



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 12-1103, Version: 1

Dept/ Agency: Economic & Housing Development

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

Type of Service: Professional Services Contract

Purpose: Real Estate Valuation Services

Entity Name: Smith Appraisal Company

Entity Address: 606 Bryant Street, Rahway, New Jersey 07065

Contract Amount: \$40,000.00

Funding Source: City of Newark/Economic & Housing Development

Contract Period: From date of Notice to Proceed for a period not to exceed 12 months

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

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

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

Additional Information:

WHEREAS, the City of Newark has a need to acquire Real Estate Valuation Services pursuant to the provisions of N.J.S.A. 19:44A-20.5 for the purpose of valuating numerous properties on the City's abandoned property list, in compliance with the standards set forth in N.J.S.A.55:19-102; and

WHEREAS, the performance of these services require knowledge of an advanced type in a field of learning pursuant to N.J.S.A. 40A: 11-2(6); and

WHEREAS, on September 27, 2011, the City of Newark, Department of Economic and Housing Development publicly advertised a Request for Proposals (RFP) for said Real Estate Valuation Services; and

WHEREAS, on October 5, 2011, three (3) firms responded by submitting Proposal packages in accordance with Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.5 et seq.; and the Local Public Contracts Law, N.J.S.A. 40A:11-5 (1) (a)(i) et seq.; and

WHEREAS, based on the review and the recommendation by the selection committee, composed of personnel from the Department of Economic and Housing Development, the Deputy Mayor/Director of the Department of Economic and Housing Development determined that it is in the best interest of the City of Newark to award the contract to Smith Appraisal Company, 606 Bryant Street, Rahway, New Jersey 07065, in an amount not to exceed Forty Thousand Dollars (\$40,000.00); and

WHEREAS, the Deputy Mayor/Director of the Department of Economic and Housing Development has determined and certified in writing that the value of this contract will exceed \$17,500.00; and

WHEREAS, pursuant to the Local Public Contracts Law (N.J.S.A. 40A:11-5 (1) (a) (i)), such a contract for professional services may be awarded and entered into without public bidding; and

WHEREAS, these contracts were awarded through the “fair and open process” pursuant to State Pay-to-Play Law (N.J.S.A. 19A:44A-20.5); and

WHEREAS, Smith Appraisal Company, has completed and submitted a Business Entity Disclosure Certification which certifies that Smith Appraisal Company, has not made any reportable contributions to a political or candidate committee in the City of Newark in the previous one year, and their contract for Real Estate Valuation services with the City will prohibit Smith Appraisal Company from making any reportable contributions through the term of the contract; and

WHEREAS, the Mayor of the City of Newark signed into law Executive Order Number MEO-07-0001 (hereinafter “Pay-to-Play Executive Order”), which requires reporting of political contributions to Newark Municipal Candidates 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 Deputy Mayor/Director of the Department of Economic and Housing Development are hereby authorized to enter into and execute a Professional Services Contract in the amount of Forty Thousand Dollars (\$40,000.00) with Smith Appraisal Company, 606 Bryant Street, Rahway, NJ 07065, to provide Real Estate Valuation Services for the period of one (1) year from the date a formal “Notice to Proceed” is issued by the Department of Economic and Housing Development.
2. This contract is being awarded pursuant to the fair and open procedures of the Pay-to-Play Law N.J.S.A 19:44A-20.5 and pursuant to the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-5 (1)(a)(i)) because these services are to be rendered by a person (or persons) whose practice is regulated by law whose performance requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study, as distinguished from general academic instruction, N.J.S.A 40A:11-2(6) and is in compliance with Newark Executive Order MEO-07-0001, effective March 31, 2007.
3. Smith Appraisal Company has completed and submitted a Business Entity Disclosure Certificate, which shall be placed on file with the Resolution in the City Clerk’s Office, certifying that Smith Appraisal Company has not made any reportable contributions to a political or candidate committee in the City of Newark in the previous one year and their contract will prohibit Smith Appraisal Company from making any reportable contributions through the term of the contract.
4. Attached hereto are two (2) certification of funds for Smith Appraisal Company in the amount of \$40,000.00, which states that there are available legally appropriated funds for the purpose set forth hereinabove, which shall be provided from the following line appropriation of the official municipal budget:

Business Unit	Department	Division	Account	Budget
NW051	G10	D10X0	71280	B2010

5. The executed contract and the certification of funds shall be filed in the Office of the City Clerk by the Deputy Mayor/Director of the Department of Economic and Housing Development.
6. No changes to this contract are allowed without prior Municipal Council approval.
7. A notice of this action shall be published in the newspaper as required by law within 10 days of its passage.
8. There shall be no advance payments made against this contract in accordance with N.J.A.C. 40A: 5-16.

STATEMENT

This resolution authorizes the Mayor and/or his designee, the Deputy Mayor/Director of the Department of Economic and Housing Development to enter into and execute a fair and open Professional Services contract with Smith Appraisal Company, 606 Bryant Street, Rahway, New Jersey 07065, in the amount of Forty Thousand Dollars (\$40,000.00), to provide real estate valuation services for one (1) year from the date a formal "Notice to Proceed" is issued by the Department of Economic and Housing Development.