



Legislation Details (With Text)

**File #:** 17-2016      **Version:** 1      **Name:** Security Guard Services, Emergency Contract Extension  
**Type:** Resolution      **Status:** Adopted  
**File created:** 11/21/2017      **In control:** Administration  
**On agenda:** 1/24/2018      **Final action:** 1/24/2018

**Title:** Dept/ Agency: Administration/Division of Central Purchasing  
Action:  Ratifying    Authorizing    Amending  
Type of Service: Extension of Emergency Contract #E-2017-16  
Purpose: Continued Security Guard Services  
Entity Name: Custom Protective Services, LLC  
Entity Address: 360 Lexington Avenue, Suite 201, New York, New York, 10017  
Contract Amount: Amount not to Exceed \$1,000,000.00  
Funding Source: 2017 Budget/Department of Public Works/ NW011-060-0604, Account 71630 B2017  
Contract Period: Emergency Contract Extended for an Additional Ninety (90) Days from October 2, 2017 through January 4, 2018  
Contract Basis:  Bid    State Vendor    Prof. Ser.    EUS  
 Fair & Open    No Reportable Contributions    RFP    RFQ  
 Private Sale    Grant    Sub-recipient    N/A  
Additional Information:  
Extension of Emergency Contract #E-2017-16 at no additional cost to the City of Newark

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
1/24/2018	1	Municipal Council	Adopt	Pass

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**WHEREAS**, the Department of Public works entered into an Emergency Contract #E-2017-16 with Custom Protective Services, LLC, 360 Lexington Avenue, Suite 201, New York, New York,

10017, for armed security services at public facilities for the period of July 1, 2017 to October 1, 2017, at a cost not to exceed One Million Dollars and Zero Cents (\$1,000,000.00); (a copy of said Emergency Contract # E-2017-16 is attached hereto and made a part hereof); and

**WHEREAS**, on April 11, 2017, the City of Newark, through its Supervising Procurement Specialist, QPA, advertised to solicit bids for the Armed Services at Public Facilities for the City of Newark's Department of Public Works; and

**WHEREAS**, the Division of Central Purchasing also distributed seven (7) bid proposal packages to prospective vendors following the April 11, 2017 advertisement; and

**WHEREAS**, on May 18, 2017, because questions about the applicable prevailing wage required the issuance of a clarifying addendum, the City of Newark, through its Supervising Procurement Specialist, QPA, re-advertised for bids for the Armed Services at Public Facilities for the City of Newark's Department of Public Works and it received three (3) bids; and

**WHEREAS**, as a result of the above-described procurement process, the Department of Public Works recommended that a contract be awarded to Custom Protective Services, LLC; and

**WHEREAS**, the above-mentioned permanent contract for Armed Services at Public Facilities to the vendor Custom Protective Services LLC, is pending Municipal Council approval; and

**WHEREAS**, the City of Newark's Department of Public Works continues to be in immediate and emergent need of armed security services at the City of Newark's public facilities for the period between when the initial Emergency Contract #E-2017-16 terminated and when a permanent contract is authorized and takes effect; and

**WHEREAS**, N.J.S.A. 40A:11-6 provides that emergency contracts may be entered into when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; and

**WHEREAS**, N.J.A.C. 5:34-6.1(a)3 provides that the emergency purchasing procedure may be used when the need for such goods or services has arisen notwithstanding a good faith effort on the part of a municipality to plan for the purchase of any goods or services required by the municipality; and

**WHEREAS**, the Director of the Department of Public Works requested an emergency contract with Custom Protective Services, LLC to prevent the discontinuation of essential armed security services pending the award of a permanent contract; and

**WHEREAS**, on July 20, 2017, pursuant to N.J.S.A. 40A:11-6 and N.J.A.C. 5:34-6.1(a)3, the Supervising Procurement Specialist, QPA, approved the aforementioned request and the Department of Public works entered into Emergency Contract #E-2017-16 with Custom Protective Services, LLC, 360 Lexington Avenue, Suite 201, New York, New York, 10017 for the provision of armed security services at the City of Newark's public facilities for the period of July 1, 2017 to October 1, 2017, at a cost not to exceed \$1,000,000.00; (a copy of said Emergency Contract # E-2017-16 is attached hereto and made a part hereof); and

**WHEREAS**, it is a matter of public health and welfare that the above-described emergency contract be extended because the City of Newark still needs to ensure the safe and functional operation of its public facilities; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-6, notwithstanding a good faith effort by the contracting unit to award a contract, the need has arisen for a continued emergency contract for Armed Services at Public Facilities; and

**WHEREAS**, New Jersey Municipal Code Title II, §2:5-13.2e.1 limits the period of Emergency Contracts to ninety (90) days and no extensions of emergency contracts shall be permitted without authorization by the Municipal Council by resolution; and

**WHEREAS**, the Department of Public Works desires to extend Emergency Contract # E-2017-16 for an additional ninety (90) days from October 2, 2017 through January 4, 2018 (factoring in two public holidays), at no additional cost to the City of Newark.

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

1. The Mayor, and/or his designee, the Supervising Procurement Specialist, QPA, and/or the Acting Director of the Department of Public Works, are hereby authorized to execute an extension of Emergency Contract #E-2017-16 with Custom Protective Services, LLC, 360 Lexington Avenue, Suite 201 New York, New York, 10017 for Armed Security Services at Public Facilities for the period of October 2, 2017, through January 4, 2018, at no additional cost to the City of Newark.
2. This aforementioned extension will allow the continuation of armed security guard services at the City of Newark's facilities for the period of October 2, 2017 through January 4, 2018.
3. The above-described extension of Emergency Contract #E-2017-16 extension is ratified from October 2, 2017, to the date of adoption of this authorizing resolution.
4. No additional funds are required for the above-described emergency extension period.
5. The Supervising Procurement Specialist, QPA, for the City of Newark shall file a copy of contract #E-2017-16, attached hereto, with the Office of the City Clerk.
6. If required by State Law, the City Clerk shall provide the appropriate notice of the award of this contract to the State Comptroller no later than 20 business days following such award, in accordance with N.J.S.A. 52:15C-10 and the Notice of the Office of the State Comptroller dated May 7, 2008.

### **STATEMENT**

This resolution ratifies and authorizes the Mayor and/or his designee, the Supervising Procurement Specialist, QPA, and/or the Director of the Department of Public Works to extend Emergency Contract #E-2017-16 with Custom Protective Services, LLC for the provision of armed security services at public facilities, for ninety (90) days, for the period of October 2, 2017 through January 4,

2018, at no additional cost to the City of Newark.