



## Legislation Details (With Text)

**File #:** 18-1314      **Version:** 1      **Name:** Contract with brinkerhoff to provide environmental consulting and management services

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

**File created:** 8/10/2018      **In control:** Economic and Housing Development

**On agenda:** 10/30/2018      **Final action:** 10/30/2018

**Title:** Dept/ Agency: Economic and Housing Development  
 Action: ( ) Ratifying (X) Authorizing ( ) Amending  
 Type of Service: Professional Services Contract  
 Purpose: To provide On-Call Environmental Consulting/Management Services  
 Entity Name: Brinkerhoff Environmental Services, Inc.  
 Entity Address: 1805 Atlantic Avenue, Manasquan, New Jersey 08736  
 Contract Amount: Not to exceed \$75,000.00  
 Funding Source: Community and Economic Development Trust  
 Contract Period: One (1) year from the date of issuance of a Notice to Proceed by the Director of the Department of Economic and Housing Development  
 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
10/30/2018	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 March 1, 2018, 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 for On-call Environmental Consulting/Management Services dated March 16, 2018; and

**WHEREAS**, through a measured evaluation of all proposals submitted in responses to the RFP, it was found to be in the best interest of the City of Newark to accept the proposal of Brinkerhoff; and

**WHEREAS**, Brinkerhoff's proposal demonstrated their extensive experience in brownfield assessment and remediation; range of engineering knowledge and skills; and expertise in fundraising and grant management accordingly, Brinkerhoff was determined to be 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 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 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 On-Call Environmental Consulting/Management Services, for a period of one year from the date of issuance of the Notice to Proceed by the Director of the Department of Economic and Housing Development.

2. The contract shall be for an amount not to exceed Seventy-Five Thousand Dollars and Zero Cents (\$75,000.00), for which the City is ultimately responsible, and incorporate additional funding for 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 as available.

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 \$ 75,000.00 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	B2018

5. A fully executed copy of this contract and Notice to Proceed shall be filed in the Office of the City Clerk by the 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 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 Consulting and Management Services in an amount not to exceed Seventy-Five Thousand Dollars and Zero Cents (\$75,000.00), for the period of one year from the date of issuance of a Notice to Proceed by the Director of the Department of Economic and Housing Development.