



Legislation Details (With Text)

**File #:** 19-0040      **Version:** 1      **Name:** CME Associates - Amendment #1 to Professional Engineering Services on an as needed Basis  
**Type:** Resolution      **Status:** Adopted  
**File created:** 1/9/2019      **In control:** Water Sewer Utility  
**On agenda:** 4/3/2019      **Final action:** 4/3/2019

**Title:** Dept/ Agency: Water and Sewer Utilities  
Action:  Ratifying    Authorizing    Amending  
Type of Service: Professional Services Contract  
Purpose: 1st Amendment to Professional Engineering Services Contract on an As-Needed Basis  
Entity Name: CME Associates  
Entity Address: 3141 Bordentown Avenue, Parlin, New Jersey 08859  
Contract Amount: Not to exceed \$50,000.00  
Funding Source: 2017 Budget/Department of Water and Sewer Utilities  
Contract Period: Extending the contract term from June 30, 2018 through June 30, 2019  
Contract Basis: ( ) Bid ( ) State Vendor  Prof. Ser. ( ) EUS  
 Fair & Open    No Reportable Contributions ( ) RFP ( ) RFQ  
( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) n/a  
Additional Information:  
Original Resolution 7R12-a (S/AS) adopted on January 30, 2018, awarded the contract in an amount not to exceed \$50,000.00.  
The 1st Amendment will extend the term of the contract to project completion in accordance with N.J.S.A. 40A:11-15(9).

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
4/3/2019	1	Municipal Council	Adopt	Pass

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Original Resolution 7R12-a (S/AS) adopted on January 30, 2018, awarded the contract in an amount not to exceed \$50,000.00.  
The 1st Amendment will extend the term of the contract to project completion in accordance with N.J.S.A. 40A:11-15(9).

**WHEREAS**, Resolution 7R12-a (S/AS) January 30, 2018, authorized the Director of the Department of Water and Sewer Utilities to execute and award contracts for Professional Engineering Services on an As-Needed Basis to twelve (12) vendors; and

**WHEREAS**, the Department of Water and Sewer Utilities (“Department”) awarded a contract to one of the twelve vendors, CME Associates, 3141 Bordentown Avenue, Parlin, New Jersey 08859, to provide Professional Engineering Services on an As-Needed Basis for the contract amount of Fifty Thousand Dollars and Zero Cents (\$50,000.00); and

**WHEREAS**, the Department needed Professional Engineering Services to perform Pump Upgrades at the Pequannock Water Treatment Plant (“the Project”); and

**WHEREAS**, the Department issued a Notice to Proceed, dated November 8, 2018 to CME Associates to commence work on the Project on November 9, 2018; and

**WHEREAS**, the pump upgrades must be performed sequentially and this has added time to the length of the Project; and

**WHEREAS**, CME Associates has requested additional time to complete the Project at no additional cost or expense to the Department; and

**WHEREAS**, the City of Newark wishes to enter into a First Amendment to the Contract with CME Associates (“Amendment Number 1”), to extend the term of the contract to the completion of the Project in accordance to N.J.S.A. 40A:11-15(9); and

**WHEREAS**, the provision of the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(i) authorizes the award of Professional Services Agreements without public advertising for bids and bidding and requires that the contract be made available for public inspection; and

**WHEREAS**, this contract is for an amount over \$17,500.00 and is being awarded as a non-fair and open contract pursuant to N.J.S.A. 19:44A-20.5; and

**WHEREAS**, the Municipal Council adopted the Contractor Pay-to-Pay Reform Ordinance R.O. 2:4-22 C, which forbids the award of a contract of a Business Entity, as defined therein, which has made or solicited political contributions to Newark Municipal Candidates, office holders having ultimate responsibility for the award of a contract; candidates committees of the aforementioned candidates, and political or political party committees regularly engaged in the support of the City of Newark municipal or County of Essex Elections; and certain other political party or candidate committees, in excess of certain thresholds.

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:**

1. The Municipal Council hereby authorizes the Mayor and/or his designee, the Acting Director of the Department of Water and Sewer Utilities, to enter into a First Amendment to the contract (“Amendment Number 1”) with CME Associates, 3141 Bordentown Avenue, Parlin, New Jersey 08859, to continue to provide Professional Engineering Services, specifically Pump Upgrades at the Pequannock Water Treatment Plant until the completion of the project pursuant to N.J.S.A. 40A:11-15(9), for a total contract amount not to exceed \$50,000.00.

2. The Municipal Council hereby ratifies Amendment Number 1 from November 9, 2018, the date the Project commenced, to the date of the adoption of this resolution.
3. All other terms and conditions of the contract shall remain the same.
4. This contract is being awarded pursuant to the non-fair and open procedures of the Pay-to-Play Law N.J.S.A. 19:44A-20.5 and pursuant to the provisions of the Local Public Contract Law N.J.S.A. 40A:11-5 (1) (a) (i), and is in compliance with Ordinance on Pay-to-Play.
5. The Acting Director of the Department of Water and Sewer Utilities shall file a copy of the fully executed Amendment Number 1 in the Office of the City Clerk which shall be made available for public inspection.

### **STATEMENT**

This resolution ratifies, amends and authorizes the Mayor and/or his designee, the Acting Director of the Department of Water and Sewer Utilities, to enter into a First Amendment to the contract with CME Associates, 3141 Bordentown Avenue, Parlin, New Jersey 08859, to continue to provide Pump Upgrades at the Pequannock Water Treatment Plant until the completion of the project pursuant to N.J.S.A. 40A:11-15(9), for a total contract amount not to exceed \$50,000.00.