File #: 17-0425, **Version:** 1

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 (1)(x)
Purpose: To provide supplementation, maintenance and publishing of the codification of the General and Permanent Ordinances for the City of Newark.
Entity Name: Coded Systems, LLC.
Entity Address: 608 Highway 71, Spring Lake Heights, New Jersey 07762
Contract Amount: Amount not to exceed $90,000.00
Funding Source: 2017 Budget/ Office of the City Clerk
Contract Period: January 1, 2017 through December 31, 2017
Contract Basis: ( ) Bid   ( ) State Vendor   ( ) Prof. Ser.   ( ) EUS
( ) Fair & Open   (X) No Reportable Contributions   ( ) RFP   ( ) RFQ
( ) Private Sale   ( ) Grant   ( ) Sub-recipient   ( ) n/a
Additional Information:

WHEREAS, the Office of the City Clerk on behalf of the City of Newark has a need to provide supplementation, maintenance and publishing of the codification of the General and Permanent Ordinances for the City of Newark as a Non-Fair and Open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 et seq.; and

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

WHEREAS, the City of Newark wishes to enter into a contract with Coded Systems, LLC, of 608 Highway 71, Spring Lake Heights, New Jersey 07762, to provide supplementation, maintenance and publishing of the codification of the General and Permanent Ordinances for the City of Newark, in an amount not to exceed $90,000.00, for contract period January 1, 2017 through December 31, 2017; and

WHEREAS, the Local Public Contracts Law N.J.S.A. 40A:11-5 (1)(x) authorizes the award of a contract for the printing of Municipal Ordinances or other services necessarily incurred in connection with the revision and codification of Municipal Ordinances, without public bidding; 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.

WHEREAS, the Municipal Council adopted the Contractor Pay-to-Play Reform Ordinance,

6PSF-a, August 1, 2012, which forbids the award of a contract to a Business Entity, as defined therein, which has made or solicited political contributions to Newark Municipal Candidates, office holders having ultimate responsibility for the award of a contract; candidate committees of the aforementioned candidates; and political or political party committees of the City of Newark or County of Essex; and continuing political committees or political action committees regularly engaged in the support of the City of Newark municipal or County of Essex elections; and certain other political party or candidate committees, in excess of certain thresholds.

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

1. The Mayor and/or his designee, the City Clerk is hereby authorized and directed on behalf of the City of Newark to execute a contract with Coded Systems, LLC, 608 Highway 71, Spring Lake Heights, New Jersey 07762, to provide supplementation, maintenance and publishing of the codification of the General and Permanent Ordinances for the City of Newark, in an amount not to exceed $90,000.00, for contract period January 1, 2017 through December 31, 2017.

2. The Municipal Council ratifies this contract for the period of January 1, 2017 to the date of adoption of this resolution.

3. Attached hereto is the Comptroller's Certification which states the partial funds in the amount of $20,000.00 are available in the 2017 Temporary Budget, Fund NW011, Dept. 020, Div./Proj. 0201, Account# 71280, the balance to be provided in the 2017 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 the Non-Fair and Open procedures of the Pay-to-Play Law N.J.S.A. 19:44A-20.5 et seq. and pursuant to the provisions of the Local Public Contracts Law N.J.S.A. 40A:11-5 (1)(x) which authorizes the award of a contract for the printing of Municipal Ordinances or other services necessarily incurred in connection with the revision and codification of Municipal Ordinances, without public bidding.

5. The contract will contain language prohibiting any contributions in violation of any State or local law, ordinances, and regulations.

6. The Business Entity Disclosure Certification and the Determination of Value be placed on file with this resolution.

7. 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.

STATEMENT

This resolution ratifies and authorizes the Mayor and/or his designee, the City Clerk, to enter into and execute a contract with Coded Systems, LLC, 608 Highway 71, Spring Lake Heights, New Jersey 07762, to provide supplementation, maintenance and publishing of the codification of the General and Permanent Ordinances for the City of Newark, in an amount not to exceed $90,000.00, for contract period January 1, 2017 through December 31, 2017.