



## Legislation Text

File #: 13-1683, Version: 1

**Dept/ Agency:** Engineering

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

**Type of Service:** Professional Services Contract

**Purpose:** Hayes Park East Construction Project Design Modification and Construction/Administration  
608-630 Ferry Street, Newark, New Jersey 07105

**Entity Name:** Heritage Architecture, LLC

**Entity Address:** 352 Evelyn Street, Suite 2, Paramus, New Jersey 07652

**Contract Amount:** \$124,000.00

**Funding Source:** City of Newark/Engineering Budget

**Contract Period:** One (1) year from the issuance of a formal Notice to Proceed

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

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

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

**Addition Information:**

Contract #04-2013PS, Hayes Park East Construction Project Design Modification and Construction /Administration, 608-630 Ferry Street, Newark, New Jersey 07105.

**No Action Taken 7R4-g (as)100213**

**No Action Taken 7R4-f 101013**

**WHEREAS**, the Department of Engineering is in need of professional engineering/architectural services for the Proposed Hayes Park East Construction Project Design Modification and Construction/Administration 608-630 Ferry Street, Newark, New Jersey 07105; and

**WHEREAS**, engineering/architectural services are professional services, exempt from the requirement of public bidding, in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5 (1)(a)(i); and

**WHEREAS**, on July 25, 2013, the Department of Engineering advertised for the receipt of responses to a Request for Proposals ("RFP"), from qualified engineers and/or architects to provide the necessary professional services for the Proposed Hayes Park East Construction Project Design Modification and Construction/Administration 608-630 Ferry Street, Newark, New Jersey 07105; and

**WHEREAS**, on August 21, 2013, five (5) firms and individuals submitted qualification responses and cost proposals to the RFP; and

**WHEREAS**, after a review of the responses and cost proposals submitted, the Director of the Department of Engineering has determined that Heritage Architecture, LLC, 352 Evelyn Street, Suite 2, Paramus, New Jersey 07652, which submitted the lowest cost proposal, has the requisite expertise and experience to perform the services and recommends Contract #04-2013PS, Proposed Hayes Park East Construction Project Design Modification and Construction/Administration, 608-630 Ferry Street, Newark, New Jersey 07105, be awarded to Heritage Architecture, LLC, based upon

price and other factors for an amount not to exceed \$124,000.00; and

**WHEREAS**, the award of this contract through an 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 is in compliance with Executive Order Number MEO-07-0001 (hereinafter "Pay to Play Executive Order") and City of Newark Ordinance, 6PSF-a, adopted August 1, 2012) and prohibits certain political contributions during the duration of the contract.

**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 #04-2013PS, Proposed Hayes Park East Construction Project Design Modification and Construction/Administration, 608-630 Ferry Street, Newark, New Jersey 07105, with Heritage Architecture, LLC, 352 Evelyn Street, Suite 2, Paramus, New Jersey 07652, for an amount not to exceed \$124,000.00 One Hundred and Twenty-four Thousand Dollars .
2. 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 \$124,000.00 (One Hundred and Twenty-four Thousand Dollars) for the purposes set forth herein. A copy of the Certification of Funds shall be filed in the Office of the City Clerk by the Director of Engineering together with this resolution.
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 or his designee.
4. No amendments or modifications 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.A.C. 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 or his designee.
7. Heritage Architecture, 352 Evelyn Street, Suite 2, Paramus, New Jersey 07652, has certified that it has neither made nor will make a prohibited contribution in violation of any applicable federal or state laws, or City Ordinances, including but not limited to the Executive Order on Pay-to-Play Reform (MEO-07-0001) and Contractor Pay-to-Play Reform Ordinance, 6PSF-a, adopted August 1, 2012, as may be amended from time to time. Any such failure shall constitute a breach of the Contract.
8. A notice of this action shall be printed in a local newspaper as required by law within ten (10) days hereof.
9. Funds for this contract in the amount of \$124,000.00 (One Hundred and Twenty-four

Thousand Dollars) is provided from Fund: 026, Department: 007, Account: 94710, Budget Year: B2007.

**STATEMENT**

This resolution authorizes the Mayor and/or his designee the Director of the Department of Engineering to execute a Professional Services Contract #04-2013PS, Proposed Hayes Park East Construction Project Design Modification and Construction/Administration, 608-630 Ferry Street, Newark, New Jersey 07105, with Heritage Architecture, 352 Evelyn Street, Suite 2, Paramus, New Jersey 07652, for an amount not to exceed \$124,000.00 (One Hundred and Twenty-four Thousand Dollars).