



Legislation Text

File #: 19-0534, Version: 1

Dept/ Agency: Water and Sewer Utilities

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

Type of Service: Professional Services Contract

Purpose: Amendment #1 to the Agreement to provide Combined Sewer Overflow General Permit Support and Tier "A" Municipal Stormwater General Permit Support and extend the contract time period to July 28, 2019.

Entity Name: HDR Engineering, Inc.

Entity Address: One Riverfront Plaza, 14th Floor, Newark, New Jersey 07102

Contract Amount: Not to exceed \$201,000.00

Funding Source: 2017 Budget/Department of Water and Sewer Utilities

Contract Period: One (1) year from the issuance of the Notice to Proceed extended through July 28, 2019

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

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

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

Additional Information:

Original Resolution 7R12-a adopted on January 24, 2018, for a contract amount not to exceed \$201,000.00.

Amendment #1 will extend the contract period through July 28, 2019, with no increase in contract amount.

WHEREAS, Resolution 7R12-a January 24, 2018, authorized the Director of the Department of Water and Sewer Utilities to execute a contract with HDR Engineering, Inc., One Riverfront Plaza, 14th Floor, Newark, New Jersey 07102 ("HDR Engineering"), to provide Professional Engineering Services for Combined Sewer Overflow General Permit Support and Tier "A" Municipal Stormwater General Permit Support for a term of one (1) year from the date of contract execution, and a total contract amount not to exceed \$201,000.00; and

WHEREAS, the contract was fully executed on March 15, 2018; and

WHEREAS, on March 7, 2019, HDR Engineering provided the City of Newark with a Time Extension letter requesting a contract amendment for the Combined Sewer Overflow General Permit Support and Tier "A" Municipal Stormwater General Permit Support contract in a contract period extension until July 28, 2019; and

WHEREAS, the time extension is needed to support the City of Newark in meeting the 2019 New Jersey Department of Environmental Protection (NJDEP) targets for CSO and Tier A permits, including assistance with the Tier A annual reporting and Long Term Control Planning (LTCP); and

WHEREAS, this additional time does not result in an increase to the total contract amount; and

WHEREAS, the provision of the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(i) authorizes the award of Professional Services agreements without public advertising for bids and bidding and requires that the contract be made available for public inspection; and

WHEREAS, the contract was awarded pursuant to fair and open procedures of the State Pay-to-Play Law, N.J.S.A. 19:44A-20.5 and pursuant to the provisions of Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Municipal Council adopted the Contractor Pay-to-Play Reform Ordinance R.O. 2:4-22 C, which forbids the award of a contract to a Business Entity, as defined therein, which has made or solicited political contributions to Newark Municipal Candidates, office holders having ultimate responsibility for the award of a contract; candidates committees of the aforementioned candidates, and political or political party committees regularly engaged in the support of the City of Newark Municipal or County of Essex Elections; and certain other political party or candidate committees, in excess of certain thresholds.

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

1. The Municipal Council hereby authorizes the Mayor and/or his designee, the Acting Director of the Department of Water and Sewer Utilities, to enter into a contract Amendment #1 with HDR Engineering, Inc., One Riverfront Plaza, 14th Floor, Newark, New Jersey 07102, to provide Combined Sewer Overflow General Permit Support and Tier "A" Municipal Stormwater General Permit Support, to extend the contract term to July 28, 2019.
2. The Municipal Council hereby ratifies Amendment #1 of the Agreement to provide Combined Sewer Overflow General Permit Support and Tier "A" Municipal Stormwater General Permit Support from March 15, 2018 to the date of the adoption of this resolution.
3. All other terms and conditions of the contract shall remain the same.
4. 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 Contract Law, because the performance of the service required must be performed by a person (or persons) licensed to practice a recognized engineering profession 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.
5. A copy of the fully executed Amendment Number 1 of the Agreement shall be filed in the Office of the City Clerk by the Acting Director of the Department of Water and Sewer Utilities and shall be made available for public inspection.

STATEMENT

This resolution ratifies, amends and authorizes the Mayor and/or his designee, the Acting

Director of the Department of Water and Sewer Utilities, to enter into a contract Amendment #1 with HDR Engineering, Inc., One Riverfront Plaza, 14th Floor, Newark, New Jersey 07102, to provide Combined Sewer Overflow General Permit Support and Tier "A" Municipal Stormwater General Permit Support, to extend the contract term to July 28, 2019. This addition of time does not increase the total contract amount.