



Legislation Details (With Text)

File #: 24-0119 **Version:** 1 **Name:** Nishuane Group 2024 Contract
Type: Resolution **Status:** Adopted
File created: 1/24/2024 **In control:** Economic and Housing Development
On agenda: 2/7/2024 **Final action:** 2/7/2024

Title: Dept/ Agency: Economic and Housing Development
Action: Ratifying Authorizing Amending
Type of Service: Professional Services Contract
Purpose: To provide Planning Consultant Services.
Entity Name: Nishuane Group, LLC
Entity Address: 105 Grove Street, Suite 3, Montclair, New Jersey 07042
Contract Amount: Not to exceed \$125,000.00
Funding Source: 2024 Budget/Community and Economic Development Trust Fund
Contract Period: January 1, 2024 through December 31, 2024
Contract Basis: Bid State Vendor Prof. Ser. EUS
 Fair & Open No Reportable Contributions RFP RFQ
 Private Sale Grant Sub-recipient n/a
Additional Information:

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
2/7/2024	1	Municipal Council		

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WHEREAS, the City’s Department of Economic and Housing Development (the “City”) is involved in ongoing redevelopment and urban planning matters and therefore has a need to acquire Planning Consultant Services; and

WHEREAS, Planning Consultant 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 caused to be published, on the City of Newark’s website, a Notice of Request for Qualifications (“RFQ”) for Planning Consultant Services on or about October 3, 2023; and

WHEREAS, the City received a total of three (3) proposals in response to its request with a due date of October 17, 2023; and

WHEREAS, Nishuane Group, LLC, 105 Grove Street, Suite 3, Montclair, New Jersey 07042 (“the Firm”), 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 to accept the proposal for the purpose of providing Planning Consultant Services; and

WHEREAS, the City wishes to enter into a contract with Nishuane Group, LLC, to provide Planning Consultant Services in an amount not to exceed One Hundred Twenty-Five Thousand Dollars and Zero Cents (\$125,000.00), for the period of January 1, 2024, through December 31, 2024; and

WHEREAS, 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, the contract is for an amount over \$44,000.00 and is being awarded as a Fair and Open Contract pursuant to N.J.S.A. 19:44A-20.5; and

WHEREAS, pursuant to City of Newark Municipal Code §41:15-12.3, as amended by the Municipal Council through Ordinance 6PS-b, adopted on April 3, 2019, the land use board fees will be paid from an escrow account, wherein developers will fund and make deposits into the escrow account based on their specific projects.

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

1. The Mayor of the City of Newark and/or his designee, the Deputy Mayor/Director of the Department of Economic and Housing Development, are hereby authorized to enter into and execute a contract with Nishuane Group, LLC, 105 Grove Street, Suite 3, Montclair, New Jersey 07042, to provide Planning Consultant Services, in an amount not to exceed One Hundred Twenty-Five Thousand Dollars and Zero Cents (\$125,000.00), for the period of January 1, 2024, through December 31, 2024.
2. The term of this contract shall be January 1, 2024, through December 31, 2024.
3. This contract is ratified from January 1, 2024, to the date of adoption of this resolution by the Municipal Council.
4. 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 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, Newark, New Jersey, Municipal Code § 2:4-22C.

5. Attached is a Partial Certification of Funds from the Director of Finance stating that sufficient funds are available in the 2024 Temporary Budget for the purposes set herein and the line appropriations which shall be charged are as follows:

Bus. Unit	Dept	Div.	Activity	Acct.#	Budget Ref.
NW011	150	1505	A	71280	B2024
NW026				32100	B2024

Said Partial Certification shall be filed together with this Resolution in the Office of the City Clerk. All payments beyond the temporary budget period shall be subject to the availability and appropriation of funds in the 2024 budget. Before any such payments can be made, a written certification of the availability of funds shall be prepared for the remaining balance and filed with this Resolution in the Office of the City Clerk.

6. There shall be no advance payment pursuant to N.J.S.A. 40A:5-16.
7. There shall be no amendments or changes to this contract without approval of the Municipal Council.
8. The Deputy Mayor/Director of the Department of Economic and Housing Development shall file a copy of the executed agreement in the Office of the City Clerk and shall be made available for public inspection.
9. A notice of the award 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

Resolution ratifying and authorizing the Mayor of the City of Newark and/or his designee, the Deputy Mayor/Director of the Department of Economic and Housing Development, to enter into and execute a contract for Planning Consultant Services with Nishuane Group, LLC, 105 Grove Street, Suite 3, Montclair, New Jersey 07042, for an amount not to exceed \$125,000.00, for the period of January 1, 2024, through December 31, 2024.