



Township Council
1 Municipal Plaza
Bloomfield, NJ 07003

Louise M. Palagano
Municipal Clerk

<http://www.bloomfieldtwpnj.com>

Meeting: 05/21/12 07:00 PM

2012 RESOLUTION AWARD OF CONTRACT

NON-FAIR AND OPEN CONTRACT FOR INTERNET SERVICE

WHEREAS, the Township of Bloomfield has a need to acquire professional services for the Township's network infrastructure; and

WHEREAS, the Township desires to make this appointment under the provisions of *N.J.S.A. 19:44A-20.5*, as a non-fair and open contract; and

WHEREAS, the IT Director has determined that the value of these services will not exceed \$50,000.00/year; and

WHEREAS, this contract is for a one year term; and

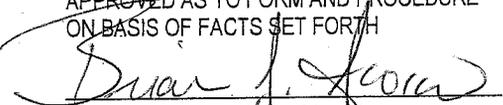
WHEREAS, Broadview Networks, 900 Route 9 North, Suite 201, Woodbridge, New Jersey 07095 (hereinafter "Professional") has submitted a proposal indicating they will provide the necessary services; and

WHEREAS, the Professional has completed and submitted a Business Entity Disclosure Certification (IT Director has held for a minimum of ten days) which certifies they have not made any reportable contributions to a political or candidate committee in the Township of Bloomfield in the previous one year and that the contract will prohibit the Professional from making any reportable contributions during the term of the contract; and

WHEREAS, the Director of Finance has certified that funds are available to cover the cost of these services; and

NOW, THEREFORE, BE RESOLVED, that the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey authorizes the IT Director to enter into a contract with the Professional as described herein; and

APPROVED AS TO FORM AND PROCEDURE
ON BASIS OF FACTS SET FORTH


Director of Law – Township Attorney

BE IT FURTHER RESOLVED, that no minimum payment is implied or guaranteed;
and

BE IT FURTHER RESOLVED, that the Business Entity Disclosure Certification, the Township Engineer's Determination of Value, the proposal of the Professional and the contract itself be placed on file with this resolution; and

BE IT FURTHER RESOLVED, that the above documents shall be available for public inspection at the office of the Township Clerk during regular business hours; and

BE IT FURTHER RESOLVED, that Township reserves the right to cancel this contract upon thirty (30) days notice and the Professional shall only be paid for the work completed on a pro-rated amount if the contract calls for a monthly retainer; and

BE IT FURTHER RESOLVED, that a notice of this action shall be printed once in the official newspaper of the Township of Bloomfield.

......*

I hereby certify that the above resolution was duly adopted by the Mayor and Council of the Township of Bloomfield at a meeting of said Township Council held on May 21, 2012.



Municipal Clerk of the Township of Bloomfield



Mayor of the Township of Bloomfield

✓ Vote Record - Resolution 1796					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Adopted					
<input type="checkbox"/> Adopted as Amended					
<input type="checkbox"/> Defeated					
<input type="checkbox"/> Withdrawn					
<input type="checkbox"/> Tabled					
<input type="checkbox"/> Approved	Elias Chalet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Approved by Consensus	Nicholas Joanow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Not Discussed	Carlos Bernard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Tabled with No Vote	Michael Venezia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Discussed	Peggy O'Boyle Dunigan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Veto by Mayor	Bernard Hamilton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Raymond McCarthy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

BUSINESS ENTITY DISCLOSURE CERTIFICATION
FOR NON-FAIR AND OPEN CONTRACTS
 Required Pursuant To N.J.S.A. 19:44A-20.8

Part I - Vendor Affirmation

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that the professional/business entity has not made and will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 et seq. that, pursuant to P.L. 2004, c. 19 would bar the award of this contract in the one year period preceding January 1, 2012 to any of the following named elected officials, candidate committee, joint candidates committee; or political party committee representing the elected officials of the Township of Bloomfield as defined pursuant to N.J.S.A. 19:44A-3(p), (q) and (r).

<u>Elected Officials</u>	<u>Committees</u>
Mayor Ramond J. McCarthy	Bloomfield Democratic Committee
Councilman Bernard Hamilton	Elias N Chalet for Councilman
Councilman Elias N. Chalet	The Ray McCarthy Election Fund
Councilwoman Peggy O'Boyle-Dunigan	The Election Fund of Nicholas Joanow
Councilman Michael J. Venezia	Friends of Carlo's Bernard Councilman
Councilman Nicholas Joanow	Margaret O'Boyle-Dunigan Election Fund
Councilman Carlos Bernard	The Election Fund of Michael Venezia
	The Committee to Elect the McCarthy Team
	Friends in Support of Bernard Hamilton
	Bloomfield Town Council Candidates - Carlos Bernard & Elias N. Chalet

Part II - Ownership Disclosure Certification

I certify that the list below contains the names and home addresses of all owners holding 10% or more of the issued and outstanding stock of the undersigned.

