



Legislation Details (With Text)

**File #:** 16-1429      **Version:** 1      **Name:** Brinkerhoff Environmental Services  
**Type:** Resolution      **Status:** Adopted  
**File created:** 9/7/2016      **In control:** Economic and Housing Development  
**On agenda:** 12/13/2016      **Final action:** 12/13/2016

**Title:** Dept/ Agency: Economic and Housing Development  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Type of Service: Professional Services Contract  
Purpose: On-Call Environmental Consulting/Management Services  
Entity Name: Brinkerhoff Environmental Services, Inc.  
Entity Address: 1805 Atlantic Avenue, Manasquan, New Jersey 08736  
Contract Amount: Amount not to exceed \$150,000.00  
Funding Source: Community and Economic Development Trust Fund  
Contract Period: One year from the date of issuance of a Notice to Proceed  
Contract Basis: ( ) Bid ( ) State Vendor (X) Prof. Ser. ( ) EUS  
( ) Fair & Open ( ) No Reportable Contributions (X) 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
12/13/2016	1	Municipal Council	Adopt	Pass

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**Additional Information:**

**WHEREAS**, the City of Newark, Department of Economic and Housing Development (the “City”) advertised a Request for Proposal (RFP) for On-call Environmental Consulting/Management Services on June 7, 2016, with a due date of June 24, 2016, in accordance with the requirements of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. (the “LPCL”); and

**WHEREAS**, Brinkerhoff Environmental Services, Inc. (Brinkerhoff) submitted a proposal to the

City of Newark, Department of Economic and Housing Development before the deadline of June 24, 2016, for On-call Environmental Consulting/Management Services; and

**WHEREAS**, through a measured evaluation of all proposals submitted in responses to the RFP, the Department of Economic and Housing Development determined that Brinkerhoff was the most qualified for the services requested; and

**WHEREAS**, Brinkerhoff's proposal, demonstrated their range of engineering knowledge and skills in addition to their extensive experience in brownfield assessment and remediation, expertise in fundraising and grant management, Brinkerhoff was determined to be the respondent most able to meet the City's needs; and

**WHEREAS**, Environmental Consulting/Management Services are professional services exempt from the public bidding requirements in accordance with N.J.S.A. 40A:11-5 provides that professional services are exempt under LPCL; and

**WHEREAS**, the City of Newark wishes to enter into a Professional Service contract in an amount not to exceed One Hundred Fifty Thousand Dollars and Zero Cents (\$150,000.00) with Brinkerhoff Environmental Services, Inc. for On-call Environmental Consulting/Management Services; 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 part 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 hereby authorized, on the behalf of the City of Newark, to enter into an Agreement with Brinkerhoff Environmental Services, Inc., 1805 Atlantic Avenue, Manasquan, New Jersey 08736, to provide environmental management services, for the period of one year from the date of issuance of a Notice to Proceed by the Deputy Mayor/Director of the Department of Economic and Housing Development.

2. The contract shall be for an amount not to exceed One Hundred Fifty Thousand Dollars and Zero Cents (\$150,000.00), which represents the amount remaining on the existing appropriation for such services, as well as those eligible activities funded from the Hazardous Discharge Site Remediation Fund, the New Jersey Department of Environmental Protection, the United States Environmental Protection Agency and/or other third party funds.

3. 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 pursuant to the provisions of the Local Public Contacts Law (N.J.S.A. 40A:11-5(1)(a)(i)); is in compliance with the City's Contractor Pay-to-Play Reform

Ordinance, R.O. 2:4-22C.

4. 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 \$150,000.00 for the purpose set forth herein above; and (2) that the line appropriation which shall be charged is as follows:

<u>Bus. Unit</u>	<u>Dept.</u>	<u>Div./Proj.</u>	<u>Activity</u>	<u>Acct. #</u>	<u>Budget Ref.</u>
NW026	BS		32100 B2016		

5. A fully executed copy of this contract and Notice to Proceed shall be filed in the Office of the City Clerk by the Deputy Mayor/Director of the Department of Economic and Housing Development.

6. There shall be no advance payments against this contract pursuant to N.J.S.A. 40A:5-16.

7. 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 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 contract with Brinkerhoff Environmental Services, Inc., 1805 Atlantic Avenue, Manasquan, New Jersey 08736, to provide environmental management services in an amount not to exceed One Hundred Fifty Thousand Dollars and Zero Cents (\$150,000.00), for the period of one year from the date of issuance of a Notice to Proceed by the Deputy Mayor/Director of the Department of Economic and Housing Development.