



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 19-0382, Version: 1

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 \$150,000.00

Funding Source: 2019 Budget/Department of Public Safety, Division of Police

Contract Period: April 1, 2019 through March 31, 2020

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 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 they are qualified by their 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 Public Safety have determined and certified in writing that the value of this agreement will exceed \$40,000.00; 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 they have not made any reportable contributions to a political or candidate committee in the City of Newark in the previous one 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 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 \$150,000.00, for the period of April 1, 2019 through March 31, 2020.
2. The Municipal Council hereby ratifies this contract from April 1, 2019 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. The cost of providing the aforesaid service under this contract shall not exceed \$150,000.00.
5. 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.
6. The Determination of Value and Business Entity Disclosure Certificate are attached hereto and shall be filed with the Office of the City Clerk.
7. 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 City Clerk’s Office 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 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.

8. 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.

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

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

11. A duly executed copy of the contract shall be filed in the Office of the City Clerk by the Director of the Department of Public Safety.

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 authorizes and ratifies the actions taken by the Mayor and/or his designees, the Business Administrator and/or the Director of Public Safety, to enter into 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 the period of April 1, 2019 through March 31, 2020, for an amount not to exceed \$150,000.00.