

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
COUNTY OF ESSEX**

RESOLUTION NO. _____ **AUTHORITY FOR RESOLUTION:** N.J.S.A. 40:41A-38(n)

PROPOSED BY: COUNTY EXECUTIVE **AUTHORITY FOR ACTION:** N.J.S.A. 40:41A-36(i)

SUBJECT:

DEPARTMENT OF PUBLIC WORKS, DIVISION OF ENGINEERING - PROFESSIONAL SERVICES AGREEMENT - TO PROVIDE ENGINEERING SERVICES FOR FLOOD MITIGATION STUDY / FOULERTON BROOK / ROSELAND - CME ASSOCIATES - AGGREGATE AMOUNT NOT TO EXCEED \$65,596.00

WHEREAS, the County of Essex through Department of Public Works has a need for Engineering Services for Flood Mitigation Study / Foulerton Brook / Roseland (the "Services"); and

WHEREAS, the Department of Public Works through the Office of Purchasing has publicly advertised for Request for Proposals (RFP) in a "Fair and Open" process in accord with New Jersey "Pay to Play" law, N.J.S.A. 19:44A-20.2 et. seq.:

WHEREAS, the County has received, from six (6) consulting firms written responses to the RFP; and

WHEREAS, the Department of Public Works in-house Evaluation Selection Committee recommends that a contract for the Services be awarded to CME Associates, in the aggregate amount not to exceed \$65,596.00; and

WHEREAS, the Chief Financial Officer has certified the availability of funds to pay such contract (which certification is attached hereto); and

WHEREAS, said contract was the result of a Publicly Advertised Fair & Open Process, (Request for Proposals) as Professional Services in accordance with N.J.S.A. 40A: 11-5(1) of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. on condition that a resolution authorizing the contract for Professional Services and the contract itself be made available for public inspection; and

WHEREAS, the Board of County Commissioners is empowered by N.J.S.A. 40: 41A-38(n) to approve, by resolution, contracts presented by the County Executive; now, therefore, be it.

RESOLVED, by the Essex County Board of County Commissioners as follows:

1. That the award of a contract for the Services at an aggregate cost not to exceed \$65,596.00 to CME Associates a copy of which is annexed hereto in accordance with the recommendation of the County's of Department of Public Works be and hereby is approved, in accordance with the provisions of Law.
2. That the contract is awarded as a contract for "Professional Services" in accordance with N.J.S.A. 11-5(1)(a)
3. That notice of this contract award be published by the Clerk of the Board of County Commissioners in accordance with the provision of N.J.S.A. 40A: 11-5(1)
4. That the Clerk of the Board of County Commissioners forward two (2) certified copy of this Resolution & Contract to the Office of Purchasing and one (1) to the Department of Public Works.



TO: Honorable Robert Jackson
County Administrator

DEPARTMENT: Dept. of _____

FROM: Julius N. Coltre, MPA, QPA
Director of Purchasing

DIVISION: Public Works/Engineering

DATE: February 17, 2023

INTRODUCTION AND OVERVIEW:

TITLE: Engineering Services Flood Mitigation Study / Foulerton Brook / Roseland

SOLICITATION NUMBER: 22-230

SOLICITATION TYPE: Bid: RFP: Comp. Contract: Non-Fair & Open: Other:

REQUESTING AGENCY: Department of Public Works / Engineering

ADVERTISEMENT DATE: October 11, 2022 **OPENING DATE:** October 21, 2022

POTENTIAL BIDDERS FROM: Advertisement: 1 Portal: 52 Purchasing: 0 Small Business: 0

BIDDERS(s) REJECTED: 0 **REASON:** N/A

NUMBER OF SUBMITTED PROPOSALS: 6

ASPIRATION GOAL ACKNOWLEDGEMENT FORM (Completed & Returned): Yes: No:

CONTRACT PERIOD: Twelve (12) months from award date by the Board of Commissioners.

MINORITY STATUS OF RECOMMENDED VENDOR:

(WBE): (MGM): (SBE): (MBE) (VOB): (Other):

VENDOR NAME	Accumulated Points	Cost Proposal:
CME Associates	920	\$65,596.00
Remington & Vernick	915	\$82,270.00
NV5, Inc.	885	\$99,900.00
The Nader Group, LLC	825	\$158,500.00
French & Parrello	805	\$67,400.00
Boswell Engineering	750	\$115,000.00

REC-2023-0040

RECOMMENDATION:

Based upon the recommendation of Director Sanjeev Varghese, the Director of Public Works, which is attached hereto and after reviewing the submitted proposals, it is recommended that the Board of Commissioners award by resolution a contract to: **CME Associates 3141 Bordentown Avenue, Parlin, N.J. 08859.**

REASON FOR RECOMMENDATION:

The Essex County Department of Public Works has determined that this vendor has met the requirements of the advertised request for proposals and is the most advantageous proposer based on price & other factors to Provide Engineering Services for the Flood Mitigation Study at Foulerton Brook in Roseland, N.J. for the Essex County Department of Public Works as per specifications.

