

CITY COUNCIL

The City of Orange Township, New Jersey

May 19, 2020

212-2020

DATE _____

NUMBER _____

TITLE: A RESOLUTION APPOINTING CP PROFESSIONAL SERVICES, 35 SPARTA AVENUE, SPARTA, NEW JERSEY 07871 TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR CY 2020 JANUARY 1, 2020 THROUGH DECEMBER 31, 2020 PURSUANT TO THE ESCROW SCHEDULE, NOT TO EXCEED \$50,000 PER BOARD SPECIFICALLY FOR THE PLANNING BOARD AND ZONING BOARD OF ADJUSTMENT THAT WILL BE PAID BY ESCROW FUNDS ONLY.

WHEREAS, the City of Orange Township has a need to acquire professional Engineering Services as a contract pursuant to the provisions of N.J.S.A. 19:44A-24 or 20.5 as appropriate; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires a resolution authorizing the award of contracts for "Professional Services" without competitive bids and that the contract itself be available for public inspection as set forth herein; and

WHEREAS, the City of Orange Township Planning Board and Zoning Board of Adjustment requires Engineering Services from professional Engineers or Engineering Consultants that are Licensed by the State Board of Professional Engineers and Nationally certified; and

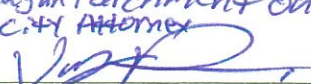
WHEREAS, the Planning Board and Zoning Board of Adjustment Technical Review fees will be paid separately from the budget and received from establishing an escrow account that will be solely funded by developers pertaining to their specific projects; and

WHEREAS, the Director of Planning has further reviewed the required documents submitted with the fee schedule, and find them to be in compliance with Federal, State and Local laws; and

WHEREAS, the Engineering firm of CP Professional Services has completed and submitted a Business Disclosure Certification which certifies that it has not made any reportable contributions to a political or candidate committee in the City in the previous one (1) year, except that the year 2005 is an exception to this requirement as the one year immediately preceding the effective date of the law, as that term is defined below, and that the contract will prohibit CP Professional Services from making any reportable contributions throughout the term of the contract; and

NOW, THEREFORE, BE IT RESOLVED by the Zoning Board of Adjustment of the City of Orange Township, New Jersey as follows:

1. The Planning Board and Zoning Board of Adjustment hereby approves and directed to execute the attached Agreement with CP Professional Services specifically set forth in the attached proposal for one year effective January 1, 2020 through to December 31, 2020.

Vaughn Perchment on behalf of the City Attorney


2. Notice of this action shall be printed in the Orange Transcript as required by law within ten (10) days of its passage.

Adopted:

Joyce L. Lanier
City Clerk

Tency A. Eason
Council President

Request for Taxpayer Identification Number and Certification

Give Form to the requester. Do not send to the IRS.

Go to www.irs.gov/FormW9 for instructions and the latest information.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.
CP ENGINEERS, LLC

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.

Individual/sole proprietor or single-member LLC

C Corporation

S Corporation

Partnership

Trust/estate

Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ S

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

Other (see instructions) ▶

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) _____

Exemption from FATCA reporting code (if any) _____

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.
35 SPARTA AVENUE

6 City, state, and ZIP code
SPARTA, NEW JERSEY, 07871

7 List account number(s) here (optional)

Requester's name and address (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number

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OR

Employer identification number

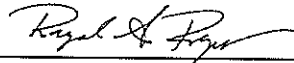
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Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here Signature of U.S. person ▶  Date ▶ January 13, 2020

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
 - Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
 - Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
 - Form 1099-S (proceeds from real estate transactions)
 - Form 1099-K (merchant card and third party network transactions)
 - Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
 - Form 1099-C (canceled debt)
 - Form 1099-A (acquisition or abandonment of secured property)
- Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.
- If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.

STATE OF NEW JERSEY
BUSINESS REGISTRATION CERTIFICATE

DEPARTMENT OF TREASURY/
DIVISION OF REVENUE
PO BOX 252
TRENTON, N J 08646-0252

TAXPAYER NAME:
CP ENGINEERS LLC

TRADE NAME:

ADDRESS:
35 SPARTA AVENUE
SPARTA NJ 07871
EFFECTIVE DATE:

SEQUENCE NUMBER:
1718267

05/21/12

ISSUANCE DATE:
02/10/14



Director
New Jersey Division of Revenue

FORM-BRC

This Certificate is NOT assignable or transferable. It must be conspicuously displayed at above address.

