



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 21-1078, Version: 1

Dept/ Agency: Economic and Housing Development

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

Type of Service: Professional Services Contract

Purpose: First Amendment to the Agreement to provide professional services, as Planning Consultants increasing the contract amount by \$15,000.00.

Entity Name: Heyer, Gruel & Associates, P.A.

Entity Address: 236 Broad Street, Red Bank, New Jersey 07701-2003

Contract Amount: Not to exceed \$115,000.00

Funding Source: 2020 Budget/Department of Economic and Housing Development

Contract Period: January 1, 2020 through December 31, 2020

Contract Basis: () Bid () State Vendor (X) Prof. Ser. () EUS
(X) Fair & Open () No Reportable Contributions () RFP () RFQ
() Private Sale () Grant () Sub-recipient () n/a

Additional Information:

Resolution 7R2-b adopted on August 5, 2020 awarded a contract in an amount not to exceed \$100,000.00, for the period of January 1, 2020 through December 31, 2020.

This Amendment will increase the contract amount by \$15,000.00 for a new total contract amount not to exceed \$115,000.00, for the period of January 1, 2020 through December 31, 2020.

No Action Taken 7R2-j (s) 081721

WHEREAS, Planning Consultant Services are Professional Services and are exempt from the requirements for public bidding pursuant to the Local Public Contracts Law, specifically N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Municipal Council of the City of Newark (the "Council") by Resolution 7R2-b, adopted on August 5, 2020, awarded a professional services contract to Heyer, Gruel & Associates, P.A., 263 Broad Street, Red Bank, New Jersey 07701 (the "Planning Firm"), to serve as Planning Consultants for an amount not to exceed One Hundred Thousand Dollars and Zero Cents (\$100,000.00), for the period of January 1, 2020 through December 31, 2020; and

WHEREAS, the contract was awarded in compliance with Local Public Contracts Law (N.J.S.A. 40a:11-5(1)(a)(i)), and Fair and Open Procedures of the State Pay-to-Play Law (N.J.S.A. 19:44A-20.5) and is in compliance with the Contractor Pay-to-Play Reform Ordinance 2:4-22C; and

WHEREAS, the Planning Firm has represented the City of Newark in which invoices have been submitted for 2020 pending matters, which exceeded the total contract amount; and

WHEREAS, the outstanding bills for 2020 require an increase in the total contract amount; and

WHEREAS, the Deputy Mayor/Director of the Department of Economic and Housing Development

confirms that the Firm has performed and rendered services for the period of the outstanding invoices; and

WHEREAS, Heyer, Gruel, & Associates represents that an additional Fifteen Thousand Dollars and Zero Cents (\$15,000.00) is necessary for the firm for planning consulting services rendered through December 31, 2020; and

WHEREAS, the requested increase in the total contract amount is deemed reasonable and necessary to pay for planning consultant services provided through December 31, 2020; and

WHEREAS, the award of an additional Fifteen Thousand Dollars and Zero Cents (\$15,000.00) brings the total contract to an amount not to exceed One Hundred Fifteen Thousand Dollars and Zero Cents (\$115,000.00) for January 1, 2020 through December 31, 2020.

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 hereby authorized and directed on behalf of the City of Newark (the "City") to enter into and execute a First Amendment to the Professional Services Agreement with Heyer, Gruel & Associates, P.A., 236 Broad Street, Red Bank, New Jersey 07701-2003, to provide Planning Consultant Services for an additional Fifteen Thousand Dollars and Zero Cents (\$15,000.00) for the period of January 1, 2020 through December 31, 2020, to cover outstanding bills and new matters that arose during the term of the contract.

2. The Municipal Council hereby ratifies this first amendment to the contract from January 1, 2020 to the date of adoption of this authorizing resolution.

3. All other terms and conditions of the contract shall remain the same.

4. This First Amendment to the Agreement to provide Planning Consultant Services is made in accordance with the professional services exception to public bidding in the Local Public Contracts Law (N.J.S.A. 40a:11-5(1)(a)(i), and Fair and Open Procedures of the State Pay-to-Play Law (N.J.S.A. 19:44a-20.5) and is in compliance with the Contractor Pay-to-Play Reform Ordinance 2:4-22C.

5. Attached are Certification of Funds from the Director of Finance stating that there are available, sufficient and appropriated funds in the amount of Fifteen Thousand Dollars and Zero Cents (\$15,000.00) for the purposes set herein and the line appropriations which shall be charged are as follows:

<u>Business Unit</u>	<u>Dept. ID</u>	<u>Div./Proj.</u>	<u>Account#</u>	<u>Budget Ref.:</u>
NW026			32100	B2020

6. A copy of the executed First Amendment to the Agreement to provide Planning Consultant Services herein authorized shall be filed in the Office of the City Clerk by the Deputy Mayor/Director of the Department of Economic and Housing Development and shall be made

available for public inspection.

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 ratifies, amends, authorizes and directs the Mayor and/or his designee, the Deputy Mayor/Director of the Department of Economic and Housing Development, to enter into and execute a First Amendment to the Professional Services Agreement with Heyer, Gruel & Associates, P.A., 236 Broad Street, Red Bank, New Jersey 07701-2003 for an additional Fifteen Thousand Dollars and Zero Cents (\$15,000.00), for a total contract amount not to exceed One Hundred Fifteen Thousand Dollars and Zero Cents (\$115,000.00) to cover outstanding bills and new matters that arose during the term of the contract for the period of January 1, 2020 through December 31, 2020.