



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 21-0193, Version: 1

Dept/ Agency: Water and Sewer Utilities

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

Type of Service: Professional Services Contract

Purpose: To provide Regular Dam Safety Inspections.

Entity Name: GZA GeoEnvironmental, Inc.

Entity Address: 55 Lane Road, Suite 407, Fairfield, New Jersey 07004

Contract Amount: Not to exceed \$78,000.00

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

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

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

(X) Fair & Open () 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: Two (2)

WHEREAS, the City of Newark (the "City") requires Professional Engineering Services for Regular Dam Safety Inspections and issued a Request for Qualifications (RFQ) on December 14, 2020; and

WHEREAS, four (4) Qualification Statements were requested and two (2) Qualification Statements were received by the City of Newark on January 5, 2021 pursuant to the RFQ; and

WHEREAS, a Qualification Statement received from GZA GeoEnvironmental, Inc., 55 Lane Road, Suite 407, Fairfield, New Jersey 07004, for this work for an amount not to exceed Seventy-Eight Thousand Dollars and Zero Cents (\$78,000.00), was found to be in the best interest of the City of Newark to accept; and

WHEREAS, the City of Newark wishes to enter into an agreement with GZA GeoEnvironmental, Inc., 55 Lane Road, Suite 407, Fairfield, New Jersey 07004, to provide Professional Engineering Services for Regular Dam Safety Inspections, in an amount not to exceed Seventy-Eight Thousand Dollars and Zero Cents (\$78,000.00); and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a) requires that notice of award of contracts for "Professional Services" without competitive bidding be published in a local newspaper; 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, GZA GeoEnvironmental, Inc., has completed and submitted a Business Entity

Disclosure Certificate, which certifies that GZA GeoEnvironmental, 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 GZA GeoEnvironmental, Inc., 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 and/or his designee, the Director of the Department of Water and Sewer Utilities, to accept the Qualification Statement from GZA GeoEnvironmental, Inc., and to enter into and execute an agreement with GZA GeoEnvironmental, Inc., 55 Lane Road, Suite 407, Fairfield, New Jersey 07004, to provide professional engineering services to the City's Department of Water and Sewer Utilities, for Regular Dam Safety Inspections, in an amount not to exceed Seventy-Eight Thousand Dollars and Zero Cents (\$78,000.00), for a contract period of one (1) year from the date of the issuance of a written Notice to Proceed.
2. Pursuant to N.J.A.C. 5:30-5.5, Temporary Budget, 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 Ten Thousand Dollars and Zero Cents (\$10,000.00) are available under: Budget Year 2021, Business Unit NW037, Department ID 750, Division/Project 7502, Account # 71280. 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 2021 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 Contract 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 Contract 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. The Director of the Department of Water and Sewer Utilities shall file a copy of the fully executed contract in the Office of the City Clerk and shall be made available for public

inspection.

6. GZA GeoEnvironmental, 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 GZA GeoEnvironmental, 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 GZA GeoEnvironmental, Inc., 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 and/or his designee, the Director of the Department of Water and Sewer Utilities, to accept the Qualification Statement from GZA GeoEnvironmental, Inc., 55 Lane Road, Suite 407, Fairfield, New Jersey 07004, and enter into and execute a contract to provide Professional Engineering Services to the City's Department of Water and Sewer Utilities, for Regular Dam Safety Inspections, in an amount not to exceed \$78,000.00, for a contract period of one (1) year from the date of the issuance of a written Notice to Proceed.