



## Legislation Details (With Text)

**File #:** 12-1983      **Version:** 1      **Name:** ADDED STARTER: WITT Group Holdings, LLC (2012) - First Amendment

**Type:** Resolution      **Status:** Filed

**File created:** 9/21/2012      **In control:** Economic and Housing Development

**On agenda:** 12/19/2012      **Final action:** 12/19/2012

**Title:** Dept/ Agency: Economic & Housing Development  
Action: ( ) Ratifying (X) Authorizing (X) Amending  
Type of Service: Amending Resolution #7R3-E 041812, Professional Services Contract with Sub-recipient  
Purpose: To enter into a First Amended Professional Services Contract to extend the termination date, authorized by Resolution 7R3-E 041812, from July 31, 2012 through December 31, 2012 to complete Local Energy Assurance Plan  
Entity Name: WITT Group Holdings, LLC  
Entity Address: 17 Knolls Drive, Jackson, New Jersey 08527  
Grant Amount: \$179,201.00  
Funding Source: ARRA Grant  
Contract Period: Amended from April 18, 2012 through July 31, 2012 to April 18, 2012 through December 31, 2012  
Contract Basis: ( ) Bid ( ) State Vendor ( ) Prof. Ser. ( ) EUS  
( ) Fair & Open ( ) No Reportable Contributions (X) RFP ( ) RFQ  
( ) Private Sale (X) Grant ( ) Sub-recipient ( ) n/a  
Additional Information:  
Funds accepted by Resolution #7R3-F 021611  
Professional Services Contract authorized by Resolution #7R3-E 041812  
No Additional Funds Required for First Amended Agreement

### Sponsors:

### Indexes:

### Code sections:

| Date       | Ver. | Action By         | Action | Result |
|------------|------|-------------------|--------|--------|
| 12/19/2012 | 1    | Municipal Council | Adopt  | Pass   |

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**Entity Address:** 17 Knolls Drive, Jackson, New Jersey 08527

**Grant Amount:** \$179,201.00

**Funding Source:** ARRA Grant

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

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

**Additional Information:**

Funds accepted by Resolution #7R3-F 021611

Professional Services Contract authorized by Resolution #7R3-E 041812

No Additional Funds Required for First Amended Agreement

**WHEREAS**, on April 18, 2012, through Resolution 7R3-E, the City of Newark's Municipal Council authorized the Mayor and/or his designee, the Deputy Mayor/Director of the Department of Economic and Housing Development of the City of Newark to enter into a professional services contract with WITT Group Holdings, LLC, ("WITT Associates") located at 17 Knolls Drive, Jackson, New Jersey 08527, for the period commencing on the date of Municipal Council authorization of April 18, 2012 through July 31, 2012, using \$179,201.00 of American Recovery Reinvestment Act of 2009 ("ARRA"), administered by the U.S. Department of Energy ("DOE"), to create a Local Energy Assurance Plan ("LEAP"); and

**WHEREAS**, to ensure the successful completion of a comprehensive Local Energy Assurance Plan that is specific to Newark's unique geographical location and complex interdependent critical infrastructure systems, the City of Newark requested from the DOE a grant agreement modification to the Local Energy Assurance Plan funding opportunity, DE-OE0000334, to extend the grant performance period from April 18, 2012 through July 31, 2012 to April 18, 2012 through December 31, 2012; and

**WHEREAS**, on July 19, 2012, the City of Newark's grant agreement modification request was approved by the DOE and all applicable grant award documents have been updated to reflect the change in performance period, effective July 19, 2012; and

**WHEREAS**, in accordance with the approved grant agreement modification request, the City of Newark wishes to enter into a First Amended Professional Service Contract with WITT Associates to extend the Professional Services Contract termination date, authorized by Resolution 7R3-E 041812, from July 31, 2012 through December 31, 2012 and enter into and execute any and all amending grant documents with the U.S. Department of Energy and WITT Associates to complete the LEAP; and

**WHEREAS**, no municipal funds are required for the Professional Services Contract with WITT Associates or this proposed First Amended Agreement.

**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 to enter into and execute a First Amended Agreement ("First Amendment") with WITT Group Holdings, LLC, ("WITT Associates") 17 Knolls Drive, Jackson, New Jersey 08527, to extend the Professional Services Contract termination date, authorized by 7R3-E 041812, from July 31, 2012 through December 31, 2012.

2. The Municipal Council hereby ratifies this agreement to the date of adoption of this resolution.

3. This Resolution further authorizes the Mayor and/or his designee, the Deputy Mayor/Director of the Department of Economic and Housing Development to submit a grant modification request to

the U.S. Department of Energy and to enter into and execute any and all amending grant documents with the U.S. Department of Energy to effectuate said grant modification.

4. The remaining terms and conditions set forth in the Professional Services Contract, authorized by Resolution 7R3-E 041812, shall remain in full force and effect.

5. This First Amendment is hereby ratified from April 18, 2012 until the date of adoption of this authorizing Resolution.

6. No municipal funds are required for the Professional Services Contract with WITT Associates or this proposed First Amended Agreement.

7. The Deputy Mayor/Director of the Department of Economic and Housing Development shall file a fully-executed copy of this First Amended Agreement with WITT Associates, the City of Newark's modified grant assistance agreement with the U.S. Department of Energy to extend the performance period, a copy of the Certification of Funds, and any amending contracts authorized herein in the Office of the City Clerk.

### **STATEMENT**

This resolution ratifies and authorizes the Mayor and/or his designee, the Deputy Mayor/Director of the Department of Economic and Housing Development, to submit a grant modification request to the U.S. Department of Energy, enter into and execute any and all amending grant documents to effectuate said grant modification and to enter into and execute a First Amended Agreement with WITT Group Holdings, LLC, ("WITT Associates"), located at 17 Knolls Drive, Jackson, New Jersey 08527, to extend the termination date of the Professional Services Contract, authorized by Resolution 7R3-E 041812, from July 31, 2012 through December 31, 2012, to create a Local Energy Assurance Plan for the City of Newark in accordance with the approved grant modification request by the U.S. Department of Energy.