

RESOLUTION NO. 2016- 324

A RESOLUTION AUTHORIZING AN AGREEMENT FOR PROFESSIONAL SERVICES WITH LEIDOS ENGINEERING, LLC d/b/a LEIDOS CONSULTING, LLC., OKLAHOMA CITY, OK, FOR PROJECT MANAGEMENT SERVICES IN CONNECTION WITH THE CLAYVILLE UNIT #1 SIMPLE CYCLE COMBUSTION UNIT, FOR AN AMOUNT NOT TO EXCEED \$100,000.00.

WHEREAS, there exists a need for the continuation of Management Services including warranty repair service for HM Down Unit #11, Clayville Unit #1 and additional professional services related to the litigation of the contract for construction of Clayville Unit #1; and

WHEREAS, the City of Vineland has a need to acquire such professional services as a Non-Fair and Open Contract pursuant to N.J.S.A. 19:44A-20.5; and

WHEREAS, the purchasing agent has determined and certified in writing that the value of said services will exceed \$17,500.00; and

WHEREAS, Leidos Engineering, LLC d/b/a Leidos Consulting, LLC, Oklahoma City, OK, has been on Vineland Municipal Electric Utility property for over eight (8) years for design, bidding and construction of Clayville Substation, HM Down Unit #11, Clayville Unit 1 & ongoing litigation of Clayville Unit #1 and has submitted a proposal indicating they will provide continued professional services; and

WHEREAS, the maximum amount authorized for said services is \$100,000.00, for the contract period January 1, 2017 to December 31, 2017; and

WHEREAS, Leidos Consulting, LLC has completed and submitted a Business Entity Disclosure Certification for Non-Fair and Open Contract which certifies that Leidos Consulting, LLC has not made any reportable contributions to a political or candidate committee in the City of Vineland in the previous one year and that the contract will prohibit Leidos Consulting, LLC from making any reportable contributions through the term of the contract to a political or candidate committee in the City of Vineland; and

WHEREAS, the availability of funds for said Professional Services Contract to be awarded herein have been certified by the Chief Financial Officer; and

WHEREAS, the Local Public Contract Law (N.J.S.A. 40A:11-1, et seq) requires that the Resolution authorizing the award of contract for Professional Services without competitive bidding and the contract itself must be available for public inspection.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Vineland as follows:

1. That the Mayor and Clerk are hereby authorized and directed to execute a Non-Fair and Open Agreement pursuant to N.J.S.A. 19:44A-20.5 with Leidos Engineering, LLC d/b/a Leidos Consulting, LLC, Oklahoma City, OK, for project management services, in an amount not exceed \$100,000.00, for the contract period of January 1, 2017 to December 31, 2017.
2. That this Agreement is awarded without competitive bidding as a Professional Service in accordance with N.J.S.A. 40A:11-5 (1) (a) of the Local Public Contracts Law because said services to be rendered or performed require knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction distinguished from general academic instruction or apprenticeship and training.
3. That the Business Disclosure Entity Certification, the Political Contribution Disclosure Form and the Determination of Value be placed on file with this Resolution.
4. That a Notice of this action shall be printed once in the Daily Journal.

BE IT FURTHER RESOLVED, that the Director of Law is authorized to make minor changes to the contract as needed after Council approved.

Adopted:

President of Council

ATTEST:

City Clerk

**REQUEST FOR RESOLUTION FOR CONTRACT AWARDS
UNDER 40A:11-5 EXCEPTIONS
(PROFESSIONAL SERVICES, EUS, SOFTWARE MAINTENANCE, ETC)**

9/23/16
(DATE)

1. Service (detailed description): Professional Services for Project and Construction
2. Amount to be Awarded: \$ 100,000

