



## Legislation Details (With Text)

**File #:** 17-1042      **Version:** 1      **Name:** ARD Appraisal Company Appraisal Contract Amendment

**Type:** Resolution      **Status:** Adopted

**File created:** 5/18/2017      **In control:** Economic and Housing Development

**On agenda:** 6/21/2017      **Final action:** 6/21/2017

**Title:** Dept/ Agency: Economic and Housing Development  
 Action: (X) Ratifying (X) Authorizing (X) Amending  
 Type of Service: Professional Services Contract  
 Purpose: First amendment to increase contract amount for Real Estate Appraisal Services  
 Entity Name: ARD Appraisal Company  
 Entity Address: 36 Brant Avenue, Clark, New Jersey 07066  
 Contract Amount: Amount not to exceed \$75,000.00  
 Funding Source: 2016-2017 Budget/ Economic and Housing Development  
 Contract Period: One Year from the date of the Notice to Proceed issued and effective January 9, 2017  
 Contract Basis: ( ) Bid ( ) State Vendor (X) Prof. Ser. ( ) EUS  
 ( ) Fair & Open ( ) No Reportable Contributions ( ) RFP (X) RFQ  
 ( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) n/a  
 Additional Information:  
 Resolution 7R2-c adopted on December 7, 2016 awarded contract for \$10,000.00; First Amendment increases contract amount by \$65,000.00, for a new total Contract amount not to exceed \$75,000.00.

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
6/21/2017	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 Appraisal Services; and

**WHEREAS**, Real Estate Appraisal 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 Appraisal Services on or about June 2, 2016; and

**WHEREAS**, the City of Newark by Resolution 7R2-c, adopted on December 7, 2016, awarded a contract to ARD Appraisal Company, 36 Brant Avenue, Clark, New Jersey 07066, to provide Real Estate Appraisal Services in an amount not to exceed Ten Thousand Dollars and Zero Cents (\$10,000.00), for the period of one year commencing from a Notice to Proceed; and

**WHEREAS**, the Notice to Proceed was issued to ARD Appraisal Company on January 9, 2017; and

**WHEREAS**, the City of Newark will benefit from and is in need of Real Estate Appraisal Services for additional properties; and

**WHEREAS**, pending real estate appraisal matters require an increase in the total contract amount; and

**WHEREAS**, ARD Appraisal Company, represents that an additional Sixty-Five Thousand Dollars and Zero Cents (\$65,000.00), is necessary for the firm to continue to provide real estate appraisal services through the end of the Contract; and

**WHEREAS**, the requested increase in the total contract amount is deemed reasonable and necessary to pay for Real Estate Appraisal Services provided through the end of the contract; and

**WHEREAS**, the increase of an additional Sixty-Five Thousand Dollars and Zero Cents (\$65,000.00) brings the total contract to an amount not to exceed Seventy-Five Thousand Dollars and Zero Cents (\$75,000.00), until the end of the contract.; and

**WHEREAS**, the contract awarded by Resolution 7R2-c adopted on December 7, 2016 was in accordance pursuant to *N.J.S.A. 19:44A-20.5* as a Fair and Open contract; and 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 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 authorized and directed on behalf of the City of Newark to execute a First Amendment to the Agreement to Provide Real Estate Appraisal Services with ARD Appraisal Company, 36 Brant Avenue, Clark, New Jersey 07066, through the end of the contract, for an additional Sixty-Five Thousand Dollars and Zero Cents (\$65,000.00) for a total contract amount not to exceed Seventy-Five Thousand Dollars and Zero Cents (\$75,000.00), to cover ongoing and new matters that may arise during the term of the contract.
2. All other terms and conditions of the contract shall remain the same.
3. This First Amendment to the Agreement to provide Real Estate Appraisal Services is made in accordance with the professional services exception to public bidding in the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)(i)), the State Pay-to-Play Law (N.J.S.A. 19:44A-20.5) and is in compliance with the Contractor Pay-to-Play Reform Ordinance, 2:4-22C.
4. Attached is a full Certification of Funds from the Director of Finance stating that there are available, sufficient and appropriated funds in the amount of Sixty-Five Thousand Dollars and Zero Cents (\$65,000.00), for the purposes set forth herein and the line appropriations which shall be charged are as follows:

<u>Bus. Unit</u>	<u>Dept. ID</u>	<u>Div/Proj.</u>	<u>Acct.#</u>	<u>Bud Ref.</u>
NW026	BS		46270	B2017

5. A copy of the executed Amended Contract herein authorized shall be filed in the Office of the City Clerk by the Deputy Mayor/Director of the Department of Economic and Housing Development and shall be made available for public inspection.
6. 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 ratifies, amends and authorizes the Mayor and/or his designee, the Deputy Mayor/Director of the Department of Economic and Housing Development, to enter into and execute a First Amendment to the Agreement with ARD Appraisal Company, 36 Brant Avenue, Clark, New Jersey 07066, to cover ongoing and new matters that may arise during the term of the contract for Real Estate Appraisal services, for an additional Sixty-Five Thousand Dollars and Zero Cents (\$65,000.00), for a total contract amount not to exceed Seventy-Five Thousand Dollars and Zero Cents (\$75,000.00).