Legislation Details (With Text)

File #:	18-0860	**Version:** 1	**Name:**	CITIZENS EMERGENCY ALERT SYSTEM	
Type:	Resolution		**Status:**	Adopted	
File created:	5/30/2018		**In control:**	Public Safety	
On agenda:	10/24/2018		**Final action:**	10/24/2018	
Title:	Dept/ Agency: Public Safety/Office of Emergency Management Action: (X) Ratifying (X) Authorizing ( ) Amending Type of Service: Exception to Public Bidding - specific exception Purpose: Citizens' Emergency Alert System Renewal Entity Name: SwiftReach Networks, Inc. Entity Address: 14 Industrial Avenue, Suite 4, Mahwah, New Jersey, 07430 Amount: Not to exceed $96,000.00 Funding Source: Office of Emergency Management and Homeland Security UASI FY17 Funds Contract Period: January 1, 2018 through December 31, 2019 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: Support and maintenance of proprietary hardware and software, N.J.S.A. 40A:11-5(1)(dd). The Funding Source is Grant Funds. No Municipal Funds will be expended.				
Sponsors:	Council of the Whole				
Indexes:					
Code sections:					

Date	Ver.	Action By	Action	Result
10/24/2018	1	Municipal Council	Adopt	Pass

Dept/ Agency: Public Safety/Office of Emergency Management
Action: (X) Ratifying (X) Authorizing ( ) Amending
Type of Service: Exception to Public Bidding - specific exception
Purpose: Citizens' Emergency Alert System Renewal
Entity Name: SwiftReach Networks, Inc.
Entity Address: 14 Industrial Avenue, Suite 4, Mahwah, New Jersey, 07430
Amount: Not to exceed $96,000.00
Funding Source: Office of Emergency Management and Homeland Security UASI FY17 Funds
Contract Period: January 1, 2018 through December 31, 2019
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:
Support and maintenance of proprietary hardware and software, N.J.S.A. 40A:11-5(1)(dd).
The Funding Source is Grant Funds. No Municipal Funds will be expended.

WHEREAS, the Department of Public Safety, Office of Emergency Management is committed to providing efficient and effective Citizens' Emergency Alert System to the City of Newark and its citizens; and

WHEREAS, the City of Newark by way of public bidding engaged SwiftReach Networks, Inc. for the past two (2) years as the primary Mass Notification System for the citizens of the City of Newark; and

WHEREAS, the City of Newark originally contracted with SwiftReach Networks, Inc. (hereinafter "SwiftReach"), 14 Industrial Avenue, Suite 4, Mahwah, New Jersey 07430, in 2015 under Resolution 7R1-j November 5, 2015for the Emergency Mass Notification System; and

WHEREAS, the renewal of our SwiftReach contract is essential for the Department of Public Safety, Office of Emergency Management, to provide support and maintenance of proprietary software and hardware, which includes: Fully hosted platform operated on the SwiftReach NDN™ telecom network, Customizable contact management, Unlimited system users, Voice (Recorded or Text-to-Speech with TTY/TDD, Email, Fax, Pager, Social Media, RSS, IPAWS, GIS Mapping, Special Events Manager, NWS Automated Weather Alerts, SwiftReach provided inbound hotline(s) and conference bridge, Mobile Apps - Swift911™ Mobile & Swift911™ Public, Real time detailed reporting, and 24/7/365 live customer support and unlimited live webinar training for use by the City's essential Departments and agencies for the citizens of Newark; and

WHEREAS, the annual cost of this service is expected to be $48,000.00 each year for two (2) years and should not exceed $96,000.00 over that time period; and

WHEREAS, pursuant to Local Public Contracts Law *N.J.S.A*. 40A:11-5(1)(dd) such a contract for proprietary computer software may be awarded as an exception to public bidding 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, SwiftReach has represented that they have the exclusive right to make and sell these services which the Coordinator of the Office of Emergency Management, Department of Public Safety certifies is essential and necessary for the conduct of its affairs, N.J.S.A. 40A:11-2(39); and

WHEREAS, the Coordinator of the Office of Emergency Management, 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 Pay-to-Play Law *N.J.S.A*.19:44A-20.5; and

WHEREAS, SwiftReach has completed and submitted a Business Entity Disclosure Certification which certifies that SwiftReach has not made any reportable contributions to a political or candidate committee in the City of Newark in the previous one year, and the contract will prohibit SwiftReach 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 Mayor and/or his designee, the Coordinator of the Office of Emergency Management, Department of Public Safety, are authorized to enter into and execute a contract with SwiftReach Networks Inc., 14 Industrial Avenue, Suite 4, Mahwah, New Jersey 07430, to provide support and maintenance of proprietary software and hardware, which includes: Fully hosted platform operated on the SwiftReach NDN™ telecom network, Customizable contact management, Unlimited system users, Voice (Recorded or Text-to-Speech with TTY/TDD, Email, Fax, Pager, Social Media, RSS, IPAWS, GIS Mapping, Special Events Manager, NWS Automated Weather Alerts, SwiftReach provided inbound hotline(s) and conference bridge, Mobile Apps - Swift911™ Mobile and Swift911™ Public, Real time detailed reporting, and 24/7/365 live customer support and unlimited live webinar training for use by the City's essential Departments and agencies for the Citizens of Newark, for an amount not to exceed $96,000.00 for the period commencing January 1, 2018 through December 31, 2019, inclusive of all disbursements.

2. This contract is ratified from January 1, 2018 through the date of adoption of this authorizing resolution.

3. A Certification of Funds from: Business Unit NW051, Dept. G18, Div. /Proj. P18F0, Activity A, Account # 71280, Budget Ref B2018 in the amount of $96,000.00 is attached hereto. Funds for this contract are provided by the UASI FY17 Grant

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), and is in compliance with the Contractor Pay-to-Play Reform Ordinance 2:4-22C.

5. There shall be no amendments or changes to this contract without approval of the Newark Municipal Council.

6. A copy of the contract is attached hereto. A duly executed copy of the contract shall be filed in the Office of the City Clerk by the Coordinator of the Office of Emergency Management, Department of Public Safety.

7. A notice of this action shall be published in a newspaper authorized by law to publish a legal advertisement and as required by law within ten (10) days of its passage.

STATEMENT

This resolution ratifies and authorizes the Mayor and/or his designee, the Coordinator of the Office of Emergency Management, Department of Public Safety, to enter into and execute a contract with SwiftReach., 14 Industrial Avenue, Suite 4, Mahwah, New Jersey 07430, for the provision of the

Citizens' Emergency Alert Mass Notification System for an amount not to exceed $96,000.00, for a two (2) year period commencing January 1, 2018 through December 31, 2019.