

CITY COUNCIL

The City of Orange Township, New Jersey

DATE March 5, 2024

NUMBER 156-2024

TITLE: A RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH CP PROFESSIONAL SERVICES TO PROVIDE ENGINEERING SERVICES TO THE CITY OF ORANGE TOWNSHIP PLANNING BOARD AND ZONING BOARD OF ADJUSTMENT FOR A PERIOD BEGINNING JANUARY 1, 2024, AND CONTINUING THROUGH DECEMBER 31, 2024, WITH ALL FEES PAID EXCLUSIVELY THROUGH ESCROWED FUNDS.

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

WHEREAS, the City of Orange Township Planning Board and Zoning Board of Adjustment require professional engineering services and have both appointed CP Professional Services to provide said engineering services for the period beginning January 1, 2024, and continuing through December 31, 2024; and,

WHEREAS, the fees for said engineering services will be paid separately from the budget and received through an escrow account that will be solely funded by developers pertaining to their specific projects; and,

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

WHEREAS, a Certification of Availability of Funds is not necessary since the fees for the engineering services provided by CP Professional Services will be paid exclusively by applicants to the Planning Board or Zoning Board of Adjustment, as appropriate.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the City of Orange Township that a contract be awarded to CP Professional Services with all fees 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,

BE IT FUTHER RESOLVED, that the proper officers of the City of Orange Township are hereby authorized to enter into said contract with CP Professional Services; and,

BE IT FURTHER RESOLVED that notice of this action shall be published as required by law within 10 days of its passage.

Adopted: **March 5, 2024**

Joyce Lanier
City Clerk

Tency Eason
Council President

 A. MIZRAH
CITY ATTORNEY

PLANNING BOARD

The City of Orange Township
New Jersey



Date 01/24/2024

Resolution No. 04-2024

TITLE: A RESOLUTION APPROVING JOHN M. CAHILLANE, PE, OF CP ENGINEERS NJ LLC, TO PROVIDE PROFESSIONAL ENGINEERING CONSULTANT SERVICES TO THE PLANNING BOARD OF THE CITY OF ORANGE TOWNSHIP FOR A TERM COMMENCING JANUARY 1, 2024, AND CONTINUING THROUGH DECEMBER 31, 2024, TO BE COMPENSATED ENTIRELY THROUGH APPLICANT FEES AND ESCROW FUNDS.

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 Municipal Land Use Law, *N.J.S.A. 40:55D-1 et seq.*, permits the Planning Board ("Board") of the City of Orange Township ("City") to contract for and fix the compensation of a professional engineering consultant to provide advice on matters relating to planning and land use ("Board Engineer"); and,

WHEREAS, the Board has concluded that John M. Cahillane, PE, of CP Engineers NJ LLC, has the qualifications and experience necessary to serve as the Board Engineer; and,

WHEREAS, the Board Engineer's fees for services rendered to the Board shall be paid entirely through applicant fees and escrow funds.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING BOARD OF THE CITY OF ORANGE TOWNSHIP that John M. Cahillane, PE, of CP Engineers NJ LLC, is hereby appointed as Board Engineer for a term beginning as of January 1, 2024, and continuing through December 31, 2024, to be paid entirely through applicant fees and escrow funds; and,

BE IT FURTHER RESOLVED that the Board Chair is hereby authorized to execute an agreement with the Board Engineer on the Board's behalf, reflecting these terms; and,

BE IT FURTHER RESOLVED that notice of this action shall be published as required by law within 10 days of its adoption.

[REMAINDER OF PAGE INTENTIONALLY BLANK]

Motion to Approve Resolution

Motion Date: January 24, 2024

M	2d	Member		AYE	NAY	N/V	N/P
<input type="checkbox"/>	<input type="checkbox"/>	HOLMES, Dwight	Board Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	JONES, Antoinette	Board Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	WARREN, Hon. Dwayne D.	Mayor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	Coley, Hon. Kerry.	Councilmember	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	MOBLEY, Christopher		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	ONYIUKE, Callistus		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	FAUSTIN, Enock		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	LATURE, Jean-Guy		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

M: Motion
 2d: Second
 NV: No Vote
 (Abstain/Excused)
 N/P: Not Present

Vote Totals:

7	0	0	1
---	---	---	---

 Approved Rejected

I hereby certify the foregoing Resolution was adopted by the Planning Board of the City of Orange Township at its meeting on January 24, 2024.

