



## Legislation Text

File #: 11-1414, Version: 2

**Dept/ Agency:** Engineering

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

**Type of Service:** Professional Services Contract

**Purpose:** Renovations and Improvements to Sixteen (16) Sale-Lease Back Public Buildings for Design and Preparation of Bid Documents for 714 Mount Prospect Avenue, Newark, NJ 07104

**Entity Name:** Robbie Conley Architect, LLC.

**Entity Address:** 596 Glassboro Road, Woodbury Heights, NJ 08097

**Contract Amount:** \$An amount not to exceed \$20,250.00

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

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

**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

**Addition Information:**

Contract # 40-2011PS

**Deferred 7R4-c 050212**

**Whereas**, the Department of Engineering is in need of professional services for renovations to sixteen (16) buildings, formally owned by the City of Newark, subsequently sold to the Essex County Improvement Authority ("ECIA") and leased back to the City of Newark (hereinafter, the "Sale-Lease Back Projects"); and

**WHEREAS**, on February 11 and 14, 2011, the Department of Engineering advertised for the receipt of responses to a Request for Qualifications ("RFQ"), from qualified engineers and/or architects to provide those professional services; more specifically, engineering/architectural design and construction administration/monitoring services; and

**WHEREAS**, forty-three (43) firms picked-up the RFQ Packages; and

**WHEREAS**, on March 14, 2011 forty-three (43) firms and individuals submitted qualification statements, which were reviewed and evaluated by a Technical Review Team, which qualified thirty-two (32) of the individuals and firms to participate in the Request for Proposal ("RFP") process; and

**WHEREAS**, based on instructions provided to the selected firms, contained in a Consultant Notification Package, the consultants/firms visited and inspected the buildings on April 18 through 21, 2011; and

**WHEREAS**, nine (9) of the qualified firms and individuals submitted cost proposals for the sixteen (16) buildings to the Department of Engineering, Director's Office, on May 3rd, 2011, which cost proposals were reviewed by the Technical Review Team; and

**WHEREAS**, it was the recommendation of the Technical Review Team, after receiving the final cost proposals (a) dated July 20, 2011 with a total cost for task to be performed and (b) October 26, 2011 with an individual, location, task, and cost distribution assessment, that Robbie Conley Architect LLC., 596 Glassboro Road, Woodbury Heights, NJ 08097,

was the most qualified individual or firm to perform the professional services for Design and Preparation of Bid Documents, for 714 Mount Prospect Avenue, Newark, NJ 07104, price and other factors considered; and

**WHEREAS**, the Director of Engineering hereby recommends to the Municipal Council that a contract for professional services be awarded to Robbie Conley Architect, LLC., 596 Glassboro Road, Woodbury Heights, NJ 08097, for a term of one year from the issuance of a formal "Notice to Proceed", for an amount not to exceed \$20,250.00; and

**WHEREAS**, engineering/architectural services are professional services required to be performed by persons licensed by the State of New Jersey 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), which also requires that notice of award of such a contract be published in a newspaper; and

**WHEREAS**, the award of this contract through an RFQ/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

**WHEREAS**, the Mayor of the City of Newark signed into law Executive Order Number MEO-07-0001, which requires reporting of political contributions to Newark Municipal Candidates and prohibits political contributions during the duration of the contract for any contract not publicly bid.

**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 #40-2011PS Renovations and Improvements to Sixteen (16) Sale-Lease Back Public Buildings for Design and Preparation of Bid Documents, for 714 Mount Prospect Avenue, Newark, NJ 07104, with Robbie Conley Architect, LLC., 596 Glassboro Road, Woodbury Heights, NJ 08097, for the total not to exceed amount of \$20,250.00.
2. Robbie Conley Architect, LLC., has completed and submitted a City of Newark Political Contribution Disclosure Form which certifies that, Robbie Conley Architects, 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 Robbie Conley Architect, LLC., from making any contributions through the term of the contract.
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.
4. No changes 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.S.A. 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.
7. This contract is awarded in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. and pursuant to a fair and open process in accordance with the Local Unit Pay-to-Play Law, N.J.S.A.

19:44A-20.5 and in compliance with the Mayor's Executive Order on Pay-to-Play Reform (MEO-07-0001).

8. A copy of this action shall be printed in a local newspaper as required by law.
9. No municipal funds will be expended for this project.
10. Funds for this contract in the amount of \$20,250.00 shall be provided by the Essex County Improvement Authority ("ECIA") through the Bank of New York Mellon and payments made for this project shall be monitored by the City of Newark, Department of Finance.

#### STATEMENT

The Mayor and/or his designee, the Director of the Department of Engineering, are hereby authorized on behalf of the City of Newark to accept the proposal dated July 29, 2011, and execute Contract #40-2011PS Renovations and Improvements to Sixteen (16) Sale-Lease Back Public Buildings, for Design and Preparation of Bid Documents, for 714 Mount Prospect Avenue, Newark, NJ 07104, with Robbie Conley Architect, LLC., 596 Glassboro Road, Woodbury Heights, NJ 08097, for the total not to exceed amount of \$20,250.00. 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.