



Legislation Details (With Text)

**File #:** 16-0536      **Version:** 1      **Name:** McClellan Street Underpass Roadway and Drainage Improvements - Real Estate Appraisal Services – Right of Way (“ROW”) Acquisitions/Condemnation

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

**File created:** 3/18/2016      **In control:** Engineering

**On agenda:** 6/15/2016      **Final action:** 6/15/2016

**Title:** Dept/ Agency: Engineering  
 Action: ( ) Ratifying (X) Authorizing ( ) Amending  
 Type of Service: Professional Services Contract  
 Purpose: McClellan Street Underpass Roadway and Drainage Improvements - Real Estate Appraisal Services - Right of Way (“ROW”) Acquisitions/Condemnation  
 Entity Name: Stanley Jay Real Estate Appraisal Consultants  
 Entity Address: One Morton Place, Colonia, New Jersey 07067  
 Contract Amount: Amount not to exceed \$4,200.00  
 Funding Source: NJDOT / FHWA  
 Contract Period: 365 consecutive calendar days from issue of a formal Notice to Proceed by the Director of the Department of Engineering  
 Contract Basis: ( ) Bid ( ) State Vendor (X) Prof. Ser. ( ) EUS  
 (X) Fair & Open (X) No Reportable Contributions (X) RFP ( ) RFQ  
 ( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) n/a  
 Addition Information:

**Sponsors:** John Sharpe James, Eddie Osborne

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
6/15/2016	1	Municipal Council	Adopt	Pass

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 ( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) n/a  
**Addition Information:**

**WHEREAS,** the Division of Traffic and Signals, Department of Engineering, City of Newark, is

in need of a New Jersey Licensed Real Estate Appraisal Firm to conduct property investigations and prepare appraisal reports and such other documents and notices that are necessary, in connection with necessary fee takings and/or easements for the McClellan Street Underpass Roadway and Drainage Improvements Project; and

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

**WHEREAS**, pursuant to the fair and open process of the State of New Jersey Pay to Play Law, N.J.S.A. 19:44A-20.5, the Division of Traffic and Signals, Department of Engineering, City of Newark, publicly advertised a Request for Proposal (RFP) on May 13, 2015, May 20, 2015 and May 27, 2015, for the McClellan Street Underpass Roadway and Drainage Improvements - Real Estate Appraisal Services - Right of Way ("ROW") Acquisitions/Condemnation; and

**WHEREAS**, on June 2, 2015, the Division of Traffic and Signals, Department of Engineering, City of Newark, received two (2) proposals in response to the Request for Proposal (RFP); and

**WHEREAS**, a selection committee of personnel from the Department of Engineering, The New Jersey Department of Transportation (NJDOT) and the North Jersey Planning Authority (NJTPA) evaluated the two (2) proposals received and selected Stanley Jay Real Estate Appraisal Consultants, One Morton Place, Colonia, New Jersey 07067, because their proposal was unanimously selected by the selection committee for credentials, capacity of team to do the work, qualifications and project understanding; and

**WHEREAS**, the Director of the Department of Engineering desires to accept the proposal submitted by Stanley Jay Real Estate Appraisal Consultants, One Morton Place, Colonia, New Jersey 07067, for the McClellan Street Underpass Roadway and Drainage Improvements - Real Estate Appraisal Services - Right of Way ("ROW") Acquisitions/Condemnation, in the amount not to exceed \$4,200.00; 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**, 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; political or political party committees of the City of Newark or County of Essex; 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 Director of the Department of Engineering, are hereby authorized on behalf of the City of Newark to accept the proposal dated June 1, 2015, submitted by Stanley Jay Real Estate Appraisal Consultants, One Morton Place,

Colonia, New Jersey 07067, and execute Contract No. 2016-01PS, for the McClellan Street Underpass Roadway and Drainage Improvements - Real Estate Appraisal Services - Right of Way ("ROW") Acquisitions/Condemnation, in the amount not to exceed \$4,200.00.

2. Attached hereto is a Certification of Funds issued by the Chief Financial Officer, City of Newark, which states that there are available sufficient legally appropriated funds for the purpose set forth hereinabove. A copy of the Certification of Funds issued shall be filed in the Office of the City Clerk by the Director of the Department of Engineering together with this resolution.
3. No changes to this contract are allowed without prior Municipal Council approval.
4. A fully executed copy of the contract shall be filed in the Office of the City Clerk by the Director of the Department of Engineering and available for inspection.
5. This contract is to be completed within a period of 365 consecutive calendar days from the issuance of a formal Notice to Proceed by the Director of the Department of Engineering.
6. 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), 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.
7. There shall be no advance payments made against this contract in accordance with N.J.S.A. 40A:5-16.
8. Attached hereto is a Certification of Funds from the Finance Director of the City of Newark, which states (1) that there are sufficient funds in the amount of \$4,200.00 for the purpose set forth herein above and (2) that the line appropriation which shall be charged is:  
Business Unit: NW051, Dept.: G15, Project: 1E560, Account#: 71280, Budget Ref.: B2015.
9. 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 adoption of this Resolution.

### **STATEMENT**

This resolution authorizes the Mayor and/or his designee, the Director of the Department of Engineering, on behalf of the City of Newark, to accept the proposal dated June 1, 2015, submitted by Stanley Jay Real Estate Appraisal Consultants, One Morton Place, Colonia, New Jersey 07067, and enter into and execute Contract No. 2016-01PS, for the McClellan Street Underpass Roadway and Drainage Improvements - Real Estate Appraisal Services - Right of Way ("ROW") Acquisitions/Condemnation, in the amount not to exceed \$4,200.00.

