



## Legislation Details (With Text)

**File #:** 18-0330 **Version:** 1 **Name:** Resolution: Exception to Public Bidding for the printing, revision, and codification of Municipal Ordinances - Coded Systems, LLC (2018)

**Type:** Resolution **Status:** Adopted

**File created:** 3/6/2018 **In control:** Municipal Council and City Clerk

**On agenda:** 8/8/2018 **Final action:** 8/8/2018

**Title:** Dept/ Agency: Offices of Municipal Council/City Clerk  
Action: (X) Ratifying (X) Authorizing ( ) Amending  
Type of Service: Exception to Public Bidding - N.J.S.A. 40A:11-5(1)(x) authorizes the award of a contract for the printing of Municipal Ordinances or other services necessarily incurred in connection with the revision and codification of Municipal Ordinances, without public bidding  
Purpose: To provide supplementation, maintenance and publishing of the codification of the General and Permanent Ordinances for the City of Newark  
Entity Name: Coded Systems, LLC  
Entity Address: 608 Highway 71, Spring Lake Heights, New Jersey 07762  
Contract Amount: \$90,000.00  
Funding Source: 2018 Budget/Office of the City Clerk  
Contract Period: January 1, 2018 through December 31, 2018  
Contract Basis: ( ) Bid ( ) State Vendor ( ) Prof. Ser. ( ) EUS  
( ) Fair & Open (X) 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
8/8/2018	1	Municipal Council	Adopt	Pass

**Dept/ Agency:** Offices of Municipal Council/City Clerk  
**Action:** (X) Ratifying (X) Authorizing ( ) Amending  
**Type of Service:** Exception to Public Bidding - N.J.S.A. 40A:11-5(1)(x) authorizes the award of a contract for the printing of Municipal Ordinances or other services necessarily incurred in connection with the revision and codification of Municipal Ordinances, without public bidding  
**Purpose:** To provide supplementation, maintenance and publishing of the codification of the General and Permanent Ordinances for the City of Newark  
**Entity Name:** Coded Systems, LLC  
**Entity Address:** 608 Highway 71, Spring Lake Heights, New Jersey 07762  
**Contract Amount:** \$90,000.00  
**Funding Source:** 2018 Budget/Office of the City Clerk  
**Contract Period:** January 1, 2018 through December 31, 2018  
**Contract Basis:** ( ) Bid ( ) State Vendor ( ) Prof. Ser. ( ) EUS  
( ) Fair & Open (X) No Reportable Contributions ( ) RFP ( ) RFQ  
( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) n/a  
**Additional Information:**

**WHEREAS**, the Office of the City Clerk of the City of Newark has a need to provide supplementation, maintenance and publishing of the codification of the General and Permanent Ordinances for the City of Newark as a Non-Fair and Open Contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 et seq.; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(x)) authorizes the award of a contract for the printing of Municipal Ordinances or other services necessarily incurred in connection with the revision and codification of Municipal Ordinances, without public bidding; and

**WHEREAS**, the City Clerk has been determined and certified in writing that the contract will have a value in excess of \$17,500.00 and is being awarded pursuant to, and is in compliance with, the Non-Fair and Open Procedures of the New Jersey Local Pay-to-Play Law, N.J.S.A. 19:44A-20.5 et seq., and Ordinance 2:4-22C does not apply to these services; and

**WHEREAS**, the City of Newark wishes to enter into a contract with Coded Systems, LLC, 608 Highway 71, Spring Lake Heights, New Jersey 07762, to provide supplementation, maintenance and publishing of the codification of the General and Permanent Ordinances for the City of Newark, in an amount not to exceed Ninety Thousand Dollars and Zero Cents (\$90,000.00), for the period January 1, 2018 through December 31, 2018; and

**WHEREAS**, Coded Systems, LLC, has completed and submitted a Business Entity Disclosure Certification which certifies that Coded Systems, LLC has not made any contributions to a political or candidate committee in the previous one (1) year, and that the contract will prohibit Coded Systems, LLC, from making any contributions through the term of this contract.

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

1. The City Clerk on behalf of the City of Newark is hereby authorized to enter into and execute a contract with Coded Systems, LLC, 608 Highway 71, Spring Lake Heights, New Jersey 07762, to provide supplementation, maintenance and publishing of the codification of the General and Permanent Ordinances for the City of Newark, in an amount not to exceed Ninety Thousand Dollars and Zero Cents (\$90,000.00), for the period of January 1, 2018 through December 31, 2018.
2. The contract is ratified from January 1, 2018 to the date of adoption of this resolution.
3. Attached hereto is the Comptroller's Certification which states the partial Certification of Funds in the amount of Twenty Thousand Dollars and Zero Cents (\$20,000.00) are available in the 2018 Temporary Budget, Business Unit NW011, Dept. 020, Div./Proj. 0201, Account# 71280, the balance to be provided in the 2018 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 the Pay-to-Play Law, N.J.S.A 19:44A-20.5 et seq. and pursuant to the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(x)) which authorizes the award of a contract for the printing of Municipal Ordinances or other services necessarily incurred in connection with the revision and codification of Municipal Ordinances, without public

bidding.

5. The contract will contain language prohibiting any contributions in violation of any state or local law, ordinances, and regulations.
6. The Business Entity Disclosure Certification and the Determination of Value Letter be placed on file with the City Clerk.
7. A copy of the executed agreement herein authorized shall be filed in the Office of the City Clerk and shall be made available for public inspection.
8. There shall be no amendments or changes of this contract without 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.

#### **STATEMENT**

This resolution ratifies and authorizes the City Clerk, on behalf of the City of Newark to enter into and execute a contract with Coded Systems, LLC, 608 Highway 71, Spring Lake Heights, New Jersey 07762, to provide supplementation, maintenance and publishing of the codification of the General and Permanent Ordinances for the City of Newark, in an amount not to exceed Ninety Thousand Dollars and Zero Cents (\$90,000.00), for the period of January 1, 2018 through December 31, 2018.