



## Legislation Details (With Text)

**File #:** 22-1009      **Version:** 1      **Name:** Resolution Awarding Contract PKF O'Connor Davies, LLP  
**Type:** Resolution      **Status:** Adopted  
**File created:** 7/15/2022      **In control:** Finance  
**On agenda:** 10/5/2022      **Final action:** 10/5/2022

**Title:** Dept/ Agency: Finance  
Action: ☐ Ratifying ☒ Authorizing ☐ Amending  
Type of Service: Professional Service Contract  
Purpose: To provide Hotel Tax Audit.  
Entity Name: PKF O'Connor Davies, LLP  
Entity Address: 300 Tice Boulevard, Suite 315, Woodcliff Lake, New Jersey 07677  
Contract Amount: Not to exceed \$252,000.00  
Funding Source: 2022 Budget/011-050-0501-71280-B2022  
Contract Period: One (1) year from the date of a written Notice to Proceed  
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
10/5/2022	1	Municipal Council	Adopt	Pass

**Dept/ Agency:** Finance  
**Action:** ☐ Ratifying ☒ Authorizing ☐ Amending  
**Type of Service:** Professional Service Contract  
**Purpose:** To provide Hotel Tax Audit.  
**Entity Name:** PKF O'Connor Davies, LLP  
**Entity Address:** 300 Tice Boulevard, Suite 315, Woodcliff Lake, New Jersey 07677  
**Contract Amount:** Not to exceed \$252,000.00  
**Funding Source:** 2022 Budget/011-050-0501-71280-B2022  
**Contract Period:** One (1) year from the date of a written Notice to Proceed  
**Contract Basis:** ☐ Bid ☐ State Vendor ☒ Prof. Ser. ☐ EUS  
☒ Fair & Open ☒ No Reportable Contributions ☒ RFP ☐ RFQ  
☐ Private Sale ☐ Grant ☐ Sub-recipient ☐ n/a  
**Additional Information:**

**WHEREAS,** the City of Newark advertised a Request for Proposal (RFP) for Auditing Services for Hotel Taxes on April 4, 2022; and

**WHEREAS,** only one proposal was received on April 22, 2022 from PKF O'Conner Davies, LLP, 300 Tice Boulevard, Suite 315, Woodcliff Lake, New Jersey 07677 and 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 contract with PKF O'Conner Davies, LLP, 300 Tice Boulevard, Suite 315, Woodcliff Lake, New Jersey 07677 to provide auditing services for the City of Newark, Department of Finance, in an amount not to exceed \$252,000.00 for a one year period from the notice to proceed; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.), requires that notice of the award of contracts for "Professional Services" without public bidding must 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.

**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 Director of Finance/CFO is hereby authorized and directed on behalf of the City of Newark to execute a contract with PKF O'Conner Davies, LLP, 300 Tice Boulevard, Suite 315, Woodcliff Lake, New Jersey 07677 to provide auditing services for the City of Newark, Department of Finance, in an amount not to exceed \$252,000.00 for a one (1) year period from the notice to proceed.
2. Pursuant to N.J.A.C. 5:30-5.5, attached hereto is the Comptroller's Certification which states that partial funds in the amount of \$50,000.00 are available in the 2022 Budget, Fund 011, Agency 050, Organization 0501, Object 71280. The remaining funds will be certified from the 2022/2023 Budget. The certification shall be filed along with the original resolution and the executed contract in the Office of the City Clerk.
3. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(a)(i) of the Local Public Contracts Law because the performance of the service required must be performed by someone who is a licensed financial advisor in the State of New Jersey.
4. There shall be no advance payments made against this contract in accordance with N.J.S.A. 40A:5-16
5. No changes to this contract are allowed without prior Municipal Council approval..
6. A copy of the executed agreement herein authorized shall be filed in the Office of the City Clerk by the Director of the Department of Finance and shall be made available for public inspection.
7. 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 authorizes the Director of the Department of Finance to enter into a Professional Services contract between the City of Newark with PKF O'Conner Davies, LLP, 300 Tice Boulevard, Suite 315, Woodcliff Lake, New Jersey 07677, to provide auditing services for the City of Newark, Department of Finance, in an amount not to exceed \$252,000.00 for a one year period from the notice to proceed.