



Legislation Details (With Text)

**File #:** 16-1014      **Version:** 1      **Name:** Nishuane 2016-2017 Contract  
**Type:** Resolution      **Status:** Adopted  
**File created:** 6/8/2016      **In control:** Economic and Housing Development  
**On agenda:** 8/3/2016      **Final action:** 8/3/2016

**Title:** Dept/ Agency: Economic and Housing Development  
Action:  Ratifying  Authorizing  Amending  
Type of Service: Professional Services Contract  
Purpose: Planning Consultant Services  
Entity Name: Nishuane Group, LLC  
Entity Address: 105 Grove Street, Suite #1, Montclair, New Jersey 07042  
Contract Amount: Amount not to exceed \$100,000.00  
Funding Source: 2016 City of Newark Budget, Economic and Housing Development  
Contract Period: July 1, 2016 through June 30, 2017  
Contract Basis:  Bid  State Vendor  Prof. Ser.  EUS  
 Fair & Open  No Reportable Contributions  RFP  RFQ  
 Private Sale  Grant  Sub-recipient  n/a  
Additional Information:  
Three (3) proposals received

**Sponsors:**

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
8/3/2016	1	Municipal Council	Adopt	Pass

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**WHEREAS**, the City of Newark 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 of Newark caused to be published a Notice of Request for Qualifications (RFQ) for Planning Consultant on or about May 18, 2016; and

**WHEREAS**, six (6) proposals were picked up and the City of Newark received a total of three (3) proposals in response to its RFQ for Planning Consultant; and

**WHEREAS**, Nishuane Group, LLC, 105 Grove Street, Suite #1, Montclair, New Jersey 07042 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 of Newark to accept the proposal for the purpose of providing Planning Consultant services concerning Planning Matters; and

**WHEREAS**, the City of Newark wishes to enter into a new contract with Nishuane Group, LLC, 105 Grove Street, Suite #1, Montclair, New Jersey 07042, to provide consultant services concerning Planning Matters in an amount not to exceed One Hundred Thousand Dollars and Zero Cents (\$100,000.00) for the period of July 1, 2016 through June 30, 2017 which shall cover those existing matters currently being handled by Nishuane Group, LLC as well as new matters that may arise during the contract term; 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**, this contract is being awarded as a fair and open contract pursuant to N.J.S.A. 19:44A-20.5; 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 Economic and Housing Development, are hereby authorized to enter into a contract with Nishuane Group, LLC, 105 Grove Street, Suite #1, Montclair, New Jersey 07042, to provide Planning Consultant services in an amount not to exceed One Hundred Thousand Dollars and Zero Cents (\$100,000.00), for the period of July 1, 2016 through June 30, 2017, which shall cover those existing projects currently being handled by Nishuane Group, LLC as well as new ones that may arise during the contract term.
2. This contract is hereby ratified from July 1, 2016 to the date of the adoption of this resolution.

3. The term of this contract shall be July 1, 2016 through June 30, 2017, for such projects that may arise during the contract term.
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 pursuant to the provisions of the 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.
5. Attached is a Certification of Funds from the Director of Finance which states (1) that there are sufficient and appropriated funds, in the amount of One Hundred Thousand Dollars and Zero Cents (\$100,000.00), for the purposes stated herein and (2) that the line appropriation of the official budget which shall be charged is: Business Unit: NW026; Dept.: BS; Account #: 32100; Budget Ref.: B2016.
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 approval of the Municipal Council of the City of Newark.
8. A copy of the executed agreement authorized shall be filed by the Deputy Mayor/Director of Economic and Housing Development in the Office of the City Clerk and shall be made available for public inspection.
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 the adoption of this Resolution.

### **STATEMENT**

This resolution ratifies and authorizes the Mayor and/or his designee, Deputy Mayor/Director of the Department of Economic and Housing Development, to enter into a contract for Planning Consultant Services with Nishuane Group, LLC, 105 Grove Street, Suite #1, Montclair, New Jersey 07042, in an amount not to exceed One Hundred Thousand Dollars and Zero Cents, (\$100,000.00) for the period of July 1, 2016 through June 30, 2017.