



## Legislation Details (With Text)

**File #:** 22-0939      **Version:** 1      **Name:** Resolution: KS Engineers, P.C. (2022-2023)  
**Type:** Resolution      **Status:** Adopted  
**File created:** 6/30/2022      **In control:** Administration  
**On agenda:** 7/13/2022      **Final action:** 7/13/2022  
**Title:** Dept./ Agency: Administration/Office of the Business Administrator  
Action: ☒ Ratifying   ☒ Authorizing   ☐ Amending  
Type of Service: Exception to Public Bidding - N.J.S.A. 40A:11-5(1)(a)(i) provides for the award of a contract for Professional Services  
Purpose: To provide the services of a Municipal Engineer.  
Entity Name: KS Engineeers, P.C.  
Entity Address: 2 Riverfront Plaza, McCarter Highway, Newark, New Jersey 07102  
Contract Amount: Not to exceed \$100,000.00  
Funding Source: 2022 Budget/Department of Administration/Business Unit: NW011, Dept. 110, Div. 1101, Activity A, Account #71280, Budget Ref. B2022  
Contract Period: July 1, 2022 through June 30, 2023  
Contract Basis: ☐ Bid   ☐ State Vendor   ☒ Prof. Ser.   ☐ EUS  
☐ Fair & Open   ☒ No Reportable Contributions   ☐ RFP   ☐ RFQ  
☐ Private Sale   ☐ Grant   ☐ Sub-recipient   ☐ N/A  
Additional Information:  
To provide services of a Municipal Engineer, including, but not limited to assisting the municipality in the administration and operation of the roads, parks, municipal buildings, water and sewer systems, as well as provide general engineering assistance to all City Departments.

### Sponsors:

### Indexes:

### Code sections:

Date	Ver.	Action By	Action	Result
7/13/2022	1	Municipal Council	Adopt	Pass

**Dept./ Agency:** Administration/Office of the Business Administrator  
**Action:** ☒ Ratifying   ☒ Authorizing   ☐ Amending  
**Type of Service:** Exception to Public Bidding - N.J.S.A. 40A:11-5(1)(a)(i) provides for the award of a contract for Professional Services  
**Purpose:** To provide the services of a Municipal Engineer.  
**Entity Name:** KS Engineeers, P.C.  
**Entity Address:** 2 Riverfront Plaza, McCarter Highway, Newark, New Jersey 07102  
**Contract Amount:** Not to exceed \$100,000.00  
**Funding Source:** 2022 Budget/Department of Administration/Business Unit: NW011, Dept. 110, Div. 1101, Activity A, Account #71280, Budget Ref. B2022  
**Contract Period:** July 1, 2022 through June 30, 2023  
**Contract Basis:** ☐ Bid   ☐ State Vendor   ☒ Prof. Ser.   ☐ EUS  
☐ Fair & Open   ☒ No Reportable Contributions   ☐ RFP   ☐ RFQ  
☐ Private Sale   ☐ Grant   ☐ Sub-recipient   ☐ N/A  
**Additional Information:**  
To provide services of a Municipal Engineer, including, but not limited to assisting the municipality in the administration and operation of the roads, parks, municipal buildings, water and sewer systems,

as well as provide general engineering assistance to all City Departments.

**WHEREAS**, the City of Newark (the “City”) is a duly constituted municipal corporation at 920 Broad Street, Newark, New Jersey 07102; and

**WHEREAS**, N.J.S.A. 40A:11-5(1)(a)(i) empowers the Governing Body and its autonomous agencies to award contracts for Professional Services without competitive bidding; and

**WHEREAS**, the City is in need of Professional Services to provide the services of a Municipal Engineer and assist the municipality in the administration and operation of the roads, parks, municipal buildings, water and sewer systems, as well as provide general assistance to all City Departments; and

**WHEREAS**, the City is in receipt of a proposal from the KS Engineers, P.C. (“KSE” or “Contractor”), located at 2 Riverfront Plaza, McCarter Highway, Newark, New Jersey 07102, to provide the requested professional services; and

**WHEREAS**, the proposal submitted by KSE demonstrates that it has the requisite knowledge, education, skills, and experience to provide the requested professional services on behalf of the City; and

**WHEREAS**, KSE has completed and submitted a Business Entity Disclosure Certification, which certifies that KSE 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 KSE from making any reportable contributions through the term of the contract; and

**WHEREAS**, the City is interested in retaining the professional services of the KSE for one (1) year for the period of July 1, 2022 through July 1, 2023, for an amount not to exceed One Hundred Thousand Dollars and Zero Cents(\$100,000.00); and

**WHEREAS**, the contract was not awarded through a Fair and Open Process as set forth at N.J.S.A. 19:44A-20.4 et seq. and there have not been any political contributions made to any representative of the City that would preclude the NJRC from providing the requested professional services.

**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 of the City of Newark and/or his designee, the Business Administrator, enter into and execute a Professional Services Agreement with KS Engineers, P.C. located at 2 Riverfront Plaza, McCarter Highway, Newark, New Jersey 07102, to provide services of a Municipal Engineer, including, but not limited to assisting the municipality in the administration and operation of the roads, parks, municipal buildings, water and sewer systems, as well as provide general engineering assistance to all City Departments in amount not to exceed One Hundred Thousand Dollars and Zero Cents (\$100,000.00) for one (1) year for the period of July 1, 2022 through June 30, 2023.
2. Pursuant to N.J.A.C. 5:30-5(a), attached hereto is the Chief Finance Officer’s Certification, which states funds in the amount of One Hundred Thousand Dollars and Zero Cents (\$100,000.00) are available in Funds/Business Unit: NW011, Dept. 110, Div. 1101, Activity A, Account #71280, Budget Ref. B2022 . The Certification shall be filed, along with the original

Resolution and the executed contract in the Office of the City Clerk.

3. The contract is awarded as a Non-Fair and Open Contract, pursuant to N.J.S.A. 19:44A-20.5; and the Business Entity has provided a statement that it is in compliance with the City of Newark
4. The contract will contain language prohibiting any contributions in violation of any state or local law.
5. A copy of the executed agreement herein authorized shall be filed in the Office of the City Clerk and shall be made available for public inspection.
6. There shall be no amendments or changes to 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.

### **STATEMENT**

This Resolution ratifies and authorizes the Mayor of the City of Newark and/or his designee, the Business Administrator, on behalf of the City of Newark, to enter into and execute a Professional Services Agreement with KS Engineers, P.C. located at 2 Riverfront Plaza, McCarter Highway, Newark, New Jersey 07102, to provide services of a Municipal Engineer, including, but not limited to assisting the municipality in the administration and operation of the roads, parks, municipal buildings, water and sewer systems, as well as provide general engineering assistance to all City Departments in amount not to exceed \$100,000.00 for the period of July 1, 2022 through June 30, 2023.