



Legislation Details (With Text)

**File #:** 13-2075      **Version:** 1      **Name:** Contract Amendment for Renovations and Improvements to Sixteen (16) Sales Lease Back Public Buildings for Design and Preparation of Bid Documents for 31 Green Street, Newark, New Jersey

**Type:** Resolution      **Status:** Filed

**File created:** 10/26/2013      **In control:** Engineering

**On agenda:** 1/22/2014      **Final action:** 1/22/2014

**Title:** Dept/ Agency: Engineering  
Action:  Ratifying    Authorizing    Amending  
Type of Service: Change Order/Amend Resolution  
Purpose: "Renovations and Improvements to Sixteen (16) Sale-Lease Back Public Buildings" for Design and Preparation of Bid Documents for 31 Green Street, Newark, New Jersey 07102  
Entity Name: USA Architects, Planners & Interior Designers, P.A.  
Entity Address: 292 Lafayette Street, Newark, New Jersey 07105  
Contract Amount: \$84,320.00  
Funding Source: Essex County Improvements Authority ("ECIA")  
Contract Period: Amend the term of the contract from April 17, 2012 through April 16, 2013 to April 17, 2012 through April 15, 2014  
Contract Basis:  Bid    State Vendor    Prof. Ser.    EUS  
 Fair & Open    No Reportable Contributions    RFP    RFQ  
 Private Sale    Grant    Sub-recipient    n/a  
Additional Information:  
Extending original contract completion date by one (1) additional year from April 16, 2013 to April 15, 2014, at no additional cost to City.

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
1/22/2014	1	Municipal Council	Adopt	Pass

**Dept/ Agency:** Engineering  
**Action:**  Ratifying    Authorizing    Amending  
**Type of Service:** Change Order/Amend Resolution  
**Purpose:** "Renovations and Improvements to Sixteen (16) Sale-Lease Back Public Buildings" for Design and Preparation of Bid Documents for 31 Green Street, Newark, New Jersey 07102  
**Entity Name:** USA Architects, Planners & Interior Designers, P.A.  
**Entity Address:** 292 Lafayette Street, Newark, New Jersey 07105  
**Contract Amount:** \$84,320.00  
**Funding Source:** Essex County Improvements Authority ("ECIA")  
**Contract Period:** Amend the term of the contract from April 17, 2012 through April 16, 2013 to April 17, 2012 through April 15, 2014  
**Contract Basis:**  Bid    State Vendor    Prof. Ser.    EUS  
 Fair & Open    No Reportable Contributions    RFP    RFQ  
 Private Sale    Grant    Sub-recipient    n/a  
**Additional Information:**

Extending original contract completion date by one (1) additional year from April 16, 2013 to April 15, 2014, at no additional cost to City.

**WHEREAS**, Resolution 7R4-a adopted January 19, 2012, authorized the Director of the Department of Engineering to execute Contract #35-2011PS “Renovations and Improvements to Sixteen (16) Sales-Lease Back Public Buildings” Design and Preparation of Bid Documents for 31 Green Street, New Jersey 07102 with USA Architects, Planners & Interior Designers, P.A., 292 Lafayette Street, Newark, New Jersey 07105, in the amount of \$84,320.00; and

**WHEREAS**, a ‘Notice to Proceed’ was issued dated April 17, 2012, specifying April 17, 2012 as the effective date and ending on April 16, 2013; and

**WHEREAS**, due to an assessment made by USA Architects, the condition of the existing building systems were different and had deteriorated significantly from those outlined in a report prepared by the City by another firm. Substantial unanticipated and time consuming field survey work for the preparation of base drawings has caused delays in the design and preparation of bid documents (See Attachment A); and

**WHEREAS**, the Director of the Department of Engineering desires to amend Contract #35-2011PS, to extend the contract term from April 17, 2012 to April 16, 2013 to April 17, 2012 to April 15, 2014, at no additional cost to the City; and

**WHEREAS**, the contracted services are professional services and are exempt from the public bidding requirements of the Local Public Contracts Law, pursuant to N.J.S.A. 40A:11-5(1)(a)(i); and

**WHEREAS**, this contract amendment is being awarded as a non-fair and open contract pursuant to the Pay-to-Play Executive Order and in accordance with the Local Pay-to-Play Law, N.J.S.A. 19:44A-20.5 and the Contractor Pay-to-Play Reform Ordinance, 6PSF-a, adopted August 1, 2012.

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

1. The Mayor and/or his designee and the Director of Engineering are hereby authorized to execute Amendment #1 to Contract #35-2011PS “Renovations and Improvements to Sixteen (16) Sale-Lease Back Public Buildings” Design and Preparation of Bid Documents for 31 Green Street, Newark, New Jersey 07102, with USA Architects, Planners & Interior Designers, P.A., 292 Lafayette Street, Newark, New Jersey 07105, to amend the term from April 17, 2012 to April 16, 2013 to April 17, 2012 to April 15, 2014, at no additional cost to the City of Newark.
2. The Municipal Council hereby ratifies this contract amendment from April 16, 2013 to the date of the adoption of this resolution.
3. All other terms and conditions of Contract #35-2011PS “Renovations and Improvements to Sixteen (16) Sale-Lease Back Public Buildings” Design and Preparation of Bid Documents for 31 Green Street, Newark, New Jersey 07102, shall apply and remain in force until the contract is terminated.

4. A fully executed copy of Amendment #1 to Contract #35-2011PS "Renovations and Improvements to Sixteen (16) Sale-Lease Back Public Buildings" Design and Preparation of Bid Documents for 31 Green Street, Newark, New Jersey 07102, shall be filed in the Office of the City Clerk by the Director of the Department of Engineering.
5. No further amendments or modifications to this amended contract shall be permitted without prior Municipal Council approval.
6. There shall be no advance payments made against this contract in accordance with N.J.A.C. 40A:5-16.
7. Notice of the award of this contract amendment shall be published in the local newspaper within ten (10) days of adoption.
8. USA Architects, Planners & Interior Designers, P.A. has completed and submitted a Business Entity Disclosure Certification, an updated City Political Disclosure Statement and a Certification of Compliance with the Contractor Pay-to-Play Reform Ordinance, which certifies that the Business Entity, as defined therein, has not made any prohibited contributions to a political or candidate committee in the City of Newark or the County of Essex in the previous one year, and the contract will prohibit USA Architects, Planners & Interior Designers, P.A., from making any prohibited contributions through the term of the contract.
9. A fully executed copy of this amendment shall be filed in the Office of the City Clerk by the Director Engineering or his designee.

This amendment to a professional service contract is awarded under the provisions of the Local Public Contracts Law N.J.S.A. 40A:11-5(1)(a)(i), and pursuant to the New Jersey Local Unit Pay-to-Play Law, N.J.S.A. 19:44-20.5 as a 'Non-Fair and Open Contract', and in compliance with Executive Order (MEO-07-0001) effective March 31, 2007, and the Contractor Pay-to-Play Reform Ordinance, 6PSF-a, adopted August 1, 2012.

**STATEMENT**

This resolution ratifies and authorizes the Mayor and/or his designee, the Director of Engineering, to execute Amendment #1 to Contract #35-2011PS "Renovations and Improvements to Sixteen (16) Sale-Lease Back Public Buildings" Design and Preparation of Bid Documents for 31 Green Street, Newark, New Jersey 07102, to amend the term from April 17, 2012 through April 16, 2013 to April 17, 2012 through April 15, 2014, with USA Architects, Planners & Interior Designers, P.A., 292 Lafayette Street, Newark, New Jersey 07105, at no additional cost to the City.