



## Legislation Details (With Text)

**File #:** 18-1732      **Version:** 1      **Name:** Exception to Public Bidding: Enforcys  
**Type:** Resolution      **Status:** Adopted  
**File created:** 11/6/2018      **In control:** Public Safety  
**On agenda:** 4/3/2019      **Final action:** 4/3/2019

**Title:** Dept/ Agency: Public Safety/Division of Police  
Action: ☒ Ratifying ☒ Authorizing ☐ Amending  
Type of Service: Exception to Public Bidding - specific exception  
Purpose: Support and Maintenance of Proprietary Software  
Entity Name: Enforcys  
Entity Address: 27 Bleeker Street, Millburn, New Jersey 07041  
Contract Amount: Not to exceed \$250,000.00  
Funding Source: 2019 Budget/Department of Public Safety/Division of Police  
Contract Period: January 1, 2019 through December 31, 2019  
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
4/3/2019	1	Municipal Council	Adopt	Pass

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**Additional Information:**

**WHEREAS**, the Department of Public Safety, Police Division is committed to providing an efficient and effective means to track and dispatch calls for service, improve system performance monitoring, technical assistance enhancement and improved analysis and visualization capabilities; and

**WHEREAS**, the Public Safety Director desires to enter into a contract with Enforcys Police

Systems. Inc. ("Enforsys"), 27 Bleeker Street, Millburn, New Jersey 07041, to provide maintenance services and upgrades of the Records Management System and Computer Aided Dispatch System, which are proprietary software programs, in order to maintain the software's overall operational health, for an amount not to exceed \$250,000.00, for the period commencing on January 1, 2019 and terminating on December 31, 2019; and

**WHEREAS**, this maintenance agreement is essential for the Police Division to continue to utilize the Records Management System and Computer Aided Dispatch System; and

**WHEREAS**, Enforsys owns the rights to the software utilized for the Newark Police Division Records Management System and Computer Aided Dispatch System, and is engaged in the business of providing various maintenance and support services on said hardware and software; and

**WHEREAS**, Enforsys has represented that they are qualified by their training and experience to provide the required services and that they have exclusive right to make and sell these services, which the Public Safety Director certifies is essential and necessary for the conduct of its affairs N.J.S.A.40A:11-2(39); and

**WHEREAS**, pursuant to Local Public Contracts Law N.J.S.A.40A:11-5(1)(dd), such a contract for proprietary computer system may be awarded 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**, the Public Safety Director 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 Play-to-Play Law N.J.S.A.19:44A-20.5; and

**WHEREAS**, Enforsys has completed and submitted a Business Entity Disclosure Certification which certifies that Enforsys has not made any reportable contributions to a political or candidate committee in the City of Newark in the previous one year, and this contract will prohibit Enforsys 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/or his designee, the Public Safety Director of the Newark Police Division, are hereby authorized to enter into and execute a contract with Enforsys Police Systems, Inc. ("Enforsys"), 27 Bleeker Street, Millburn, New Jersey 07041 for the provision of maintenance and support services and upgrades of the Records Management System and the Computer Aided Dispatch System, which are proprietary software programs, in order to maintain the software's overall operational health, for an amount not to exceed \$250,000.00 for the period commencing on January 1, 2019 and terminating on December 31, 2019.

2. This contracts is hereby ratified from January 1, 2019 to the date of the adoption of this

authorizing resolution.

3. A Certification of Funds for the full amount is attached hereto.
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 advance payments made against this contract in accordance with N.J.S.A.40A:5-16.
6. The Business Entity Disclosure Certification and the Determination of Value are attached in support of this Resolution and shall be placed on file with the Office of the City Clerk by the Public Safety Director.
7. A copy of the contract is attached hereto. A duly executed copy of the aforesaid contract shall be filed in the Office of the city Clerk by the Public Safety Director.
8. Notice of this action shall be published in the newspaper authorized to publish legal advertisements and as required by the law within ten (10) days of the date of adoption.

### **STATEMENT**

This resolution ratifies and authorizes the Mayor and/or his designee, the Public Safety Director of the Newark Police Division, to enter into and execute a contract with Enforsys Police Systems, Inc., 27 Bleeker Street, Millburn, New Jersey 07041 for the provision of maintenance and support services and upgrades of the Records Management System and the Computer Aided Dispatch System, which are proprietary software programs, in order to maintain the software's overall operational health, for an amount not to exceed \$250,000.00 for the period commencing on January 1, 2019 and terminating on December 31, 2019.