



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

File #: 12-1604, Version: 1

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

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

**Type of Service:** Professional Services Contract

**Purpose:** Develop and implement some tasks required by the New Jersey's Tier A Municipal Storm Water General Permit

**Entity Name:** HDR Engineering, Inc.

**Entity Address:** One Riverfront Plaza, 14<sup>th</sup> Floor, 1037 Raymond Boulevard, Newark, New Jersey 07102

**Contract Amount:** \$99,800.00

**Funding Source:** Department of Water and Sewer Utilities Budget

**Contract Period:** Commencing upon execution of the contract and terminating one year after said execution

**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 is in need of Professional Engineering Services to satisfy the mandate by New Jersey's Tier A Municipal Storm Water General Permit to develop and implement numerous required tasks to address storm water quality issues related to new development, redevelopment and existing developed areas in the City of Newark; and

**WHEREAS**, the City of Newark wishes to enter into a Contract with HDR Engineering, Inc., One Riverfront Plaza, 14<sup>th</sup> floor, 1037 Raymond Boulevard, Newark, New Jersey 07102, to develop and implement numerous required tasks in order to comply with the requirements of NJDEP's Tier A Municipal Storm-Water General Permit, in an amount not to exceed Ninety Nine Thousand Eight Hundred Dollars (\$99,800.00), for the period commencing upon execution of the Contract and terminating one (1) year thereafter. The scope of services is detailed in Exhibit A; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that notice of the award of contracts for "Professional Services" without competitive bidding must be published in a local newspaper; and

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

**WHEREAS**, HDR Engineering, Inc., has completed and submitted a Business Entity Disclosure Certificate which certifies that HDR Engineering, Inc., has not made any reportable contributions to a political or candidate committee in the City of Newark in the previous one year, and the contract will prohibit HDR Engineering, Inc., from making any contributions through the term of

the Amended Contract: and

**WHEREAS**, the Mayor of the City of Newark signed into law Executive Order Number MEO-07-0001 (hereinafter “Pay-to-Play Executive Order”), which requires reporting of political contributions to Newark Municipal Candidates and prohibits certain political contributions during the duration of the 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 Acting Director of Water and Sewer Utilities, is hereby authorized on behalf of the City of Newark to execute a Contract with HDR Engineering, Inc., One Riverfront Plaza, 14<sup>th</sup> Floor, 1037 Raymond Boulevard, Newark, New Jersey 07102, to provide professional engineering services to develop and implement numerous required tasks in order to comply with the requirements of NJDEP’s Tier A Municipal Storm Water General Permit, for an amount not to exceed Ninety Nine Thousand Eight Hundred Dollars (\$99,800.00), for the period commencing upon execution of the Contract and terminating one (1) year thereafter.
2. Attached hereto is a certification of funds for HDR Engineering, Inc. in the amount of Ninety Nine Thousand Eight Hundred Dollars (\$99,800.00) which states (1) that there are sufficient funds for the purpose set forth hereinabove and (2) that the line appropriation of the official budget shall be Business Unit NW038, Department ID 800, Division 8003 and Account 7124.
3. This contract was awarded without competitive bidding as a “Professional Service” in accordance with N.J.S.A. 40A:11-5(a)(i) of the Local Public Contracts Law because the performance of the service required must be performed by someone who is licensed to practice engineering in the State of New Jersey.
4. This contract was awarded pursuant to the non-fair and open procedures of the State Play-to-Play Law (N.J.S.A. 19:44A-20.5) and pursuant to the provisions of the Local Public Contracts Law (N.J.SA 40A:11-5(a)(i) and is in compliance with the Pay-to-Play Executive Order.
5. HDR Engineering, Inc. has completed and submitted a Business Entity Disclosure Certificate certifying that HDR Engineering, Inc. has not made any contribution to a political or candidate committee in the City of Newark in the previous one year, and the contract will prohibit HDR Engineering, Inc. from making contributions through the term of the contract.
6. A copy of the executed agreement herein authorized, and all supporting documents, shall be filed in the Office of the City Clerk by the Acting Director of Water and Sewer Utilities and shall be made available for public inspection.
7. No changes to this contract are allowed without prior Municipal Council approval.
8. There shall be no advance payments made against this contract in accordance with N.J.A.C. 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 the adoption of this Resolution.

### **STATEMENT**

This resolution authorizes the Mayor and/or his designee, the Acting Director of the Department of Water and Sewer Utilities to enter into a Professional Services Contract with HDR Engineering, Inc., One Riverfront Plaza, 14<sup>th</sup> Floor, 1037 Raymond Boulevard, Newark, New Jersey 07102, to provide Professional Engineering Services to develop and implement numerous required tasks in order to comply with the requirements of NJDEP's Tier A Municipal Storm Water General Permit, for an amount not to exceed Ninety Nine Thousand Eight Hundred Dollars (\$99,800.00), for the period commencing upon execution of the Contract and terminating one (1) year thereafter.