



Legislation Details (With Text)

**File #:** 24-0118      **Version:** 1      **Name:** Heyer, Gruel & Associates 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: Heyer, Gruel and Associates, P.A.  
Entity Address: 236 Broad Street, Red Bank, New Jersey 07701  
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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**Additional Information:**

**WHEREAS**, the City of Newark’s (“City”) Department of Economic and Housing Development 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**, Heyer, Gruel & Associates, P.A., 236 Broad Street, Red Bank, New Jersey 07701, 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**, 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, Heyer, Gruel & Associates, P.A. agrees that land use board fees and professional review fees will be paid separately from the Department of Economic and Housing Development’s budget; these payments will be made through an escrow account that will be established and will be funded by developers based on their specific projects; and

**WHEREAS**, the City wishes to enter into a contract with Heyer, Gruel & Associates, P.A., 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**, this contract is for an amount over Forty-Four Thousand Dollars and Zero Cents (\$44,000.00) and is being awarded as a Fair and Open Contract pursuant to N.J.S.A. 19:44A-20.5 and is in compliance with the City’s Pay-to-Play Ordinance.

**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 and execute a contract with Heyer, Gruel & Associates P.A., 236 Broad Street, Red Bank, New Jersey 07701, 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 City's Pay-to-Play Ordinance.

5. Attached is a Partial Certification of Funds from the Director of Finance stating that there are available, sufficient and appropriated funds in the amount of Fifty-Four Thousand Dollars and Zero Cents (\$54,000.00) 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.

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 the 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 contract in the Office of the City Clerk, which 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**

This Resolution ratifies and authorizes the Mayor of the City of Newark and/or his designee, the Deputy Mayor/ Director of the Department of Economic and Housing Development, on behalf of the City of Newark, to enter into and execute a contract for Planning Consultant Services with Heyer, Gruel and Associates, P.A., 236 Broad Street, Red Bank, New Jersey 07701, 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.