



Legislation Details (With Text)

File #: 20-0309 **Version:** 1 **Name:** Nicole J. Rafanello, Ph.D., CFPCS, LLC
Type: Resolution **Status:** Adopted
File created: 2/23/2020 **In control:** Public Safety
On agenda: 5/6/2020 **Final action:** 5/6/2020
Title: Dept/ Agency: Public Safety/Division of Police
Action: ☒ Ratifying ☒ Authorizing ☐ Amending
Type of Service: Professional Service Contract
Purpose: To provide Clinical and Forensic Psychological and Consulting Services.
Entity Name: Nicole J. Rafanello, Ph.D., CFPCS, LLC, d/b/a Clinical and Forensic Psychological and Consulting Services
Entity Address: 91 Washington Street, Morristown, New Jersey 07960
Contract Amount: Not to exceed \$100,000.00
Funding Source: 2020 Budget/Department of Public Safety, Division of Police/NW011-190-1902-A-71210-B2020
Contract Period: April 1, 2020 through March 31, 2021
Contract Basis: ☐ Bid ☐ State Vendor ☒ Prof. Ser. ☐ EUS
☐ Fair & Open ☒ No Reportable Contributions ☐ RFP ☐ RFQ
☐ Private Sale ☐ Grant ☐ Sub-recipient ☐ n/a
Additional Information:

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
5/6/2020	1	Municipal Council	Adopt	Pass

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Additional Information:

WHEREAS, the City of Newark, Department of Public Safety has a need to acquire psychological services concerning consultations and evaluations for fitness for duty, pre-employment exams and Post-Critical Incident Interventions for employees of the Department of Public Safety,

Police and Fire Divisions; and

WHEREAS, the Contractor, Nicole J. Rafanello, Ph.D., CFPCS Limited Liability Company, D/B/A Clinical and Forensic Psychological and Consulting Services, 91 Washington Street, Morristown, New Jersey 07960, has represented that she is qualified by her training and experience to provide the required services in the manner and on the terms and conditions set forth in the proposed contract; and

WHEREAS, the Business Administrator and the Director of the Department of Public Safety have determined and certified in writing that the value of this agreement will exceed \$17,500.00; and

WHEREAS, this contract is being awarded without competitive bidding as a “Professional Service” contract pursuant to Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(i), because the services will be performed by an individual who is authorized by law to practice a recognized profession, whose practice is regulated by law, and the performance of which services requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study; and

WHEREAS, the actions contemplated by this resolution shall result in the award of a “Non-Fair and Open” contract in accordance with N.J.S.A. 19:44A-20.5; and

WHEREAS, Nicole J. Rafanello, Ph.D., CFPCS Limited Liability Company, D/B/A Clinical and Forensic Psychological and Consulting Services, has completed and submitted a City of Newark Political Contribution Disclosure Form and a Business Entity Disclosure Certificate certifying that she 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 Nicole J. Rafanello, Ph.D., CFPCS, Limited Liability Company, D/B/A Clinical and Forensic Psychological and Consulting Services, from making any reportable contributions through the term of the contract; and

WHEREAS, the City of Newark adopted the “Contractor Pay-to-Play Reform” ordinance, codified at Section 2:4-22C of the Revised General Ordinances of Newark, which requires reporting of political contributions to candidates for City of Newark elective municipal offices or City of Newark or County of Essex political committees 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 Mayor and/or his designees, the Business Administrator and/or the Director of the Department of Public Safety, are hereby authorized to enter into and execute a contract with Nicole J. Rafanello, Ph.D., CFPCS Limited Liability Company, D/B/A the Clinical and Forensic Psychological and Consulting Services, 91 Washington Street, Morristown, New Jersey 07960, to provide psychological services, including evaluations for fitness for duty, pre-employment examinations, re-evaluations, recruit screening, post-critical incident interventions, related testing, medical consultations and expert testimony for the Department of Public Safety, Police and Fire Divisions, for an amount not to exceed One Hundred Thousand Dollars and Zero Cents (\$100,000.00), for the period of April 1, 2020 through March 31, 2021.

2. The Municipal Council hereby ratifies this contract from April 1, 2020 to the date of the

adoption of this authorizing resolution.

3. This contract is awarded without competitive bidding as an exception to Local Public Contracts Law as a Professional Service, pursuant to N.J.S.A. 40A:11-5(1)(a)(i).

4. This is an open-ended contract to be used as needed during the contract term. Thus, for any and all expenditures against this contract, a certification of the availability of sufficient funds, as required by N.J.A.C. 5:30-5.5(b)(2), shall be executed before a contractual liability is incurred each time an order is placed, covering the amount of the order.

5. The Determination of Value and Business Entity Disclosure Certificate are attached hereto and shall be filed with the Office of the City Clerk.

6. Nicole J. Rafanello, Ph.D., CFPCS Limited Liability Company, D/B/A Clinical and Forensic Psychological and Consulting 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 Nicole J. Rafanello, Ph.D., CFPCS, Limited Liability Company, D/B/A Clinical and Forensic Psychological and Consulting Services, 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 Nicole J. Rafanello, Ph.D., CFPCS Limited Liability Company, D/B/A Clinical and Forensic Psychological and Consulting Services, from making any reportable contributions through the term of the contract.

7. This contract was awarded pursuant to the "Non-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 Contracts 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.

8. Pursuant to N.J.A.C. 5:30-5.5(a), Temporary Budget, attached hereto is the Chief Finance Officer's Certification, which states partial funds in the amount of Five Thousand Dollars and Zero Cents (\$5,000.00) are available for the purpose set forth herein above. The line appropriation which shall be charged is as follows: Business Unit 011, Dept. 190, Div. 1902, Account 71210 Budget Ref B2020, the balance to be provided in the 2020 Adopted Budget. The Certification shall be filed, along with the original resolution and the executed contract in the Office of the City Clerk.

9. There shall be no amendments or changes to this contract without the approval of the Municipal Council.

10. There shall be no advance payments on this contract in accordance with N.J.S.A. 40A:5-16.

11. The Director of the Department of Public Safety shall file a duly executed copy of the contract in the Office of the City Clerk.

12. A notice of this action shall be published in the newspaper as required by law within ten (10) days of the adoption of this resolution.

STATEMENT

This resolution ratifies and authorizes the actions taken by the Mayor and/or his designees, the Business Administrator and/or the Director of the Department of Public Safety, to enter into and execute a contract with Nicole J. Rafanello, Ph.D., CFPCS, Limited Liability Company, D/B/A Clinical and Forensic Psychological and Consulting Services, 91 Washington Street, Morristown, New Jersey 07960, to provide psychological services, including evaluations for fitness for duty, pre-employment examinations, re-evaluations, recruit screening, post-critical incident interventions, related testing, medical consultations and expert testimony, for the Department of Public Safety, Police and Fire Divisions, for an amount not to exceed One Hundred Thousand Dollars and Zero Cents (\$100,000.00), for the period of April 1, 2020 through March 31, 2021.