



Legislation Details (With Text)

File #: 12-1083 **Version:** 2 **Name:** SLX \$162,872.00 Construction Monitor (16) Sale-Lease Back

Type: Resolution **Status:** Filed

File created: 5/3/2012 **In control:** Engineering

On agenda: 8/1/2012 **Final action:** 8/1/2012

Title: Dept/ Agency: Engineering
 Action: () Ratifying (X) Authorizing () Amending
 Type of Service: Professional Services Contract
 Purpose: Construction Monitoring Services
 Entity Name: SLX Infrastructure, LLC
 Entity Address: 139 Ocean Avenue, Suite 4, Lakewood New Jersey 08701
 Contract Amount: \$162,872.00
 Funding Source: Essex County Improvement Authority ("ECIA")
 Contract Period: One (1) Year from the Issuance of a Notice to Proceed
 Contract Basis: () Bid () State Vendor (X) Prof. Ser. () EUS
 () Fair & Open (X) No Reportable Contributions (X) RFP () RFQ
 () Private Sale () Grant () Sub-recipient () n/a
 Addition Information:
 Bids Solicited - 21
 Bids Received -5
 Revised Bids Received - 2

Sponsors:

Indexes:

Code sections:

| Date | Ver. | Action By | Action | Result |
|----------|------|-------------------|--------|--------|
| 8/1/2012 | 2 | Municipal Council | Adopt | Pass |

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Whereas, the Department of Engineering is in need of professional services for Construction Monitoring Services relating to the renovations to (16) sixteen buildings, formally owned by the City of

Newark, subsequently sold to the Essex County Improvement Authority (“ECIA”) and leased back to the City of Newark (hereinafter, the “Sale-Lease Back Projects”); and

WHEREAS, the services of engineers and architects are professional services and are exempt from the requirements for public bidding pursuant to the Local Public Contracts Law, more specifically, N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, on February 27, 2012, the Department of Engineering advertised for the receipt of responses to a Request for Qualifications/Request for Proposals (“RFQ/RFP”), from qualified engineers and/or architects to provide those professional services, more specifically, construction monitoring services; and

WHEREAS, twenty-one (21) firms picked-up the RFQ/RFP Packages; and

WHEREAS, on or about March 13, 2012, five (5) firms and individuals submitted qualification statements and bid proposal amounts, which were reviewed and evaluated by a Technical Review Team, which qualified the individuals and firms to participate in the interview process; and

WHEREAS, the consultants/firms were invited to visit and inspected the buildings on February 27 through March 13, 2012; and

WHEREAS, the Department of Engineering invited the qualified firms and individuals to submit revised bid proposal amounts; and

WHEREAS, two (2) firms and individuals submitted revised bid proposal amounts; and

WHEREAS, it was the recommendation of the Technical Review Team, after reviewing the bid proposals and the reduced final cost proposals, that the contract for Construction Monitoring Services (Contract # 02-2012PS) for the Renovations and Improvements to Sixteen (16) Sale-Lease Back Public Buildings, should be awarded to SLX Infrastructure, LLC, 139 Ocean Avenue, Suite 4, Lakewood, New Jersey 08701, as the most qualified individual or firm, price and other factors considered; and

WHEREAS, the Director of Engineering hereby recommends to the Municipal Council that a contract for Construction Monitoring Services be awarded to SLX Infrastructure, LLC, 139 Ocean Avenue, Suite 4, Lakewood, New Jersey 08701, for a term of one (1) year from the issuance of a formal Notice to Proceed, for an amount not to exceed \$162,872.00, for the following locations, designated as Task A:

94 Williams Street
255 Central Avenue
1020 Broad Street
526-528 Frelinghuysen Avenue
31 Green Street
22 Franklin Street
241 West Market Street
360 Clinton Avenue
345 South 9th Street
714 Mt. Prospect Avenue

395-399 Avon Avenue
10-90 17th Avenue
828 Broad Street
110 Williams Street
470-476 Orange Street
1010 18th Avenue; and

WHEREAS, the award of this contract through an RFQ/RFP process, constitutes a fair and open process pursuant to the Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-10.5 et seq.; and

WHEREAS, the Mayor of the City of Newark signed into law Executive Order Number MEO-07-0001, which requires reporting of political contributions to Newark Municipal Candidates and prohibits political contributions during the duration of the contract for any contract not publicly bid.

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, is hereby authorized on behalf of the City of Newark to execute a professional services contract for Construction Monitoring Services (Contract #02-2012PS) for Renovations and Improvements to Sixteen (16) Sale-Lease Back Public Buildings with SLX Infrastructure, LLC, 139 Ocean Avenue, Suite 4, Lakewood, New Jersey 08701, for the total not to exceed amount of \$162,872.00.
2. SLX Infrastructure, LLC, 139 Ocean Avenue, Suite 4, Lakewood, New Jersey 08701, has completed and submitted a City of Newark Political Contribution Disclosure From which certifies that the Business Entity has not made nor solicited any reportable contributions to a political or candidate committee in the City of Newark in the previous one year, and the contract will prohibit the Business Entity from making or soliciting any prohibited contributions through the term of the contract.
3. The term of this contract shall be one (1) year from the date a formal "Notice to Proceed" is issued by the Director of Engineering.
4. No changes to this contract shall be allowed or authorized without prior Municipal Council approval.
5. There shall be no advance payments made against this contract in accordance with N.J.S.A. 40A:5-16.
6. A fully executed copy of the contract shall be filed in the Office of the City Clerk by the Director of Engineering.
7. This contract is awarded pursuant to a fair and open process in accordance with the Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.5 in accordance with the Local Public

Contracts Law, N.J.S.A. 40A:11-5(1)(a)(i) and in compliance with the Mayor's Executive Order on Pay-to-Play Reform (MEO-07-0001).

8. A copy of this action shall be printed in a local newspaper as required by law.
9. There is no need for City of Newark funding for this project.
10. Funds for this contract in the amount of \$162,872.00, shall be provided by the Essex County Improvement Authority ("ECIA") through the Bank of New York Mellon and payments made for this project shall be monitored by the City of Newark, Department of Finance.

STATEMENT

The Mayor and/or his designee, the Director of the Department of Engineering, are hereby authorized on behalf of the City of Newark, to execute a professional services contract for Construction Monitoring Services (Contract #02-2012PS) for Renovations and Improvements to Sixteen (16) Sale-Lease Back Public Buildings for Construction Monitoring Services at sixteen (16) locations in the City of Newark with SLX Infrastructure, LLC, 139 Ocean Avenue, Suite 4, Lakewood, New Jersey 08701, for the total not to exceed amount of \$162,872.00. The term of this contract shall be one (1) year after issuance of a formal "Notice to Proceed" by the Director of Engineering