



Legislation Details (With Text)

**File #:** 16-1606      **Version:** 1      **Name:** Rehab Cost Est Services - Ellana, Inc  
**Type:** Resolution      **Status:** Adopted  
**File created:** 10/13/2016      **In control:** Economic and Housing Development  
**On agenda:** 11/29/2016      **Final action:** 11/29/2016

**Title:** Dept/ Agency: Economic and Housing Development  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Type of Service: Professional Services Contract  
Purpose: Provide Real Estate Rehabilitation Cost Estimator Services  
Entity Name: Ellana, Inc.  
Entity Address: 32 Broadway, Suite 801, New York, New York 10004  
Contract Amount: Amount not to exceed \$10,000.00  
Funding Source: 2016 Budget/ Economic and Housing Development  
Contract Period: One (1) year from the date of a Notice to Proceed  
Contract Basis: ( ) Bid ( ) State Vendor (X) Prof. Ser. ( ) EUS  
(X) Fair & Open ( ) No Reportable Contributions ( ) RFP (X) RFQ  
( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) n/a  
Additional Information:  
One (1) proposal received

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

| Date       | Ver. | Action By         | Action | Result |
|------------|------|-------------------|--------|--------|
| 11/29/2016 | 1    | Municipal Council | Adopt  | Pass   |

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**WHEREAS**, the City of Newark, Department of Economic and Housing Development (“City”) has determined that there is a need for professional services contracts for the Real Estate Rehabilitation Cost Estimator Services; and

**WHEREAS**, Real Estate Rehabilitation Cost Estimator Services are professional services, exempt from the requirement for public bidding, pursuant to the Local Public Contracts Law, N.J.S.A.

40A:11-5(1)(a)(i); and

**WHEREAS**, the City of Newark caused to be published a Notice of Request for Qualifications (RFQ) for Real Estate Rehabilitation Cost Estimator Services on or about June 2, 2016; and

**WHEREAS**, four (4) proposals were picked up and the City of Newark received a total of one (1) proposal in response to its RFQ for Real Estate Rehabilitation Cost Estimator Services; and

**WHEREAS**, Ellana, Inc., 32 Broadway, Suite 801, New York, New York 10004 submitted a proposal in response to the RFQ and it was found, based upon price and other factors, to be in the best interest of the City of Newark to accept the proposal for the purpose of providing Real Estate Rehabilitation Cost Estimator Services; and

**WHEREAS**, the City of Newark wishes to enter into a contract with Ellana, Inc., 32 Broadway, Suite 801, New York, New York 10004, to provide Real Estate Rehabilitation Cost Estimator Services, in an amount not to exceed Ten Thousand Dollars and Zero Cents (\$10,000.00) for a period of one year commencing from the date of a Notice to Proceed from the Deputy Mayor/Director of the Department of Economic and Housing Development which shall cover all matters handled by Ellana, Inc., that may arise during the contract term; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that notice of the award of contracts for "Professional Services" without competitive bidding must be published in a local newspaper; and

**WHEREAS**, this contract is being awarded as a fair and open contract pursuant to N.J.S.A. 19:44A-20.5; and

**WHEREAS**, the Municipal Council adopted the Contractor Pay-to-Play Reform Ordinance, R.O. 2:4-22C, which forbids the award of a contract to a Business Entity, as defined therein, which has made or solicited political contributions to Newark Municipal Candidates, office holders having ultimate responsibility for the award of a contract; candidate committees of the aforementioned candidates; and political or political party committees of the City of Newark or County of Essex; and continuing political committees or political action committees regularly engaged in the support of the City of Newark municipal or County of Essex elections; and certain other political party or candidate committees, in excess of certain thresholds.

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:**

1. The Mayor and/or his designee, the Deputy Mayor/Director of the Department of Economic and Housing Development, are hereby authorized to enter into a contract with Ellana, Inc., 32 Broadway, Suite 801, New York, New York 10004, to provide Real Estate Rehabilitation Cost Estimator Services in an amount not to exceed Ten Thousand Dollars and Zero Cents (\$10,000.00), for the period of one (1) year commencing from the date of a Notice to Proceed, which shall cover all projects that may arise during the contract term.
2. The term of this contract shall be one (1) year commencing from the date of a Notice to Proceed from the Deputy Mayor/Director of the Department of Economic and Housing

Development, for such projects that may arise during the contract term.

3. This contract is being awarded pursuant to the fair and open procedures of the State Pay-to-Play Law (N.J.S.A. 19:44A-20.5) and pursuant to the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)(i)) and is in compliance with the Contractor Pay-to-Play reform Ordinance, R.O. 2:4-22C.
4. Attached is a Certification of Funds from the Director of Finance which states that: (1) there are sufficient, legally appropriated funds, in the amount of \$10,000.00, for the purposes stated herein, and; (2) that the line appropriation of the official budget which shall be charged is: Business Unit: NW026; Dept.: BS; Account #: 46270; Budget Ref.: B2016.
5. There shall be no advance payment pursuant to N.J.S.A. 40A:5-16.
6. There shall be no amendments or changes to this contract without approval of the Municipal Council of the City of Newark.
7. A copy of the executed agreement authorized shall be filed by the Deputy Mayor/Director of the Department of Economic and Housing Development in the Office of the City Clerk and shall be made available for public inspection.
8. A notice of this action shall be published in the newspaper authorized by law to publish a legal advertisement and as required by law within ten (10) days of the adoption of this Resolution.

### **STATEMENT**

This resolution authorizes the Mayor and/or his designee, Deputy Mayor/Director of the Department of Economic and Housing Development, to enter into a contract for Real Estate Rehabilitation Cost Estimator Services with Ellana, Inc., 32 Broadway, Suite 801, New York, New York 10004, in an amount not to exceed Ten Thousand Dollars and Zero Cents (\$10,000.00), for the period of one (1) year from the date of a Notice to Proceed.