



BOROUGH OF RIVERDALE NEW JERSEY



Resolution No: 04-2016

Date of Adoption: January 1, 2016

TITLE:

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL WATER AND SEWER ENGINEERING SERVICES

WHEREAS, the Borough of Riverdale has a need to acquire Professional Water and Sewer Engineering Services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the term of this contract is 1 year from January 1, 2016 to December 31, 2016; and,

WHEREAS, Anderson & Denzler Associates, Inc. (William Ryden, P.E.) has submitted a proposal indicating that they will provide the professional engineering services for the annual fee of \$164.40 per hour and various other rates as listed in the contract for projects requiring professional engineering services; and

WHEREAS, William Ryden, P.E.) has completed and submitted a Business Entity Disclosure Certification which certifies that neither he nor the firm of Anderson & Denzler Associates, Inc. has not made any reportable contributions to a candidate or candidate committee in the Borough of Riverdale in the previous one-year, and that this contract will prohibit him and the firm from making any reportable contributions through the term of the contract; and

WHEREAS, the governing body of the Borough of Riverdale pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer.

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Riverdale authorizes the Mayor to enter into a contract with William Ryden, P.E.as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

RECORD OF COUNCIL VOTE

Motion – by Councilman: _____ Second - by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Astarita						Pellegrini				
Revis						Desai				
Clinton						Oswald				

A.J. Jalloh, Borough Clerk

Paul M. Carelli, Mayor

This resolution, when adopted, must remain in the possession of the Borough Clerk. Certified copies are available.



**BOROUGH OF RIVERDALE
DETERMINATION OF VALUE FORM AND CERTIFICATION OF FUNDS
PURSUANT TO NON-FAIR AND OPEN CONTRACT AWARDS**

Prior to the governing body formally considering a resolution awarding a non-fair and open contract, an appropriate official must certify in writing that the estimated amount of the contract to be awarded exceeds \$17,500. The appropriate official may be the purchasing agent, financial officer, chief administrative officer, or an appointed or elected official with knowledge of the contract.

The determination of the amount is based on the value of the full contract life, not the amount spent annually. Therefore a two-year contract for \$10,000 a year awarded through a non-fair and open process falls under this requirement. A single one year contract for \$10,000, however, does not. The determination should be kept on file and made part of the resolution awarding the contract.

Contract For: Borough Engineer – Water and Sewer
Contract to be awarded to: William D. Ryden P.E. (ANDERSON & DENZLER ASSOCIATES, INC.)
Contract Period: One Year
January 1, 2016, through December 31, 2016

CERTIFICATION

I hereby certify that the estimated amounts of the contracts to be awarded exceed \$17,500.

I hereby further certify that funds to cover the expenditures for the above-reference contracts will be encumbered by purchase orders on an as-needed basis (as required pursuant to N.J.A.C. 5:30-5.4.).

By: _____
Kenneth Sesholtz, Chief Financial Officer

Certified Date: _____

ANDERSON & DENZLER ASSOCIATES, INC.

CONSULTING ENGINEERS
519 RIDGEDALE AVENUE
P.O. BOX 343
EAST HANOVER, N.J. 07936

CARL E. DENZLER, PRES.
WILLIAM D. RYDEN, P.E.
LEON C. HALL, P.E.

TELEPHONE 973 887-2270
FACSIMILE 973 887-7974
mail@anderson-denzler.com

October 19, 2015

Ms. Linda Forbes, Deputy Clerk
Borough of Riverdale
91 Newark-Pompton Tpk.
Riverdale, NJ 07457

Re: 2016 Professional Services Agreement
Borough of Riverdale

Dear Ms. Forbes:

Please find enclosed our proposed Professional Services Agreement for 2016, along with a copy of our per diem rate schedule.

We look forward to working with you and the Borough again next year.

Very truly yours,
ANDERSON & DENZLER ASSOC., INC.



William D. Ryden, P.E.
Vice President

WDR:mk/RIVCON
Enclosure

ANDERSON & DENZLER ASSOCIATES, INC.

CONSULTING ENGINEERS

January 1, 2016

SCHEDULE OF FEES

FOR PROFESSIONAL ENGINEERING SERVICES RENDERED UPON A PER DIEM BASIS

Principal Engineer	\$164.40 per hour
Professional Engineer	150.90 per hour
Engineer	106.70 per hour
Senior Designer	114.40 per hour
Land Surveyor	122.30 per hour
Design Draftsman	90.80 per hour
Inspector	86.60 per hour
Draftsman	65.60 per hour
2-Man Field Crew	172.20 per hour
3-Man Field Crew	202.90 per hour

Invoices will include travel time and supplementary expenses for all items directly connected with the project. Travel costs @ \$0.60 per mile.

All invoices are due and payable when rendered.

RIV(1/1/2016)

PROFESSIONAL SERVICES AGREEMENT

THIS AGREEMENT, Made this day of , 2016 by and between:

THE BOROUGH OF RIVERDALE, a public body corporate and politic, in the County of Morris and State of New Jersey, (Hereinafter referred to as the "Borough")

and:

WILLIAM D. RYDEN, Vice President of the firm of Anderson & Denzler Associates, a New Jersey corporation with offices at 519 Ridgedale Avenue, East Hanover, 07936 (Hereinafter referred to as "Engineer")

WITNESSETH

The parties hereto, for and in consideration of the mutual promises, covenants and conditions herein contained, agree to and with each other, as follows:

A. SCOPE OF THE WORK:

Appointment to the position of Water and Sewer System Consultant effective January 1, 2016 until December 31, 2016 with duties as defined by Borough Ordinances and/or as assigned by the Borough Administrator, Planning Board or applicable Borough departments.

