



## Legislation Details (With Text)

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**File created:** 3/24/2016      **In control:** Public Safety  
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**Title:** Dept/ Agency: Department of Public Safety/ Division of Police  
Action: (X) Ratifying (X) Authorizing (X) Amending  
Type of Service: Amending Agreement for E-Ticket  
Purpose: To Provide Turn-key Electronic Ticketing Solution and other hardware and installation and maintenance of E-Ticketing Devices in 25 additional police vehicles  
Entity Name: Gold Type Business Machines, Inc. (GTBM)  
Entity Address: 351 Paterson Avenue, East Rutherford, New Jersey 07073  
Contract Amount: \$734,860.00\*  
Funding Source: Recurring Cost Savings and Collections from the payment of traffic fines  
Contract Period: September 19, 2012 through September 19, 2017  
Contract Basis: ( ) Bid ( ) State Vendor (X) Prof. Ser. ( ) EUS  
( ) Fair & Open (X) No Reportable Contributions ( ) RFP ( ) RFQ  
( ) Private Sale ( ) Grant ( ) Sub-recipient (X) Amendment to contract  
( ) n/a  
Additional Information:  
\*Original contract amount \$1,505,920.00 - Resolution: 7R1-i 091912;  
\$427,763.00 - 7R1-s 050714, \$734,860.00 additional funds totaling \$2,668,543.00.

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
9/21/2016	1	Municipal Council	Adopt	Pass

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**WHEREAS**, Gold Type Business Machines, Inc., 351 Patterson Avenue, East Rutherford, New Jersey 07103 ("GTBM"), sells technology designed to assist law enforcement agencies, including electronic ticketing systems which are designed to improve the operational efficiency of law enforcement agencies relative to the issuance and processing of motor vehicle summonses; and

**WHEREAS**, on September 19, 2012, the Municipal Council of the City of Newark adopted Resolution 7R1-i, authorizing the Mayor and/or his designees, the Business Administrator or the Director of the Police Department, to enter into a contract with GTBM for the purchase of an E-Ticketing Turnkey System, with a contract term of five (5) years (a copy of Resolution 7R1-i September 19, 2012, is attached hereto and made a part hereof); and

**WHEREAS**, on or about October 9, 2012, the City of Newark and GTBM did, in fact, enter into and execute a contract as authorized by Resolution 7R1-i September 19, 2012, (a copy of said initial agreement is attached hereto and made a part hereof); and

**WHEREAS**, on May 7, 2014, the Municipal Council of the City of Newark adopted Resolution 7R1-s May 7, 2014, authorizing the Mayor and/or his designees, the Business Administrator and the Director of the Police Department, to enter into and execute an amendment agreement with GTBM providing for the purchase and installation of hardware for the E-Ticketing Turnkey System for an additional twenty (20) police vehicles (a copy of Resolution 7R1-s May 7, 2014, is attached hereto and made a part hereof); and

**WHEREAS**, on or about August 25, 2014, the City of Newark and GTBM did, in fact, enter into and execute an amended contract as authorized by Resolution 7R1-s 050714 (a copy of said First Amendment Agreement is attached hereto and made a part hereof); and

**WHEREAS**, subsequent to the foregoing, the Newark Police Department did also purchase additional hardware for the E-Ticketing Turnkey System for forty-six (46) police vehicles; and

**WHEREAS**, the City of Newark's Department of Public Safety, Police Division, desires to further amend the contract with GTBM by the execution of a Second Amendment of Agreement that would [i] memorialize the purchase of the hardware referenced in the paragraph immediately above and [ii] further provide for the purchase and installation of hardware for the E-Ticketing Turnkey System for an additional twenty-five (25) police vehicles (a copy of the proposed Second Amendment Agreement is attached hereto and made a part hereof) ; and

**WHEREAS**, the Second Amendment Agreement for the purchase and installation of the additional hardware as described in the paragraph immediately above would also [i] amend § 9.3 of the original agreement so as to provide that the Agreement Value for Year 5 shall be \$1,971,090.00 [ii] amend § 9.3.1 of the original agreement so as to provide that, in the event that the City of Newark's Police Division issues less than 80% of the estimated number of tickets for Year 5, then GTBM would be paid only 80% of that specific year's Agreement Value, or \$1,576,872.00 [iii] amend Exhibit E of the original agreement so as to provide that the Estimated Number of Annual Tickets for Year 5 shall be 181,000 and [iv] amend Exhibit E of the original agreement so as to provide that, effective July 1, 2016, the Fee per Ticket shall be \$10.89; and

