



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 18-0201, **Version:** 1

Dept/ Agency: Health and Community Wellness

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

Type of Service: Contract for the support, maintenance, and upgrade of proprietary hardware and software

Purpose: To provide System Support, Maintenance and Enhancement of Proprietary Practice-Management Computer Hardware and Software

Entity Name: Greenway EHS, Inc.

Entity Address: One Metroplex Drive, Birmingham, Alabama 35209

Contract Amount: Amount Not to Exceed \$480,000.00

Funding Source: 2018 Budget/Department of Health and Community Wellness

Contract Period: January 2, 2018 through December 31, 2018

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

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

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

Additional Information:

WHEREAS, the City of Newark's (hereinafter, "City") Department of Health and Community Wellness (hereinafter, "DHCW"), wishes to acquire support, maintenance and enhancement of its proprietary practice-management computer hardware and software; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5(1)(dd) of the Local Public Contracts Law and pursuant to the New Jersey Local Unit Pay-To-Play law, N.J.S.A.19:44A-20.5, on August 24, 2017, the DHCW advertised on the City's website a Request for Qualifications entitled, "Request for Qualifications" (RFQ) for System Support Maintenance and Enhancement, including Dental Services for an Existing Licensed Oracle/Practice Management/Electronic Medical Record System Implementation", (hereinafter referred to as "RFQ") with a return date of September 20, 2017 (a copy of said RFQ is attached hereto); and

WHEREAS, the DHCW received no response to its August 24, 2017 RFQ; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5(1)(dd) of the Local Public Contracts Law and pursuant to the New Jersey Local Unit Pay-to-Play Law, N.J.S.A.19:44A-20.5, on October 4, 2017, the DHCW re-advertised on the City's website its RFQ, with a new return date of October 24, 2017 (a copy of said RFQ is attached hereto); and

WHEREAS, the DHCW received no response to its October 4, 2017 RFQ; and

WHEREAS, the DHCW's RFQ was advertised on two (2) separate occasions and received no response on both occasions; and

WHEREAS, N.J.S.A. 40A:11-5(3) of the Local Public Contracts Law provides that the Governing Body may negotiate and award without public advertising for bids any contract exceeding the bid threshold when bids were legally advertised on two (2) occasions and no bids were received on both occasions in response to the advertisement; and

WHEREAS, the DHCW desires to award a contract for the desired services without public advertising pursuant to N.J.S.A. 40A:11-5(3); and

WHEREAS, Greenway EHS, Inc., (hereinafter the "Contractor") is an Alabama corporation whose principal place of business is located at One Metroplex Drive, Birmingham, Alabama 35209, and has contracted with the DHCW in the past for the provision of the same services requested in the RFQ; and

WHEREAS, based on its performance under its prior contract with the DHCW, the Contractor is qualified by training and experience to provide the required services in the manner and the terms and conditions set forth in the RFQ and its associated proposed contract; and

WHEREAS, the DHCW wishes to enter into an agreement with the Contractor for the provision of system support, maintenance and enhancement for the DHCW's proprietary practice-management computer hardware and software, for an amount not to exceed Four Hundred Eighty Thousand Dollars and Zero Cents (\$480,000.00); and

WHEREAS, the Municipal Council adopted the Contractor Pay-to-Play Reform Ordinance, Newark, New Jersey, Municipal Code § 2:4-22C, which forbids the award of a contract to a Business Entity, as defined therein, which has made or solicited political contributions to: (i) a candidate, candidate committee or joint candidate committee of any candidate for elective municipal office in the City of Newark or a holder of public office having ultimate responsibility for the award of a contract, or (ii) to any City of Newark or County of Essex political committee or action committee that regularly engages in the support of City of Newark Municipal or County of Essex candidates, candidate committees, joint candidates committees, political committees, political party committee, (hereinafter "PAC), in excess of certain specified thresholds within one (1) calendar year immediately preceding the date of the contract or agreement; and

WHEREAS, this contract shall be awarded as an open-ended contract and shall not exceed Four Hundred Eighty Thousand Dollars and Zero Cents (\$480,000.00), for the provision of system support, maintenance and enhancement of proprietary practice-management computer hardware and software at the DHCW's facilities, including a Women's Health Center and Bradley Court Clinic, for the period of January 2, 2018 through December 31, 2018, subject to Municipal Council approval.

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 Director of the Department of Health and Community Wellness, is authorized to enter into and execute a contract with Greenway EHS, Inc., whose principal place of business is located at One Metroplex Drive, Birmingham, Alabama 35209, for the provision of system support, maintenance and enhancement of proprietary practice-management computer hardware and software at the DHCW's facilities, including a Women's Health Center and Bradley Court Clinic, in an amount not to exceed Four Hundred Eighty

Thousand Dollars and Zero Cents (\$480,000.00), for the period of January 2, 2018 through December 31, 2018.

2. The Municipal Council hereby ratifies its authorization of this contract from January 2, 2018 to the date of adoption of this authorizing resolution.
3. The DHCW advertised a Request for Qualifications on two (2) occasions and received no response on both occasions, pursuant to N.J.S.A. 40A:11-5(3), the DHCW will award the contract without prior public advertising.
4. This contract is being awarded as an open-ended contract under N.J.A.C. 5:30-5.5(b) and pursuant to N.J.A.C. 5:30-5.5(b)(2).
5. Prior to the contract's execution, a Certification of Funds from the City's Comptroller will be attached hereto and will state that there are sufficient funds for the purposes set forth hereinabove.
6. A notice of this action 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.
7. The Director of the Department of Health and Community Wellness shall file a duly executed copy of the contract in the Office of the City Clerk.

STATEMENT

This resolution hereby ratifies and authorizes the Mayor and/or his designee, the Director of the Department of Health and Community Wellness to enter into and execute a contract with Greenway EHS, Inc., whose principal place of business is located at One Metroplex Drive, Birmingham, Alabama 35209, for the provision of system support, maintenance and enhancement of proprietary practice-management computer hardware and software at the DHCW's facilities, in an amount not to exceed Four Hundred Eighty Thousand Dollars and Zero Cents (\$480,000.00), for the period of January 2, 2018 through December 31, 2018.