FISCAL IMPACT:

As stated on the attached recommendation letter from Public Works, funding will be from the Department of Public Works Capital Improvements Program, account# 04-215-22-001-290-110. The total cost of this contract shall not exceed: **\$65,596.00.**

ALTERNATIVE:

There is no alternative to procure this service except to advertise & solicit bids under the "fair & open bidding process in compliance with the Local Public Contracts Law N.J.S.A.40A:11-5 (1) (a) (i)

HISTORY:

To date, this vendor has been paid \$140,389.00 for other contracts for engineering services previously awarded by the governing body.

ADVERTISEMENT FOR BIDS:

In Accordance with the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)

ATTACHMENTS:

- 1) Memorandum of agreement (3 originals signed & attested)
- 2) Political Contribution Disclosure Form
- 3) Business Registration Certificate
- 4) Affirmative Action Requirements & Documents
- 5) Recommendation letter & score sheet from the Department of Public Works
- 6) Aspirational Goal Acknowledgement Form
- 7) Certificate of Insurance

JNC: cmc

MEMORANDUM OF AGREEMENT

BETWEEN

VENDOR

COUNTY

NAME: CME Associates
ADDRESS: 3141 Bordentown Ave.
Parlin, N.J. 08859

County of Essex
Hall of Records
465 Dr. Martin Luther King Blvd.
Newark, New Jersey 07102

RFP #: 22-230
DATE ADVERTISED: October 11, 2022
DATE RECEIVED: October 21, 2022
CONTRACT PERIOD: Twelve (12) months from award date by the Board of Commissioners
BASIS OF AWARD: Highest accumulated points scored, most advantageous to the County of Essex based on price & other factors.
COMMODITY DESCRIPTION: **To Provide Engineering Design Services for the Flood Mitigation Study at Foulerton Brook, in Roseland, N.J. as per specifications.**

CONDITIONS:

The award of this contract is subject to the approval of the Essex County Board of County Commissioners by resolution and such resolution will be prepared and presented to the Board at its regularly scheduled meeting. This contract becomes effective & binding upon adoption by resolution by the Essex County Board of County Commissioners.

The vendor identified above hereby agrees to comply with the terms and conditions of the bid specifications, advertisement, and vendor's proposal, as submitted by the vendor listed above under the bid number stated above, which are incorporated herein and made part hereof, and to faithfully perform the obligations therein to furnish & deliver the good or service listed above. This vendor has agreed to participate in the Voluntary Cooperative Purchasing System extending exact pricing & equipment specifications to all County Cooperative Agencies for the term of this contract. YES _____ NO _____ DOES NOT APPLY X

PAYMENT TERMS:

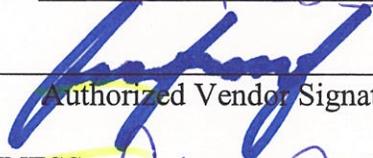
CONTRACT PERIOD: Twelve (12) months from award date by the Board of Commissioners.
AWARDED ITEMS: All tasks outlined in the specifications contained in the request for proposals #22-230.
AMOUNT NOT TO EXCEED: \$65,596.00 (total cost proposal)
MONTHLY PAYMENT: N/A
ANNUAL PAYMENT: N/A
TOTAL AWARD TO VENDOR **\$65,596.00 (total cost proposal)**

ESSEX COUNTY

DATE 3/6/23

Joseph N. DiVincenzo, Jr.

VENDOR

DATE 2/27/2023

Authorized Vendor Signature Michael J. Meckella Partner
WITNESS: Amy Terhune
Amy Terhune

ATTEST: _____
Deborah Davis Ford: Clerk of the Board



**COUNTY OF ESSEX
DEPARTMENT OF PUBLIC WORKS**

**DIVISION OF ENGINEERING
900 BLOOMFIELD AVENUE
VERONA, NEW JERSEY 07044-1393**

**(973) 226-8500
(973) 226-7469**

**JOSEPH N. DIVINCENZO, JR.
COUNTY EXECUTIVE**

**Sanjeev Varghese, P.E., P.P.
Director & County Engineer**

**Luis E. Rodriguez
Assistant County Engineer**

MEMORANDUM

*To: C Colva
for M&A's*

**TO: JULIUS COLTRE, DIRECTOR
OFFICE OF PURCHASING**

**FROM: SANJEEV VARGHESE, P.E., P.P.
COUNTY ENGINEER**

SV

DATE: FEBRUARY 15, 2023

**RE: ENGINEERING DESIGN SERVICES-FLOOD MITIGATION STUDY FOR
FOULERTON'S BROOK, RFP #22-230**

RECEIVED
COUNTY OF ESSEX
OFFICE OF PURCHASING
2023 FEB 16 AM 9:58

This Office received from the Office of Purchasing received six (6) technical proposals, for the above referenced RFP. Technical proposals were submitted to the Department of Public Works for evaluation, the results of the evaluation are attached.

