



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

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**File #:** 19-0055, **Version:** 1

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**Dept/ Agency:** Water and Sewer Utilities

**Action:** ( ) Ratifying (X) Authorizing (X) Amending

**Type of Service:** Professional Services Contract

**Purpose:** 1<sup>st</sup> Amendment to the Agreement to provide Professional Engineering Services on an As-Needed Basis

**Entity Name:** HDR Engineering, Inc.

**Entity Address:** 1 International Boulevard, 10<sup>th</sup> Floor Suite, 1000, Mahwah, New Jersey 07495

**Contract Amount:** Not to exceed \$100,000.00

**Funding Source:** 2017 Budget/Department of Water and Sewer Utilities

**Contract Period:** Extending Contract term four (4) months until May 29, 2019

**Contract Basis:** ( ) Bid ( ) State Vendor (X) Prof. Ser. ( ) EUS

(X) Fair & Open (X) No Reportable Contributions ( ) RFP ( ) RFQ

( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) n/a

**Additional Information:**

Original Resolution 7R12-a (S/AS) adopted on January 30, 2018, awarded the contract in an amount not to exceed \$100,000.00.

The 1<sup>st</sup> Amendment will extend the term of the contract by four (4) months through May 29, 2019.

**WHEREAS**, Resolution 7R12-a (S/AS) January 30, 2018, authorized the Director of the Department of Water and Sewer Utilities to execute and award contracts for Professional Engineering Services on an As-Needed Basis to twelve (12) vendors; and

**WHEREAS**, the Department of Water and Sewer Utilities ("Department") awarded a contract to one of the twelve vendors, HDR Engineering, 1 International Boulevard, 10<sup>th</sup> Floor Suite 1000, Mahwah, New Jersey 07495 ("HDR Engineering"), to provide Professional Engineering Services on an As-Needed Basis for the contract amount of \$100,000.00; and

**WHEREAS**, HDR Engineering is presently engaged in preparing the City's Asset Management Plan ("AMP" or "Plan") for the City's water system; and

**WHEREAS**, the AMP is required by the State of New Jersey's Water Quality Accountability Act (WQAA); and

**WHEREAS**, the WQAA requires that the AMP be completed and in place by April 19, 2019; and

**WHEREAS**, the Department issued HDR Engineering a Notice to Proceed on August 22, 2018 and advised that the contract would expire on January 29, 2019; and

**WHEREAS**, HDR Engineering is currently active on the preparing the AMP, and in order to complete the required Plan by the State deadline, it has requested additional time at no additional

cost or expense to the Department; and

**WHEREAS**, an extension of four (4) months, until May 29, 2019, is necessary in order to provide additional coordination and refinement of the AMP and permit the City's Engineer to assist in implementation of the AMP; and

**WHEREAS**, the requested additional time for the contract is deemed reasonable and necessary to complete the Professional Engineering services requested through May 29, 2019 to meet the requirements of the State of New Jersey's WQAA; and

**WHEREAS**, the provision of the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(i) authorizes the award of Professional Services Agreements without public advertising for bids and bidding and requires that the contract be made available for public inspection; and

**WHEREAS**, the Municipal Council adopted the Contractor Pay-to-Pay Reform Ordinance R.O. 2:4-22 C, which forbids the award of a contract of a Business Entity, as defined therein, which has made or solicited political contributions to Newark Municipal Candidates, office holders having ultimate responsibility for the award of a contract; candidates committees of the aforementioned candidates, and political or political party committees regularly engaged in the support of the City of Newark municipal OR County of Essex Elections; and certain other political party or candidate committees, in excess of certain thresholds.

**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 enter into a First Amendment to the contract ("Amendment Number 1") with HDR Engineering, Inc., 1 International Boulevard, 10<sup>th</sup> Floor Suite 1000, Mahwah, New Jersey 07495, to provide Professional Engineering Services on an As-Needed Basis, namely to extend, by four months, the time for HDR Engineering to prepare the City's Asset Management Plan for the City's water system, which plan is required by under State law , for an amount not to exceed \$100,000.00.
2. The Municipal Council hereby ratifies Amendment Number 1 from August 22, 2018, the date HDR Engineering received a Notice to Proceed to begin work on the Plan, to the date of the adoption of this resolution.
3. All other terms and conditions of the contract shall remain the same.
4. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5 (1) (a) (i) of the Local Public Contract Law, because the performance of the service required must be performed by a person (or persons) licensed to practice a recognized engineering profession 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..
5. The Acting Director of the Department of Water and Sewer Utilities shall file a copy of the fully

executed Amendment Number1 in the Office of the City Clerk and same shall be made available for public inspection.

### **STATEMENT**

This resolution authorizes the Mayor and/or his designee, the Acting Director of the Department of Water and Sewer Utilities, to enter into a First Amendment to the contract with HDR Engineering, Inc., 1 International Boulevard, 10<sup>th</sup> Floor Suite 1000, Mahwah, New Jersey 07495, to provide Professional Engineering Services on an As-Needed Basis, namely to extend, by four (4) months, the time for HDR Engineering to prepare the City's Asset Management Plan for the City's water system, which plan is required under State law, for an amount not to exceed \$100,000.00. This extension of time to the contract is at no additional cost to the City.