



## Legislation Details (With Text)

**File #:** 17-1039      **Version:** 2      **Name:** First Amended Guaranteed Energy Savings Services Contract between the City of Newark, New Jersey and Honeywell International, Inc.  
**Type:** Resolution      **Status:** Adopted  
**File created:** 5/18/2017      **In control:** Engineering  
**On agenda:** 6/21/2017      **Final action:** 7/12/2017

**Title:** Dept/ Agency: Engineering  
Action: (X) Ratifying (X) Authorizing (X) Amending  
Type of Service: Professional Services Contract  
Purpose: First Amended Guaranteed Energy Savings Services Contract to: (1) revise Honeywell's Workforce Development responsibilities set forth in Schedule O and instead require Honeywell to make a one-time payment of \$87,388.66 to the Newark Workforce Development Board; and (2) amend the Installation Schedule L.  
Entity Name: Honeywell International, Inc.  
Entity Address: 115 Tabor Road, Morris Plains, New Jersey 07950  
Contract Amount: \$14,926,369.00  
Funding Source: Energy Savings Improvement Program Refunding Bonds  
Contract Period: Seven (7) years from the date of adoption by the Newark Municipal Council  
Contract Basis: ( ) Bid ( ) State Vendor ( ) Prof. Ser. ( ) EUS  
( ) Fair & Open ( ) No Reportable Contributions (X) RFP ( ) RFQ  
( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) n/a  
Addition Information:  
· Resolution 7R1-P 031914; Phase I: Contract Amount: \$334,535.00 (Amount includes: \$289,166.00 (Services) + \$45,369.00 (Cancellation Fee, if applicable).  
· Resolution 7R4-G (AS) 061715; Professional Services Contract for independent Energy Measurement & Verification as it relates to the implementation of a long-term Energy Savings Plan in seventeen (17) Municipal Buildings.  
· Ordinance 6PSF-a 020916; Approved Refunding Bond Ordinance ESIP Program.  
· Resolution 7R4a(s/as) Professional Services Contract Phase II.  
Deferred 7R3-a 062117

**Sponsors:** Gayle Chaneyfield Jenkins, Eddie Osborne

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
7/12/2017	2	Municipal Council	Adopt	Pass
6/21/2017	1	Municipal Council	Defer	Pass

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**Deferred 7R3-a 062117**

**WHEREAS**, Resolution 7R4a(s/as), adopted December 22, 2015, authorized the Mayor and/or his designee the Business Administrator, on behalf of the City of Newark (the "City"), to enter and execute an Energy Savings Services Contract with Honeywell International Inc., located at 115 Tabor Road, Morris Plains, New Jersey 07950, formerly 101 Columbia Road, Morristown, New Jersey 07962-1057, for the construction and implementation of recommended Energy Conservation Measures ("ECMs) for seventeen (17) public buildings/facilities (Phase II Contract); and

**WHEREAS**, in lieu of Honeywell's previous commitment to fund, develop and implement a pre-apprenticeship program through Essex County College (i.e., the Workforce Development Responsibilities Pre-Contract and Post-Contract Scopes of Work) as per Schedule O; the Director of Department of Engineering wishes to revise Honeywell's responsibilities set forth in Schedule O and instead require Honeywell to make a one-time payment of \$87,388.66 to the Newark Workforce Development Board; and

**WHEREAS**, due to unforeseen delays the Director of Department of Engineering and Honeywell wish to amend the installation schedule set forth in Schedule L.

**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 Department of Engineering, are hereby authorized on behalf of the City of Newark to execute a First Amended Agreement with Honeywell International Inc., 115 Tabor Road, Morris Plains, New Jersey 07950, to amend the Phase II Contract, in the form attached hereto, to: (1) require Honeywell to make a one-time payment of \$87,388.66 to the Newark Workforce Development Board to satisfy their workforce development activities instead of their initial plan to use Essex County College Curriculum for a pre-apprenticeship program; and (2) amend the Installation Schedule L.
2. The Municipal Council hereby ratifies the First Amended Agreement from December 22, 2015 to the date of adoption of this authorizing resolution.
3. All other terms and conditions of the Phase II Contract with Honeywell International Inc.,

115 Tabor Road, Morris Plains, New Jersey 07950, shall remain in force and effect until the contract is completed.

4. A fully executed copy of the First Amended Agreement with Honeywell International Inc., shall be filed in the Office of the City Clerk by the Director of the Department of Engineering.
5. No additional funding by the City is required by this First Amended Agreement.
6. No further amendments or modifications to this amended contract shall be permitted without prior Municipal Council approval.

#### **STATEMENT**

This resolution hereby ratifies and authorizes the Mayor and/or his designee, the Director of Department of Engineering, are hereby authorized on behalf of the City of Newark to execute a First Amended Agreement with Honeywell International Inc., 115 Tabor Road, Morris Plains, New Jersey 07950, to amend the Energy Savings Services Contract, in the form attached hereto, to: (1) revise Honeywell's Workforce Development responsibilities set forth in Schedule O; and (2) amend the Installation Schedule L.