

R-20-058

## TOWNSHIP OF MONTCLAIR

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO NJEDGE.NET, INC. UNDER EDGEMARKET COOPERATIVE PRICING SYSTEM CONTRACT # EMSS-19-002 FOR INTERNET CIRCUITS FOR THE TOWNSHIP'S INTERNET ACCESS FOR A PERIOD OF THREE YEARS**

March 24, 2020

**WHEREAS**, the Local Public Contracts Law authorizes a municipality to purchase goods and services through duly-formed cooperative purchasing system without advertising for bids; and

**WHEREAS**, the Township of Montclair is a party to a cooperative purchasing agreement with the EdgeMarket Cooperative Pricing System ("EdgeMarket"), a cooperative purchasing program organized pursuant to N.J.S.A. 40A:11-10 and N.J.A.C. 5:34-7.11; and

**WHEREAS**, NJEdge.Net, Inc. ("NJEdge"), 625 Broad Street, Suite 260, Newark, NJ 07102-4418 provides internet circuits with load balancing and failover using the Location Identifier Separation Protocol ("LISP"); direct access 24 hours a day, 365 days a year to specialized experts in networking category, communities, resources, and tools which allows for the Office of Information Technology to efficiently handle all issues with the Township's internet access connections; and

**WHEREAS**, EdgeMarket has awarded a contract to NJEdge, Contract No.: EMSS-19-002, and NJEdge has submitted to the Chief Information Officer a price quote dated February 24, 2020 for the purchase of internet circuits for the Township's internet access for a period of three ("3") years in an amount not to exceed \$61,536.00 per year for a total contract not to exceed amount of \$184,608.00; and

**WHEREAS**, funds for this purchase have been appropriated in the 2020 Information Technology operating budget, account number: 01-201-20-140-026, in an amount not to exceed \$61,536.00 per year subject to the adoption of the municipal budgets for years 2020 through and including year 2023; and

**WHEREAS**, the procurement of goods and services through a cooperative purchasing program is considered to be an open and fair process under the New Jersey Pay-To-Play Law N.J.S.A. 19:44A-20.4 et seq.; now therefore

**BE IT RESOLVED**, by the Council of the Township of Montclair, in the County of Essex, that a contract be award to NJEdge.Net, Inc., 625 Broad Street, Suite 260, Newark, NJ 07102-4418 for internet circuits for the Township's internet access for a period of three years commencing in 2020 and ending in 2023 in an amount not to exceed \$61,536.00 per year for a total contract not to exceed amount of \$184,608.00; and

**BE IT FURTHER RESOLVED**, that the contract start date is depending on the

completion of the new fiber cable installation which is no additional cost to the Township; and

**BE IT FURTHER RESOLVED** that pursuant to N.J.A.C 5:30-5.5(c), the continuation of the contract after the expenditure of funds encumbered in the 2020 fiscal year temporary budget shall be subject to the availability and appropriation of sufficient funds in the 2020 adopted budget and in the subsequent years' adopted budgets.