It is the primary purpose of this contract to provide the Consulting Engineering Design Services for the Flood Mitigation Study of Foulerton's Brook in the Borough of Roseland; the proposal submitted by Consulting And Municipal Engineers (CME Associates) contains a reasonable cost and reflects a systematic approach to the required engineering environmental services in accordance with the RFP for this contract; the Department of Public Works recommends that a contract be awarded to CME Associates, in the amount not to exceed of \$65,596.00.

Funds are available for this Engineering Environmental Services contract from the Essex County Department of Public Works Capital Improvements Program with account # 04-215-22-001-290-110.

If you may have any questions please contact this office.

SV/LER

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Attachments: Consultant Selection Results

Pc: Robert Masino, Supervising Administrative Analyst
Andres Gomez, DPW

Putting Essex County First

ESSEX COUNTY IS AN EQUAL OPPORTUNITY EMPLOYER



Certification 1818

**CERTIFICATE OF EMPLOYEE INFORMATION REPORT
RENEWAL**

This is to certify that the contractor listed below has submitted an Employee Information Report pursuant to N.J.A.C. 17:27-1.1 et. seq. and the State Treasurer has approved said report. This approval will remain in effect for the period of **15-FEB-2023** to **15-FEB-2026**

**CME ASSOCIATES
1460 ROUTE 9, SOUTH
HOWELL NJ 07731 1194**



Elizabeth Maher Muoio
**ELIZABETH MAHER MUOIO
State Treasurer**



EXHIBIT A
MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE
N.J.S.A 10:5-31 et seq (P.L. 1975, C. 127)
N.J.A.C 17:27
GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

The contractor or subcontractor, where applicable, will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or workers' representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to employ minority and women workers consistent with the applicable county employ goals established in accordance with N.J.A.C. 17:27-5.2, or a binding determination of the applicable county employment goals determined by the Division, pursuant to N.J.A.C. 17:27-5.2.

CME Associates herein agrees to comply with the mandatory language of the above pursuant to P.L. 1975, c. 127.

Sworn on this

day of

Notary Public, State of New Jersey

AMY S. TERHUNE
NOTARY PUBLIC OF NEW JERSEY
Commission # 50000629
My Commission Expires 7/24/2024

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the applicable employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one of the following three documents:

- Letter of Federal Affirmative Action Plan Approval
- Certificate of Employee Information Report
- Employee Information Report Form AA302

The contractor and its subcontractors shall furnish such reports or other documents to the Contract Compliance & EEO as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Division of Contract Compliance & EEO for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code at NJAC 17:27.

Michael J. McClelland, P.E., P.P., C.M.E.
Partner, CME Associates



**STATE OF NEW JERSEY
BUSINESS REGISTRATION CERTIFICATE**

Taxpayer Name: CONSULTING AND MUNICIPAL ENGINEERS LLC
Trade Name:
Address: 1460 ROUTE 9 SOUTH
HOWELL, NJ 07731
Certificate Number: 2786089
Effective Date: October 31, 2022
Date of Issuance: January 03, 2023

For Office Use Only:
20230103100839074

STATEMENT OF
CERTAIN POLITICAL CONTRIBUTIONS
MADE AFTER JULY 11, 1986

(This statement is part of the proposal packet)

Ordinance Number 0-86-0007, as amended by Ordinance Number 0-95-0003, adopted by the Board of Chosen Freeholders of the County of Essex, requires that all proposals for negotiated contracts submitted by individuals and/or business entities seeking to provide goods or to perform services for the County of Essex shall contain a statement setting forth each political contribution by them of \$500.00 or more made within five years next preceding the date of said contract, either directly or indirectly, to any County elected political official, County political party and/or County official, political organization, or any State political party.

Set forth name of County elected official, County political party and/or County official, political organization, or State political party to whom a political contribution of \$500.00 or more was made by proposers within five (5) years of the date hereof.

If none, write "none".

Name

Amount

See ATTACHED

Proposer:

CME ASSOCIATES

By:

James M. Schmidt
(Signature)

Name of Signatory:

James M. Schmidt
(Print or Type)

Essex County - Contribution Disclosure

CONTRIBUTOR	CONTRIBUTION TO	DATE	AMOUNT
D J Samuel	Joseph DiVincenzo for Essex County Executive	09/05/18	1,000.00
D J Samuel	Joseph DiVincenzo for Essex County Executive	01/20/22	600.00
D J Samuel	EFO Brendan Gill	03/08/22	500.00
M J McClelland	Joseph DiVincenzo for Essex County Executive	09/05/18	900.00
M J McClelland	Joseph DiVincenzo for Essex County Executive	01/20/22	500.00

