



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 23-1789, Version: 1

Dept/ Agency: Water and Sewer Utilities

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

Type of Service: Professional Services Contract

Purpose: To provide Professional Engineering Services for the Montclair Rechlorination Station Rehabilitation - Alternative Analysis.

Entity Name: Jacobs Engineering Group, Inc.

Entity Address: 412 Mt. Kemble Avenue, Downtown Building - 1st Floor, Morristown, New Jersey 07960

Contract Amount: Not to exceed \$71,600.00

Funding Source: 2023 Budget/Department of Water and Sewer Utilities/NW037-750-7502-71280

Contract Period: One (1) year from the date of the issuance of a Notice to Proceed

Contract Basis: () Bid () State Vendor (X) Prof. Ser. () EUS

() Fair & Open (X) No Reportable Contributions () RFP () RFQ

() Private Sale () Grant () Sub-recipient () n/a

Additional Information:

WHEREAS, the City of Newark, Department of Water and Sewer Utilities (“the Department”) requires Professional Engineering Services for the Montclair Rechlorination Station Rehabilitation - Alternative Analysis, and;

WHEREAS, a proposal, dated October, 2, 2023, was received by the Department from Jacobs Engineering Group, Inc., outlining a scope of work to provide Professional Engineering Services for the Montclair Rechlorination Station Rehabilitation - Alternative Analysis; and

WHEREAS, the Department wishes to execute a Professional Engineering Services Contract with Jacobs Engineering Group, Inc., 412 Mt. Kemble Avenue, Downtown Building - 1st Floor, Morristown, New Jersey 07960, to provide Professional Engineering Services for the Montclair Rechlorination Station Rehabilitation - Alternative Analysis, in an amount not to exceed \$71,600.00, and a contract period of one (1) year from the date of the issuance of a Notice to Proceed; and

WHEREAS, the provision of the Local Public Contracts Law N.J.S.A. 40A:11-5(1)(a) authorizes the award of professional services agreement without public advertising of 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, Jacobs Engineering Group, Inc., has completed and submitted a Business Entity Disclosure Certificate which certifies that Jacobs Engineering Group, Inc., has not made any reportable contributions to a political or candidates committee in the City of Newark in the previous one year, and that the contract will prohibit Jacobs Engineering Group, Inc., from making any

reportable contributions through the term of the contract; and

WHEREAS, the award is in compliance with Ordinance §2:4-22C.1, which adopted the State of New Jersey's Pay-to-Play statutory requirement, pursuant to N.J.S.A. 19:44A-20.5, as may be amended and supplemented, governing eligibility for municipal contracts.

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 Director of the Department of Water and Sewer Utilities, are authorized to accept the proposal from Jacobs Engineering Group, Inc., and to execute an agreement with Jacobs Engineering Group, Inc., 412 Mt. Kemble Avenue, Downtown Building - 1st Floor, Morristown, New Jersey 07960, to provide Professional Engineering Services for the Montclair Rechlorination Station Rehabilitation - Alternative Analysis, in an amount not to exceed \$71,600.00, for a period not to exceed one (1) year from the date of the issuance of a Notice to Proceed.
2. Pursuant to N.J.A.C. 5:30-5.5, attached hereto is a partial certification of funds issued by the Director of Finance which states that funds in the amount of \$5,000.00 are available under Business Unit NW037 Department ID 750 Division 7502 Account 71280 Budget Year 2023. The certification shall be filed along with the original resolution in the Office of the City Clerk. The remainder of the funding for this contract will be subject to appropriation in the 2024 Budget and funds will be certified prior to services being provided by the contractor.
3. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1) a)(i) of the Local Public Contracts Law, because the performance of the service required must be performed by a person (or persons) licensed to practice a recognized profession (Engineering) by the State of New Jersey, whose performance required knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study, as distinguished from general academic instruction.
4. The Director of the Department of Water and Sewer Utilities shall file a duly executed copy of the contract, Determination of Value and Business Entity Disclosure Certificate in the Office of the City Clerk.
5. Jacobs Engineering Group, Inc., has completed and submitted a Business Entity Disclosure Certificate, which shall be placed on file in the City Clerk's Office by the Director of the Department of Water and Sewer Utilities, certifying that Jacobs Engineering Group, Inc., has not made any reportable contributions to a political or candidate committee in the City of Newark in the previous one year, and that the contract will prohibit Jacobs Engineering Group, Inc., from making any reportable contributions through the term of the contract.
6. There shall be no amendment of this contract without prior approval of the Municipal Council.
7. There shall be no advance payment on this contract in accordance with N.J.S.A. 40A:5-16.
8. A notice of this action shall be published in the newspaper authorized by law to publish a legal

advertisement and as required by law within 10 days of its passage.

STATEMENT

This resolution authorizes the Mayor and/or his designee, the Director of the Department of Water and Sewer Utilities, to accept the proposal from Jacobs Engineering Group, Inc., 412 Mt. Kemble Avenue, Downtown Building - 1st Floor, Morristown, New Jersey 07960, and enter into and execute an agreement to provide Professional Engineering Services for the Montclair Rechlorination Station Rehabilitation - Alternative Analysis, in an amount not to exceed \$71,600.00, for a period not to exceed one (1) year from the date of issuance of a Notice to Proceed.