



## Legislation Details (With Text)

**File #:** 18-1214      **Version:** 1      **Name:** On-Line Tax Sales  
**Type:** Resolution      **Status:** Adopted  
**File created:** 7/24/2018      **In control:** Administration  
**On agenda:** 10/30/2018      **Final action:** 10/30/2018  
**Title:** Dept/ Agency: Administration/Division of Central Purchasing  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Type of Service: Authorizing the use of competitive contracting pursuant to N.J.S.A. 40A:11-4.1 et seq.  
Purpose: On-Line Tax Sales  
Contract Basis: ( ) Bid ( ) State Vendor ( ) Prof. Ser. ( ) EUS  
(X) Fair & Open ( ) No Reportable Contributions (X) RFP ( ) RFQ  
( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) N/A  
Additional Information:  
**Sponsors:** Carlos M. Gonzalez, Eddie Osborne

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
10/30/2018	1	Municipal Council	Adopt	Pass

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**Additional Information:**

**WHEREAS**, the City of Newark, Department of Finance, is in need of participating in Electronic Tax Sales/on-line tax sales to conduct at least two (2) tax sales per year pursuant to the new 2018 contracting requirements for electronic Tax Sales in New Jersey; and

**WHEREAS**, the competitive contracting statute includes operation, management and administration of other services, with the approval of the Director of the Division of Local Government Services as a purpose for which competitive contracting may be utilized, N.J.S.A. 40A:11-4.1(k); and

**WHEREAS**, the Mayor and/or his designee, the Supervising Procurement Specialist, QPA and Director of Finance are desirous of conducting Electronic Tax Sales/on-line tax sales through the competitive contracting procurement process; and

**WHEREAS**, Rule 5:33-1.1(c)(1) permits municipalities to use "competitive contracting" process which allows municipalities to award contracts on the basis of an evaluation and ranking of

technical, management and cost related criteria; and

**WHEREAS**, pursuant to *N.J.S.A. 40A: 11-4.3(a)*, in order to initiate competitive contracting, the Municipal Council must pass a resolution authorizing the use of competitive contracting each time specialized good or services are desired to be contracted; If the desired goods or services have previously been contracted for using the competitive contracting process then the original resolution of the governing body shall suffice; and

**WHEREAS**, the competitive contracting process shall be administered by a purchasing agent qualified pursuant to section b of section 9 of P.L. 1971, c. 198 (C.40A:11-9, or by legal counsel of the contracting unit, or by an administrator of the contracting unit of the City of Newark pursuant to *N.J.S.A. 40A:11-4.3(b)* and any contract awarded under this process shall be made by resolution of the Municipal Council, subject to the provisions of *N.J.S.A. 40A:11-4.5(e)*.

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

1. The Municipal Council authorizes the Mayor, the Qualified Purchasing Agent of the City of Newark, legal counsel or the administrator of the contracting unit to use competitive contracting, pursuant to *N.J.S.A. 40A:11-4.1 et seq.* for purposes of conducting Electronic Tax Sales/on-line tax sales through the competitive contracting procurement process.
2. The competitive contracting process shall be administered by the Qualified Purchasing Agent of the City of Newark, legal counsel or the administrator of the contracting unit, pursuant to *N.J.S.A. 40A:11-4.3(b)* and any contract awarded under this process shall be made by resolution of the Municipal Council, subject to the provisions of subsection (e) of *N.J.S.A. 40A:11-4.5*.

### **STATEMENT**

This resolution authorizes the Mayor, the Qualified Purchasing Agent of the City of Newark, legal counsel or the administrator of the contracting unit to use competitive contracting pursuant to *N.J.S.A. 40A:11-4.1* for purposes of the Department of Finance participation in Electronic Tax Sales/on-line tax sales through the competitive contracting procurement process.