



## Legislation Text

File #: 22-1314, Version: 1

**Dept/ Agency:** Administration/Division of Central Purchasing

**Action:** ( ) Ratifying (X) Authorizing ( ) Amending

**Type of Service:** Use of State Contract(s) #T2458 Auditing Services: Financial Auditing Firms for Using Agencies and NJDEP

**Purpose:** To provide accounting and advisory services.

**Entity Name(s)/Address(s):** PKF O'Connor Davies, LLP  
20 Commerce Drive, Suite 301, Cranford, New Jersey 07016

**Contract Amount:** Not to exceed \$150,000.00

**Funding Source:** 2022 Budget/NW011-050-0501-71280-B2022

**Contract Period:** Upon approval of Municipal Council through August 31, 2023, inclusive of extensions by the State

**Contract Basis:** ( ) Bid (X) State Vendor ( ) Prof. Ser. ( ) EUS  
( ) Fair & Open ( ) No Reportable Contributions ( ) RFP ( ) RFQ  
( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) N/A

**Additional Information:**

**WHEREAS**, the City of Newark, through its Purchasing Agent (the "City"), wishes to utilize State Contract #T2458 Auditing Services: Financial Auditing Firms for Using Agencies and New Jersey Department of Environmental Protection (NJDEP) to be utilized by the City's Department of Finance, from an authorized vendor under the New Jersey Cooperative Purchasing Program 1-NJCP, pursuant to N.J.A.C. 5:34-7.29; and

**WHEREAS**, the purchase of goods/services by local contracting units are authorized by Local Public Contracts Law, N.J.S.A. 40A:11-12; and

**WHEREAS**, in accordance with N.J.S.A. 40A:11-11(5), N.J.S.A. 52:25-16.1 et seq. and N.J.A.C. 5:34-7.1 et seq., all Cooperative Purchasing Program participants are responsible for ensuring that the Purchase Order issued reflects the correct contract item pricing and that payment is processed accordingly. Only the items/services specified in the applicable State Contract(s) may be purchased from the contract vendor(s) of record. Cooperative Purchasing participants assume full responsibility for all purchase transactions issued through State Contracts, including Purchase Orders, delivery compliance and payments; and

**WHEREAS**, the City wishes to utilize State Contract #T2458 Auditing Services: Financial Auditing Firms for Using Agencies and NJDEP to be used by the City's Department of Finance awarded to PKF O'Connor Davies, LLP, 20 Commerce Drive Suite, 301 Cranford, New Jersey 07016, under Contract #17-PROSV-00221 for accounting and advisory services upon approval of this Resolution by the Municipal Council through August 31, 2023, inclusive of extensions by the State; and

**WHEREAS**, the Purchasing Agent recommends the utilization of State Contract #T2458 Auditing Services: Financial Auditing Firms for Using Agencies and NJDEP to be used by the City's Department of Finance awarded to PKF O'Connor Davies, LLP, 20 Commerce Drive, Suite 301, Cranford, New Jersey 07016, under Contract #17-PROSV-00221 for accounting and advisory services according to specifications required by the City's Department of Finance; and

**WHEREAS**, usage of this contract will provide accounting and advisory services for the City's Department of Finance at a cost not to exceed One Hundred Fifty Thousand Dollars and Zero Cents (\$150,000.00).

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

1. Pursuant to N.J.S.A. 40A:11-1 et seq. and N.J.A.C. 5:34-7.29, the Purchasing Agent is authorized to utilize State Contract #T2458 Auditing Services: Financial Auditing Firms for Using Agencies and NJDEP to be used by the City's Department of Finance, awarded to PKF O'Connor Davies, LLP, 20 Commerce Drive, Suite 301, Cranford, New Jersey 07016, under Contract #17-PROSV-00221 for accounting and advisory services upon approval of this Resolution by the Municipal Council through August 31, 2023, inclusive of extensions by the State.
2. All purchases, Purchase Orders and other related documentation shall be in accordance with the relevant State Contract, New Jersey Standard Terms and Conditions, Method of Operation and Third Party Agreement, if applicable, as contained in the State Contract documentations and agreements.
3. There shall be no amendments of this Resolution without the approval of the Municipal Council.
4. There shall be no advance payment on this State Contract in accordance with N.J.S.A. 40A:5-16.
5. This is an open-ended contract to be used as needed during the term of the contract. Thus, for any and all expenditures against this contract, a certification of the availability of sufficient funds, as required by N.J.A.C. 5:30-5.5(b)(2), shall be executed before a contractual liability is incurred each time an order is placed from Account Code Line: Funding Source NW011-050-0501-71280-B2022. This contract shall not exceed One Hundred Fifty Thousand Dollars and Zero Cents (\$150,000.00).
6. This contract complies with Local Pay-to-Play Law, N.J.S.A. 19:44A-20.5, as a State Contract award and constitutes a Fair and Open Procedure.
7. The Division of Central Purchasing shall file a duly executed copy of the contract in the Office of the City Clerk, if applicable.
8. If required by State Law, the Acting City Clerk shall provide the appropriate Notice of Award of this contract to the State Comptroller, no later than twenty (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 authorizes the Mayor of the City of Newark and/or his designee, the Purchasing Agent, to utilize State Contract #T2458 Auditing Services: Financial Auditing Firms for Using Agencies and NJDEP to be used by the City's Department of Finance awarded to PKF O'Connor Davies, LLP, 20 Commerce Drive, Suite 301, Cranford, New Jersey 07016, under Contract #17-PROSV-00221 for accounting and advisory services upon approval of this Resolution by the Municipal Council through August 31, 2023, inclusive of extensions by the State, at a cost not to exceed \$150,000.00.