



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

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**File #:** 13-0229, **Version:** 1

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**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 (dd) Proprietary software support and maintenance

**Purpose:** To provide the provision of services for the support and maintenance of the proprietary Legistar Legislative Management Software

**Entity Name:** Granicus, Inc.

**Entity Address:** 600 Harrison Street, Suite 120, San Francisco, California 94107

**Contract Amount:** \$110,339.96

**Funding Source:** Office of the City Clerk

**Contract Period:** January 1, 2013 through December 31, 2013

**Contract Basis:** ( ) Bid ( ) State Vendor ( ) Prof. Ser. ( ) EUS

( ) Fair & Open (X) No Reportable Contributions ( ) RFP ( ) RFQ

( ) Private Sale ( ) Grant ( ) Sub-recipient (X) n/a

**Additional Information:**

**WHEREAS**, the Office of the City Clerk of the City of Newark has a need for the support or maintenance of the proprietary Legistar Legislative Management Software, as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 et, seq. and the City of Newark Executive Order on Pay-to-Play Reform, ME0-07-0001; and

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

**WHEREAS**, to accomplish the foregoing, the Office of the City Clerk of the City of Newark wishes to retain the services of Granicus Inc., 600 Harrison Street, Suite 120, San Francisco, California 94107, in an amount not to exceed \$110,339.96, for the period of January 1, 2013 through December 31, 2013; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-5(dd) provides that a contract for the support and maintenance of proprietary software and associated services are excluded from public bidding; and

**WHEREAS**, the Mayor of the City of Newark signed into law Executive Order Number MEO-07-0001 (hereinafter "Pay-to-Play Executive Order"), which requires reporting of political contributions during the duration of the contract. The award of this contract is in compliance with the City of Newark Executive Order on Pay-to-Play Reform, MEO-07-0001; and

**WHEREAS**, this contract has been determined and certified in writing to have a value in excess of \$17,500.00 and is being awarded as a non-fair and open contract pursuant to N.J.S.A. 19:44A-20.5 et, seq.

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

1. The City Clerk is hereby authorized and directed on behalf of the City of Newark to enter into and execute a contract with Granicus Inc., 600 Harrison Street, Suite 120, San Francisco, California 94107, for the support and maintenance of the proprietary Legistar Legislative Management Software, and associated services, in an amount not to exceed \$110,339.96, for the period of January 1, 2013 through December 31, 2013.
2. The Municipal Council ratifies this contract for the period of January 1, 2013 to the date of adoption of this resolution.
3. Attached hereto is the Comptroller's certification, which states the funds in the amount of \$20,000.00 are presently available in the 2013 Temporary Budget: Fund 011, Agency 020, Organization 0201, Object 7128, the balance will be provided in the 2013 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 and in compliance with the non-fair and open procedures of the Pay-to-Play Law N.J.S.A 19:44A-20.5 et, seq. and the City of Newark Executive Order on Pay to Play Reform, ME0-07-0001, and as an exception to the Local Public Contracts Law N.J.S.A. 40A:11-5(dd) because these goods and services are for the support or maintenance of proprietary software and associated services.
5. Granicus Inc. has represented that they are qualified by their training and experience to provide the required services and that they have the exclusive right to make and sell these services, which the City Clerk certifies is essential and necessary for the conduct of its affairs (N.J.S.A. 40A:11-2(39)).
6. The contract will contain language prohibiting any contributions in violation of any state or local law.
7. That the Business Entity Disclosure Certification and the Determination of Value be placed on file with this resolution.
8. 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.
9. There shall be no amendments or changes of this contract without approval of the Municipal Council and 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 contract between the City of Newark and Granicus Inc., 600 Harrison Street, Suite 120, San Francisco, California 94107, for the support and maintenance of the proprietary Legistar Legislative Management Software, and associated services, in an amount not to exceed \$110,339.96, for the period of January 1, 2013 through December 31, 2013.