



Legislation Text

File #: 16-1509, Version: 1

Dept/ Agency: Water and Sewer Utilities

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

Type of Service: Professional Services Contract

Purpose: Pequannock Watershed Dams/Reservoir Security Improvements & Construction Supervision

Entity Name: Michael Baker International

Entity Address: 300 American Metro Blvd., Suite 154, Hamilton, New Jersey 08619

Contract Amount: Amount not to exceed \$697,470.36

Funding Source: Department of Water and Sewer Utilities

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

Contract Basis: () Bid () State Vendor (X) Prof. Ser. () EUS
() Fair & Open () No Reportable Contributions (X) RFP () RFQ
() Private Sale () Grant () Sub-recipient () n/a

Additional Information:

Funding in the amount of \$100,000.00 from:

Fund 037, Dept. 750, Div. 7502, Account 7128, Budget Year 2016. The remainder of \$597,470.36 will be funded from the 2017 Budget

Proposal Solicited: Seven (7)

Proposal Received: Six (6)

Contract is for a term of one (1) year with an option to renew for one (1) additional year.

WHEREAS, the Department of Water and Sewer Utilities, is in need of Professional Engineering Services relating Pequannock Watershed Dams/Reservoir Security Improvements & Construction Supervision; and

WHEREAS, pursuant to the fair and open process of the State of New Jersey Pay-to-Play Law, N.J.S.A. 19:44A-20.5, the Department of Water and Sewer Utilities, publicly advertised a Request for Proposal (RFP) on June 1, 2016 Pequannock Watershed Dams/Reservoir Security Improvements & Construction Supervision; and

WHEREAS, on July 20, 2016, six (6) firms submitted their responses to the Request for Proposal (RFP); and distributed seven (7) RFP packages to prospective vendors following the date of advertisement; and

WHEREAS, a selection committee of personnel from the Department of Water and Sewer Utilities, evaluated the six (6) proposals received in response to the RFP, and selected Michael Baker International, Inc., 300 American Metro Blvd., Suite 154 Hamilton, New Jersey 08619, for the Pequannock Watershed Dams/Reservoir Security Improvements & Construction Supervision, because their proposal was unanimously selected by the selection committee for Quality and Presentation of the Proposal, Project Understanding and Overall Project Team Experience; and

WHEREAS, the Director of Water and Sewer Utilities wishes to enter into an agreement with Michael Baker International, Inc., 300 American Metro Blvd., Suite 154, Hamilton, New Jersey 08619, to provide engineering services for Pequannock Watershed Dams/Reservoir Security Improvements, in an amount not to exceed \$697,470.36; 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, Michael Baker International, Inc. has completed and submitted a Business Entity Disclosure Certificate which certifies that Michael Baker International, Inc., 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 Michael Baker International, 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 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; candidate committees of the aforementioned candidates; and political or political party 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 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 hereby authorizes the Mayor and/or his designee, the Director of the Department of Water and Sewer Utilities, to accept the proposal from Michael Baker International, Inc., and to execute an agreement with Michael Baker International, Inc., 300 American Metro Blvd., Suite 154, Hamilton, New Jersey 08619, to provide professional engineering services to the City of Newark, Department of Water and Sewer Utilities, for Pequannock Watershed Dams/Reservoir Security Improvements, in an amount not to exceed \$697,470.36 for a period of one (1) year with the option to renew for one (1) additional year, beginning from the date of the Notice to Proceed.
2. Attached, hereto is a partial Certification of Funds issued by the Director of Finance of the City of Newark which states that funds in an amount of \$100,000.00 are available in the 2016 Budget, Business Unit NW037, Department ID 750, Division/Project 7502, Account # 71280 and Budget Ref. B2016. The Director of the Department of Water and Sewer Utilities shall file a copy of the Certification of Funds along with the original resolution and the executed contract in the Office of the City Clerk. The remainder of \$597,470.36 in funding for this contract will be subject to appropriation in the 2017 Municipal Budgets and funds will be certified prior to services being provided by the Contractor and the contract shall be subject to the availability and appropriation of sufficient funds in accordance with N.J.A.C. 5:30-5.5(c) and N.J.A.C. 5:30-5.5(d).
3. There shall be no advance payment on this contract in accordance with N.J.S.A. 40A:5-16.

4. No changes to this contract are allowed without prior Municipal Council approval.
5. A copy of the fully executed contract shall be filed in the Office of the City Clerk by the Director of the Department of Water and Sewer Utilities and shall be made available for public inspection.
6. Michael Baker International Inc., has completed and submitted a Business Entity Disclosure Certificate, which shall be placed on file in the City Clerk's Office by the Director of the Department of Water and Sewer Utilities, certifying that Michael Baker International Inc., has not made any reportable contributions to a political or candidate committee in the City of Newark in the previous one year, and that the contract will prohibit Michael Baker International Inc., from making any reportable contributions through the term of the contract.
7. This contract is to be completed from issuance of a formal 'Notice to Proceed' by the Director of the Department of Water and Sewer Utilities until completion of construction.

STATEMENT

This resolution authorizes the Mayor and/or his designee, the Director of the Department of Water and Sewer Utilities, to accept the proposal from Michael Baker International Inc., and to execute an agreement with Michael Baker International., 300 American Metro Blvd., Suite 154, Hamilton, New Jersey 08619, to provide professional engineering services to the City of Newark, Department of Water and Sewer Utilities, for Pequannock Watershed Dams/Reservoir Security Improvements and Construction Supervision for an amount not to exceed \$697,470.36 for a period of one (1) year with the option to renew for one (1) additional year, beginning from the date of the Notice to Proceed.