



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

File #: 23-1979, Version: 1

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

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

**Type of Service:** Professional Services Contract

**Purpose:** To provide engineering services to prepare applications necessary to participate in the applicable Federal Communications Commission (FCC) and Regional Planning Coordination (RPC) process to obtain the required licenses for the Newark Police Division 700 MHz system, including, construction extension for the 700 MHz frequencies, and channel expansion, finalize 700 MHz System Design Plan, 700 MHz Migration Plan, Implementation Support, Procurement Assistance, Deployment Assistance and System Acceptance.

**Entity Name:** V-Comm, L.L.C.

**Entity Address:** 5 Chestnut Street, Somers Point, New Jersey 08244

**Contract Amount:** Not to exceed \$125,000.00

**Funding Source:** 2024 Budget/Department of Public Safety, Division of Police/NW011-190-1902-A-72220-B2024

**Contract Period:** January 1, 2024 through December 31, 2024

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

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

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

**Additional Information:**

**WHEREAS**, the City of Newark ("City") is a duly constituted municipal corporation at 920 Broad Street, Newark, New Jersey 07102; and

**WHEREAS**, N.J.S.A. 40A:11-5(1)(a)(i) empowers the Governing Body and its autonomous agencies to award contracts for Professional Services without competitive bidding; and

**WHEREAS**, the Newark Police Division ("NPD") requires services to prepare applications and documentation necessary to participate in the applicable Federal Communications Commission (FCC) and Regional Planning Coordination (RPC) process to obtain the required FCC licenses and RPC approval for the NPD 700 MHz system, including, construction extension for 700 MHz frequencies, and channel expansion, finalize 700MHz System Design Plan, 700MHz Migration Plan, Implementation Support, Procurement Assistance, Deployment Assistance and System Acceptance; and

**WHEREAS**, the construction of the new 700 MHz Citywide Trunked Radio System with these frequencies is needed to enhance the Police Division's communications capabilities by increasing coverage, capacity, and providing interoperability with multiple agencies. The addition of these frequencies will provide more efficient police services and increase the safety of both the police officers and the citizens of Newark; and

**WHEREAS**, V-Comm, L.L.C., 5 Chestnut Street, Somers Point New Jersey, 08244 (“V-Comm”), is an engineering firm that provides studies, development, coordination and management in obtaining radio frequencies, which V-Comm has developed through extensive experience as a provider of integrated engineering services for the public safety industry;

**WHEREAS**, the Public Safety Director of the ND desires to enter into and execute a Professional Services Contract with V-Comm for a twelve (12) month period, commencing on January 1, 2024 through December 31, 2024, for an amount not to exceed One Hundred Twenty Five Thousand Dollars and Zero Cents (\$125,000.00); and

**WHEREAS**, the actions contemplated by this Resolution shall result in the award of a “Non-Fair and Open” contract in accordance with N.J.S.A. 19:44A-20.5 and is in compliance with the City’s Pay-to-Play Ordinance; and

**WHEREAS**, V-Comm has completed and submitted a City Political Contribution Disclosure Form and a Business Entity Disclosure Certificate certifying that they have not made any reportable contributions to a political or candidate committee in the City of Newark in the previous one (1) year, and that the contract will prohibit V-Comm from making any reportable contributions through the term of the contract.

**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 designees, the Business Administrator and/or the Director of the Department of Public Safety, are authorized to enter into and execute a contract with V-Comm, L.L.C., 5 Chestnut Street, Somers Point, New Jersey 08244 (“V-Comm”), to provide consulting and engineering services, for participation in the applicable Federal Communications Commission (FCC) and Regional Planning Coordination (RPC) process to obtain the required FCC licenses and RPC approval for the Newark Police Division 700 MHz system, including, construction extension for 700 MHz frequencies, and channel expansion, finalize 700MHz System Design Plan, 700MHz Migration Plan, Implementation Support, Procurement Assistance, Deployment Assistance and System Acceptance, for an amount not to exceed One Hundred Twenty Five Thousand Dollars and Zero Cents (\$125,000.00), for a twelve (12) month period commencing January 1, 2024 through December 31, 2024.
2. The Municipal Council hereby ratifies this contract is ratified from January 1, 2024 through the date of adoption of this authorizing Resolution.
3. This contract is awarded without competitive bidding as an exception to public bidding pursuant to the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(i); pursuant to the Non-Fair and Open Procedures of the State Pay-to-Play Law, N.J.S.A. 19:44A-20.5, and the Business Entity has certified that it has not made or solicited a contribution in violation of the Contractor Pay-to-Play Reform Ordinance 2:4-22C.

3. This is an open-ended contract to be used as needed during the contract term. 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, covering the amount of the order.
4. The Determination of Value and Business Entity Disclosure Certificate are attached hereto and shall be filed with the Office of the City Clerk.
5. V-Comm has completed and submitted a Business Entity Disclosure Certificate, which shall be placed on file with the resolution in the Office of the City Clerk certifying that V-Comm has not made any reportable contributions to a political or candidate committee in the City of Newark in the previous one (1) year, and that the contract will prohibit V-Comm from making any reportable contributions through the term of the contract.
6. Pursuant to N.J.A.C. 5:30-5.5(a) Temporary Budget, attached hereto is a partial Certification of Funds from the Director of Finance, which states that there are available legally appropriated funds for the purposes set forth hereinabove, in the amount of Sixty Two Thousand Five Hundred Dollars and Zero Cents (62,500.00), in the 2024 Budget under Business Unit NW011-Dept.190-Div/Proj.1902-Activity A- Account # 72220- Budget Ref: B2024.
7. The Certification of Funds shall be filed along with the original resolution in the Office of the City Clerk. The remainder of the funding for this contract shall be subject to appropriation in the 2024 Budgets and included in a line item for the award of this contract and said funds will be certified prior to services being provided by contractor. Here will be no expenditure of funds authorized until a Certification of Funds is obtained and a copy filed with the Office of the City Clerk.
8. There shall be no amendments or changes to this contract without the approval of the Municipal Council.
9. There shall be no advance payments on this contract in accordance with N.J.S.A. 40A:5-16.
10. The Director of the Department of Public Safety shall file a duly executed copy of the contract in the Office of the City Clerk.
11. A notice of this action shall be published in the newspaper as required by law within ten (10) days of the adoption of this Resolution.

### **STATEMENT**

This Resolution ratifies and authorizes the Mayor of the City of Newark and/or his designees,

the Business Administrator and/or the Director of the Department of Public Safety, to enter into and execute a Professional Services Contract with V-Comm, L.L.C., 5 Chestnut Street, Somers Point, New Jersey 08244 , provide consulting and engineering services necessary to participate in the applicable Federal Communications Commission (FCC) and Regional Planning Coordination (RPC) process to obtain the required FCC licenses and RPC approval for the Newark Police Division 700 MHz system, including, construction extension for 700 MHz frequencies, and channel expansion, finalize 700MHz System Design Plan, 700MHz Migration Plan, Implementation Support, Procurement Assistance, Deployment Assistance and System Acceptance, for an amount not to exceed One Hundred Twenty Five Thousand Dollars and Zero Cents (\$125,000.00), for a twelve (12) month period commencing on January 1, 2024 through December 31, 2024..