



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

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File #: 14-0140, Version: 1

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**Dept/ Agency:** Finance

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

**Type of Service:** Professional Service Contract

**Purpose:** To process credit card and electronic payments on the internet, over the telephone and various locations throughout the City of Newark

**Entity Name:** Value Payment Systems, LLC

**Entity Address:** 2207 Crestmoor Road, Ste. 200, Nashville, TN 37215

**Contract Amount:** 2.25% per credit/debit card transaction or \$0.99 per electronic check transaction

**Funding Source:** No City Funds

**Contract Period:** October 1, 2014 through September 30, 2017

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

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

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

**Additional Information:**

**WHEREAS**, the Government Electronic Payment Acceptance Act (P.L. 1955, c.325) ("Act") authorizes a municipality to establish an electronic fund transfer system upon passage of a resolution by the Governing Body; and

**WHEREAS**, the Department of Community Affairs, Division of Local Government Services has promulgated regulations, NJAC 5:30-9.1 et. seq. authorizing municipalities to accept credit card and or electronic payments in accordance with the provisions of the Administrative Code; and

**WHEREAS**, on May 7, 2014, the Municipal Council adopted Resolution 7R5-b, to accept electronic receipts for payment over the internet, via telephone and in person for the payment of property taxes, utilities and other fees; and

**WHEREAS**, the City of Newark is in need of being able to accept payments via internet, web and telephone; and

**WHEREAS**, payment of property taxes, utilities and other fees by way of credit card and electronic payment via internet and telephone will create a greater convenience for the City of Newark taxpayers; and

**WHEREAS**, pursuant to NJAC 5:30-9.4 contracts for acquisition of electronic receipt equipment and services shall be subject to the provisions of NJSA 40A:11-1 et seq.; and

**WHEREAS**, on August 6, 2014, the Municipal Council adopted Resolution 7R5-b, authorizing (initiating) competitive contracting pursuant to N.J.S.A. 40A:11-4.1; and

**WHEREAS**, the City of Newark advertised for bids pursuant to the Competitive Contracting Law, N.J.S.A. 40A:11-4.1 for Third Party Credit Card Services and Online Payment Systems on September 10, 2014; and

**WHEREAS**, eleven (11) individuals/vendors requested a proposal packet; and

**WHEREAS**, four (4) proposals were received on September 30, 2014, and the proposal from Value Payment Systems, LLC, 2207 Crestmoor Road, Ste. 200, Nashville, TN 37215 was found to be the most responsible bidder; and

**WHEREAS**, the proposal submitted by Value Payment Services, LLC will be at no cost to the City; and

**WHEREAS**, Value Payment Services, LLC has agreed to charge 2.25% for credit card/ATM Debit card payments transactions, as well as \$0.99 for electronic checks/ACH; and

**WHEREAS**, the minimum charge for a credit card/ATM Debit card transaction will be \$3.75; and

**WHEREAS**, the City of Newark wishes to enter into a contract with Value Payment Systems, LLC, 2207 Crestmoor Road, Ste. 200, Nashville, TN 37215 to provide Third Party Credit Card Services and Online Payment Systems for the City of Newark; 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 to Newark Municipal Candidates and prohibits certain political contributions during the duration of the contract.

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

1. The Municipal Council hereby authorizes the Acting Director of Finance/ Chief Financial Officer to accept electronic payments for the payment of property taxes, utilities and other fees.
2. The Municipal Council hereby ratifies its authorization of this contract from October 1, 2014 to the date of adoption of this authorizing resolution.
3. That the use of electronic payments is subject to the provisions of NJAC 5:30-9.1 et. seq. and the Local Public Finance Notice No.CFO-97-2.
4. The term of this contract will be three (3) years with the option to renew for an additional two (2) year term for a total of five (5) years.
5. This contract is being awarded pursuant to the fair and open procedures of the State Pay-to-Play Law (N.J.S.A. 19:33A-20.5) and pursuant to the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)(i) and is in compliance with Executive Order MEO-07-0001, effective March 31, 2007.

6. Certified copies of the fully executed contracts shall be filed with the City of Newark Municipal Clerk by the Acting Director of Finance/Chief Financial Officer of the City of Newark.
7. A notice of the award of the contracts shall be published in the newspaper authorized by law to publish a legal advertisement and as required by law within ten (10) days of the adoption of this Resolution.

### **STATEMENT**

Resolution authorizing the award of a concession contract to Value Payment Systems, LLC to provide online and electronic payments.