



Legislation Details (With Text)

File #: 14-0211 **Version:** 3 **Name:** Design and Preparation of Bid Documents and Construction Management/Administration for the Construction of a New Building on a City Owned Parcel located at 502-504 Clinton Avenue, Block #2687, Lot #51 & #52, Newark, New Jersey 07102

Type: Resolution **Status:** Filed

File created: 2/18/2014 **In control:** Engineering

On agenda: 3/19/2014 **Final action:** 3/19/2014

Title: Dept/ Agency: Engineering
Action: ☐ Ratifying ☒ Authorizing ☐ Amending
Type of Service: Professional Services Contract
Purpose: Design and Preparation of Bid Documents and Construction Management/Administration for the Construction of a New Building on a City- owned parcel located at 502-504 Clinton Avenue, Newark, New Jersey
Entity Name: Netta Architects
Entity Address: 1084 Route 22 West, Mountainside, New Jersey 07092
Contract Amount: \$86,000.00
Funding Source: City of Newark/Department of Engineering Budget
Contract Period: One (1) year from issuance of a formal Notice to Proceed
Contract Basis: ☐ Bid ☐ State Vendor ☒ Prof. Ser. ☐ EUS
☒ Fair & Open ☐ No Reportable Contributions ☒ RFP ☐ RFQ
☐ Private Sale ☐ Grant ☐ Sub-recipient ☐ n/a
Addition Information:
Contract #02-2014PS

Sponsors: John Sharpe James

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
3/19/2014	1	Municipal Council	Adopt	Pass

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WHEREAS, the Department of Engineering is in need of professional engineering/architectural services for the Design and Preparation of Bid Documents and Construction Management/Administration for the Construction of a New Building on a City Owned Parcel at 502-504 Clinton Avenue, Newark, New Jersey 07102 (Block 2687, Lot 51 & 52); 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 January 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 #02-2014PS Design and Preparation of Bid Documents and Construction Management/Administration for the Construction of a New Building on a City-Owned Parcel (hereinafter, Contract #02-2014PS) located at 502-504 Clinton Avenue, Block 2687, Lot 51 & 52, Newark, New Jersey 07102; and

WHEREAS, on January 22, 2014, all answers to Requests for Information were provided to all six (6) consultants/firms that obtained the RFP specifications; and

WHEREAS, on February 6, 2014, three (3) firms and individuals submitted their responses to the RFP; and

WHEREAS, after a review of the Responses to the RFP, the Director of the Department of Engineering has determined that Netta Architects, 1084 Route 22 West, Mountainside, New Jersey 07092, 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 #02-2014PS to Netta Architects, for an amount not to exceed \$86,000.00 (Eighty-Six Thousand Dollars and No Cents); and

WHEREAS, the award of this contract through a Request for Proposals process, constitutes a fair and open process pursuant to the Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-10.5 et seq. and is in compliance with: Executive Order Number MEO-07-0001 (hereinafter "Pay-to-Play Executive Order") which requires reporting of political contributions to Newark Municipal Candidates and prohibits certain political contributions during the duration of the contract; and Revised Ordinance 2:4-22C, Contractor Pay-to-Play Reform, which forbids, inter alia, the award of a contract to a Business Entity (and subcontractors), as defined therein, which has made or solicited political contributions to Newark Municipal and County of Essex 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 City of Newark municipal or County of Essex elections and/or City of Newark municipal or County of Essex candidates, candidate committees, political committees, political parties, political party committees, (hereinafter "PACs"), in excess of the thresholds set forth in the ordinance, within one (1) calendar year immediately preceding the date of the contract or agreement; and

WHEREAS, this contract has been determined and certified in writing to have a value that exceeds \$17,500.00.

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 a professional services contract, #02-2014PS Design and Preparation of Bid Documents and Construction Management/Administration for the Construction of a New Building on a City-Owned Parcel located at 502-504 Clinton Avenue, Block 2687, Lot 51 & 52, Newark, New Jersey 07102, with Netta Architects, 1084 Route 22 West, Mountainside, New Jersey 07092, for an amount not to exceed \$86,000.00 (Eighty-six Thousand Dollars and No Cents).
2. Attached hereto is a Certification of Funds issued by the Chief Financial Officer, City of Newark, which states that there are available sufficient legally appropriated funds in the amount of \$86,000.00 (Eighty-Six Thousand Dollars and No Cents) for the purposes set forth herein. A copy of the Certification of Funds shall be filed in the Office of the City Clerk by the Director of Engineering together with this resolution.
3. The term of this contract shall be for 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. Netta Architects, 1084 Route 22 West, Mountainside, New Jersey 07092, 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, including but not limited to the Executive Order on Pay-to-Play Reform (MEO-7-0001) and Revised Ordinance 2:4-22C, Contractor Pay-to-Play Reform, as may be amended from time to time. Any such failure shall constitute a breach of the Contract.
8. A notice of this action shall be printed in a local newspaper as required by law within ten (10) days hereof.
9. Funds for this contract in the amount of \$86,000.00 (Eighty-Six Thousand Dollars and No Cents) is provided from Fund: NW045, Department: 012, Account: 94710, Project: 12A10, Budget Year: B2012.

STATEMENT

This resolution authorizes the Mayor and/or his designee the Director of the Department of Engineering. to execute a professional services contract, #02-2014PS Design and Preparation of Bid Documents and Construction Management/Administration for the Construction of a New Building on a City Owned Parcel located at 502-504 Clinton Avenue, Block 2687, Lot 51 & 52, Newark, New Jersey 07102, with Netta Architects, 1084 Route 22 West, Mountainside, New Jersey 07092, for an amount not to exceed \$86,000.00 (Eighty-Six Thousand Dollars and No Cents).