Dwight Holmes
Dwight Holmes (Feb 17, 2024 12:54 EST)
 Dwight Holmes
 Planning Board Chair

Alexandra Reyes
Alexandra Reyes (Feb 16, 2024 10:47 EST)
 Alexandra Reyes
 Planning Board Secretary

Approved as to form and legality:

Joseph Wenzel
Joseph Wenzel (Feb 16, 2024 10:35 EST)
 Joseph Wenzel, Esq.
 Planning Board Attorney






Resolution.Planning Board.2024 Engineer Appointment (CP Engineers)

Final Audit Report

2024-02-17

Created:	2024-02-16
By:	Gisell Reyes (areyes@orangenj.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAie8geg3E9IDETGULhkr9CYSLISKRZL99

"Resolution.Planning Board.2024 Engineer Appointment (CP Engineers)" History

-  Document created by Gisell Reyes (areyes@orangenj.gov)
2024-02-16 - 3:34:33 PM GMT
-  Document emailed to dwightholmes78@yahoo.com for signature
2024-02-16 - 3:34:37 PM GMT
-  Document emailed to joe@friendwenzel.com for signature
2024-02-16 - 3:34:37 PM GMT
-  Document emailed to Gisell Reyes (areyes@orangenj.gov) for signature
2024-02-16 - 3:34:37 PM GMT
-  Email viewed by joe@friendwenzel.com
2024-02-16 - 3:34:53 PM GMT
-  Signer joe@friendwenzel.com entered name at signing as Joseph M. Wenzel
2024-02-16 - 3:35:12 PM GMT
-  Document e-signed by Joseph M. Wenzel (joe@friendwenzel.com)
Signature Date: 2024-02-16 - 3:35:14 PM GMT - Time Source: server
-  Email viewed by Gisell Reyes (areyes@orangenj.gov)
2024-02-16 - 3:46:54 PM GMT
-  Document e-signed by Gisell Reyes (areyes@orangenj.gov)
Signature Date: 2024-02-16 - 3:47:16 PM GMT - Time Source: server
-  Email viewed by dwightholmes78@yahoo.com
2024-02-17 - 5:53:24 PM GMT

 Signer dwithholmes78@yahoo.com entered name at signing as Dwight Holmes

2024-02-17 - 5:54:19 PM GMT

 Document e-signed by Dwight Holmes (dwithholmes78@yahoo.com)

Signature Date: 2024-02-17 - 5:54:21 PM GMT - Time Source: server

 Agreement completed.

2024-02-17 - 5:54:21 PM GMT

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, CP Engineers, LLC, ("contractor" or "subcontractor", as appropriate), 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 ensure that equal employment opportunity is afforded to such applicants in recruitment and employment, 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 equal employment opportunity 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 employment goals established in accordance with *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, 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 or subcontractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, 1 of the following 3 documents:

1. Federal Letter of Approval of Equal Employment Opportunity Policies;
2. Certificate of Employee Information Report; or,
3. Completed Employee Information Report Form AA302.

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE (cont'd)

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

The contractor or subcontractor shall furnish such reports or other documents to the City as may be requested from time to time in order to carry out the purposes of these regulations, and the City may furnish such information as may be requested by the New Jersey Division of Purchase & Property, Contract Compliance Administration Unit, EEO Monitoring Program for purposes of conducting a compliance investigation pursuant to *N.J.A.C. 17:27-10 et seq.*

The undersigned hereby acknowledges the above listed requirements.

For CP Engineers, LLC
(Individual or Firm Name)

By: 
(Signature)

February 28, 2024
(Date)

David A. Clark
(Printed Name)

Vice President
(Title)

Certification 63628

CERTIFICATE OF EMPLOYEE INFORMATION REPORT
INITIAL

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-OCT-2020** to **15-OCT-2027**

CP ENGINEERS, LLC
11 PARK LAKE ROAD
SPARTA

NJ 07871



Elizabeth Maher Muoio

ELIZABETH MAHER MUOIO
State Treasurer

NON-COLLUSION AFFIDAVIT

STATE OF NEW JERSEY :
COUNTY OF _____ : ss.

I, David A. Clark, on behalf of the firm of CP Engineers, LLC, upon my oath or affirmation, hereby depose and say:

1. That I executed the documents submitted herein with full authority so to do;
2. That neither I nor the firm has directly or indirectly entered into any Agreement, participated in any collusion, or otherwise taken any action in restraint of fair and open competition in connection with this contract;
3. That all statements contained in the documents submitted herewith, and in this Affidavit are true and correct, and made with full knowledge that the City of Orange Township will rely upon the truth of the statements contained therein in making determinations regarding award of this contract; and,
4. that no person or selling agency has been employed to solicit or secure this engagement agreement or understanding for a commission, percentage, brokerage or contingent fee, except *bona fide* employees or *bona fide* established commercial selling agencies of the proposer. See N.J.S.A. 52:34-25.

