



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 13-1622, Version: 1

Dept/ Agency: Engineering

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

Type of Service: Change Order/Amend Resolution

Purpose: Renovations and Improvements to Sixteen (16) Sale-Lease Back Public Buildings for Design and Preparation of Bid Documents and Construction Administration/Management for 1010 18th Avenue, Newark, New Jersey 07106

Entity Name: LS Engineering Associates Corporation

Entity Address: 150 River Road, Building E, Suite E2, Montville, New Jersey 07045

Contract Amount: \$72,500.00

Funding Source: Essex County Improvement Authority ("ECIA")

Contract Period: Amend the term of the contract from April 25, 2012 through April 24, 2013 to April 25, 2012 through April 23, 2014

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

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

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

Additional Information:

Contract #22-2011PS "Renovations and Improvements to Sixteen (16) Sale-Lease Back Public Buildings" for Design and Preparation of Bid Documents and Construction Administration/Management for 1010 18th Avenue, Newark, New Jersey.

Invitation: Director of Engineering, November 6, 2013

WHEREAS, Resolution 7R4-e adopted December 21, 2011, authorized the Director of the Department of Engineering to execute Contract #22-2011PS "Renovations and Improvements to Sixteen (16) Sale-Lease Back Public Buildings" Design and Preparation of Bid Documents and Construction Administration/Management for 1010 18th Avenue, Newark, New Jersey 07106, with LS Engineering Associates Corporation, 150 River Road, Building E, Suite E2, Montville, New Jersey 07836, in the amount of \$72,500.00; and

WHEREAS, a 'Notice to Proceed' was issued dated April 25, 2012, specifying April 25, 2012 as the effective date and ending on April 24, 2013; and

WHEREAS, due to unforeseen delays with the contractor's public bidding and procurement process for the construction contract (See Attachment A), the work has not been completed; and

WHEREAS, the Director of the Department of Engineering desires to amend Contract #22-2011PS, to extend the contract term from April 25, 2012 to April 24, 2013 to April 25, 2012 to April 23, 2014, at no additional cost to the City; 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 the Contractor Pay-to-Play Reform Ordinance, 6PSF-a adopted August 1, 2012 , 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 #22-2011PS “Renovations and Improvements to Sixteen (16) Sale-Lease Back Public Buildings” Design and Preparation of Bid Documents and Construction Administration/Management for 1010 18th Avenue, Newark, New Jersey 07106, with LS Engineering Associates Corporation, 150 River Road, Building E, Suite E2, Montville, New Jersey 07836, to amend the term from April 25, 2012 to April 24, 2013 to April 25, 2012 to April 23, 2014.
2. The Municipal Council ratifies this contract amendment from April 24, 2013 to the date of the adoption of this Resolution.
3. All other terms and conditions of Contract #22-2011PS “Renovations and Improvements to Sixteen (16) Sales-Lease Back Public Buildings” Design and Preparation of Bid Documents and Construction Administration/Management for 1010 18th Avenue, Newark, New Jersey 07106, shall apply and remain in force until the contract is completed.
4. A fully executed copy of Amendment #1 to Contract #22-2011PS “Renovations and Improvements to Sixteen (16) Sale-Lease Back Public Buildings” Design and Preparation of Bid Documents and Construction Administration/Management for 1010 18th Avenue, Newark, New Jersey 07106, shall be filed in the Office of the City Clerk by the Director of the Department of Engineering.
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.A.C. 40A:5-16.
7. Notice of this action will be published in the newspaper as required by law within ten (10) days of its adoption. LS Engineering Associates Corporation has completed and submitted a Business Entity Disclosure Certification and an updated City Political Disclosure Statement and a Certification of Compliance with the Contractor Pay-to-Play Reform Ordinance, 6PSF-a adopted August 1, 2012, , which certifies that the Business Entity, as defined therein, has not made any prohibited contributions to a political or candidate committee in the City of Newark or the County of Essex in the previous one year, and the contract will prohibit LS Engineering Associates Corporation, from making any prohibited contributions through the term of the contract.
8. A fully executed copy of this amendment shall be filed in the Office of the City Clerk by the

Director of 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 and the Contractor Pay-to-Play Reform Ordinance, 6PSF-a adopted August 1, 2012.

STATEMENT

This resolution authorizes the Mayor and/or his designee, the Director of Engineering, to execute Amendment #1 to Contract #22-2011PS "Renovations and Improvements to Sixteen (16) Sale-Lease Back Public Buildings" Design and Preparation of Bid Documents and Construction Administration/Management for 1010 18th Avenue, Newark, New Jersey 07106, to amend the term from April 25, 2012 to April 24, 2013 to April 25, 2012 to April 23, 2014, with LS Engineering Associates Corporation, 150 River Road, Building E, Suite E2, Montville, New Jersey 07836, at no additional cost to the City.