



## Legislation Text

File #: 13-0089, Version: 1

**Dept/ Agency:** Water & Sewer Utilities

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

**Type of Service:** Emergency Responder Equipment Purchase Program (Federal Grant)

**Purpose:** Target Hardening at Pequannock Water Treatment Plant

**Entity Name:** Millennium Communications Group, Inc.

**Entity Address:** 11 Melanie Lane, Unit 13, East Hanover, New Jersey 07936-1100

**Contract Amount:** \$164,000.00

**Funding Source:** Office of Homeland Security & Preparedness (OHSP) Grant with no City match funds required

**Contract Period:** January 17, 2013 through March 31, 2013

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

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

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

**Additional Information:**

Approved GSA Contractor GS-35F-0220R

**WHEREAS**, the City of Newark, Department of Water and Sewer Utilities desired to implement protective measures to protect the City of Newark's water supply by reducing the vulnerability and the risk of a terrorist attack on critical infrastructure by implementing the National Infrastructure Protection Plan, and undertake Target Hardening at the Pequannock Water Treatment Facilities using a federal General Services Administration contractor; and

**WHEREAS**, the State 2004 Appropriations Act, P.L.2004, c. 71, and as described by the Division of Local Government Services in Local Finance Notices 2004-21 and further reiterated as option no. 4 in Local Finance Notice 2009-20 allows local units to purchase goods from certain federal government contracts without the requirement for public bidding pursuant to the Local Public Contracts Law, and through this resolution and properly executed contracts, the City of Newark plans to use such contracts to undertake the Target Hardening of the Pequannock Treatment Facility as required by the FY09 Buffer Zone Protection Program (BZPP) Grant; and

**WHEREAS**, the Director of the Office of Emergency Management and Homeland Security conclude that bidding is not practicable in order to meet acquisition timing or other criteria appropriate to the circumstances;

**WHEREAS**, the desired services and or items are not available through State contract or other in-State procurement; and

**WHEREAS**, the City of Newark accepted FY09 Buffer Zone Protection Program (BZPP) Grant funds in the amount of One Hundred Sixty Four Thousand Dollars (\$164,000.00) from the New Jersey Office of Homeland Security and Preparedness (OHSP) by Resolution Number 7R12-d 120512; these funds shall pay for this procurement; and

**WHEREAS**, N.J.S.A 52:34-10.6(c) authorizes the City to purchase equipment, goods and or services related to

homeland security, domestic preparedness which are paid for or reimbursed by federal funds awarded by the U.S. Department of Homeland Security without public bidding if the contractor either (1) is a holder of a current State contract for the equipment, or (2) is participating in a federal procurement program established by a federal department or agency, or (3) has been approved by the State Treasurer in consultation with the New Jersey Domestic Security Preparedness Task Force; and

**WHEREAS**, Millennium Communications Group, Inc., 11 Melanie Lane, Unit 13, East Hanover, New Jersey 07936-1100, is participating in a federal procurement program established by a federal department or agency and is the holder of General Services Administration Contract GS-35F-0220R; and

**WHEREAS**, Millennium Communications Group, Inc. has represented that it is qualified by its experience and reputation for reliability and longevity to provide the Target Hardening work at the Pequannock Water Treatment Facilities in a manner consistent with the terms and conditions set forth in the GSA contract; and

**WHEREAS**, the City of Newark Department of Water and Sewer Utilities desires to execute and ratify a contract for Target Hardening work at the Pequannock Water Treatment Facilities with Millennium Communications Group, Inc., 11 Melanie Lane, Unit 13, East Hanover, New Jersey 07936-1100, for the amount of \$164,000.00.

**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 Business Administrator and or the Acting Director of the Department of Water and Sewer Utilities are hereby authorized to execute and enter into a contract in the amount of One Hundred Sixty Four Thousand Dollars (\$164,000.00) with Millennium Communications Group, Inc., 11 Melanie Lane, Unit 13, East Hanover, New Jersey, 07936-1100, to undertake Target Hardening at the Pequannock Water Treatment Facilities to protect the City of Newark's Water Supply. This contract award is hereby ratified.
2. Pursuant to N.J.S.A 52:34-10.6(c), the contract is awarded to Millennium Communications Group, Inc., holder of GSA Contract GS-35F-0220R, the contract for Target Hardening of the Pequannock Water Treatment Facilities shall be performed pursuant to all the terms and conditions as set forth in the individual GSA contract, a copy attached hereto and incorporated by reference herein.
3. The term of this contract shall be from January 17, 2013 through March 31, 2013, in an amount no to exceed One Hundred Sixty Four Thousand Dollars (\$164,000.00).
4. No municipal funds shall be required as the project is funded through FY09 Buffer Zone Protection Program (BZPP), USAI Grant funds issued by the New Jersey Office of Homeland Security and Preparedness

(OHSP).

5. There shall be no advance payment on this contract in accordance with N.J.S.A. 40A:5-16.
6. There shall be no amendment of this resolution without the approval of the Municipal Council.
7. Attached is the Certification of funds issued by the Director of Finance of the City of Newark which states that there are available sufficient legally appropriated funds for the purposes set forth herein above. A copy of the certification of funds shall be filed in the Office of the City Clerk by the Department of Water and Sewer Utilities along with the original resolution.
8. The Acting Director of the Department of Water and Sewer Utilities shall forthwith file a duly executed copy of the contract in the Office of the City Clerk.

#### **STATEMENT**

This Resolution ratifies and authorizes the award of a contract to procure services with Millennium Communications Group, Inc., 11 Melanie Lane, Unit 13, East Hanover, New Jersey 07936-1100, in the amount of One Hundred Sixty-Four Thousand Dollars (\$164,000.00) to undertake Target Hardening at the Pequannock Water Treatment Facilities to protect the City of Newark's Water Supply through GSA Contract GS-35F-0220R.