



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 19-0792, Version: 1

Dept/ Agency: Administration/Division of Central Purchasing

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

Type of Service: Use of State Contract M0003 Software License, Maintenance, Support and Related Services Contract

Purpose: To provide the Department of Water and Sewer Utilities with a mechanism to purchase software products and associated services through a Software Reseller.

Entity Name(s)/Address(s): See below

Contract Amount: \$100,000.00

Funding Source: 2019 Budget/Department of Water and Sewer Utilities Utilities/NW037-750-7502-72250

Contract Period: Upon adoption by the Municipal Council through June 30, 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

Entity Name/Address:

1. CDW Government, LLC, 230 N. Milwaukee Avenue, Vernon Hills, Illinois 60061
2. Dell Marketing L.P., One Dell Way, Round Rock, Texas 78682
3. SHI International, 290 Davidson Avenue, Somerset, New Jersey 08873
4. Insight Public Sector Inc., 6820 S. Harl Avenue, Tempe, Arizona 85283
5. PCMG, 13577 Sunrise Valley Drive, Suite 750, Herndon, Virginia 20171

Additional Information:

This contract will be used to provide software products and associated services for the Department of Water and Sewer Utilities.

WHEREAS, the City of Newark, Department of Water and Sewer Utilities, wishes to utilize Term Contract M0003 Software License, Maintenance, Support and Related Services Contract to purchase software products and associated services through a Software Reseller under the New Jersey Cooperative Purchasing Program 1-NJCP, pursuant to N.J.A.C. 5:34-7.29; and

WHEREAS, the purchasing of goods/services by local contracting units are authorized by Local Public Contracts Law, N.J.S.A. 40A:11-12; and

WHEREAS, in accordance with N.J.S.A. 40A:11-11(5), N.J.S.A. 52:25-16.1 et seq. and N.J.A.C. 5:34-1.7, all Cooperative Purchasing Program participants are responsible for ensuring that the Purchase Order issued reflects the correct contract item pricing and that payment is processed accordingly. Only the items/services specified in the applicable State Contract(s) may be purchased from the contract vendor(s) of record. Cooperative Purchasing participants assume full responsibility for all purchase transactions issued through State Contracts, including Purchase Orders, delivery compliance, and payments; and

WHEREAS, the City of Newark, Department of Water and Sewer Utilities, wishes to utilize Term Contract M0003 Software License, Maintenance, Support and Related Services Contract awarded to: (1) CDW Government LLC under Purchase Order Number 89849, (2) Dell Marketing L.P. under Purchase Order Number 89850, (3) SHI International under Purchase Order Number 89851, (4) Insight Public Sector Inc. under Purchase Order Number 89853, and (5) PCMG under Purchase Order Number 89854, to purchase software products and associated services through a Software Reseller upon approval of this resolution by the Municipal Council through June 30, 2020 inclusive of extensions by the state; and

WHEREAS, the Purchasing Agent recommends the utilization of Term Contract M0003 Software License, Maintenance, Support and Related Services Contract be awarded to: (1) CDW Government LLC, (2) Dell Marketing L.P., (3) SHI International, (4) Insight Public Sector Inc., and (5) PCMG to purchase software products and associated services according to specifications required by the City of Newark, Department of Water and Sewer Utilities; and

WHEREAS, usage of this contract will provide software products and associated services at a cost not to exceed One Hundred Thousand Dollars and Zero Cents (\$100,000.00); and

WHEREAS, the Chief Financial Officer will certify the availability of funds before orders are placed.

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, the Purchasing Agent is authorized to utilize Term Contract M0003 Software License, Maintenance, Support and Related Services Contract, which includes: (1) Purchase Order Number 89849 awarded to CDW Government LLC, 230 N. Milwaukee Avenue, Vernon Hills, Illinois 60061; (2) Purchase Order 89850 awarded to Dell Marketing L.P., One Dell Way, Round Rock, Texas 78682; (3) Purchase Order Number 89851 awarded to SHI International, 290 Davidson Avenue, Somerset, New Jersey 08873; (4) Purchase Order Number 89853 awarded to Insight Public Sector Inc., 6820 S. Harl Avenue, Tempe, Arizona 85283; and (5) Purchase Order Number 89854 awarded to PCMG, 13577 Sunrise Valley Drive, Suite 750, Herndon, Virginia 20171, for the purchase of software products and related services for the Department of Water and Sewer Utilities for the period commencing upon approval of this resolution by the Municipal Council through June 30, 2020 inclusive of extensions by the state.
2. All purchases shall be in accordance with N.J.S.A. 52:25-16.1 et seq. The Purchasing Agent 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 Term Contract may be purchased from the contract vendors of record.
3. All purchases, Purchase Orders and other related documentation shall be in accordance with the relevant Term 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.

4. The Director of the Department of Water and Sewer Utilities 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 Term Contract.
5. There shall be no amendment of this resolution without the approval of the Municipal Council.
6. There shall be no advance payment on this State contract in accordance with N.J.S.A. 40A:5-16. Funding is contingent upon appropriation, pursuant to N.J.A.C. 5:30-5.5(c).
7. This is an open-ended contract to be used as needed during the term of the contract. Thus, for any and all expenditures against this contract, a certification of the availability of sufficient funds, as required by N.J.A.C. 5:30-5.5(b)(2), shall be executed before a contractual liability is incurred each time an order is placed from Account Code Line: NW037-750-7502-72250-B2019. This contract shall not exceed One Hundred Thousand Dollars and Zero Cents (\$100,000.00).
8. 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 process.
9. The Division of Central Purchasing shall file a duly executed copy of the contracts in the Office of the City Clerk, if applicable.
10. If required by state law, the City Clerk shall provide the appropriate notice of the 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 the Notice of the Office of the State Comptroller dated May 7, 2008.

STATEMENT

This resolution authorizes the Mayor and/or his designee, the Purchasing Agent, to utilize Term Contract M0003 Software License, Maintenance, Support and Related Services Contract awarded to: (1) CDW Government LLC, 230 N. Milwaukee Avenue, Vernon Hills, Illinois 60061; (2) Dell Marketing L.P., One Dell Way, Round Rock, Texas 78682; (3) SHI International, 290 Davidson Avenue, Somerset, New Jersey 08873; (4) Insight Public Sector Inc., 6820 S. Harl Avenue, Tempe, Arizona 85283; and (5) PCMG, 13577 Sunrise Valley Drive, Suite 750, Herndon, Virginia 20171, to purchase software products and associated services through a Software Reseller for the City of Newark, Department of Water and Sewer Utilities, at a cost not to exceed One Hundred Thousand Dollars and Zero Cents (\$100,000.00) for the period commencing upon adoption of this resolution by the Municipal Council through June 30, 2020 inclusive of extensions to the State contract.