



## Legislation Details (With Text)

**File #:** 18-0326      **Version:** 1      **Name:** Extension of Emergency Contract E2017-16 Security Guards, Armed

**Type:** Resolution      **Status:** Adopted

**File created:** 3/5/2018      **In control:** Administration

**On agenda:** 3/27/2018      **Final action:** 3/27/2018

**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: 2018 Budget/Department of Public Works  
 Account Code Line: NW011-060-0604-71630  
 Contract Period: Emergency Contract Extended from January 5, 2018 through June 30, 2018 or until a contract has been awarded  
 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

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
3/27/2018	1	Municipal Council	Adopt	Pass

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 Extension of Emergency Contract #E-2017-16

**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 January 24, 2018 the Municipal Council adopted Resolution 7R1-d authorizing the Director of the Department of Public Works to execute an extension of Emergency Contract #E2017-16 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; and

**WHEREAS**, the 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 requests 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**, 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**, City Ordinance 6PSF-e April 6, 2011, Article 2:5-13.2 (E) (.1) (b) (c) 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.

**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 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 January 5, 2018, through June 30, 2018 or until a contract has been awarded, at a cost not to exceed One Million Dollars and Zero Cents (\$1,000,000.00) 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 January 5, 2018 through June 30, 2018.
3. The above-described extension of Emergency Contract #E-2017-16 extension is ratified from January 5, 2018 to the date of adoption of this authorizing resolution.
4. Pursuant to N.J.A.C. 5:30-5.5, temporary budget, attached hereto is a partial certification of funds from the Director of Finance which states that funds in the amount of Seven Hundred Sixteen Thousand Five Hundred Forty Thousand Dollars and Zero Cents (\$716,540.00) are available in the 2018 Temporary Budget and the line appropriation which shall be charged is: Business Unit NW011; Dept. ID 060; Division 0604; Account # 71630, Budget Ref: B 2018. The remainder of the funding for this contract will be subject to appropriation in the 2018 Adopted Budget and included in a line item for the award of this contract and said funds will be certified prior to services being provided by the contractor. There will be no expenditure of funds authorized until a certification of funds is obtained and a copy filed with the City Clerk.
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, from January 5, 2018 through June 30, 2018 or until a contract has been awarded, at a cost not to exceed \$1,000,000.00.