The undersigned hereby acknowledges the above listed requirements.

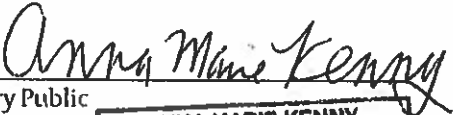
For CP Engineers, LLC
(Individual or Firm Name)

By: 
(Signature)

February 28, 2024
(Date)

David A. Clark
(Printed Name)
Vice President
(Title)

Sworn before me on this 28th day of Feb., 2024


Notary Public



BUSINESS OWNERSHIP DISCLOSURE

Pursuant to N.J.S.A. 52:25-24.2, the City of Orange Township ("City") is prohibited from awarding a contract to any business entity unless, the business entity provides the City with a statement setting forth the names and addresses of all individuals with 10.00% or more ownership interest therein at the time of proposal.

A. Business Entity Name & Organization

Legal Name of Business Entity: CP Engineers, LLC

Type of Entity: "C" Corporation "S" Corporation Limited Liability Company
 General Partnership Limited Partnership Limited Liability Partnership

B. Ownership Information

- No person or entity has 10.00% or greater ownership interest in the business entity.
 Names and addresses for all persons or entities with at least 10.00% ownership interest in the business entity, along with corresponding ownership interest percentages, are as follows (attach additional sheets as necessary):

Name	Address	Ownership %
CP Consulting Engineers, Inc.	11 Park Lake Road, Sparta, NJ 07871	100

- If any owner identified above is a business entity list the names and addresses of all persons and/or entities owning at least 10.00% of each such entity, repeating this process until the names and addresses of all non-businesses owning at least 10.00% of the business and all related entities are disclosed (attach additional sheets as necessary):

Name	Address	Ownership %
Stanley G. Puszcz	25 Pheasant Walk, Sparta, NJ 079871	80
Stephen E. Donati	55 Waters Edge Road, Sparta, NJ 079871	20

If the business entity has a direct or indirect parent entity which is publicly traded, and any person holds a 10.00% or greater beneficial interest in the publicly traded parent entity as of the last annual federal Security and Exchange Commission ("SEC") or foreign equivalent filing, ownership disclosure can be met by providing links to the website(s) containing the last annual filing(s) with the SEC (or foreign equivalent) that contain the name and address of each person holding a 10.00% or greater beneficial interest in the publicly traded parent entity, along with the relevant page numbers of the filing(s) that contain the information on each such person (attach additional sheets if necessary):

URL of Last Annual SEC (or foreign equivalent) Filing	Page #

BUSINESS OWNERSHIP DISCLOSURE CERTIFICATION (cont'd)

C. General Disclosures


The following questions must be answered as to the business entity and all parties identified in Part B above ("owner"). To the extent the answer to any question is "yes", a separate explanation identifying the relevant party(ies) and the circumstances involved must be appended to this Disclosure.

Has the business or any owner been a party in litigation brought within the last 5 years involving laws governing hours of labor, minimum wage standards, discrimination in wages or child labor?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has the business or any owner ever been charged with, convicted of, under indictment, on parole, on probation or a plaintiff in, any criminal or civil offense other than a minor motor vehicle violation?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has the business or any owner ever been subject to, or have pending, any disciplinary action by any administration, governmental or regulatory body?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has the business or any owner ever been subject to any order resulting from any criminal, civil or administrative proceeding brought by any administrative governmental, or regulatory agency?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has the business or any owner ever been denied any license on the grounds of moral turpitude by any administrative, governmental or regulatory agency?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has the business or any owner been informed that it/he/she is the target of any current investigation with respect to possible violations of state or federal securities, antitrust or criminal laws?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has the business or any owner ever been denied a business-related license or had any such license suspended or revoked by any administrative, governmental or regulatory agency?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has the business or any owner ever been debarred, suspended or disqualified from contracting with any federal, state or municipal agency?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has the business or any owner ever been in receivership or adjudicated bankrupt?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has the business or any owner ever been in default on a personal or business loan?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

D. Certification

I hereby certify that the foregoing information and any attachments hereto are true and complete. I acknowledge that: (a) I am authorized to execute this certification on behalf of the business entity and all parties listed in Parts A and B above; (b) the City will rely on the information contained herein and the business and all owners are under a continuing obligation to notify the City in writing of any changes to the information contained herein; and, (c) I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do, the City will reject this submission and I may be subject to prosecution.

