



## Legislation Details (With Text)

**File #:** 13-1730      **Version:** 1      **Name:** Added Starter - Engineering Consultant & C4 NJDEP Sewer Collection Licensed Operator

**Type:** Resolution      **Status:** Filed

**File created:** 9/4/2013      **In control:** Water Sewer Utility

**On agenda:** 10/8/2013      **Final action:** 11/18/2013

**Title:** Dept/ Agency: Water and Sewer Utilities  
Action: ( X ) Ratifying (X) Authorizing ( ) Amending  
Type of Service: Professional Services  
Purpose: Professional Consulting Services by an Engineering Consultant and C4 NJDEP Sewer Collection Licensed Operator  
Entity Name: Joseph F. Beckmeyer Consultants LLC  
Entity Address: 1795 Mill Creek Road, Manahawkin, New Jersey 08050  
Contract Amount: \$176,800.00  
Funding Source: City of Newark/Department of Water and Sewer Utilities budget - Partial Funding of \$35,000.00 from 2013 budget and the remainder of the funding for this contract will be subject to appropriation in the 2013 & 2014 Budget and funds will be certified prior to services being provided by the contractor.  
Contract Period: August 1, 2013 through July 31, 2014.  
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:  
Number of RFP Packages distributed: Five (5)  
Number of Proposals received: One (1)  
No Action Taken 7R12-a (s) 100813  
No Action Taken 7R12-c 101013  
Deferred 7R12-c 101713  
No Action Taken 7R12-a 102313  
Deferred 7R12-a 102913  
Deferred 7R12-a 110713

### Sponsors:

### Indexes:

### Code sections:

Date	Ver.	Action By	Action	Result
11/18/2013	1	Municipal Council	Adopt	Pass
11/7/2013	1	Municipal Council	Defer	Pass
10/29/2013	1	Municipal Council	Defer	Pass
10/23/2013	1	Municipal Council	no action taken	
10/17/2013	1	Municipal Council	Defer	Pass
10/10/2013	1	Municipal Council	no action taken	
10/8/2013	1	Municipal Council	no action taken	

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**Deferred 7R12-a 110713**

**WHEREAS**, the City of Newark requires professional consulting services by an Engineering Consultant and C4 NJDEP Sewer Collection Licensed Operator for the Department of Water & Sewer Utilities, and a Request for Proposals (RFP) was advertised on June 11, 2013; and

**WHEREAS**, the Department of Water and Sewer Utilities distributed five (5) bid packages to prospective vendors following the date of advertisement of the RFP; and

**WHEREAS**, one (1) proposal was received by the City of Newark on June 25, 2013 pursuant to the RFP, and the proposal received from Joseph F. Beckmeyer Consultants LLC, 1795 Mill Creek Road, Manahawkin, New Jersey 08050, for this work for the amount not to exceed \$176,800.00, 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 a Professional Services Agreement with Joseph F. Beckmeyer Consultants LLC, 1795 Mill Creek Road, Manahawkin, New Jersey 08050, to provide Professional Consulting Services, in an amount not to exceed \$176,800.00; 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 public advertising for bids and 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**, the Mayor of the City of Newark signed into law Executive Order Number MEO-07-0001 (hereinafter "Pay-to-Play Executive Order") which requires the reporting of political contributions to Newark Municipal Candidates and prohibits certain political contributions during the

duration of the contract.

**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 Acting Director of the Department of Water and Sewer Utilities, to accept the proposal from Joseph F. Beckmeyer Consultants LLC and to execute a Professional Services Agreement with Joseph F. Beckmeyer Consultants LLC, 1795 Mill Creek Road, Manahawkin, New Jersey 08050, to provide Professional Consulting Services to the City of Newark, Department of Water and Sewer Utilities, as an Engineering Consultant and C4 NJDEP Sewer Collection Licensed Operator, in an amount not to exceed \$176,800.00, for a period of one year from August 1, 2013 through July 31, 2014.
2. The Municipal Council hereby ratifies this contract from August 1, 2013 to the date of adoption of this authorizing resolution.
3. Pursuant to N.J.A.C. 5:30-5.5, attached hereto is a partial certification of funds from the Director of Finance which states that funds in the amount of \$35,000.00 are available in the 2013 Budget under Business Unit: NW037, Department ID: 750, Division: 7506, 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 2013 & 2014 Budget and funds will be certified prior to services being provided by the contractor.
4. Pursuant to N.J.S.A. 27:25-17, any and all debts, expenses or obligations incurred by the Department of Water and Sewer Utilities shall be payable only from funds available to the City of Newark, and no liability or obligation shall be incurred by the Department of Water and Sewer Utilities beyond the extent to which monies are available.
5. 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 Executive order MEO-07-0001, effective March 31, 2007.
6. This contract is awarded without public advertising of bids and bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5 (1) (a) (i) of the Local Public Contracts 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.
7. A copy of the fully executed contract shall be filed in the Office of the City Clerk by the Acting Director of the Department of Water and Sewer Utilities and shall be made available for public inspection.
8. There shall be no amendment of this contract without prior approval of the Municipal Council.
9. There shall be no advance payment on this contract in accordance with N.J.S.A. 40A:5-16.

10. 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 10 days of its passage.

### **STATEMENT**

This resolution ratifies and authorizes the Mayor and/or his designee, the Acting Director of the Department of Water and Sewer Utilities, to accept the proposal from Joseph F. Beckmeyer Consultants LLC, and to execute a Professional Services Agreement with Joseph F. Beckmeyer Consultants LLC, 1795 Mill Creek Road, Manahawkin, New Jersey 08050, to provide professional consulting services to the City of Newark, Department of Water and Sewer Utilities, as an Engineering Consultant and C4 NJDEP Sewer Collection Licensed Operator, in an amount not to exceed \$176,800.00, for a period of one year from August 1, 2013 through July 31, 2014.