



Legislation Details (With Text)

File #: 13-1153 **Version:** 1 **Name:** Translation Plus, Inc., d/b/a CQ Fluency (2012-2013)
Type: Resolution **Status:** Filed
File created: 6/13/2013 **In control:** Mayor's Office
On agenda: 10/23/2013 **Final action:** 10/29/2013

Title: Dept/ Agency: Office of the Mayor
Action: ☒ Ratifying ☒ Authorizing ☐ Amending
Type of Service: Professional Service Contract
Purpose: To provide interpreting services in 180 languages during Court sessions.
Entity Name: Translation Plus, Inc. d/b/a CQ Fluency
Entity Address: 2 University Plaza, Suite 406, Hackensack, New Jersey 07601
Contract Amount: \$80,000.00
Funding Source: City of Newark Budget/Office of the Mayor, Newark Municipal Court
Contract Period: September 1, 2012 through August 31, 2013
Contract Basis: ☐ Bid ☐ State Vendor ☒ Prof. Ser. ☐ EUS
☐ Fair & Open ☒ No Reportable Contributions ☐ RFP ☐ RFQ
☐ Private Sale ☐ Grant ☐ Sub-recipient ☐ n/a
Additional Information:
No Action Taken 7R8-a 102313

Sponsors:

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
10/29/2013	1	Municipal Council	Adopt	Pass
10/23/2013	1	Municipal Council	no action taken	

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WHEREAS, the Municipal Court of the City of Newark ("Newark Municipal Court") wishes to retain the services of interpreters to provide access to court proceedings for non-English speaking, deaf and hard of hearing persons in court and/or telephonically, ; and

WHEREAS, the professional services of interpreters to be rendered are exempt from the bidding provision of the Local Public Contracts Law under (*N.J.S.A. 40A:11-5(1)(a)(i)*); and

WHEREAS, Translation Plus, Inc., d/b/a CQ Fluency, a company providing interpreting services, has completed and submitted a Business Entity Disclosure Certificate, which shall be placed on file with the resolution in the Office of the City Clerk, certifying that Translation Plus, Inc., d/b/a CQ Fluency, has not made any reportable contributions to a political or candidate committee in the City of Newark in the previous one (1) year, and the contract will prohibit Translation Plus, Inc., d/b/a CQ Fluency, from making reportable contributions through the term of contract; and

WHEREAS, this contract is awarded pursuant to the Non-Fair and Open Process, *N.J.S.A. 19:44A-20.5* and as a "Professional Services", pursuant to Local Public Contracts Law *N.J.S.A. 40A:11-5(1)(a)(i)*, and is in compliance with Executive Order MEO-07-001, effective March 31, 2007, which requires reporting of political contributions to Newark Municipal Candidates and prohibits certain political contributions during the duration of the contract; and

WHEREAS, the Business Administrator and the Chief Judge of the Newark Municipal Court have determined and certified in writing that the value of this contract will exceed \$17,500.00; and

WHEREAS, the Determination of Value is attached and shall be filed with the Office of City Clerk; and

WHEREAS, the contract is awarded as an open-ended contract as the "Professional Service" of interpreters shall be deemed necessary by the Chief Judge of the Newark Municipal Court; and

WHEREAS, the Local Public Contracts Law (*N.J.S.A. 40A:11-1 et seq.*) requires that the resolution authorizing the awarding of an agreement for "Professional Services" without competitive bids, and the agreement itself, be available for public inspection; and

WHEREAS, the Newark Municipal Court wishes to enter into a contract with Translation Plus, Inc., d/b/a Name CQ Fluency, to provide interpreting services in various languages, as well as access to court proceedings for non-English speaking persons in court, telephonically, deaf and hard of hearing persons i for the Newark Municipal Court, for the period September 1, 2012 through August 31, 2013.

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

1. The Mayor and/or his designee, the Chief Judge of the Newark Municipal Court, are hereby authorized to enter into and execute an agreement with Translation Plus, Inc., d/b/a CQ Fluency, of 2 University Plaza, Suite 406, Hackensack, New Jersey 07601, to provide access to court proceedings for non-English speaking deaf and hard of hearing persons in court and/or telephonically interpreting services in 180 languages during court sessions, for the period commencing on September 1, 2012 and terminating on August 31, 2013, for an amount not to exceed \$80,000.00.
2. This contract is hereby ratified from September 1, 2012 to the date of adoption of this authorizing resolution.

3. This contract is awarded pursuant to the Non-Fair and Open Procedures of State Pay-to-Play Law, *N.J.S.A. 19:44A-20.5* and as a "Professional Service", pursuant to Local Public Contracts Law *N.J.S.A.40A:11-5(1)(a)(i)* because these services are to be rendered by a person whose performance requires knowledge of an advance type in a field of learning acquired by a prolonged formal course of specialized instruction and study, as distinguished from general academic instruction, and is in compliance with Newark Executive Order MEO-07-0001, effective March 31, 2007.
4. The compensation for Translation Plus, Inc., d/b/a CQ Fluency, upon submission and approval of invoice/timesheet, shall be at the rate of \$350.00 per day for in court interpreters (herein defined as three (3) or more hours per day) or \$225.00 for one half (1/2) day (herein defined less than three (3) hours per day). For Sign Interpreter services for deaf and hard of hearing persons at a rate of \$250.00 per day for standard court sessions (herein defined as two (2) hours per day). The rate for each additional hour after the two (2) hour minimum is \$125.00 per hour. A rate of \$350.00 per day for actual trial sessions (herein defined as two (2) hours per day). The rate for each additional trial hour after the two (2) hour minimum is \$175.00 per hour. Telephonic Court Interpreting services for various languages at a rate of \$1.65 per minute.
5. Translation Plus, Inc., d/b/a CQ Fluency, shall submit an invoice/timesheet for the hours worked and shall be compensated accordingly.
6. Attached hereto is a Certification of Funds issued by the Municipal Comptroller certifying that there are available and sufficient funds for the services being provided.
7. The Business Disclosure Entity Certification and the Determination of Value is attached hereto and shall be filed with the Office of the City Clerk with this resolution.
8. A copy of the fully-executed agreement herein authorized shall be filed in the Office of the City Clerk by the Chief Judge of the Newark Municipal Court and shall be made available for public inspection.
9. There shall be no amendments or changes of this contract without approval of the Municipal Council and there shall be no advance payments 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 ten (10) days of the adoption of this resolution.

STATEMENT

This resolution hereby ratifies and authorizes the Mayor and/or his designee, the Chief Judge of the Newark Municipal Court, to enter into execute a contract with Translation Plus, Inc., d/b/a CQ Fluency, of 2 University Plaza, Suite 406, Hackensack, New Jersey 07601, to provide interpreting services in 180 languages during Court sessions, as well as sign and telephonic interpreting services, for the period commencing on September 1, 2012 and terminating on August 31, 2013, for

an amount not to exceed \$80,000.00.