



Legislation Text

File #: 11-1611, Version: 1

Dept/ Agency: Engineering

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

Type of Service: Professional Services Contract

Purpose: Construction Administration/Management Services for the Renovation of the Chestnut Street Firehouse (87 Elm Road)

Entity Name: Lineworks Architecture and Design LLC

Entity Address: 427 Bloomfield Avenue, Suite 405, Montclair, NJ 07042

Contract Amount: \$82,500.00

Funding Source: City of Newark/Engineering Budget

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

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

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

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

Addition Information:

Contract #04 2011PS

WHEREAS, Resolution #7R4-A(AS), adopted August 10, 2010, authorized the Director of the Department of Engineering, to execute and extend Contract #07-2009PS Architectural and Engineering Services for the Renovation of the Chestnut Street Firehouse and the Sandford Avenue Firehouse, with Lineworks Architecture and Design LLC, 427 Bloomfield Avenue, Suite 405, Montclair, NJ 07042, for the total amount of \$632,000.00 ; and

WHEREAS, Contract #07-2009PS Architectural and Engineering Services for the Renovation of the Chestnut Street Firehouse and the Sandford Avenue Firehouse adopted August 10, 2010, accordingly, expired on December 19, 2011; and

WHEREAS, pursuant to 7R4-D adopted on October 20, 2010, the Director, Department of Engineering has determined that, due to the anticipated high cost to renovate the Sandford Avenue Firehouse, it was determined to be in the best interest of the City of Newark to remove the Sandford Avenue Firehouse from the project and seeks a revised proposal for Professional Services for Construction Administration/Management for only the Renovation of the Chestnut Street Firehouse (87 Elm Road); and

WHEREAS, based on the expertise, background, and prior experience in performing architect and design services for the Chestnut Street Firehouse in the expired contract, the Director of the Department of Engineering has determined that it is in the best interest of the City of Newark to accept the revised proposal dated May 26, 2011, and execute Contract #04-2011PS Construction Administration/Management Services for the Renovation of the Chestnut Street Firehouse (87 Elm Road), with Lineworks Architecture and Design LLC, 427 Bloomfield Avenue, Suite 405, Montclair, NJ 07042, for the lump sum amount of \$82,500.00; and

WHEREAS, the actions contemplated by this resolution shall result in the award of a non-fair and open contract in accordance with State of New Jersey Pay-to-Play Law N.J.S.A. 19:44A-20.5; and

WHEREAS, Lineworks Architecture and Design LLC (the "Business Entity"), has completed and submitted a Business Entity Disclosure Certificate which certifies that the Business Entity 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 the Business Entity from making any reportable contributions through the term of the contract; and

WHEREAS, the contracted services to be provided must be performed by engineers licensed by the State of New Jersey, which are professional services 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); and

WHEREAS, the Mayor of the City of Newark signed into law Executive Order MEO-07-0001 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 Director of the Department of Engineering, are hereby authorized on behalf of the City of Newark to accept the proposal dated May 26, 2011, and execute Contract #04-2011PS Construction Administration/Management Services for the Renovation of the Chestnut Street Firehouse (87 Elm Road), with Lineworks Architecture and Design LLC, 427 Bloomfield Avenue, Suite 405, Montclair, NJ 07042, for the lump sum amount of \$82,500.00.
2. Attached hereto is a certification of funds issued by the Chief Financial Officer, City of Newark, which states that there are available sufficient legally appropriated funds in the amount of \$82,500.00 for the purpose set forth hereinabove. A copy of the Certification of Funds issued is to be filed in the Office of the City Clerk by the Director of Engineering or his designee.
3. The term of this contract shall be one (1) year from the issuance of a formal 'Notice to Proceed' by the Director of Engineering or his designee, and consistent with N.J.S.A. 40A:11-15(9), this resolution authorizes the Director of Engineering to extend the time period as necessary and required to complete the assignment at no additional cost to the City, upon adoption of a resolution by Municipal Council.
4. No change to this contract is allowed without prior Municipal Council approval.
5. A notice of this action shall be published in the newspaper as required by law within ten days of

passage.

6. There shall be no advance payments made against this contract in accordance with N.J.A.C. 40A:5-16.
7. The Determination of Value is attached and shall be filed with the Office of the City Clerk.
8. Lineworks Architecture and Design LLC, has completed and submitted a Business Entity Disclosure Certification, which certifies that Lineworks Architecture and Design LLC, has not made any prohibited contributions to a political or candidate committee in the City of Newark in the previous one year, and the contract will prohibit Lineworks Architecture and Design LLC, from making any prohibited contributions through the term of the contract.
9. A fully executed copy of this contract shall be filed in the Office of the City Clerk by the Director Engineering or his designee.
10. This professional service contract is awarded under the provisions of the Local Public Contracts Law N.J.S.A. 40A:11-5(1)(a)(i), and pursuant to the New Jersey Local Unit Pay-to-Play Law, N.J.S.A. 19:44-20.5 as a 'Non-Fair and Open Contract', and in compliance with Executive Order (MEO-07-0001) effective March 31, 2007.
11. By executing this contract Lineworks Architecture and Design LLC., certifies that it has neither made nor will make a prohibited contribution in violation of any applicable federal or state laws, City ordinances, including but not limited to the executive order on Pay-to-Play Reform (MEO-07-0001) as may be amended from time to time. Any such failure shall constitute a breach of the contract.
12. Funds in the amount of \$82,500.00 for this contract is provided as below:
Fund 045, Dept. 007, Project 07BO0, Account 94710, Budget Yr. B2007

STATEMENT

This resolution authorizes the Mayor and/or his designee, the Director of the Department of Engineering, to accept and execute Contract #04-2011PS Construction Administration/Management Services for the Renovation of the Chestnut Street Firehouse (87 Elm Road), with Lineworks Architecture and Design LLC, 427 Bloomfield Avenue, Suite 405, Montclair, NJ 07042, for the lump sum amount of \$82,500.00, for a period of one (1) year from issuance of a formal "Notice to Proceed".

