



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 23-1864, 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 Planning Consultant Services.

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

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

Contract Amount: Not to exceed \$155,000.00

Funding Source: 2023 Budget/Department of Economic and Housing Development

Contract Period: January 1, 2023 through December 31, 2023

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:

The Original Resolution 7R2-k, adopted on April 5, 2023, awarded a contract in an amount not to exceed \$125,000.00, for the period of January 1, 2023 through December 31, 2023.

This First Amendment shall increase the contract amount by \$30,000.00 for a new total contract amount not to exceed \$155,000.00.

WHEREAS, the City of Newark's Department of Economic and Housing Development is involved in ongoing redevelopment and urban planning matters and therefore has a need to acquire Planning Consultant Services; and

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, by Resolution 7R2-k, adopted on April 5, 2023, awarded a Professional Services contract to Heyer, Gruel & Associates, P.A., 263 Broad Street, Red Bank, New Jersey 07701, to serve as Planning Consultants for an amount not to exceed One Hundred Twenty-Five Thousand Dollars and Zero Cents (\$125,000.00) for the period of January 1, 2023 through December 31, 2023; and

WHEREAS, this contract was for an amount over Seventeen Thousand Five Hundred Dollars and Zero Cents (\$17,500.00) and was awarded as a Fair and Open Contract pursuant to N.J.S.A. 19:44A-20.5; 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 Pay-to-Play Reform Ordinance 2:4-22C.1; and

WHEREAS, Heyer, Gruel & Associates, P.A., currently has outstanding bills for pending and

current 2023 matters, which shall exceed the total contract amount; and

WHEREAS, Heyer, Gruel & Associates represents that an additional Thirty Thousand Dollars and Zero Cents (\$30,000.00) is necessary for the outstanding bills and for the firm to continue rendering Planning Consulting Services through December 31, 2023; and

WHEREAS, the requested increase in the total contract amount is deemed reasonable and necessary to pay the firm for Planning Consultant Services through December 31, 2023; and

WHEREAS, the award of an additional Thirty Thousand Dollars and Zero Cents (\$30,000.00) shall bring the total contract to an amount not to exceed One Hundred Fifty-Five Thousand Dollars and Zero Cents (\$155,000.00) for January 1, 2023 through December 31, 2023.

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 Agreement to provide Planning Consultant Services with Heyer, Gruel & Associates, P.A., 236 Broad Street, Red Bank, New Jersey 07701-2003, through December 31, 2023 for an additional Thirty Thousand Dollars and Zero Cents (\$30,000.00) to cover outstanding bills for pending and new matters that shall arise during the term of the contract.

2. The Municipal Council hereby ratifies this first contract amendment from the date of the adoption of this resolution to January 1, 2023.

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 Pay-to-Play Reform Ordinance 2:4-22C.1.

5. Attached is a Certification of Funds from the Director of Finance stating that there are available, sufficient and appropriated funds in the amount of Thirty Thousand Dollars and Zero Cents (\$30,000.00) for the purposes set forth herein and the line appropriations which shall be charged are as follows:

<u>Bus. Unit</u>	<u>Acct.#</u>	<u>Budget Ref.</u>
NW026	32100	B2023

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 Agreement to Provide Planning Consultant Services with Heyer, Gruel & Associates, P.A., 236 Broad Street, Red Bank, New Jersey 07701-2003, to cover outstanding bills for pending and new matters that shall arise during the term of the contract, increasing the contract amount by Thirty Thousand Dollars and Zero Cents (\$30,000.00), for a total contract amount not to exceed One Hundred Fifty-Five Thousand Dollars and Zero Cents (\$155,000.00) for the period of January 1, 2023 through December 31, 2023.