



Legislation Text

File #: 21-1095, Version: 1

Dept/ Agency: Water and Sewer Utilities

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

Type of Service: Professional Services Contract

Purpose: Amendment #1 to Assessment and Improvement Design for Heating, Ventilation and Air Conditioning at the Pequannock Water Treatment Plant.

Entity Name: M&E Engineers, Inc.

Entity Address: 26 West High Street, Somerville, New Jersey 08876

Contract Amount: Not to exceed \$471,860.00

Funding Source: 2019 Budget/Department of Water and Sewer Utilities/NW037-750-7502-71650

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

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:

Original Resolution 7R12-b adopted on January 8, 2020, awarded a contract in an amount not to exceed \$456,200.00 for a period until project completion pursuant to N.J.S.A. 40A:11-15(9).

Amendment #1 increases the contract amount by \$15,660.00, for a new total contract amount not to exceed \$471,860.00.

WHEREAS, Resolution 7R12-b adopted on January 8, 2020, authorized the Director of the Department of Water and Sewer Utilities, to enter and execute a contract with M&E Engineers, Inc., 26 West High Street, Somerville, New Jersey 08540, to provide Assessment and Improvement Design for Heating, Ventilation and Air Conditioning at the Pequannock Water Treatment Plant, in an amount not to exceed Four Hundred Fifty-Six Thousand Two Hundred Dollars and Zero Cents (\$456,200.00), for a contract period until project completion pursuant to N.J.S.A. 40A:11-15(9); and

WHEREAS, the City of Newark (the "City") is in need of a separate set of construction documents and specifications for the emergency replacement of Boiler-3 at the Pequannock Water Treatment Plant due to the failure of Boiler-3; and

WHEREAS, the Department of Water and Sewer Utilities wishes to enter into and execute an Amendment #1 with M&E Engineers, Inc., 26 West High Street, Somerville, New Jersey 08876, to continue providing Assessment and Improvement Design for Heating, Ventilation and Air Conditioning at the Pequannock Water Treatment Plant, until project completion pursuant to N.J.S.A. 40A:11-15(9). The amendment scope of services are detailed in the attached M&E Engineers amendment request letter dated April 21, 2021; 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, M&E Engineers, Inc., has completed and submitted a Business Entity Disclosure Certificate, which certifies that M&E Engineers, 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 M&E Engineers, Inc., from making any reportable contributions through the terms of the contract; and

WHEREAS, the Municipal Council adopted the Contractor Pay-to-Play Reform Ordinance R.O. 2:4-22 C, 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; candidates committees of the aforementioned candidates, and political or political party 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 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 an Amendment #1 with M&E Engineers, Inc., 26 West High Street, Somerville, New Jersey 08876, to continue to provide Assessment and Improvement Design for Heating, Ventilation and Air Conditioning at the Pequannock Water Treatment Plant, until project completion pursuant to N.J.S.A. 40A:11-15(9). Amendment #1 increases the contract amount by Fifteen Thousand Six Hundred Sixty Dollars and Zero Cents (\$15,660.00), for a new total contract amount not to exceed Four Hundred Seventy-One Thousand Eight Hundred Sixty Dollars and Zero Cents (\$471,860.00).
2. Attached hereto is a Certification of Funds, issued by the Director of the Department of Finance, which states that there are available sufficient legally appropriated funds in the amount of Fifteen Thousand Six Hundred Sixty Dollars and Zero Cents (\$15,660.00) for the purposes set forth herein, under the: 2019 Budget, NW037, Department ID 750, Division 7502, Account 71650. 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.
3. This contract was solicited and 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 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 Ordinance on Pay to Play.
4. The Director of the Department of Water and Sewer Utilities shall file an executed copy of this contract in the Office of the City Clerk.
5. M&E Engineers, 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 M&E Engineers, 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 M&E Engineers, Inc., from making any reportable contributions through the term of the contract.
6. There shall be no amendments or changes to the contract without approval by the Municipal Council.
 7. There shall be no advance payments or changes against the 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 an Amendment #1 with M&E Engineers, Inc., 26 West High Street, Somerville, New Jersey 08876, to continue to provide Assessment and Improvement Design for Heating, Ventilation and Air Conditioning at the Pequannock Water Treatment Plant, until project completion pursuant to N.J.S.A. 40A:11-15(9).