



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

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File #: 13-0223, Version: 1

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**Dept/ Agency:** Law

**Action:** ( ) Ratifying (X) Authorizing ( ) Amending

**Purpose:** Settlement of Potential Civil Litigation of Outstanding Invoices

**Docket No.:** Pre-Suit Litigation

**Claimant:** Enforsys Police System Inc. 200 Lanidex Plaza, Suite 2103, Parsippany, New Jersey 07054 - Attention: William R. Plate, Jr., Chief Operating Officer (COO)

**Claimant's Attorney:** None

**Attorney's Address:** N/A

**Settlement Amount:** \$206,500.00

**Funding Source:** Police Department Budget

**Additional Comments:**

**Invitation:** Corporation Counsel (date to be entered by Clerk's Office)

**WHEREAS**, on August 1, 2010, Enforsys Police Systems, Inc. ("Enforsys") began to provide annual maintenance and support services for the Newark Police Department (NPD) PoliSys RMS (Records Management System) solution, which includes software, software licensing, hardware, and interfaces to other critical police systems; and

**WHEREAS**, the twenty-four hours per day/seven days a week annual maintenance which has been provided by Enforsys specifically covers the Newark Police Department's essential services for the PoliSys Records Management System, which includes: periodic updates and support for NPD's PoliSys database software residing on database servers and workstation clients, periodic updates and new releases to calltaker and dispatcher workstations, support for the CAD (Computer Aided Dispatching) system to RMS interface, access to Enforsys' 24x7x365 helpdesk; and

**WHEREAS**, Enforsys has invoiced the City for those services in the amount of \$29,500.00 for the period of August 1, 2010 to December 31, 2010, \$88,500.00 for the period of January 1, 2011 to December 31, 2011, and \$88,500.00 for the period of January 1, 2012 to December 31, 2012, for a total of \$206,500.00 provided upon the request of the Police Department because these services are critical to preserve and protect the health, safety and welfare of Newark residents; and

**WHEREAS**, NPD was unable to procure the services through the State of New Jersey Contract number M0003 because the holder of the State contract refused to comply with State contract requirements and the process to resolve the impasse took over one year; and

**WHEREAS**, NPD could not contract directly with the vendor thereafter because of internal technical funding difficulties as a result of the prior delay; and

**WHEREAS**, despite the fact that there was no written contract all services were provided upon the request of the Newark Police Department because these services were and are critical to

preserve and protect the health, safety and welfare of Police Officers and Newark residents; and

**WHEREAS**, all services were provided to the satisfaction of the Director of the Newark Police Department and the parties have agreed that it is in the best interests of both parties to enter into this Settlement Agreement to avoid protracted litigation, to continue uninterrupted the essential services, to formalize the relationship between the parties, and to provide a mechanism for payment of the sums due for the performance period of August 1, 2010 through December 31, 2012; and

**WHEREAS**, the Corporation Counsel, based upon all facts and circumstances presented to her by the Police Director, deems it is in the best interest of the City of Newark to resolve the matter by payment as memorialized in the Settlement Agreement (a copy of which is attached hereto and made a part hereof).

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

1. The Corporation Counsel and/or the Police Director of the Newark Police Department are hereby authorized to execute the Settlement Agreement with Enforsys Police Systems, Inc., whose address is 200 Lanidex Plaza, Suite 2103, Parsippany, New Jersey 07054, for the provision of annual maintenance and support services for the Newark Police Department PoliSys RMS (Records Management System) solution, in the amount of \$29,500.00, for the performance period of August 1, 2010 to December 31, 2010, \$88,500.00 for the performance period of January 1, 2011 to December 31, 2011, and \$88,500.00 for the performance period of January 1, 2012 to December 31, 2012 for a total of \$206,500.00.
2. The Director of Finance is hereby authorized and directed to issue a check, upon receipt by the Police Director and the Corporation Counsel of all documents deemed necessary, as follows to:  
  
Enforsys Police Systems, Inc., 200 Lanidex Plaza, Suite 2103, Parsippany, New Jersey 07054, Attention: William R. Plate, Jr., Chief Operating Officer (COO).
3. Annexed hereto is the Certification of the Comptroller of the City of Newark that states that there are available sufficient legally appropriated funds for the purpose set forth hereinabove. A copy of the Comptroller's Certification shall be filed in the Office of the City Clerk along with this resolution.
4. The Corporation Counsel shall file a fully-executed copy of the Settlement Agreement in the Office of the City Clerk.

#### **STATEMENT**

This Resolution authorizes the Corporation Counsel and/or the Police Director of the City of Newark's Police Department to execute a Settlement Agreement with Enforsys Software, Inc., whose address is 200 Lanidex Plaza, Suite 2103, Parsippany, New Jersey 07054, for the provision of annual maintenance and support services for the Newark Police Department PoliSys RMS (Records Management System) solution, in the amount of \$29,500.00 for the performance period of August 1, 2010 to December 31, 2010, \$88,500.00 for the performance period of January 1, 2011 to December

31, 2011, and \$88,500.00 for the performance period of January 1, 2012 to December 31, 2012 for a total of \$206,500.00.