



Legislation Text

File #: 21-0543, 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 Environmental Consulting Services - Watershed Management Program Plan Phase 1.

Entity Name: Kleinfelder, Inc.

Entity Address: 321 Wall Street, Princeton, New Jersey 08540

Contract Amount: Not to exceed \$148,200.00

Funding Source: 2019 Budget/Department of Water and Sewer Utilities/NW037-750-75002-71280

Contract Period: 814 days from the date of the issuance of a Notice to Proceed, ending on December 31, 2021

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:

Resolution 7R12-a(S/AS)072319 awarded a contract in an amount not to exceed \$148,200.00, for a period of 180 days from date of the issuance of a Notice to Proceed.

This Amendment #1 will extended the contract period by 634 days for a total period of 814 days from the date of the issuance of a Notice to Proceed, ending on December 31, 2021.

WHEREAS, Resolution 7R12-a(S/AS) adopted on July 23, 2019, authorized the Director of the Department of Water and Sewer Utilities, to enter into and execute a contract with Kleinfelder, Inc., 321 Wall Street, Princeton, New Jersey 08540, to provide Environmental Consulting services for Watershed Management Program Plan Phase 1, in an amount not to exceed \$148,200.00, for a contract period of 180 days from date of Notice to Proceed; and

WHEREAS, the City of Newark is currently in need of a time extension due to the inability to conduct Team field activities, in person project activities and in person meetings due to Covid-19 as per Kleinfelder's time extension request letter dated April 20, 2021; and

WHEREAS, the Department of Water and Sewer Utilities wishes to execute an amendment #1 with Kleinfelder, Inc., 321 Wall Street, Princeton, New Jersey 08540, to continue providing Environmental Consulting Services for Watershed Management Program Plan Phase 1, for an extended 634 days for a total contract period of 814 days from the date of the Notice to Proceed, ending on December 31, 2021; 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, Kleinfelder, Inc., has completed and submitted a Business Entity Disclosure Certificate, which certifies that Kleinfelder, Inc., has not made any reportable contributions to a political or candidates committee in the City of Newark in the previous one (1) year, and that the contract will prohibit Kleinfelder, Inc., from making any reportable contributions through the terms of the contract; 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 of 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 authorizes the Mayor and/or his designee, the Director of the Department of Water and Sewer Utilities, to enter into and execute an Amendment #1 with Kleinfelder, Inc., 321 Wall Street, Princeton, New Jersey 08540, to continue to provide Environmental Consulting Services - Watershed Management Program Plan Phase 1, for an extension of 634 days for and total contract period of 814 days from date of Notice to Proceed, ending on December 31, 2021.
2. No additional funds are required for this Amendment #1.
3. This contract was solicited and awarded pursuant to the non-fair and open procedures of the Pay-to-Play Law N.J.S.A. 19:44A-20.5 and pursuant to the provisions of the Local Public Contract Law N.J.S.A. 40A:11-5(1)(a)(i), and is in compliance with the Ordinance on Pay to Play.
4. The Director of the Department of Water and Sewer Utilities, shall forthwith file a duly executed copy of this contract in the Office of the City Clerk.
5. Kleinfelder, Inc., has completed and submitted a Business Entity Disclosure Certificate, which shall be placed on file in the Office of the City Clerk by the Director of the Department of Water and Sewer Utilities, certifying that Kleinfelder, Inc., has not made any reportable contributions to a political or candidate committee in the City of Newark, in the previous one (1) year, and that the contract will prohibit Kleinfelder, Inc., from making any reportable contributions through the term of the contract.
6. There shall be no amendments or changes to the contract without approval by the Municipal Council.
7. There shall be no advance payments or changes against the contract in accordance with N.J.A.C. 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 ten (10) days of its passage.

STATEMENT

This Resolution amends and authorizes the Mayor and/or his designee, the Director of the Department of Water and Sewer Utilities, to enter into and execute an Amendment #1 with Kleinfelder, Inc., 321 Wall Street, Princeton, New Jersey 08540, to continue to provide Environmental Consulting Services - Watershed Management Program Plan Phase 1, for an extension of 634 days for a total contract period of 814 days from the date of Notice to Proceed, ending on December 31, 2021.