



## Legislation Text

File #: 22-0693, Version: 1

**Dept./ Agency:** Economic and Housing Development

**Action:** (X) Ratifying (X) Authorizing (X) Amending

**Type of Service:** Professional Services Contract

**Purpose:** To correct the Professional Service Agreement authorized by Resolution 7R2-e(S) adopted on December 7, 2021 by the Municipal Council, with Vanasse Hangen Brustlin, Inc., to provide On-Call Environmental Consulting/Management Services.

**Entity Name:** Vanasse Hangen Brustlin, Inc.

**Entity Address:** 1805 Atlantic Avenue, Manasquan, New Jersey 08736

**Contract Amount:** Not to exceed \$200,000.00

**Funding Source:** Community and Economic Development Fund

**Contract Period:** One (1) year from the date of the issuance of the written 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:**

Original Resolution 7R2-e(S) adopted on December 7, 2021 awarded a contract in an amount not to exceed \$200,000.00.

This amendment does not increase the contract amount awarded by Resolution 7R2-e(S) adopted on December 7, 2021, it will correct the Professional Service Agreement.

**WHEREAS**, on September 7, 2021, 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, in accordance with the requirements of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. (the "LPCL"); and

**WHEREAS**, Environmental Consulting/Management Services are Professional Services, exempt from the requirement for public bidding, pursuant to the LPCL; and

**WHEREAS**, on December 7, 2021, the Newark Municipal Council, adopted Resolution 7R2-e (S), which authorized the execution of a Professional Service Agreement For On-Call Environmental Services with Vanasse Hangen Brustlin, Inc., 1805 Atlantic Avenue, Manasquan, New Jersey 08736 ("VHB")("Agreement"), to provide On-Call Environmental Consulting/Management Services for an amount not to exceed Two Hundred Thousand Dollars and Zero Cents (\$200,000.00), for the period of one (1) year from the date of the issuance of the Notice to Proceed by the Deputy Mayor/Director of the Department of Economic and Housing Development; and

**WHEREAS**, the Agreement VHB was executed on or before February 28, 2022; and

**WHEREAS**, after the execution of the Agreement, it was discovered that Section 3, Compensation, was missing language ; and

**WHEREAS**, the Department of Economic and Housing Development wishes to amend Section

3, Compensation, of the Agreement to reflect that any services provided by VHB that are payable or reimbursable from the Hazardous Discharge Site Remediation Fund, other grant funds, New Jersey Environmental Protection Agency, or any other third party, shall not be limited to the Two Hundred Thousand Dollars and Zero Cents (\$200,000.00) amount of the Agreement; and

**WHEREAS**, the within amendment does not change the scope of service to be provided and requested pursuant to the Request for Proposal, which the City advertised on September 7, 2021, and resulted in the execution of the Agreement; and

**WHEREAS**, the Department of Economic and Housing Development wishes to amend the Agreement, approved by the Newark Municipal Council, pursuant to Resolution 7R2-e(S) adopted on December 7, 2021.

**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 authorized and directed, on behalf of the City of Newark, to execute the Amended Professional Service Agreement for On-Call Environmental Services with Vanasse Hangen Brustlin, Inc., 1805 Atlantic Avenue, Manasquan, New Jersey 08736 (“VHB”)(“Amended Agreement”) to amend Section 3, Compensation, of the Professional Service Agreement For On-Call Environmental Services, which was executed on or about February 28, 2022 (“Original Agreement”), pursuant to Resolution 7R2-e(s)(“Initial Resolution”), which was adopted on December 7, 2021, to reflect that any services provided by VHB that are payable or reimbursable from the Hazardous Discharge Site Remediation Fund, other grant funds, New Jersey Environmental Protection Agency, or any other third party, shall not be limited to the Two Hundred Thousand Dollars and Zero Cents (\$200,000.00) amount of the Original Agreement.
2. The Amended Agreement is ratified from December 7, 2021, date the Initial Resolution was adopted, to the date of the adoption of this authorizing Resolution.
3. All other terms and conditions of the Agreement and the Initial Resolution shall remain the same.
4. The Amended Agreement is being made in accordance with the professional services exception to public bidding in the Local Pubic Contracts Law (N.J.S.A. 40A:11-5(1)(a)(i)) and pursuant to the fair and open procedures of the State Pay-to-Play Law (N.J.S.A. 44A-20.5).
5. The Deputy Mayor/Director of the Department of Economic and Housing Development shall file a copy of the Amended Agreement herein authorized together with this Resolution in the Office of the City Clerk and same shall be made available for public inspection.
6. 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, amends, and authorizes the Mayor and/or his designee, and the Deputy Mayor/Director of the Department of Economic and Housing Development, to execute the Amended Professional Service Agreement For On-Call Environmental Services, with Vanasse Hangen Brustlin, Inc., 1805 Atlantic Avenue, Manasquan, New Jersey 08736, to amend Section 3, Compensation.