**WHEREAS**, the City of Newark's costs associated with the Second Amendment of Agreement, as with the original contract and its first amendment, will be paid for from recurring cost savings and from fines collected from the payment of tickets: and

**WHEREAS**, the City of Newark's costs associated with the Second Amendment of Agreement includes costs of system maintenance and replacement of equipment, and will not require any upfront operating or capital expenditures by the City of Newark; and

**WHEREAS**, the proposed Second Amendment of Agreement with GTBM is in compliance with the New Jersey Pay-to-Play Law, N.J.S.A. 19:44A-10.5 et seq., and the City of Newark's Contractor Pay-to-Play Reform Ordinance, R.O. 2:4-22C.

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

1. The Mayor and/or his designees, the Business Administrator or the Acting Public Safety Director, are hereby authorized to enter into and execute, on behalf of the City of Newark, a Second Amendment Agreement with Gold Type Business Machines, Inc., 351 Paterson Avenue, East Rutherford, New Jersey 07103, so as to: [i] memorialize the previous purchase of hardware for forty-six (46) police vehicles; [ii] provide for the purchase and installation of hardware for the E-Ticketing Turnkey System for an additional twenty-five (25) police vehicles; [iii] amend § 9.3 of the agreement so as to provide that the Agreement Value for Year 5 shall be \$1,971,090.00 [iv] amend § 9.3.1 of the agreement so as to provide that, in the event that the City of Newark's Police Division issues less than 80% of the estimated number of tickets for Year 5, then GTBM shall be paid only 80% of that year's Agreement Value, or \$1,576,872.00 [v] amend Exhibit E of the agreement so as to provide that the Estimated Number of Annual Tickets for Year 5 shall be 181,000; and [vi] amend Exhibit E of the agreement so as to provide that, effective July 1, 2016, the Fee per Ticket shall be \$10.89.
2. The Municipal Council of the City of Newark hereby ratifies the Second Amendment Agreement with GTBM from July 1, 2016, to the date of adoption of this authorizing resolution.
3. The Municipal Council of the City of Newark further ratifies and authorizes the previous purchase of hardware for forty-six (46) police vehicles from the date of purchase to the date of adoption of this authorizing resolution.
4. All other terms and conditions of the contract with GTBM for the purchase of an E-Ticketing Turnkey System, as amended, shall remain the same.
5. The City of Newark's execution of the Second Amendment Agreement with GTBM is in compliance with the New Jersey Pay-to-Play Law, N.J.S.A. 19:44A-10.5 et seq., and the City of Newark's Contractor Pay-to-Play Reform Ordinance, R.O. 2:4-22C.
6. The Second Amendment Agreement with GTBM, as with the original contract and the first amendment thereto, will be paid for from recurring cost savings and from fines collected from the payment of tickets , will include costs of system maintenance, and will not require any upfront operating or capital expenditures by the City of Newark.
7. A copy of the executed Second Amendment Agreement with GTBM shall be filed in the Office of the City Clerk by the Public Safety Director, and shall be made available for

public inspection.

8. A notice of this action shall be published in the newspaper authorized by law to publish legal advertisements as required by law within 10 days of the adoption of this resolution.

### **STATEMENT**

This resolution ratifies and authorizes the Mayor and/or his designees, the Business Administrator or the Acting Director of Public Safety, to enter into and execute a Second Amendment Agreement with Gold Type Business Machines, Inc., 351 Paterson Avenue, East Rutherford, New Jersey 07103, so as to: [i] memorialize the previous purchase of hardware for an E-Ticketing Turnkey System in forty-six (46) police vehicles; and [ii] provide for the purchase and installation of hardware for an E-Ticketing Turnkey System for an additional twenty-five (25) police vehicles. The Second Amendment Agreement will also provide for certain related adjustments of the Fee per Ticket that the City of Newark will pay, and the method by which said fees are calculated. The City of Newark's costs related to the Second Amendment Agreement, as with the original contract and first amendment thereto, will be paid for from recurring cost savings and from fines collected from the payment of tickets monies collected from the payment of motor vehicle summonses, will include costs of system maintenance, and will not require any upfront operating or capital expenditures by the City of Newark.