



Legislation Details (With Text)

File #: 18-0079 **Version:** 1 **Name:** M-0003 State Contract - Software and Related Service

Type: Resolution **Status:** Adopted

File created: 1/19/2018 **In control:** Administration

On agenda: 1/30/2018 **Final action:** 1/30/2018

Title: Dept/Agency: Administration/Division of Central Purchasing
Action: ☐ Ratifying ☒ Authorizing ☒ Amending
Type of Service: Use of State Contract(s) M-0003
Purpose: Increase the amount to be spent on Software License and Related Service
Entity Names: SHI International Corp.
Entity Address: 290 Davidson Avenue, Somerset, New Jersey 08873
Contract Amount: Increase by \$101,519.43 (Department of Water and Sewer Utilities) for an amended combined total not to exceed \$4,901,519.43
Funding Source: 2015 and 2017 Budget - \$25,519.43 from Business Unit: NW051; Department: G15; Division/Project: W15C0; Account #: 71280; and Budget: B2015; and \$76,000.00 from Business Unit: NW051; Department: G17; Division/Project: W17A0; Account #: 71280; and Budget: B2017
Contract Period: Upon approval by Municipal Council through June 30, 2020
Contract Basis: ☐ Bid ☒ State Vendor ☐ Prof. Ser. ☐ EUS
☐ Fair & Open ☐ No Reportable Contributions ☐ RFP ☐ RFQ
☐ Private Sale ☐ Grant ☐ Sub-recipient ☐ n/a
Additional Information:

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
1/30/2018	1	Municipal Council	Adopt	Pass

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Additional Information:

WHEREAS, on November 16, 2015, the City of Newark Municipal Council adopted Resolution 7R1-f, authorizing the Supervising Procurement Specialist, QPA, to utilize Term Contract M-0003, Software License, Maintenance, Support and Related Services Contract ("Term Contract M-0003"), to purchase Software License & Related Services from an authorized vendor under the New Jersey Cooperative Purchasing Program 1-NJCP, pursuant to N.J.A.C. 5:34-7.29, for the period of November 16, 2015 through June 30, 2020, at a cost not to exceed \$1,800,000.00; and

WHEREAS, the following vendors have been awarded a State contract under the Term Contract M-0003 for the purchase of Software License and Related Service, respectively from date of adoption by Municipal Council to June 30, 2020:

89849, CDW Government LLC, 230 North, Milwaukee Avenue Vernon Hills, Illinois 60061-9740
89850, Dell Marketing LP, One Dell Way, Round Rock, Texas 78682
89853, Insight Public Sector Inc. 6820 South, Harl Avenue, Tempe, Arizona 85283
89854, PCMG Inc. 14120 Newbrook Drive, STE 100, Chantilly, Virginia 20151
89851, SHI International Corp., 290 Davidson Avenue, Somerset, New Jersey 08873

WHEREAS, on July 12, 2017, the City of Newark Municipal Council adopted Resolution 7R1-c, authorizing an amendment to Term Contract M-0003 increasing the amount previously approved by \$3,000,000.00, for an amended total not to exceed \$4,800,000.00; and

WHEREAS, the Department of Water and Sewer Utilities is seeking to amend Contract M-0003 to increase the amount previously approved for Term Contract M-0003 by \$101,519.43 for use by the Department of Water and Sewer Utilities; and

WHEREAS, the Supervising Procurement Specialist, QPA, recommends that the Municipal Council approve the requests to increase the amount previously approved for Term Contract M-0003 by \$101,519.43 and add the Department of Water and Sewer Utilities as a user agency; and

WHEREAS, the purchase of goods/services by Local contracting units through State contracts comply 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 and are authorized by Local Public Contracts Law, *N.J.S.A. 40A: 11-12*.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPALCOUNCIL 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*, Resolution 7R1-c, adopted on July 12, 2017, is hereby amended and the Supervising Procurement Specialist, QPA, is authorized to increase the amount previously approved for Term Contract M-0003 by \$101,519.43 for the Department of Water and Sewer Utilities, for an amended combined total not to exceed \$4,901,519.43, to provide Software License and Related Services.
2. The term of this amended contract shall be for the period upon authorization by Municipal Council through June 30, 2020.
3. All purchases shall be in accordance with *N.J.S.A. 52:25-16.1 et seq.* The Supervising Procurement Specialist, QPA, is responsible for ensuring that the Purchase Order issued reflects

the correct contract item pricing and that payment is processed accordingly. 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 Supervising Procurement Specialist, QPA, shall review all documents, price quotes and Scope of Work submitted by the vendors to ensure that the terms in the quotes do not conflict with the terms of the State contract.
6. There shall be no amendment of this resolution without the approval of the Municipal Council
7. There shall be no advance payment on this State contract in accordance with *N.J.S.A. 40A: 5-16*.
8. Attached is a Certification of Funds in the total amount of \$101,519.43 for the Department of Water and Sewer Utilities: \$25,519.43 is provided from the following: Business Unit: NW051; Department: G15; Division/Project: W15C0; Account #: 71280; and Budget: B2015; and \$76,000.00 is provided from the following: Business Unit: NW051; Department: G17; Division/Project: W17A0; Account #: 71280; and Budget: B2017. The Department of Water and Sewer Utilities is the only department that is permitted to process payments under the above budget code numbers.
9. 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.
10. The Purchasing Division shall forthwith file a duly executed copy of the contract(s) in the Office of the City Clerk if applicable.
11. 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 an amendment to Resolution 7R1-c, adopted on July 12, 2017, to increase the amount previously approved for State Contract # M0003 by \$101,519.43 for Department of Water and Sewer Utilities usage, for an amended total not to exceed \$4,901,519.43, to provide Software

License and Related Services to the City of Newark.