B. PAYMENT FOR ENGINEERING SERVICES:

Payment for all professional engineering services under this contract shall be in accordance with the per diem and hourly rate schedule attached hereto.

The sole exception to the above, shall be where the Borough and the Engineer elect to enter into a written agreement for a specific project, wherein payment shall be on a lump sum or other mutually agreed upon basis.

Payments for all services shall be on a monthly basis, subject to Borough review and approval.

C. TERMINATION:

This Agreement shall terminate on December 31, 2016 or may be terminated by either party by giving thirty (30) days written notice. Upon termination, all papers, documents, memoranda, reports, and other materials relating to the administration of his engineering duties shall be returned to the Borough.

D. SUCCESSORS AND ASSIGNS:

This Agreement and all of the covenants shall inure to the benefit of, and be binding upon the Borough and Engineer respectively, and their successors, assigns and legal representatives. Neither the Borough nor the Engineer shall have the right to assign, transfer or sublet their interests or obligations hereunder, without the written consent of the other.

E. POLITICAL CONTRIBUTION DISCLOSURE

This contract has been awarded to Anderson & Denzler Associates and William D. Ryden based on the merits and abilities of said firm and named professional to provide the goods or services as described herein. This contract was not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4 et seq. As such, the undersigned does hereby attest that Anderson & Denzler Associates, its subsidiaries, assigns or principals controlling in excess of 10% of the company has neither made a contribution that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44A-16, in the one (1) year period preceding the award of the contract that would, pursuant to P.L. 2004, c.19, affect its eligibility to perform this contract, nor will it make a reportable contribution during the term of the contract to any political party committee in the Borough of Riverdale if a member of that political party is serving in an elective public office of the Borough of Riverdale when the contract is awarded, or to any candidate committee of any person serving in an elective public office of the Borough of Riverdale when the contract is awarded.

F. BUSINESS ENTITY DISCLOSURE CERTIFICATION

This Agreement is subject to the requirements of the "Local Unit Pay to Play Law" (P.L. 2004, c.19, amended by P.L. 2005, c.51), and the "New Jersey Campaign Contributions and Expenditures Reporting Act" (N.J.A.C. 19:44A-1 et. seq.). Anderson & Denzler Associates, Inc. certified compliance with the aforementioned laws, as per the attached "Business Entity Disclosure Certification" form attached hereto.

G. CERTIFICATE OF EMPLOYEE INFORMATION REPORT

Anderson & Denzler Associates, Inc. has received a Certificate of Employee Information Report from the State Treasurer, a copy of which is attached hereto.

H. ACCEPTANCE & SIGNATURES

BOROUGH OF RIVERDALE

ATTEST: _____ BY _____, Mayor

ENGINEER

ATTEST: Kary Kelly BY William D. Ryden
William D. Ryden, P.E., Vice President
Anderson & Denzler Assoc., Inc.

**BUSINESS ENTITY DISCLOSURE CERTIFICATION
FOR NON-FAIR AND OPEN CONTRACTS
Required Pursuant To N.J.S.A. 19:44A-20.8
BOROUGH OF RIVERDALE**

Part I – Vendor Affirmation

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that **Anderson & Denzler Associates, Inc.** has not made and will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 et seq. that, pursuant to P.L. 2004, c. 19 would bar the award of this contract, to any of the following named candidate committee, joint candidates committee; or political party committee representing the elected officials of the Borough of Riverdale as defined pursuant to N.J.S.A. 19:44A-3(p), (q) and (r).

No contributions to any organization or candidate	
has been made between 1/1/15 and the date of this contract.	

Part II – Ownership Disclosure Certification

I certify that the list below contains the names and home addresses of all owners holding 10% or more of the issued and outstanding stock of the undersigned.

Check the box that represents the type of business entity:

- Partnership Corporation Sole Proprietorship Subchapter S Corporation
 Limited Partnership Limited Liability Corporation Limited Liability Partnership

Name of Stock or Shareholder	Home Address
Carl E. Denzler	3945 Dockers Drive, Ruskin, Florida 33570

Part 3 – Signature and Attestation:

The undersigned is fully aware that if I have misrepresented in whole or part this affirmation and certification, I and/or the business entity, will be liable for any penalty permitted under law.

Name of Business Entity: Anderson & Denzler Associates

Signed: Carl E. Denzler Title: President

Print Name: Carl E. Denzler Date: 10/19/2015

Subscribed and sworn before me this 19th day of October, 2015

My Commission expires 10/17/2016.

Donna J. DeZoo
Donna J. DeZoo

Carl E. Denzler
(Affiant)
Carl E. Denzler, President
(Print name & title of affiant)
(Corporate Seal)

List of Agencies with Elected Officials Required for Political Contribution Disclosure
N.J.S.A. 19:44A-20.26

County Name: MORRIS
Borough: Riverdale

Legislative District 40:

Senator: Kevin J. O'Toole
Assemblyman: Scott T. Rumana
Assemblyman: David C. Russo

County Morris:

Freeholder Director: Kathryn DeFillippo
Freeholder: John Cesaro
Freeholder: Douglas R. Cabana
Freeholder: Thomas Mastrangelo
Freeholder: Hank Lyon
Freeholder-Elect: Christine Myers
Freeholder-Elect: Deborah Smith

County Clerk: Ann Grossi
Sheriff: Edward Rochford
Surrogate: John Pecoraro

Municipalities: Borough of Riverdale

Mayor: Paul M. Carelli

Councilman: Garrett Astarita
Stephen Revis
Bradley Clinton
Vincent Pellegrini
Dave Desai
Matt Oswald