



Legislation Text

File #: 17-1156, Version: 1

Dept/ Agency: Economic and Housing Development

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

Type of Service: Professional Services Contract

Purpose: Professional Services Agreement for the Provision of Environmental Engineering and Licensed Site Remediation Professional Services at 1826-48 McCarter Highway, Block 725, Lot 16

Entity Name: Universe Resources LLC d/b/a EG&R Environmental Services

Entity Address: 259 Prospect Plains Road, Building B, Cranbury, New Jersey 08512

Contract Amount: Not to exceed \$43,191.00

Funding Source: HDSRF Grant Funds

Contract Period: One year from the date of issuance of a Notice to Proceed by the Deputy Mayor/Director of the Department of Economic and Housing Development

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

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

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

Additional Information:

WHEREAS, the City of Newark, Department of Economic and Housing Development, caused to be published on the City of Newark's website on June 7, 2016, a Request for Proposals for Environmental Engineering and Licensed Site Remediation Professional ("LSRP") Services; and

WHEREAS, the intent of this Request for Proposals was to select a firm capable of providing LSRP services at 1826-48 McCarter Highway, Block 725, Lot 16, City of Newark; and

WHEREAS, the City of Newark received a total of twelve (12) proposals in response to its request; and

WHEREAS, Universe Resources LLC d/b/a/ EG&R Environmental Services ("EG&R") with offices at 259 Prospect Plains Road, Building B, Cranbury, New Jersey 08512, submitted a proposal dated June 28, 2016, entitled, "Request for Proposal for Environmental Engineering and Licensed Site Remediation Professional Services 1826-48 McCarter Highway Block 725, Lot 16 City of Newark, New Jersey" for the performance of Environmental Engineering and LSRP Services; and

WHEREAS, the proposals received were reviewed and evaluated and a recommendation was made, based upon the City's needs, goals, available funding and the proposals submitted, to award a contract in the total amount of Forty - Three Thousand, One Hundred Ninety One Dollars, and Zero Cents (\$43,191.00) to EG&R as the firm that submitted the most competitively priced proposal, and that demonstrated the knowledge, technical competence, management, experience, personnel qualifications, and ability to complete the services in a timely manner, in the best interest of the City of Newark; and

WHEREAS, the City of Newark, Department of Economic and Housing Development, desires to enter into a Professional Services Agreement with EG&R to provide Environmental Engineering and LSRP Services, in an amount not to exceed Forty-Three Thousand, One Hundred Ninety-One Dollars and Zero Cents (\$43,191.00), for a period of one year from the date of issuance of a Notice to Proceed by the Deputy Mayor/Director of the Department of Economic and Housing Development. Eligible activities shall be funded from the New Jersey Hazardous Discharge Site Remediation Fund (HDSRF) Grant administered by the NJDEP and New Jersey Economic Development Authority (EDA) and/or other third party funds; and

WHEREAS, LSRP Services are professional services, exempt from the requirement for public bidding, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the 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 pursuant to N.J.S.A. 19:44A-20.5. EG&R has completed and submitted a Business Entity Disclosure Certification (attached hereto and made a part hereof) which certifies that EG&R has not made any reportable contributions to a political or candidate committee in the City of Newark in the previous one year and the Professional Services Agreement will prohibit EG&R from making any reportable contributions through the term of the agreement; 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.

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 authorized and directed to enter into and execute a Professional Services Agreement with Universe Resources LLC d/b/a EG&R Environmental Services ("EG&R") with offices at 259 Prospect Plains Road, Building B, Cranbury, New Jersey 08512, to provide Environmental Engineering and Licensed Site Remediation Professional Services in a total amount not to exceed Forty-Three Thousand, One Hundred and Ninety-One Dollars and Zero Cents (\$43,191.00), for the performance of said services at 1826-48 McCarter Highway Block 725, Lot 16, City of Newark.

2. The term of this contract shall be for the period of one (1) year from the date of issuance of a Notice to Proceed by the Deputy Mayor/Director of the Department of Economic and Housing Development.

3. This contract is being awarded pursuant to the procedures of the State 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)); is in compliance with the City's Contractor Pay-to-Play Reform Ordinance, R.O. 2:4-22C.

4. Attached hereto is a Certification of Funds from the Finance Director of the City of Newark, which states (1) that there are sufficient funds in the amount of \$43,191.00, for the purpose set forth herein above and (2) that the line appropriations which shall be charged are as follows:

| <u>Bus. Unit</u> | <u>Dept. ID</u> | <u>Div./Proj.</u> | <u>Activity</u> | <u>Acct. #</u> | <u>Budget Ref.</u> |
|------------------|-----------------|-------------------|-----------------|----------------|--------------------|
| NW051 | G15 | D1520 | A | 72090 | B2015 |

5. A fully executed copy of this Agreement and Notice to Proceed shall be filed in the Office of the City Clerk by the Deputy Mayor/Director of the Department of Economic and Housing Development.

6. There shall be no advance payments against this contract pursuant to N.J.S.A. 40A:5-16.

7. A copy of the executed Agreement and Notice to Proceed herein authorized shall be filed in the Office of the City Clerk by the Acting Corporation Counsel and shall be made available for public inspection.

8. 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 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 Professional Services Agreement with Universe Resources LLC d/b/a EG&R Environmental Services ("EG&R") 259 Prospect Plains Road, Building B, Cranbury, New Jersey 08512, to provide Environmental Engineering and Licensed Site Remediation Professional Services in a total amount not to exceed Forty-Three Thousand, One Hundred and Ninety-One Dollars and Zero Cents (\$43,191.00), for the performance of said services at 1826-48 McCarter Highway Block 725, Lot 16, City of Newark, for the period of one year from the date of issuance of a Revised Notice to Proceed by the Deputy Mayor/Director of the Department of Economic and Housing Development.