



## Legislation Text

File #: 15-1699, Version: 1

**Dept/ Agency:** Engineering

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

**Type of Service:** Bid Contract

**Purpose:** E.C.I.A. 16 Sale-Lease Back Public Buildings - Renovation to Basement (Correction Facility), 31 Green Street, Newark, New Jersey

**Entity Name:** USA Architects, Planners and Interior Designers, PA

**Entity Address:** 20 No. Doughty Avenue, Somerville, New Jersey 08876

**Contract Amount:** Not to Exceed \$153,400.00

**Funding Source:** Essex County Improvement Authority (E.C.I.A.) Bank of New York Mellon

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

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

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

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

**Additional Information:**

Bids Solicited: Three (3)

Bids Received: One (1)

Bids Rejected: One (1)

Bids Re-Solicited: Six (6)

Bids Received: Two (2)

Contract #10-2014PS (R)

**WHEREAS**, the Department of Engineering is in need of professional engineering/architectural services for the E.C.I.A. 16 Sale-Lease Back Public Buildings - Renovation to Basement (Correction Facility), 31 Green Street, Newark, New Jersey; and

**WHEREAS**, engineering/architectural services are professional services exempt from the public bidding requirements of the Local Public Contracts Law, pursuant to N.J.S.A. 40A:11-5(1)(i); and

**WHEREAS**, on August 21, 2014, the Department of Engineering advertised for the receipt of responses to a Request for Proposals ("RFP"), from qualified engineers and/or architects to provide those professional services for Contract #10-2014PS Renovation to Basement (Correction Facility), 31 Green Street, Newark, New Jersey (hereinafter Contract #10-2014PS); and

**WHEREAS**, on September 3, 2014, the three (3) firms who picked up the Request for Proposals for Contract #10-2014PS were invited to do a visual inspection of the site; and

**WHEREAS**, on September 24, 2014, one (1) firm submitted their response to the Request for Proposal; and

**WHEREAS**, on October 9, 2014, the firm was notified by regular mail and e-mail that a re-bid of the project would take place at a later date pursuant to N.J.S.A. 40A:11-13.2(a) - because the lowest bid

substantially exceeds the cost estimates for the services; and

**WHEREAS**, on October 14, 2014, the Department of Engineering advertised for the receipt of responses to a Request for Proposals (“RFP”), from qualified engineers and/or architects to provide those professional services for Contract #10-2014PS (R) Renovation to Basement (Correction Facility), 31 Green Street, Newark, New Jersey (hereinafter Contract #10-2014PS (R)); and

**WHEREAS**, on November 20, 2014, the advertised, scheduled date for the public opening of bids, two (2) firms submitted their response to the Request for Proposal; and

**WHEREAS**, after a review of the response to the Request for Proposal, the Director of the Department of Engineering has determined that USA Architects, Planners and Interior Designers, PA, 20 No. Doughty Avenue, Somerville, New Jersey 08876, has demonstrated the requisite expertise and experience to address the needs of the City of Newark in a manner that is advantageous to the taxpayers, price and other factors considered and recommends an award of Contract #10-2014PS (R) Renovation to Basement (Correction Facility), located at 31 Green Street, Newark, New Jersey, for an amount not to exceed \$153,400.00 (One Hundred Fifty Three Thousand Four Hundred Dollars and Zero Cents); and

**WHEREAS**, the award of this contract through a Request for Proposal process, constitutes a fair and open process pursuant to the Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.5 et seq.

**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 Contract #10-2014PS(R) - Renovation to Basement (Correctional Facility), 31 Green Street, Newark, New Jersey, a professional services contract to USA Architects, Planners and Interior Designers, PA, 20 N. Doughty Avenue, Somerville, New Jersey 08876, for an amount not to exceed \$153,400.00 (One Hundred Fifty Three Thousand Four Hundred Dollars and Zero Cents).
2. Funds for this contract in the amount of \$153,400.00 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.
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 or his designee.
4. No amendments or modifications 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.A.C. 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 or his designee.

7. USA Architects, Planners and Interior Designers, PA, 20 No. Doughty Avenue, Somerville, New Jersey 08876, has certified that it has neither made nor will make a prohibited contribution in violation of any applicable federal or state laws, or City Ordinances.
8. A notice of this action shall be printed in a local newspaper as required by law within ten (10) days hereof.

### **STATEMENT**

This resolution authorizes the Mayor and/or his designee, the Director of the Department of Engineering, to execute Contract #10-2014PS (R) - Renovation to Basement (Correctional Facility), 31 Green Street, Newark, New Jersey, a professional services contract to USA Architects, Planners and Interior Designers, PA, 20 No. Doughty Avenue, Somerville, New Jersey 08876, for an amount not to exceed \$153,400.00 (One Hundred Fifty Three Thousand Four Hundred Dollars and Zero Cents).