Legislation Text

File #: 25-1615, **Version:** 1

Dept/ Agency: Water and Sewer Utilities
Action: ( ) Ratifying (X) Authorizing ( ) Amending
Type of Service: Professional Services Contract
Purpose: Professional Engineering Services on an As Needed Basis
Entity Name: T&M Associates
Entity Address: 11 Tindall Road, Middletown, New Jersey 07748
Contract Amount: Not to Exceed $100,000.00
Funding Source: Department of Water and Sewer Utilities Budget for Water Services
Contract Period: January 1, 2026 through December 31, 2026, Project assignments may go beyond December 31, 2026, as authorized by *N.J.S.A.* 40A:11-15(9.)
Contract Basis: ( ) Bid ( ) State Vendor (X) Prof. Ser. ( ) EUS
(X) Fair & Open ( ) No Reportable Contributions ( ) RFP (X) RFQ
( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) n/a
Additional Information:

WHEREAS, the City of Newark, Department of Water and Sewer Utilities (the City and/or the Department), is in need of Professional Engineering Services on an As-Needed Basis; and

WHEREAS, Engineering Services are Professional Services, exempt from the requirement for public bidding, pursuant to the Local Public Contracts Law, *N.J.S.A.* 40A:11-5(1)(a)(i); and

WHEREAS, on October 23, 2025, the Director of the Department of Water and Sewer Utilities of the City of Newark caused to be published on the Department's website and the Newark Star Ledger, a Notice of Request for Qualifications (RFQ) for Professional Engineering Services on an As-Needed Basis; and

WHEREAS, on October 30, 2025, City issued Addendum No. 1, correcting the submission deadline to November 13, 2025; and

WHEREAS, on November 10, 2025 the City issued Addendum No. 2, extending the submission deadline to November 21, 2025; and

WHEREAS, thirty-nine (39) prospective Respondents obtained RFQ Packages from the Department of Water and Sewer Utilities; and

WHEREAS, on November 21, 2025, the Department received sealed responses from thirty-two (32) firms in response to the RFQ; and

WHEREAS, T&M Associates, 11 Tindall Road, Middletown, New Jersey 07748, ("T&M") submitted a response that was found to be in the best interest of the City to accept for Engineering Services on an As-Needed Basis; and

WHEREAS, the City desires to enter into a contract with T&M to provide Professional Engineering Services on an As-Needed Basis, in an amount not to exceed 100000 and

WHEREAS, for each project assigned to T&M under this contract, the Department shall file, with the City Clerk, a copy of the proposal, Notice to Proceed and, if applicable, a fully executed agreement; and

WHEREAS, Local Public Contracts Law *N.J.S.A.* 40A:11-5(1)(a) requires that notice of award of contracts for "Professional Services" without competitive bidding 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 and is in compliance with State Pay-to-Play Statute.

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 the Department of Water and Sewer Utilities, are authorized to enter into and execute a contract with, T&M Associates, 11 Tindall Road, Middletown, New Jersey 07748 to provide Professional Engineering Services to the Department of Water and Sewer Utilities, on an As-Needed Basis, in an amount not to exceed $100,000.00, for contract period commencing on January 1, 2026 and terminating December 31, 2026. Individual project assignments, when applicable, may be awarded by the Director for the length of time authorized and necessary for the completion of the actual construction pursuant to *N.J.S.A.* 40A:11-15(9.)

2. This is a contract which shall be awarded in one fiscal year although the date on which it properly takes effect falls in the next fiscal year. Accordingly, this contract is subject to the availability and appropriation of sufficient funds in the year in which it takes effect pursuant to *N.J.A.C.* 5:30-5.5(e). Funds for this contract in the amount not to exceed One Hundred Thousand Dollars and Zero Cents $100,000.00, shall be provided from the City of Newark 2026 Budget, Department of Water and Sewer Utilities. Further, this is an open-end contract, thus, for expenditures against the contract, a Certification of Funds attesting to availability of sufficient funds, as required by *N.J.A.C.* 5:30-5.5(b) shall be executed before a contractual liability is incurred.

3. For each individual project assignment awarded under this contract, the Director of the Department of Water and Sewer Utilities shall file with the City Clerk a copy of the Proposal, Notice to Proceed and fully executed agreement, if applicable.

4. The Director of the Department of Water and Sewer Utilities shall file a duly executed copy of the contract in the Office of the City Clerk.

5. 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 ten (10) days of the adoption of this resolution.

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STATEMENT

This resolution authorizes the Mayor and/or his designee, the Director of Water and Sewer Utilities, to execute a contract with, T&M Associates 11 Tindall Road, Middletown, New Jersey 07748 to provide the City of Newark, Department of Water and Sewer Utilities with Professional Engineering Services on an As-Needed Basis, in an amount not to exceed $100,000.00, for a period of one (1) year commencing on January 1, 2026 and terminating December 31, 2026. Project assignments may go beyond December 31, 2026, as authorized by *N.J.S.A.* 40A:11-15(9).