



Legislation Details (With Text)

File #: 13-1492 **Version:** 1 **Name:** Contract #24-2011PS - Renovations and Improvements to Sixteen (16) Sale-Lease Back Public Buildings Design and Preparation of Bid Documents and Construction Administration/Management for 828 Broad Street, Newark, New Jersey

Type: Resolution **Status:** Filed

File created: 7/23/2013 **In control:** Engineering

On agenda: 10/23/2013 **Final action:** 10/29/2013

Title: Dept/ Agency: Engineering
Action: (X) Ratifying (X) Authorizing (X) Amending
Type of Service: Contract Amendment
Purpose: "Renovations and Improvements to Sixteen (16) Sale-Lease Back (ECIA) Public Buildings for Design and Preparation of Bid Documents and Construction Administration/Management for 828 Broad Street (Finance Building), Newark, New Jersey 07102
Entity Name: LS Engineering Associates Corporation
Entity Address: 150 River Road, Building E, Suite E2, Montville, New Jersey 07836
Contract Amount: \$59,960.00
Funding Source: Essex County Improvement Authority ("ECIA")
Contract Period: March 3, 2012 through March 1, 2014
Contract Basis: () Bid () State Vendor (X) Prof. Ser. () EUS
() Fair & Open (x) No Reportable Contributions () RFP () RFQ
() Private Sale () Grant () Sub-recipient () n/a
Additional Information:
Contract #24-2011PS
Resolution 7R4-f adopted on December 21, 2011
No Action Taken 7R4-e 102313

Sponsors:

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
10/29/2013	1	Municipal Council	Adopt	Pass
10/23/2013	1	Municipal Council	no action taken	

Dept/ Agency: Engineering

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Additional Information:

Contract #24-2011PS

Resolution 7R4-f adopted on December 21, 2011

No Action Taken 7R4-e 102313

WHEREAS, Resolution 7R4-f, adopted December 21, 2011, authorized the Director of the Department of Engineering to execute Contract #24-2011PS "Renovations and Improvements to Sixteen (16) SaleLease Back Public Buildings" Design and Preparation of Bid Documents and Construction Administration/Management for 828 Broad Street, Newark, New Jersey 07102, (hereinafter, "Contract #24-2011PS"), with LS Engineering Associates Corporation, 150 River Road, Building E, Suite E2, Montville, New Jersey 07836, in the amount of \$59,960.00, for a one-year term from the issuance of a Notice to Proceed; and

WHEREAS, on March 3, 2012 a 'Notice to Proceed' was issued, specifying March 3, 2012 as the contract effective date, terminating on March 2, 2013; and

WHEREAS, the underlying construction contract has not been completed, due to unforeseen delays in the public bidding and procurement process for the construction contract (See Attachment A); however, the contract with LS Engineering Associates Corporation, who has the responsibility of contract administration and management, has expired; and

WHEREAS, the Director of the Department of Engineering desires to amend Contract #24-2011PS, to extend the contract term from March 3, 2012 through March 2, 2013 to March 3, 2012 through March 1, 2014, at no additional cost to the City; and

WHEREAS, the contracted services 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, this contract amendment is being awarded as a non-fair and open contract pursuant to the Pay-to-Play Executive Order , in accordance with the Local Pay-to-Play Law, N.J.S.A. 19:44A-20.5 and Contractor Pay-to-Play, Ordinance 6PSF-a, adopted August 1, 2012.

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 Engineering, are hereby authorized to execute Amendment #1 to Contract #24-2011PS "Renovations and Improvements to Sixteen (16) Sale-Lease Back Public Buildings" Design and Preparation of Bid Documents and Construction Administration/Management for 828 Broad Street, Newark, New Jersey 07102, with LS Engineering Associates Corporation, 150 River Road, Building E, Suite E2, Montville, New Jersey 07836, to amend the term from March 3, 2012 through March 2, 2013 to March 3, 2012 through March 1, 2014.
2. The Municipal Council hereby ratifies this contract amendment from March 2, 2013 to the date

of the adoption of this authorizing Resolution.

3. All other terms and conditions of Contract #24-2011PS, shall apply and remain in force until the contract is completed.
4. A fully executed copy of Amendment #1 to Contract #24-2011PS shall be filed in the Office of the City Clerk by the Director of the Department of Engineering.
5. No further amendments or modifications to this amended contract shall be permitted without prior Municipal Council approval.
6. There shall be no advance payments made against this contract in accordance with N.J.A.C. 40A:5-16.
7. Notice of the award of this contract amendment shall be published in a newspaper within ten (10) days of adoption.
8. LS Engineering Associates Corporation has completed and submitted a Business Entity Disclosure Certification, an updated City Political Disclosure Statement and a Contractor Pay-to-Play Reform Certification, which certifies that the Business Entity, as defined therein, has not made or solicited any prohibited contributions to a political or candidate committee in the previous one year, and the contract will prohibit LS Engineering Associates Corporation, from making or soliciting any prohibited contributions through the term of the contract.
9. A fully executed copy of this amendment shall be filed in the Office of the City Clerk by the Director Engineering or his designee.
10. This amendment to a 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 non-fair and open procedures and in compliance with the New Jersey Local Unit Pay-to-Play Law, N.J.S.A. 19:44-20.5, the Executive Order on Pay-to-Play Reform(MEO-07-0001),effective March 31, 2007 and the Contractor Pay-to-Play Reform Ordinance, 6PSF-a, adopted August 1, 2012..

STATEMENT

This resolution authorizes and ratifies the Mayor and/or his designee, the Director of Engineering, to execute Amendment #1 to Contract #24-2011PS “Renovations and Improvements to Sixteen (16) SaleLease Back Public Buildings” Design and Preparation of Bid Documents and Construction Administration/Management for 828 Broad Street, Newark, New Jersey 07102, to amend the term from March 3, 2012 through March 2, 2013 to March 3, 2012 through March 1, 2014, with LS Engineering Associates Corporation, 150 River Road, Building E, Suite E2, Montville, New Jersey 07836, at no additional cost to the City.