(04-08) D205846V

OPB RESOLUTION # 04-2020

During the Annual Reorganization on January 22, 2020, it was motioned by **Vice-Chair Antoinette Jones** and seconded by **Member Hans Tanis** and approved by the vote indicated below, that the following persons will be the Board Professionals from January 1, 2020 through December 31, 2020, and at a prevailing compensation as indicated in the Orange Municipal Budget and/or Applicant Escrow Funds, pursuant to the appropriate agreement to be executed by the Board Chairman.

Gerard Haizel of Nishuane Group, Planning Board Planner
Rich Wostbrock of CP Professional Services, Planning Board Engineer

The Motion to approve the Orange Planning Board Professionals was made by **Vice-Chair Jones** and seconded by **Member Tanis**.

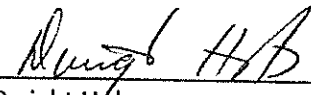
This motion carried 7 in favor, 0 opposed and 0 abstentions.

Members	Aye	Nay	N.V	A.B	E.X	Members	Aye	Nay	N.V	A.B	E.X
Dwight Holmes, Chair	X					Callistus Onyiuke	X				
Antoinette Jones, V-Chair	X					Enock Faustin	X				
Hon. Dwayne Warren, Mayor				X		Vacant					
Hon. Tency Eason, Council Member	X										
Christopher Mobley	X										
Hans Tanis	X										

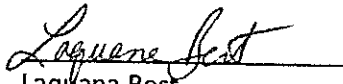
X: Indicates Vote
A.B.: Absent

N.V.: Not Voting (Abstained)
E.X.: Excused

Presented: January 22, 2020


Dwight Holmes
Planning Board Chairperson

Adopted: January 22, 2020


Laquana Best
Planning Board Secretary



City of Orange Township

ZONING BOARD OF ADJUSTMENT

29 NORTH DAY STREET

ORANGE, N.J. 07050

(973) 266-4001

FAX: (973) 677-7847

RESOLUTION #OZB-02-2020

A RESOLUTION APPOINTING CP ENGINEERS, LLC, 35 SPARTA AVENUE, SPARTA, NEW JERSEY 07871 TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR CY 2020, JANUARY 1, 2020 THROUGH DECEMBER 31, 2020 PURSUANT TO THE ESCROW SCHEDULE, NOT TO EXCEED \$50,000 SPECIFICALLY FOR THE ZONING BOARD OF ADJUSTMENT THAT WILL BE PAID BY ESCROW FUNDS ONLY.

WHEREAS, the City of Orange Township has a need to acquire professional Engineering Services as a contract pursuant to the provisions of N.J.S.A. 19:44A-24 or 20.5 as appropriate; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires a resolution authorizing the award of contracts for "Professional Services" without competitive bids and that the contract itself be available for public inspection as set forth herein; and

WHEREAS, the City of Orange Township Zoning Board of Adjustment requires Engineering Services from professional Engineers or Engineering Consultants that are Licensed by the State Board of Professional Engineers and Nationally certified; and

WHEREAS, the Zoning Board of Adjustment Technical Review fees will be paid separately from the budget and received from establishing an escrow account that will be solely funded by developers pertaining to their specific projects; and

WHEREAS, the Zoning Board, at its annual reorganization meeting held on January 27, 2020, voted to appoint Dave Clark, PE of CP Engineers, LLC as its Board Engineer; and

WHEREAS, the Director of Planning has further reviewed the required documents submitted with the fee schedule, and find them to be in compliance with Federal, State and Local laws; and

WHEREAS, the Engineering firm of CP Engineers, LLC has completed and submitted a Business Disclosure Certification which certifies that it has not made any reportable contributions to a political or candidate committee in the City in the previous one (1) year, except that the year 2005 is an exception to this requirement as the one year immediately preceding the effective date of the law, as that term is defined below, and that the contract will prohibit CP Engineers, LLC from making any reportable contributions throughout the term of the contract; and

RESOLUTION #OZB-02-2020

Page 2 of 2

NOW, THEREFORE, BE IT RESOLVED by the Zoning Board of Adjustment of the City of Orange Township, New Jersey as follows:

1. The Zoning Board of Adjustment hereby approves and directed to execute the attached Agreement with CP Engineers, LLC specifically set forth in the attached proposal for one year effective January 1, 2020 through to December 31, 2020.
2. Notice of this action shall be printed in the Orange Transcript as required by law within ten (10) days of its passage.