For CP Engineers, LLC
(Individual or Firm Name)

By: 
(Signature)
David A. Clark
(Printed Name)
Vice President
(Title)

February 28, 2024
(Date)

POLITICAL CONTRIBUTION DISCLOSURE

Pursuant to N.J.S.A. 19:44A-20.26, this form must be submitted not later than 10 days prior to the award of any contract with the City of Orange Township ("City") that may have an anticipated value exceeding \$17,500.00, and/or any contract awarded as a non-fair and open contract.

A. Instructions

All persons and business entities contracting with the City must disclose contributions to:

1. any continuing political committee (i.e., political action committee); and/or,
2. any candidate committee of a candidate for, or holder of, an elective office of the City, the County of Essex, another public entity within the County of Essex, and/or the legislative district where the City is located, (see Part B below).

The disclosure must list reportable contributions to any of the committees that exceed \$200.00 per election cycle, made during the 12 months prior to award of the contract. See N.J.S.A. 19:44A-8; N.J.S.A. 19:44A-16. For business entities, this requirement applies to:

- individuals with an ownership interest or control of more than 10.00% of the profits or assets of the business entity;
- all principals, partners, officers, or directors of the business entity and their respective spouses;
- any subsidiaries directly or indirectly controlled by the business entity;
- any New Jersey-based IRS Code § 527 organization, directly or indirectly controlled by the business entity and filing as a continuing political committee (i.e., PAC).

When the contractor is a natural person, "a contribution by that person's spouse or child, residing therewith, shall be deemed to be a contribution [by the contractor]." N.J.S.A. 19:44A-20.26(b).

Any contractor that fails to comply with these disclosure provisions shall be subject to a fine imposed by the New Jersey Election Law Enforcement Commission in an amount based upon the amount that the contractor failed to report.

The enclosed list of agencies is provided to assist the contractor in identifying those public agencies whose elected official and/or candidate campaign committees are affected by the disclosure requirement. It is the contractor's responsibility to identify the specific committees to which contributions may have been made and need to be disclosed. The disclosed information may exceed the minimum requirement.

The enclosed form, a content-consistent facsimile, or an electronic data file containing the required details (along with a signed cover sheet) may be used as the contractor's submission and is disclosable to the public under the Open Public Records Act, N.J.S.A. 47:1A-1 et seq.

B. List of Agencies & Elected Officials Required for Disclosure

State: Governor, and Legislative Leadership Committees
Legislative Districts: 21, 27, 28, 29, 34, 36, and 40
1 State Senator and 2 members of the General Assembly per district
County: County Executive; Commissioners; County Clerk; Sheriff; Surrogate; Registrar of Deeds
Municipalities (mayor and members of governing body, regardless of title):

Belleville Township	Irvington Township	City of Orange Township
Bloomfield Township	Livingston Township	Roseland Borough
Caldwell Borough	Maplewood Township	South Orange Village
Cedar Grove Township	Millburn Township	Verona Township
City of East Orange	Montclair Township	West Caldwell Township
Essex Fells Borough	City of Newark	West Orange Township
Fairfield Township	North Caldwell Borough	
Glen Ridge Borough	Nutley Township	

[CONTINUED ON NEXT PAGE]

POLITICAL CONTRIBUTION DISCLOSURE (cont'd)

B. List of Agencies & Elected Officials Required for Disclosure (cont'd)

Boards of Education (members of the board):

Belleville Public School District	Irvington Public School District	Roseland Public School District
Bloomfield Public School District	Livingston Public School District	South Orange-Maplewood PSD
Caldwell-West Caldwell PSD	Millburn Public School District	Verona Public School District
Cedar Grove Public School District	Newark Public School District	West Essex Regional PSD
Essex Fells Public School District	North Caldwell Public School District	West Orange Public School District
Fairfield Public School District	Nutley Public School District	
Glen Ridge Public School District	Orange Public School District	

C. Contractor Information

Legal Name of Business Entity: CP Engineers, LLC

Address: 11 Park Lake Road
Sparta, NJ 07871

D. Reportable Contribution Disclosure


Pursuant to N.J.S.A. 19:44A-20.26, this disclosure must include all reportable political contributions (more than \$200.00 per election cycle) over the 12 months prior to submission (attach additional sheets as necessary).

No reportable contributions.

Contributor	Recipient	Date	Amount

E. Certification

The undersigned, being authorized, hereby certifies that the submission provided herein complies with the provisions of N.J.S.A. 19:44A-20.26 and as represented by the Instructions accompanying this form.

By: 
 (Signature)
David A. Clark
 (Printed Name)
Vice President
 (Title)

February 28, 2024
 (Date)