



Legislation Text

File #: 11-1673, Version: 1

Dept/ Agency: Engineering

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

Type of Service: Professional Services Contract

Purpose: Change Order #1 to Contract for Design and Construction Administration/Management for the Hayes Park East Renovation Project

Entity Name: Solutions Architecture, LLC.

Entity Address: 81 Clay Street, 2nd Floor, Suite 2, Newark, NJ 07104

Contract Amount: Original Amount of Contract: Not to Exceed \$159,000.00; Amount of Change Order: \$16,500.00 for a Total Amended Contract Amount: Not to Exceed \$175,500.00

Funding Source: City of Newark/Engineering Budget

Contract Period: One year after a formal "Notice to Proceed"

Contract Basis: () Bid () State Vendor (X) Prof. Ser. () EUS

() Fair & Open (X) No Reportable Contributions () RFP () RFQ

() Private Sale () Grant () Sub-recipient () n/a

Addition Information:

Resolution 7R4-e 061511

Contract #03-2011PS

Invitation: **Engineering Director, March 6, 2012**

WHEREAS, Resolution 7R4-e 061511 adopted June 15, 2011, authorized the Director of the Department of Engineering to execute Contract #03-2011PS, Design and Construction Administration/Management for the Hayes Park East Renovation Project with Solutions Architecture, LLC., 81 Clay Street, 2nd Floor, Suite 2, Newark, NJ, 07104, for the total amount not to exceed \$159,000.00; and

WHEREAS, a 'Notice to Proceed' was issued dated August 30, 2011, specifying August 30, 2011 as the effective date and ending on August 29, 2012; and

WHEREAS, a Change Order is requested to incorporate the design of a "Skate Park" on to the subject property, herein, Hayes Park East; and

WHEREAS, the funding for this amendment/change order are available and certifiable; and

Original Amount for Design and Construction Administration/Management	\$159,000.00
Amount of Change Order	\$16,500.00
Total Amount Not to Exceed	\$175,500.00

WHEREAS, these services were not previously included in the original proposal, the Director of the Department of Engineering desires to amend Contract #03-2011PS and incorporate the design of the proposed skate park into the Hayes Park East Renovation Project with Solutions Architecture, LLC., 81 Clay Street, 2nd Floor, Suite 2, Newark, NJ, 07104, at the cost of an amount not to exceed \$16,500.00; and

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

WHEREAS, this contract amendment is being awarded as a non-fair and open contract pursuant to the Pay-to-Play Executive Order and in accordance with the Local Pay-to-Play Law, N.J.S.A. 19:44A-20.5

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:

1. The Mayor and/or his designee and the Director of Engineering are hereby authorized to execute Amendment #1 to Contract #03-2011PS Design and Construction Administration/Management for the Hayes Park East Renovation Project with Solutions Architecture, LLC., 81 Clay Street, 2nd Floor, Suite 2, Newark, NJ 07104, increasing the total not to exceed contract amount by \$16,500.00 to a total amended not to exceed contract amount of \$175,500.00.
2. All other terms and conditions of Contract #03-2011PS Design and Construction Administration/Management for the Hayes Park East Renovation Project shall apply and remain in force till the contract is completed.
3. A fully executed copy of Amendment #1 to Contract #03-2011PS Design and Construction Administration/Management for the Hayes Park East Renovation Project shall be filed in the Office of the City Clerk by the Director of the Department of Engineering.
4. Attached hereto is a certification of funds issued by the Chief Financial Officer, City of Newark, which states that there are available sufficient legally appropriated funds in the amount of \$16,500.00 for the purposes set forth hereinabove. A copy of the certification of funds issued is to be filed in the Office of the City Clerk by the Director of Engineering or his designee.
5. No further amendments or modifications to this amended contract shall be permitted without prior Municipal Council approval.
6. There shall be no advance payments made against this contract in accordance with N.J.S.A. 40A:5-16.

7. Solutions Architecture, LLC., has completed and submitted a Business Entity Disclosure Certification which certifies that Solutions Architecture, LLC., has not made any reportable contributions to a political or candidate committee in the City of Newark in the previous one year, and the contract will prohibit Solutions Architecture, LLC., from making any reportable contributions through the term of the contract.
8. A fully executed copy of this change order/amendment shall be filed in the Office of the City Clerk by the Director Engineering or his designee.
9. This amendment to a professional service contract is awarded under the provisions of the Local Public Contracts Law N.J.S.A. 40A:11-5(1)(a)(i), and pursuant to the New Jersey Local Unit Pay-to-Play Law, N.J.S.A. 19:44-20.5 as a 'Non-Fair and Open Contract' , and in compliance with Executive Order (MEO-07-0001) effective March 31, 2007.
10. Funds in the amount of \$16,500.00 for this contract is provided as below:
\$16,500.00 from Fund 045, Dept. 007, Project 07BY0, Account 94710, Budget Yr. B2007.

STATEMENT

This resolution authorizes the Mayor and/or his designee and the Director of Engineering to execute Amendment #1 to Contract #03-2011PS Design and Construction Administration/Management for the Hayes Park East Renovation Project with Solutions Architecture, LLC., 81 Clay Street, 2nd Floor, Suite 2, Newark, NJ 07104, increasing the total not to exceed contract amount by \$16,500.00 to a total amended not to exceed contract amount of \$175,500.00.