



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 18-1732, Version: 1

Dept/ Agency: Public Safety/Division of Police

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

Type of Service: Exception to Public Bidding - specific exception

Purpose: Support and Maintenance of Proprietary Software

Entity Name: Enforsys

Entity Address: 27 Bleeker Street, Millburn, New Jersey 07041

Contract Amount: Not to exceed \$250,000.00

Funding Source: 2019 Budget/Department of Public Safety/Division of Police

Contract Period: January 1, 2019 through December 31, 2019

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

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

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

Additional Information:

WHEREAS, the Department of Public Safety, Police Division is committed to providing an efficient and effective means to track and dispatch calls for service, improve system performance monitoring, technical assistance enhancement and improved analysis and visualization capabilities; and

WHEREAS, the Public Safety Director desires to enter into a contract with Enforsys Police Systems. Inc. ("Enforsys"), 27 Bleeker Street, Millburn, New Jersey 07041, to provide maintenance services and upgrades of the Records Management System and Computer Aided Dispatch System, which are proprietary software programs, in order to maintain the software's overall operational health, for an amount not to exceed \$250,000.00, for the period commencing on January 1, 2019 and terminating on December 31, 2019; and

WHEREAS, this maintenance agreement is essential for the Police Division to continue to utilize the Records Management System and Computer Aided Dispatch System; and

WHEREAS, Enforsys owns the rights to the software utilized for the Newark Police Division Records Management System and Computer Aided Dispatch System, and is engaged in the business of providing various maintenance and support services on said hardware and software; and

WHEREAS, Enforsys has represented that they are qualified by their training and experience to provide the required services and that they have exclusive right to make and sell these services, which the Public Safety Director certifies is essential and necessary for the conduct of its affairs N.J.S.A.40A:11-2(39); and

WHEREAS, pursuant to Local Public Contracts Law N.J.S.A.40A:11-5(1)(dd), such a contract for proprietary computer system may be awarded as the provision or performance of goods or

services is for the support and/or maintenance of proprietary computer hardware and/or software; and

WHEREAS, the Public Safety Director has determined and certified in writing that the value of this contract will exceed \$17,500.00; and

WHEREAS, this contract is being awarded pursuant to a “non-fair and open” process pursuant to State Play-to-Play Law N.J.S.A.19:44A-20.5: and

WHEREAS, Enforsys has completed and submitted a Business Entity Disclosure Certification which certifies that Enforsys has not made any reportable contributions to a political or candidate committee in the City of Newark in the previous one year, and this contract will prohibit Enforsys from making any reportable contributions through the term of the contract; and

WHEREAS, the Business Entity and any of its subcontractors, if any, have certified that it is in compliance with the Contractor Pay-to-Play reform Ordinance 2:4-22C.

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

1. The Mayor/or his designee, the Public Safety Director of the Newark Police Division, are hereby authorized to enter into and execute a contract with Enforsys Police Systems, Inc. (“Enforsys”), 27 Bleeker Street, Millburn, New Jersey 07041 for the provision of maintenance and support services and upgrades of the Records Management System and the Computer Aided Dispatch System, which are proprietary software programs, in order to maintain the software’s overall operational health, for an amount not to exceed \$250,000.00 for the period commencing on January 1, 2019 and terminating on December 31, 2019.
2. This contracts is hereby ratified from January 1, 2019 to the date of the adoption of this authorizing resolution.
3. A Certification of Funds for the full amount is attached hereto.
4. This contract is being awarded pursuant to the non-fair and open procedures of State Pay-to-Play Law, N.J.S.A. 19:44A-20.5, and pursuant to the provisions of Local Public Contracts Law N.J.S.A.40A:11-5(1)(dd), and is in compliance with the Contractor Pay-to-Play Reform ordinance 2:4-22C.
5. There shall be no advance payments made against this contract in accordance with N.J.S.A.40A:5-16.
6. The Business Entity Disclosure Certification and the Determination of Value are attached in support of this Resolution and shall be placed on file with the Office of the City Clerk by the Public Safety Director.
7. A copy of the contract is attached hereto. A duly executed copy of the aforesaid contract shall be filed in the Office of the city Clerk by the Public Safety Director.

8. Notice of this action shall be published in the newspaper authorized to publish legal advertisements and as required by the law within ten (10) days of the date of adoption.

STATEMENT

This resolution ratifies and authorizes the Mayor and/or his designee, the Public Safety Director of the Newark Police Division, to enter into and execute a contract with Enforsys Police Systems, Inc., 27 Bleeker Street, Millburn, New Jersey 07041 for the provision of maintenance and support services and upgrades of the Records Management System and the Computer Aided Dispatch System, which are proprietary software programs, in order to maintain the software's overall operational health, for an amount not to exceed \$250,000.00 for the period commencing on January 1, 2019 and terminating on December 31, 2019.