



Legislation Text

File #: 21-1580, Version: 1

Dept/ Agency: Water and Sewer Utilities

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

Type of Service: Professional Services Contract

Purpose: To provide Professional Engineering and New Jersey State Licensed Operator Support Services for Process Operations and Maintenance Improvement Assistance at the City's Pequannock Water Treatment Plant.

Entity Name: Jerry J. Notte and Associates, LLC

Entity Address: 7 Winfield Court, Fairfield, New Jersey 07004

Contract Amount: Not to exceed \$585,000.00

Funding Source: 2021 Budget/Department of Water and Sewer Utilities/NW037-750-7502-A-71280-B2021

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

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

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

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

Additional Information:

Number of RFQ Packages Distributed: Four (4)

Number of Packages Received: One (1)

WHEREAS, the City of Newark (the "City") requires Professional Engineering and New Jersey State Licensed Operator support services for process operations and maintenance improvement assistance at the City's Pequannock Water Treatment Plant, and;

WHEREAS, on September 24, 2021, the Department of Water and Sewer Utilities issued a Request for Qualifications (RFQ) for Professional Engineering and New Jersey State Licensed Operator support services for process operations and maintenance improvement assistance at the City's Pequannock Water Treatment Plant, and;

WHEREAS, on October 15, 2021 the Department received one (1) proposal from Jerry J. Notte and Associates, LLC, 7 Winfield Court, Fairfield, New Jersey 07004, for this work for the amount not to exceed Five Hundred Eighty-Eight Thousand Dollars and Zero Cents (\$585,000.00), and;

WHEREAS, the proposal submitted by Jerry J. Notte & Associates, LLC, 7 Winfield Court, Fairfield, New Jersey 07004, was found to be in the best interest of the City of Newark; and

WHEREAS, the City wishes to enter into an agreement with Jerry J. Notte and Associates, LLC, 7 Winfield Court, Fairfield New Jersey 07004, to provide Professional Engineering and New Jersey State Licensed Operator Support Services for Process Operations and Maintenance Improvement Assistance at the City's Pequannock Water Treatment Plant, in an amount not to exceed Five Hundred Eighty-Eight Thousand Dollars and Zero Cents (\$585,000.00); and

WHEREAS, this contract is for an amount over \$17,500.00 and is being awarded as a fair and open contract pursuant to N.J.S.A. 19:44A-20.5; and

WHEREAS, Jerry J. Notte and Associates, LLC, has completed and submitted a Business Entity Disclosure Certificate which certifies that Jerry J. Notte & Associates, LLC, 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 Jerry J. Notte and Associates, LLC, from making any reportable contributions through the term of the contract; and

WHEREAS, the Municipal Council adopted the Contractor Pay-to-Play Reform Ordinance, R.O. 2:4-22C, 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; candidate committees of the City of Newark or County of Essex; and continuing political committees or political action committees regularly engaged in the support of the City of Newark municipal or County of Essex elections; and certain other political party or candidates 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 of the City of Newark and/or his designee, the Director of the Department of Water and Sewer Utilities, to accept the proposal from Jerry J. Notte and Associates, LLC, and to enter into and execute an agreement with Jerry J. Notte and Associates, LLC, 7 Winfield Court, Fairfield, New Jersey 07004, to provide Professional Engineering and New Jersey State Licensed Operator support services for process operations and maintenance improvement assistance at the City's Pequannock Water Treatment Plant, in an amount not to exceed Five Hundred Eighty-Eight Thousand Dollars and Zero Cents (\$585,000.00), for a period not to exceed one (1) year from the date of issuance of a written 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 the Department of Finance, which states that funds in the amount of One Thousand Dollars and Zero Cents (\$1,000.00) are available under Business Unit NW037 Department ID 750 Division 7502 Account 71280 Budget Year 2021. 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 2022 Budget and funds will be certified prior to services being provided by the contractor.
3. This contract is being awarded pursuant to the 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 Contracts Law, N.J.S.A. 40A:11-5 (1) (a) (i), and is in compliance with the City's Contractor Pay-to-Play Reform Ordinance, R.O. 2:4-22C.
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 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.

5. A copy of the fully executed contract shall be filed in the Office of the City Clerk by and shall be made available for public inspection.
6. Jerry J. Notte and Associates, LLC, 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 Jerry J. Notte and Associates, LLC 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 Jerry J. Notte and Associates, LLC, from making any reportable contributions through the term of the contract.
7. There shall be no amendment of this contract without prior approval of the Municipal Council.
8. There shall be no advance payment on this contract in accordance with N.J.S.A. 40A:5-16.
9. 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 authorizes the Mayor of the City of Newark and/or his designee, the Director of the Department of Water and Sewer Utilities, to accept the Qualification Statement from Jerry J. Notte and Associates, LLC, and to enter into and execute an agreement with Jerry J. Notte and Associates, LLC, 7 Winfield Court, Fairfield New Jersey 07004, to provide Professional Engineering and New Jersey State Licensed Operator support services for process operations and maintenance improvement assistance at the City's Pequannock Water Treatment Plant, in an amount not to exceed \$585,000.00, for a period not to exceed one (1) year from the date of issuance of a written Notice to Proceed.