

Resolution 16-033

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH EDMUNDS & ASSOCIATES, INC., FOR THE PROCUREMENT OF COMPUTER SERVICES RELEVANT TO FINANCE, PERSONNEL AND PAYROLL SOFTWARE, TRAINING AND COMPUTER SERVICES

WHEREAS, the Rockaway Valley Regional Sewerage Authority ("RVRSA") requires finance, personnel and payroll software, training and computer services and the provision of support and maintenance of the same; and

WHEREAS, the retention of such software and services may exceed \$17,500.00, and which services may be procured based on a fair and open process and under the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. ; and

WHEREAS, Edmunds & Associates, Inc., having a business address of 301A Tilton Road, Northfield, New Jersey, has provided the attached proposal for the provision or performance of goods or services for the support or maintenance of proprietary computer hardware and software;

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(dd), a contract may be awarded without public advertising for bids and bidding for the provision or performance of goods or services for the support or maintenance of proprietary computer hardware and software, provided that this exemption shall not be utilized to acquire or upgrade non-proprietary hardware or to acquire or update non-proprietary software; and

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-5, a contract may also be awarded without public advertising for bids and bidding for extraordinary unspecifiable services; and

WHEREAS, the Authority has reviewed the Certification of the JoAnn Mondsini, Executive Director, dated February 4, 2016 attached hereto and made a part hereof, which Certification was reviewed by legal counsel, Maraziti, Falcon, L.L.P. to ensure that it meets the provisions of the Local Public Contracts law and the rules promulgated by the Department of Community Affairs; and

WHEREAS, the Authority is satisfied that, for the reasons articulated in the Certification dated February 4, 2016, from JoAnn Mondsini, Executive Director, attached hereto and made a part hereof,

that the proposed work is an extraordinary unspecifiable service and meets the requirements of the Local Public Contracts Law at N.J.S.A. 40A:11-5(1)(dd), and N.J.A.C. 5:34-2.3; and

WHEREAS, funds are available therefore in 01-502-020.

NOW, THEREFORE, BE IT RESOLVED by the Rockaway Valley Regional Sewerage Authority, as follows:

1. The Executive Director is authorized and directed to enter into a contract with Edmunds & Associates, Inc. having a business address of 301A Tilton Road, Northfield, New Jersey, in the form attached hereto for the provision of such services, and at the rates set forth therein, and in an amount not to exceed **\$8,774.00**.
2. A copy of this Resolution shall be published in accordance with N.J.S.A. 40A:11-5(a)(i).
3. This Resolution shall take effect as provided by law.

I hereby certify that this Resolution was adopted at a meeting of the Rockaway Valley Regional Sewerage Authority on the 11th of February, 2016

On motion of Glenn Corbett

Second by Michael Guadagno


And a roll call vote as follows:

Yeas: (7) Cegelka, Corbett, Guadagno, Lowell, Recchia, Rossi, Schorno

Nays: (0) None

Abstain: (1) Andes

Absent: (2) Secco and Vincitore


Michael Guadagno
Board Secretary

CERTIFICATION FOR AN EXTRAORDINARY UNSPECIFIABLE SERVICE

TO: Members of the Rockaway Valley Regional Sewerage Authority
FROM: JoAnn Mondsini, Executive Director
DATE: February 4, 2016
SUBJECT: Contract for Technical Computer Services

This is to request your approval of a resolution authorizing a contract to be executed as follows:

Firm: Edmunds & Associates, Inc.
Cost: not to exceed **\$8,774.00** without prior authorization
Duration: One year
Purpose: Finance/Personnel/Payroll Software, Training and performance of computer services

This is to request an award of a contract without the receipt of formal bids as an Extraordinary Unspecifiable Service [N.J.S.A. 40A:11-5(1)(a)(ii) and N.J.A.C. 5:34-2.3(b)]. I do hereby certify to the following:

1. The services to be performed by Edmunds & Associates, Inc. are related to the installation, upgrading, training, maintenance and annual technical support of computer software systems to serve the RVRSA's data needs.
2. The contract meets the provisions of N.J.S.A. 40A:11-5(1)(a) and N.J.A.C. 5:34-2 *et seq.* because (a) the services to be performed cannot be reasonably described by written specifications, as set forth in paragraph 3 below, (b) the RVRSA has solicited quotations for the performance of these services as required by N.J.A.C. 5:34-2.3(a); and (c) Edmunds has the necessary expertise, extensive training and proven reputation in the software industry.
3. The services to be provided by Edmunds & Associates, Inc. are of such a specialized and qualitative nature that the performance of the services cannot be reasonably described by written specifications because the contract requires the provision of a specialized, proprietary, customized software program by a company with expertise in the installation of such software for public entities.

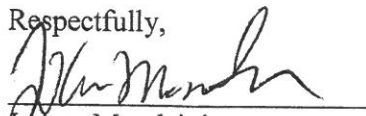
Edmunds & Associates, Inc.'s experience in designing and modifying finance/personnel/payroll software systems for public bodies puts it in a unique position to have the expertise and working knowledge of the variety of issues that affect wastewater facilities and other public entities.

The performance of the services cannot be reasonably described by written specifications, because the scope of work requires the skills which are highly qualitative in nature as described above and the ability to provide ongoing support of a technical nature, which is not subject to uniform quantification. Since the reliability of a system, such as the one being provided by Edmunds & Associates, Inc., is derived from a combination of quality design, good programming and extensive modifications and improvements based on real life experience and needs, it would not have been reasonably possible to draft specifications for such a system that could fulfill the needs of the RVRSA.

4. The RVRSA evaluated several similar facility software solutions prior to selecting the proposal submitted by Edmunds & Associates, Inc. It was determined that the proprietary product offered by Edmunds & Associates, Inc., was the one that best served the needs of the RVRSA from a reliability, usability and cost perspective.

5. I have reviewed the rules of the Division of Local Government Services pursuant to N.J.A.C. 5:34-2.1 et seq. and certify that the proposed contract may be considered an extraordinary unspecifiable service in accordance with the requirements thereof.

Respectfully,



JoAnn Mondsini
Executive Director