



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 18-0379, Version: 1

Dept/ Agency: Administration/Division of Central Purchasing

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

Type of Service: Use of State Contract(s) M-0483 NASPO ValuePoint Computer

Purpose: To provide a 2nd Amendment to increase the total contract amount to purchase of Laptops, Tablets and Accessories.

Entity Name(s)/Address(s):

1. #89968 EMC Corporation, 176 South Street, Hopkinton, Massachusetts 01748-2208

2. #89980 Panasonic Corporation of North America, Three Panasonic Way 7F-3, Secaucus, New Jersey 07094-2997

Contract Amount: Not to exceed \$969,480.57

Funding Source: 2017 Budget/Department of Administration/Office of Information Technology

Account Code Line: NW045-17G-17A02-A-94710-B2017

Contract Period: Upon approval by the Municipal Council for a period up to and including March 31, 2020, inclusive of extensions by the State

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

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

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

Additional Information:

Original Resolution 7R1-o adopted on June 21, 2017 in a contract amount not to exceed \$500,000.00.

1st Amendment by Resolution 7R1-d (S/AS) adopted on January 30, 2018, to increase the contract amount by \$69,480.57 for a total contract amount not to exceed \$569,480.57.

2nd Amendment request hereto for an additional increase of \$400,000.00 to the contract amount.

WHEREAS, on January 30, 2018, the City of Newark, Municipal Council adopted Resolution 7R1-d (S/AS), authorizing an amendment to State Term Contract M-0483, NASPO ValuePoint Computer, by adding the Department of Water and Sewer Utilities as an user agency to purchase laptops and tablets together with their related peripherals and services from Panasonic Corporation of North America and its authorized dealers and distributors; specifically, Let's Think Wireless, LLC., 26 Chapin Road, Suite 1112, PO Box 628, Pine Brook, New Jersey 07058, in the amount of \$69,480.57 for an amended total amount not to exceed \$569,480.57; and

WHEREAS, the Department of Administration/Office of Information Technology desires to utilize State Term Contract M-0483, NASPO ValuePoint Computer, awarded under State Contract #89980 to Panasonic Corporation of North America, Three Panasonic Way 7F-3, Secaucus, New Jersey 07094-2997 and State Contract #89968 to EMC Corporation, 176 South Street, Hopkinton, Massachusetts 01748-2208, inclusive of their authorized dealers and distributors, from the date of adoption by the Municipal Council for a period up to and including March 31, 2020, in the amount of \$400,000.00; and

WHEREAS, the Department of Administration, Office of Information Technology is seeking to

amend State Term Contract M-0483, NASPO ValuePoint Computer, to increase the amount previously approved by \$400,000.00 for use by the Office of Information Technology; and

WHEREAS, the Supervising Procurement Specialist, QPA, accepts the representation of the Chief Information Officer that this increase is necessary for its backup project which is critical to the safety of the City and thereby requests that the Municipal Council approve the request to amend State Term Contract M-0483, NASPO ValuePoint Computer, by \$400,000.00 for the Department of Administration, Office of Information Technology, for an amended total not to exceed \$969,480.57; and

WHEREAS, the purchase of goods/services by local contracting units through State contracts comply with Local Pay-to-Play Law, N.J.S.A. 19:44A-20.5 as a State contract award and constitutes a fair and open procedure and are authorized by Local Public Contracts Law, N.J.S.A. 40A:11-12.

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

1. Pursuant to N.J.S.A. 40A:11-1 et seq. and N.J.A.C. 5:34-7.29, Resolution 7R1-d (S/AS), adopted on January 30, 2018, is hereby amended and the Supervising Procurement Specialist, QPA, is authorized to increase the amount previously approved for State Term Contract M-0483, NASPO ValuePoint Computer, by \$400,000.00 for use by the Department of Administration/Office of Information Technology, for the purchase of laptops and tablets together with their related peripheral services, an amended combined total amount not to exceed \$969,480.57 awarded to Panasonic Corporation of North America, Three Panasonic Way 7F-3, Secaucus, New Jersey 07094-2997 and EMC Corporation, 176 South Street, Hopkinton, Massachusetts 01748-2208 under the New Jersey Cooperative Purchasing Program1-NJCP.
2. This contract is ratified from June 21, 2017 to the date of adoption by the Municipal Council.
3. The term of this amended contract shall be for the period upon approval by the Municipal Council up to and including March 31, 2020, inclusive of extensions by the State.
4. All purchases shall be in accordance with N.J.S.A. 52:25-16.1 et seq. The Supervising Procurement Specialist, QPA, is responsible for ensuring that the Purchase Order issued reflects the correct contract item pricing and that payment is processed accordingly. Only those items/services specified in the applicable State Contract(s) may be purchased from the contract vendor(s) of record. The Chief Information Officer is responsible for ensuring that the Purchase Order submitted to Central Purchasing properly reflects the correct contract item pricing.
5. All purchases, Purchase Orders and other related documentation shall be in accordance with the relevant State Contract, State of New Jersey Standard Terms and Conditions, Method of Operation and Third Party Agreement/Three Party Agreement (if applicable) as contained in the State Contract Documentations and Agreements.
6. The Chief Information Officer of the Department of Administration, Office of Information

Technology, shall review all documents, price quotes and Scope of Work submitted by the vendors to ensure that the terms in the quotes do not conflict with the terms of the State contract.

7. There shall be no amendment of this resolution without the approval of the Municipal Council.
8. There shall be no advance payment on this State Contract in accordance with N.J.S.A. 40A:5-16.
9. Pursuant to N.J.A.C. 5:30-5.5(a), Temporary Budget, attached hereto is a partial Certification of Funds from the Director of Finance which states that funds in the amount of \$30,000.00 are available in the 2017 Budget under Business Unit: NW045, Dept.: 17G, Div./Proj.: 17A02, Activity: A, Account # 94710. The remainder of the funding for this contract will be subject to appropriation in the 2018-2019 Budget. The Certification shall be filed in the Office of the City Clerk.
10. This contract complies with Local Pay-to-Play Law, N.J.S.A. 19:44A-20.5, as a State contract award and constitutes a fair and open procedure.
11. The Purchasing Division shall forthwith file a duly executed copy of the contract(s) in the Office of the City Clerk if applicable.
12. If required by State Law, the City Clerk shall provide the appropriate notice of award of this contract to the State Comptroller, no later than twenty (20) business days following such award, in accordance with N.J.S.A. 52:15C-10 and Notice of the Office of the State Comptroller dated May 7, 2008.

STATEMENT

This resolution ratifies and authorizes the Supervising Procurement Specialist, QPA to amend 7R1-d (S/AS), adopted on January 30, 2018, by increasing the amount previously approved for State Term Contract M-0483, NASPO ValuePoint Computer, awarded under State Contract #89980 to Panasonic Corporation of North America, Three Panasonic Way 7F-3, Secaucus, New Jersey 07094-2997 and State Contract #89968 to EMC Corporation, 176 South Street, Hopkinton, Massachusetts 01748-2208, commencing from the adoption of this resolution by Municipal Council for a period up to and including March 31, 2020, inclusive of extensions by the State, in the amount of \$400,000.00 for an amended total amount not to exceed \$969,480.57 under the New Jersey Cooperative Purchasing Program 1-NJCP.