys Police Systems, Inc.

Entity Address: 27 Bleeker Street, Suite 222, Millburn, New Jersey 07041

Contract Amount: Not to exceed \$500,000.00

Funding Source: 2020 Budget/Department of Public Safety/Division of Police/NW011-190-1902-72250

Contract Period: January 1, 2020 through December 31, 2021 with two (2) one (1) year options to renew

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:

This contract is an exception to Public Bidding with specific exception, pursuant to N.J.S.A. 40A:11-5(1) (dd).

WHEREAS, the Department of Public Safety, Division of Police, is committed to providing efficient and effective means to track and dispatch calls for service, improve system performance monitoring, technical assistance enhancement and improved analysis and visualization capabilities; and

WHEREAS, the Director of the Department of Public Safety, desires to enter into a contract with Enforsys Police Systems, Inc. ("Enforsys"), 27 Bleeker Street, Suite 222, Millburn, New Jersey 07041, to provide maintenance services and upgrades of the Records Management System and Computer Aided Dispatch System, which are proprietary software programs, in order to maintain the software's overall operational health, for an amount not to exceed \$500,000.00 (\$450,000.00 of which is designated as support and maintenance with the additional \$50,000.00 as an optional cost, if needed) for the period commencing January 1, 2020 and terminating December 31, 2021 with two (2) one (1) year options to renew; and

WHEREAS, this maintenance agreement is essential for the Division of Police to continue to utilize the Records Management System and Computer Aided Dispatch System; and

WHEREAS, Enforsys owns the rights to the software utilized for the Newark Police Division Records Management System and Computer Aided Dispatch System, and is engaged in the business of providing various maintenance and support services on said hardware and software; and

WHEREAS, Enforsys 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 Director of the Department of Public Safety certifies is essential and necessary for it to conduct its affairs and the Municipal Council concurs the services are necessary for the conduct of the City's affairs, pursuant to 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 computer system may be awarded as the provision or performance of goods or services is for the support and/or maintenance of proprietary computer hardware and/or software; and

WHEREAS, the Director of the Department of Public Safety 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 Play-to-Play Law, N.J.S.A. 19:44A-20.5; and

WHEREAS, Enforsys, has completed and submitted a Business Entity Disclosure Certification which certifies that Enforsys 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 Enforsys 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 Municipal Council hereby authorizes the Mayor and/or his designee, the Director of the Department of Public Safety, Division of Police, to enter into and execute a contract with Enforsys Police Systems, Inc., 27 Bleeker Street, Suite 222, Millburn, New Jersey 07041, for the provision of maintenance and support services and upgrades of the Records Management System and the Computer Aided Dispatch System, which are proprietary software programs, in order to maintain the software's overall operational health, for an amount not to exceed \$500,000.00 (\$450,000.00 of which is designated as support and maintenance with the additional \$50,000.00 as an optional cost if needed) for the period commencing on January 1, 2020 and terminating on December 31, 2021, with two (2) one (1) year options to renew.

2. This contract is ratified from January 1, 2020, to the date of the adoption of this authorizing resolution.

3. Pursuant to N.J.A.C. 5:30-5.5(a), Temporary Budget, attached is the Chief Finance Officer's Certification, which states partial funds in the amount of \$122,500.00 are available in the 2020 Temporary Budget, the balance to be provided in the 2020 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 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), the Public Safety Director certifies that the services are essential and necessary for the conduct of its affairs and the Municipal Council concurs that the services are necessary for the conduct of the City's affairs N.J.S.A. 40A:11-2(39), 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 Director of the Department of Public Safety.

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 Director of the Department of Public Safety.

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 Director of the Department of Public Safety, Division of Police to enter into and execute a contract with Enforsys Police Systems, Inc., 27 Bleeker Street, Suite 222, Millburn, New Jersey 07041, for the provision of maintenance and support services and upgrades of the Records Management System and the Computer Aided Dispatch System, which are proprietary software programs in order to maintain the software's overall operational health, for an amount not to exceed \$500,000.00 (\$450,000.00 of which is designated as support and maintenance with the additional \$50,000.00 as an optional cost if needed) for the period commencing on January 1, 2020 and terminating on December 31, 2021, with two (2) one year options to renew.