



## Legislation Text

File #: 22-0354, 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 provide professional engineering services for Electrical System Assessment/Evaluation at the Pequannock Water Treatment Plant Facilities.

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

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

**Contract Amount:** Not to exceed \$400,920.00

**Funding Source:** 2022 Budget/Department of Water and Sewer Utilities/NW037-750-7502-71240-B2022

**Contract Period:** Until project completion, pursuant to N.J.S.A. 40A:11-15(9)

**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:**

Original Resolution 7R12-a adopted on June 24, 2020, awarded the contract in an amount not to exceed \$171,296.00 for a period until project completion, pursuant to N.J.S.A. 40A:11-15(9).

Amendment #1 increases the contract amount by \$229,624.00 for a new total contract amount not to exceed \$400,920.00 for a period until project completion, pursuant to N.J.S.A. 40A:11-15(9).

**WHEREAS**, Resolution 7R12-a adopted on June 24, 2020, authorized the City's Department of Water and Sewer Utilities (the "City"), to enter and execute a contract with HDR Engineering, Inc., One Riverfront Plaza, 14<sup>th</sup> Floor, Newark, New Jersey 07102, for Amendment #1 to provide professional engineering services for Electrical System Assessment/Evaluation at the Pequannock Water Treatment Plant Facilities, in an amount not to exceed \$171,296.00, for a contract period until project completion, pursuant to N.J.S.A. 40A:11-15(9) from issuance of a written Notice to Proceed; and

**WHEREAS**, the City is currently in the process of conducting Electrical System Assessment/Evaluation at the Pequannock Water Treatment Plant Facilities with the assistance of HDR Engineering, Inc. The project has expanded to assist in testing all the overcurrent protection devices (Electrical Circuit Breakers) at the Pequannock Water Treatment Plant, which will be overseen by HDR Engineering, Inc.; and

**WHEREAS**, the City wishes to enter into and execute an amendment with HDR Engineering, Inc., One Riverfront Plaza, 14<sup>th</sup> Floor, Newark, New Jersey 07102, to continue providing professional engineering services for Electrical System Assessment/Evaluation at the Pequannock Water Treatment Plant Facilities, until the completion of the project, pursuant to N.J.S.A. 40A:11-15(9). The amendment scope of services are detailed in the attached HDR Engineering letter dated February 4, 2022; 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**, 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 candidates committee in the City of Newark in the previous one (1) year, and that the contract will prohibit HDR Engineering, Inc., from making any reportable contributions through the term of the contract; and

**WHEREAS**, the Municipal Council adopted New Jersey Code §2:4-22C, which adopted the State of New Jersey's Pay-to-Play statutory requirements pursuant to N.J.S.A. 169:44A-20.5, as may be amended and supplemented, governing eligibility for municipal contracts.

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

1. The Municipal Council authorizes the Mayor of the City of Newark and/or his designee, the Director of the Department of Water and Sewer Utilities, to enter into and execute Amendment #1, with HDR Engineering, Inc., One Riverfront Plaza, 14<sup>th</sup> Floor, Newark, New Jersey 07102, to continue to provide Professional Engineering Services for Electrical System Assessment/Evaluation at the Pequannock Water Treatment Plant Facilities, for an additional \$229,624.00, for a total contract amount not to exceed \$400,920.00, until the completion of the project, pursuant to N.J.S.A. 40A:11-15(9).
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 \$5,000.00, are available in the 2022 Water and Sewer Utilities Budget under Business Unit NW037, Department 750, Division/Project 7502, Account #71240 Budget Ref: B2022. The Certification shall be filed along with the original Resolution in the Office of the City Clerk. The remainder of the funding for the contract will be subject to appropriation in the 2022 Budget and included in a line item for the award of this contract and said funds will be certified prior to services being provided by the contractor. There will be no expenditure of funds authorized until a Certification of Funds is obtained and a copy filed with the Acting City Clerk.
3. This contract was solicited and awarded pursuant to the Fair and Open Procedures in accordance with the State Pay-to-Play Law (N.J.S.A. 19:44A-20.5), and pursuant to the provisions of the Local Public Contracts Law.
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. HDR Engineering, 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 HDR Engineering, 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 HDR Engineering, Inc., from making any reportable contributions through the

term of the contract

6. There shall be no amendment or change to the contract without approval by the Municipal Council.

7. There shall be no advance payments made against this 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 of the City of Newark and/or his designee, the Director of the Department of Water and Sewer Utilities, to enter into and execute Amendment #1, with HDR Engineering, Inc., One Riverfront Plaza, 14<sup>th</sup> Floor, Newark, New Jersey 07102, to continue to provide Professional Engineering Services for Electrical System Assessment/Evaluation at the Pequannock Water Treatment Plant Facilities, for an additional \$229,624.00, for a total contract amount not to exceed \$400,920.00, for a period until project completion, pursuant to N.J.S.A. 40A:11-15(9).