- Encumber Total Award
 Encumber by Supplemental Release



3. Amount Budgeted: \$ 100,000
4. Budgeted: By Ordinance No. 2011-46
Or Grant: Title & Year _____
5. **Account Number to be Charged: _____
6. Contract Period: 1/1/17 to 12/31/17
7. Date To Be Awarded: _____
8. Recommended Vendor and Address: Leidos Engineering, LLC, 9400 N. Broadway,
Suite 300, Oklahoma City, OK 73114

9. Justification for Vendor Recommendation:(attach additional information for Council review)
See attached letter.
The Leidos person shall be Peter Kudless who has been on VMEU property for
eight (8) years for design, bidding and construction of Clayville Substation,
HM Down Unit #11, Clayville Unit #1 & ongoing litigation of Clayville Unit #1

- Non-Fair & Open (Pay-to-Play documents required)
 Fair & Open: How was RFP advertised? _____

10. Evaluation Performed by: Gustav Foster *[Signature]* 9/23/16
11. Approved by: *[Signature]*

12. Attachments:
- Awarding Proposal
 Other: Pay for play certifications

- Send copies to:
Purchasing Division
Business Administration

[Handwritten initials]

** If more than one account #, provide break down

MEMORANDUM

September 23, 2016

TO: ROBERT DICKENSON
ASSISTANT BUSINESS ADMINISTRATOR

FROM: GUSTAV FOSTER, JR., PE 
CHIEF ENGINEER, ELECTRIC UTILITY

SUBJECT: REQUEST FOR PROFESSIONAL SERVICES AGREEMENT FOR
PROJECT MANAGEMENT

Vineland Municipal Electric Utility requests that a Professional Services Contract be awarded to Leidos, Engineering. LLC d/b/a Leidos Consulting, LLC 9400 North Broadway, Suite 300, Oklahoma City, OK 73114, to provide professional services associated with the Clayville Unit #1 Simple Cycle Combustion unit not to exceed \$100,000. The purpose of this contract is for continuation of management services including warranty repair service for Down Unit #11, Clayville Unit #1 and additional professional services related to the litigation of the contract for construction of this Clayville Unit #1.


The Leidos person shall be Peter Kudless who has been on VMEU property for over eight years for design, bidding and construction of Clayville Substation, Clayville Unit #1 and Down Unit #11. He has over 30 year of experience in operation, construction and design of generation, substation, distribution, and transmission systems in the electric utility industry.

This is a non-fair and open award and profession services request. Leidos Contract is attached with the play for pay forms and documents.

The contract shall be encumbered by requisition on a monthly basis to account number 022-0-00-00-0000-2-7511600 and other accounts as needed.

Please make the resolution authorizing the Director of Law to make any minor changes to the contract as needed after approval Council approval.

Approval:



Joseph Isabella
Director Electric Utility

GF
Attachment



August 26, 2016

Mr. Gus Foster
Chief Engineer
Vineland Municipal Electric Utility
415 North West Avenue
Vineland, NJ 08362-1508

Subject: **2017 Professional Services**

Dear Mr. Foster:

Leidos Engineering, LLC, d/b/a Leidos Consulting, LLC is pleased to provide continued Professional Services for Construction Management to the Vineland Municipal Electric Utility. Services will be provided for the period of approximately January 1 through December 31, 2017 with Peter Kudless as project manager at a rate of \$100.43 per hour plus expenses. This rate includes the agreed upon 5 percent increase over the 2016 rate (\$95.65/hour), which will correspond to an increase to Mr. Kudless's salary.

Please note that the tax identification number associated with Leidos Consulting, LLC (20-1659855) will remain the same as in 2017.

It is our understanding that these services will be provided in accordance with a new Professional Services Agreement to cover services provided during 2017. We are in the process of putting together the required "Business Entity Disclosure Certification", "Stockholder Disclosure Certification" and "Political Contributions Disclosure Form" which will be forwarded to you at a later date.

Please feel free to contact me with any questions or concerns you may have at (303)299-5236 or email reiff@leidos.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Reiff", written over a white background.

Rick Reiff
Managing Director