Approved by the following vote:

Board Member	In Favor	Not In Favor	Absent
Murphy Wilson	✓		
Mary Reed-Learmont	✓		
Eddie Grubbs			✓
JoAnne Ware	✓		
Gerard Schubert	✓		
Kenneth Black			✓
Ashanti Connor	✓		
Louis Harris			✓
Antoinette Hall	✓		
Cheryl Gayle	✓		

**BUSINESS ENTITY DISCLOSURE CERTIFICATION
FOR NON-FAIR AND OPEN CONTRACTS
Required Pursuant To N.J.S.A. 19:44A-20.8
CITY OF ORANGE TOWNSHIP, NEW JERSEY**

Part I - Vendor Affirmation

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that

CP Engineers, LLC

(Contractor)

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 in the one year period preceding the date of reorganization to any of the following named candidate committee, joint candidates committee, or political party committee representing the elected officials of the **CITY OF ORANGE TOWNSHIP** as defined pursuant to N.J.S.A. 19:44A-3(p), (q) and (r).

Dwayne D. Warren, Esq.	
Tency A. Eason	
Donna K. Williams	
Adrienne Wooten	
Christopher Jackson	
Harold J. Johnson, Jr.	
Kerry Coley	
Jamie Summers-Johnson	

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
Stanley G. Puszc	25 Pheasant Walk; Sparta, NJ 07871
Raymond A. Roggero	30 Morgan Drive; Sparta, NJ 07871
Jose M. Toscano	3 Mackenzie Court; Sparta, NJ 07871

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: CP Engineers, LLC

Signed: [Signature]

Title: Vice President

Print Name: Stephen E. Donati

Date: February 12, 2020

Subscribed and sworn before me the 12th day of

February, 2020

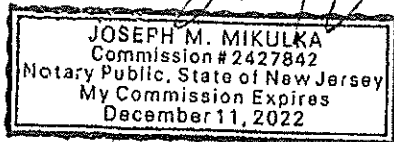
[Signature]

(Affiant)

My Commission expires [Signature]

Stephen E. Donati, Vice President

(Print name & title of affiant) (Corporate Seal)



N.J.S.A. 10:5-31 and N.J.A.C. 17:27
MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE
Goods, Professional Services and General Service Contracts
(Mandatory Affirmative Action Language)

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 or sex. Except with respect to affectional or sexual orientation, 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 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 for the 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 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 employment 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.

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 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.

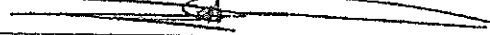
In conforming with the applicable employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation 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 Division of Contract Compliance and EEO as may be requested by the Division 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 N.J.A.C. 17:27.

* Aware of obligation to the State pursuant to N.J.S.A. 10:5-31 et. seq.

Vendor:  Date: February 12, 2020
Stephen E. Donati, Vice President
CP Engineers, LLC

OPB RESOLUTION # 04-2020

During the Annual Reorganization on January 22, 2020, it was motioned by **Vice-Chair Antoinette Jones** and seconded by **Member Hans Tanis** and approved by the vote indicated below, that the following persons will be the Board Professionals from January 1, 2020 through December 31, 2020, and at a prevailing compensation as indicated in the Orange Municipal Budget and/or Applicant Escrow Funds, pursuant to the appropriate agreement to be executed by the Board Chairman.

Gerard Haizel of Nishuane Group, Planning Board Planner
Rich Wostbrock of CP Professional Services, Planning Board Engineer

The Motion to approve the Orange Planning Board Professionals was made by **Vice-Chair Jones** and seconded by **Member Tanis**.


This motion carried 7 in favor, 0 opposed and 0 abstentions.

Members	Aye	Nay	N.V	A.B	E.X	Members	Aye	Nay	N.V	A.B	E.X
Dwight Holmes, Chair	X					Callistus Onyiuke	X				
Antoinette Jones, V-Chair	X					Enock Faustin	X				
Hon. Dwayne Warren, Mayor				X		Vacant					
Hon. Tency Eason, Council Member	X										
Christopher Mobley	X										
Hans Tanis	X										

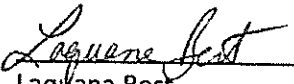
X: Indicates Vote
A.B.: Absent

N.V.: Not Voting (Abstained)
E.X.: Excused

Presented: January 22, 2020


Dwight Holmes
Planning Board Chairperson

Adopted: January 22, 2020


Laquana Best
Planning Board Secretary