

RESOLUTION No. 17-53

**RESOLUTION OF THE TRUST AUTHORIZING AN AMENDMENT TO SOFTWARE
COMPONENT OUTSOURCING SERVICES AGREEMENT**

WHEREAS, the New Jersey Environmental Infrastructure Trust (Trust) is authorized to make and enter all contracts necessary or incidental to the performance of its duties pursuant to N.J.S.A. 58:11B-5(d); and

WHEREAS, pursuant to Resolution No. 16-48, the Board authorized the Executive Director to solicit proposals for Software Component Outsourcing Services; and

WHEREAS, the Trust competitively procured Software Component Outsourcing Services proposals through formal advertisement and distribution of a Request for Proposals (RFP) in accordance with New Jersey Local Public Contracts Law and Trust Policy to a list of seventeen (17) firms; and

WHEREAS, the Scope of Work in the RFP for the Software Component Outsourcing Services identified two projects to be performed under the contract and also specified that the firm would be “retained” with work assigned as requested by the Trust on a “case-by-case” basis; and

WHEREAS, pursuant to Resolution No. 17-30, the Board authorized the Executive Director to execute an agreement with the highest ranked firm, Banc3, Inc. (“Banc3”) for a two-year term subject to a one year extension upon approval of the Board in accordance with the provision of services as outlined in the Trust’s RFP distributed on October 31, 2016 and authorized a total expenditure for one of the identified projects in an amount not to exceed \$66,960; and

WHEREAS, the Trust entered into a contract with Banc3 in accordance with the terms of Resolution No. 17-30 on May 10, 2017 (the “Agreement”); and

WHEREAS, Banc3 has completed the first project to the satisfaction of the Trust; and

WHEREAS, the Trust desires to authorize funding for additional software outsourcing services in accordance with the terms of the Agreement, which anticipates that work would be assigned on a case by case basis; and

WHEREAS, the services will require funding in addition to the amount authorized by Resolution No. 17-30.

NOW THEREFORE BE IT RESOLVED, the Board hereby authorizes an amendment to the Agreement to provide for the expenditure of additional funds in an amount not to exceed \$100,000 for software outsourcing services within the Scope of Services of the Agreement (hereafter “Amended Agreement”), exclusive of work performed pursuant to Resolution No. 17-30; and

BE IT FURTHER RESOLVED THAT, the terms and conditions of the Amended Agreement shall include, but not be limited to:

- a. The provision of services as outlined in the Trust's RFP distributed on October 31, 2016, the proposal submitted by Banc3, Inc. dated November 30, 2016 and the Best and Final Offer submitted on March 9, 2017; and
- b. The payment in an amount not to exceed \$100,000 for services as detailed in the proposal submitted by Banc3 dated November 30, 2016 and its Best and Final Offer dated March 9, 2017; and
- c. Such other terms and conditions as may be contemplated by the RFP and the materials enclosed therewith as deemed necessary and appropriate by the Authorized Officer of the Trust.

Adopted Date: September 14, 2017

Motion Made By: Eugene Chebra

Motion Seconded By: Tim Cunningham

Ayes: 6

Nays: 0

Abstentions: 0