



Legislation Text

File #: 17-1219, Version: 1

Dept/ Agency: Economic and Housing Development

Action: Ratifying Authorizing Amending

Type of Service: Professional Services Contract

Purpose: Construction Management Services for Mulberry Commons Park Project

Entity Name: Cambridge Construction Management, Inc.

Entity Address: 97 Grayrock Road, Clinton, New Jersey 08809

Contract Amount: Amount not to exceed \$821,825.00

Funding Source: 2016-2017 Budget/ Economic and Housing Development

Contract Period: 365 consecutive calendar days from the issuance of a formal Notice to Proceed

Contract Basis: Bid State Vendor Prof. Ser. EUS

Fair & Open No Reportable Contributions RFP RFQ

Private Sale Grant Sub-recipient n/a

Addition Information:

WHEREAS, the City of Newark, Department of Economic and Housing Development is in need of professional construction management services, which includes engineering services, relating to the Mulberry Commons Park Project; and

WHEREAS, the professional construction management services, which include engineering services, required are exempt from public bidding pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-5 (1)(a)(i); and

WHEREAS, the Department of Economic and Housing Development has a need to acquire professional construction management services, which include engineering services, as a non-fair and open contract pursuant to N.J.S.A. 19:44A-20.5; and

WHEREAS, the Deputy Mayor/Director of the Department of Economic and Housing Development desires to accept the proposal submitted by Cambridge Construction Management, Inc., 97 Grayrock Road, Clinton, New Jersey 08809, for the Mulberry Commons Park Project for an amount not to exceed \$821,825.00.

WHEREAS, Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that notice of the award of contracts for "Professional Services" without competitive bidding must be published in a local newspaper; and

WHEREAS, this contract is for an amount over \$17,500.00 and is being awarded in accordance with N.J.S.A. 19:44A-20.5; and

WHEREAS, the Municipal Council adopted the Contractor Pay-to-Play Reform Ordinance, R.O. 2:4-22C, which forbids the award of a contract to a Business Entity, as defined therein, which

has made or solicited political contributions to Newark Municipal Candidates, office holders having ultimate responsibility for the award of a contract; candidate committees of the aforementioned candidates; and political or political party committees of the City of Newark or County of Essex; and continuing political committees or political action committees regularly engaged in the support of the City of Newark municipal or County of Essex elections; and certain other political party or candidate committees, in excess of certain thresholds; and

WHEREAS, Cambridge Construction Management Inc. has completed and submitted a Business Entity Disclosure Certification, which certifies that Cambridge Construction Management Inc. has not made any reportable contributions to a political or candidate committee in the City of Newark in the previous year and that the contract will prohibit Cambridge Construction Management Inc. from making any reportable contributions through the term 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, on behalf of the City of Newark, to enter into a contract with Cambridge Construction Management, Inc., 97 Grayrock Road, Clinton, New Jersey 08809, for Construction Management Services, for the Mulberry Commons Park Project, in an amount not to exceed Eight Hundred Twenty-One Thousand, Eight Hundred Twenty-Five Dollars and Zero Cents (\$821,825.00).
2. This contract is to be completed within a period of 365 consecutive calendar days from issuance of a formal Notice to Proceed by the Deputy Mayor/Director of the Department of Economic and Housing Development.
3. This contract is ratified from the date of the issuance of the Notice to Proceed, to the date of adoption by the Municipal Council.
4. The Business Entity Disclosure Certification and the Determination of Value will be placed on file with this resolution.
5. Attached hereto is a Certification of Funds issued by the City of Newark, Director of Finance, which states that there are available sufficient legally appropriated funds for the purpose set forth hereinabove. A copy of the Certification of Funds issued shall be filed in the Office of the City Clerk by the Deputy Mayor/Director of the Department of Economic and Housing Development together with this resolution.
6. No changes to this contract are allowed without prior Municipal Council approval.
7. The Deputy Mayor/Director of the Department of Economic and Housing Development shall file a fully executed copy of the contract in the Office of the City Clerk and the same shall be made available for inspection.
8. This contract is being awarded as non-fair and open pursuant to N.J.S.A. 19:44A-20.5 and pursuant to N.J.S.A. 40A:11-5(1)(a)(i) and is in compliance with the Contractor Pay-to-Play Reform Ordinance, R.O. 2:4-22C.

9. There shall be no advance payments made against this contract in accordance with N.J.S.A. 40A:5-16.

10. Funds for this contract in the amount of \$831,825.00 are provided as below:

Fund	Dept.	Div. Proj.	Account	Budget Year
NW045	007	07A00	94710	B2017

11. 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 adoption of this Resolution.

STATEMENT

This resolution ratifies and authorizes the Mayor and/or his designee, the Deputy Mayor/Director of the Department of Economic and Housing Development, on behalf of the City of Newark, to enter into a contract with Cambridge Construction Management, Inc., 97 Grayrock Road, Clinton, New Jersey 08809, for Construction Management Services, which includes engineering services, for the Mulberry Commons Park Project, for an amount not to exceed \$821,825.00.