



## Legislation Details (With Text)

**File #:** 12-1724      **Version:** 1      **Name:** Change Odr #2 Hayes Park E.-Solutions Arch  
**Type:** Resolution      **Status:** Filed  
**File created:** 8/5/2012      **In control:** Engineering  
**On agenda:** 4/3/2013      **Final action:** 4/3/2013  
**Title:** Dept/ Agency: Engineering  
Action: ☒ Ratifying   ☒ Authorizing   ☒ Amending  
Type of Service: Professional Services Contract  
Purpose: Amendment #2 - Design and Construction Administration/Management for the Hayes Park East Renovation Project  
Entity Name: Solutions Architecture, LLC.  
Entity Address: 81 Clay Street, 2nd Floor, Suite 2, Newark, New Jersey 07104  
Contract Amount: Increase Contract Amount by \$4,960.00 from \$175,500.00 to \$180,460.00  
Funding Source: City of Newark/Engineering Budget  
Contract Period: Amend the term of the contract from August 30, 2011 through August 29, 2012 to August 30, 2011 to August 28, 2013  
Contract Basis: ☐ Bid   ☐ State Vendor   ☒ Prof. Ser.   ☐ EUS  
☐ Fair & Open   ☐ No Reportable Contributions   ☐ RFP   ☐ RFQ  
☐ Private Sale   ☐ Grant   ☐ Sub-recipient   ☒ n/a  
Addition Information:  
Resolution 7R4-e 061511  
Contract #03-2011PS  
Invitation: Director of Engineering, April 2, 2013

### Sponsors:

### Indexes:

### Code sections:

Date	Ver.	Action By	Action	Result
4/3/2013	1	Municipal Council	Adopt	Pass

**Dept/ Agency:** Engineering  
**Action:** ☒ Ratifying   ☒ Authorizing   ☒ Amending  
**Type of Service:** Professional Services Contract  
**Purpose:** Amendment #2 - Design and Construction Administration/Management for the Hayes Park East Renovation Project  
**Entity Name:** Solutions Architecture, LLC.  
**Entity Address:** 81 Clay Street, 2<sup>nd</sup> Floor, Suite 2, Newark, New Jersey 07104  
**Contract Amount:** Increase Contract Amount by \$4,960.00 from \$175,500.00 to \$180,460.00  
**Funding Source:** City of Newark/Engineering Budget  
**Contract Period:** Amend the term of the contract from August 30, 2011 through August 29, 2012 to August 30, 2011 to August 28, 2013  
**Contract Basis:** ☐ Bid   ☐ State Vendor   ☒ Prof. Ser.   ☐ EUS  
☐ Fair & Open   ☐ No Reportable Contributions   ☐ RFP   ☐ RFQ  
☐ Private Sale   ☐ Grant   ☐ Sub-recipient   ☒ n/a  
**Addition Information:**  
Resolution 7R4-e 061511  
Contract #03-2011PS

**Invitation: Director of Engineering, April 2, 2013**

**WHEREAS**, Resolution 7R4-e 061511 adopted June 15, 2011, authorized the Director of the Department of Engineering to execute Contract #03-2011PS Design and Construction Administration/Management for the Hayes Park East Renovation Project with Solutions Architecture, LLC., 81 Clay Street, 2<sup>nd</sup> Floor, Suite 2, Newark, New Jersey, 07104, for the total not to exceed amount of \$159,000.00; and

**WHEREAS**, a 'Notice to Proceed' was issued dated August 30, 2011, specifying August 30, 2011 as the effective date of the contract, with a termination date of August 29, 2012; and

**WHEREAS**, Resolution 7R4-b adopted March 7, 2012, allowed a Change Order to increase the amount of the contract to incorporate the design of a skate park installation and increase the total amount of the contract from \$159,000.00 to \$175,500.00; and

**WHEREAS**, subsequent to the award of this professional services contract, there were time delays associated with the public bidding process for the award of the separate construction contract, including a rejection of all bids for budgetary reasons. A re-bid of the construction contract was held on July 27, 2012; and

**WHEREAS**, the Director of the Department of Engineering desires to amend Contract #03-2011PS to (a) extend the term of the contract from August 30, 2011 through August 29, 2012 to August 30, 2011 through August 28, 2013, for the construction administration/management phase of the Hayes Park Project with Solutions Architecture, LLC., 81 Clay Street, 2<sup>nd</sup> Floor, Suite 2, Newark, New Jersey, 07104, and (b) an increase of \$4,960.00 in the total amount of the contract, thereby amending it from an amount not to exceed \$175,500.00 to \$180,460.00; and

**WHEREAS**, the term of a public works contract, including contracts for professional services may be extended for such time as necessary for the completion of actual construction, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-15(9).

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:**

1. The Mayor and/or his designee and the Director of Engineering, are hereby authorized to execute Amendment #2 to Contract #03-2011PS, Design and Construction Administration/Management for the Hayes Park East Renovation Project with Solutions Architecture, LLC., 81 Clay Street, 2<sup>nd</sup> Floor, Suite 2, Newark, New Jersey 07104, to amend the contract as follows: (a) amending the term of the contract from August 30, 2011 through August 29, 2012 to August 30, 2011 through August 28, 2013, and (b) increasing the contract amount by \$4,960.00, thereby amending it from an amount not to exceed \$175,500.00 to \$180,460.00.
2. The Municipal Council hereby ratifies this contract amendment August 29, 2012 to the date of the adoption of this resolution.
3. All other terms and conditions of Contract #03-2011PS Design and Construction Administration/Management for the Hayes Park East Renovation Project shall apply and remain

in force till the contract is completed.

4. A fully executed copy of Amendment #2 to Contract #03-2011PS Design and Construction Administration/Management for the Hayes Park East Renovation Project shall be filed in the Office of the City Clerk by the Director of the Department of Engineering.
5. Attached hereto is the certification of funds with available balances issued by the Chief Financial Officer, City of Newark, which states that there are available sufficient legally appropriated funds for the purpose set forth hereinabove, in the amount of \$4,960.00. Funds for this project shall be from Fund: 045, Department: 007, Project: 07BY0, Account: 94710, Budget Year: 2007
6. No further amendments or modifications to this amended contract shall be permitted without prior Municipal Council approval.
7. A fully executed copy of this Change Order/Amendment shall be filed in the Office of the City Clerk by the Director of Engineering or his designee.
8. This contract amendment is in compliance with the provisions of the Local Public Contracts Law N.J.S.A. 40A:11-15(9) and pursuant to the New Jersey Local Unit Pay-to-Play Law, N.J.S.A. 19:44-20., and in compliance with Executive Order (MEO-07-0001) effective March 31, 2007.

### **STATEMENT**

This resolution ratifies and authorizes the Mayor and/or his designee, the Director of Engineering, to execute Amendment #2 to Contract #03-2011PS Design and Construction Administration/Management for the Hayes Park East Renovation Project with Solutions Architecture, LLC., 81 Clay Street, 2<sup>nd</sup> Floor, Suite 2, Newark, New Jersey 07104, to (a) amending the term of the contract from August 30, 2011 through August 29, 2012 to August 30, 2011 through August 28, 2013, and (b) increasing the contract amount by \$4,960.00, thereby amending the contract amount from an amount not to exceed \$175,500.00 to \$180,460.00.