Check the box that represents the type of business entity:

- Partnership
 Corporation
 Sole Proprietorship
 Subchapter S Corporation
 Limited Partnership
 Limited Liability Corporation
 Limited Liability Partnership

Name of Stock or Shareholder	Home Address

Part 3 - Signature and Attestation:

The undersigned is fully aware that if I have misrepresented in whole or part this affirmation and certification, I and/or the business entity, will be liable for any penalty permitted under law.

Name of Business Entity: Broadview Networks, Inc.
 Signed: [Signature] Title: Sales Director
 Print Name: Andrew Powell Date: 5-8-2012

Subscribed and sworn before me this 8th day of

May, 2012

My Commission expires:

Henry B. Katz, Esq.

(Affiant)

Henry B. Katz, Deputy General Counsel
NJ Attorney At Law (Print name & title of affiant) (Corporate Seal)

RECEIVED
ADMINISTRATOR
MAY 11 2012

2012 MAY -8 P 2:57

RECEIVED
COMMISSIONER OF REVENUE
MAY 11 2012

**BUSINESS ENTITY DISCLOSURE CERTIFICATION
FOR NON-FAIR AND OPEN CONTRACTS
Required Pursuant To N.J.S.A. 19:44A-20.8**

The following is statutory text related to the terms and citations used in the Business Entity Disclosure Certification form.

“Local Unit Pay-To-Play Law” (P.L. 2004, c.19, as amended by P.L. 2005, c.51)

19:44A-20.6 Certain contributions deemed as contributions by business entity.

5. When a business entity is a natural person, a contribution by that person's spouse or child, residing therewith, shall be deemed to be a contribution by the business entity. When a business entity is other than a natural person, a contribution by any person or other business entity having an interest therein shall be deemed to be a contribution by the business entity.

19:44A-20.7 Definitions relative to certain campaign contributions.

6. As used in sections 2 through 12 of this act:

“business entity” means any natural or legal person, business corporation, professional services corporation, limited liability company, partnership, limited partnership, business trust, association or any other legal commercial entity organized under the laws of this State or of any other state or foreign jurisdiction;

“interest” means the ownership or control of more than 10% of the profits or assets of a business entity or 10% of the stock in the case of a business entity that is a corporation for profit, as appropriate;

Temporary and Executing

12. Nothing contained in this act shall be construed as affecting the eligibility of any business entity to perform a public contract because that entity made a contribution to any committee during the one-year period immediately preceding the effective date of this act.

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The New Jersey Campaign Contributions and Expenditures Reporting Act (N.J.S.A. 19:44A-1 et seq.)

19:44A-3 Definitions. In pertinent part...

p. The term "political party committee" means the State committee of a political party, as organized pursuant to R.S.19:5-4, any county committee of a political party, as organized pursuant to R.S.19:5-3, or any municipal committee of a political party, as organized pursuant to R.S.19:5-2.

q. The term "candidate committee" means a committee established pursuant to subsection a. of section 9 of P.L.1973, c.83 (C.19:44A-9) for the purpose of receiving contributions and making expenditures.

r. the term "joint candidates committee" means a committee established pursuant to subsection a. of section 9 of P.L.1973, c.83 (C.19:44A-9) by at least two candidates for the same elective public offices in the same election in a legislative district, county, municipality or school district, but not more candidates than the total number of the same elective public offices to be filled in that election, for the purpose of receiving contributions and making expenditures. For the purpose of this subsection: ...; the offices of member of the board of chosen freeholders and county executive shall be deemed to be the same elective public offices in a county; and the offices of mayor and member of the municipal governing body shall be deemed to be the same elective public offices in a municipality.

19:44A-8 and 16 Contributions, expenditures, reports, requirements.

While the provisions of this section are too extensive to reprint here, the following is deemed to be the pertinent part affecting amounts of contributions:

“The \$300 limit established in this subsection shall remain as stated in this subsection without further adjustment by the commission in the manner prescribed by section 22 of P.L.1993, c.65 (C.19:44A-7.2)