



Legislation Details (With Text)

File #: 18-1394 **Version:** 1 **Name:** Renovation of JFK Recreation Center
Type: Resolution **Status:** Adopted
File created: 8/30/2018 **In control:** Engineering
On agenda: 10/24/2018 **Final action:** 10/24/2018
Title: Dept/ Agency: Engineering
Action: ☐ Ratifying ☒ Authorizing ☐ Amending
Type of Service: Professional Services Contract
Purpose: To provide design, engineering, and construction management services for the renovation of JFK Recreation Center.
Entity Name: Design Resources Group Architects, AIA, Inc.
Entity Address: 200 Franklin Square Drive, Suite 402, Somerset, New Jersey 08873
Contract Amount: Not to exceed \$133,275.00
Funding Source: Open Space Trust Fund
Contract Period: One (1) year from the Date of a Notice to Proceed issued by the Director of Engineering and/or his designee.
Contract Basis: ☐ Bid ☐ State Vendor ☒ Prof. Ser. ☐ EUS
☒ Non-Fair & Open ☒ No Reportable Contributions ☐ RFP ☐ RFQ
☐ Private Sale ☐ Grant ☐ Sub-recipient ☐ n/a
Addition Information:

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
10/24/2018	1	Municipal Council	Adopt	Pass

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Addition Information:

WHEREAS, the Department of Engineering is in need of professional services for the JFK Recreation Center located at 203-211 West Kinney Street, Newark, New Jersey 07103, Block 2524, Lot 01; and

WHEREAS, the JFK Recreation Center is comprised of a Pool Side and an Ice Skating Rink Side. The Ice Skating Rink Side, was converted in the late 1980s from an ice skating rink to a basketball court; and

WHEREAS, the basketball court side will go through a total redesign of the basketball courts, bathrooms and changing rooms which are in need of repair; and

WHEREAS, the City's Department of Engineering is in need of professional services for the design, engineering and construction management of the JFK Recreation Center; and

WHEREAS, legal services are professional services, exempt from the requirements for public bidding, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, Design Resources Group Architects, AIA, Inc., 200 Franklin Square Drive, Suite 402, Somerset, New Jersey 08873, is an Architectural firm with a diverse practice and a specific expertise in gymnasium, exercise, and locker room design. It was found to be in the interest of the City to engage their services for the renovation of the JFK Recreation Center; and

WHEREAS, the Mayor and the Director of the Department of Engineering wish to enter into and execute a contract with Design Resources Group Architects, AIA, Inc., to provide design, and construction management services for the renovations of the JFK Recreation Center, in an amount not to exceed One Hundred Thirty-Three Thousand Two Hundred and Seventy Five Dollars and Zero Cents (\$133,275.00), for a period of one (1) year from the date of a Notice to Proceed issued by the Director of the Department of Engineering and/or his designee; and

WHEREAS, this contract is awarded without competitive bidding as an exception to public bidding, pursuant to N.J.S.A. 40A:11-5(1)(a)(i), professional services; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires a resolution of the Governing Body authorizing the award of contracts for professional services and further requires that the contract itself must be available for public inspection; and

WHEREAS, the actions contemplated by this resolution shall result in the award of a Non-Fair and Open contract in accordance with N.J.S.A. 19:44A-20.5, which has been determined and certified in writing to have a value in excess of \$17,500.00; and

WHEREAS, Design Resources Group Architects, AIA, Inc., has completed and submitted a Business Entity Disclosure Certification, which certifies that it has not made any reportable contributions to a political or candidate committee in the City of Newark in the prior year, and the contract will prohibit them from making any reportable contributions through the term of the contract; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that notice of the award of contracts for "Professional Services" without public bidding must be published in a local newspaper; and

WHEREAS, the Municipal Council adopted the Contractor Pay-to-Play Reform Ordinance, 6PSF-a, August 1, 2012, which forbids the award of a contract to a Business Entity, as defined

therein, which has made or solicited political contributions to Newark Municipal 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 the City of Newark municipal or County of Essex elections; and certain other political party or candidate committees, in excess of certain thresholds.

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 are hereby authorized to enter into and execute a contract with Design Resources Group Architects, AIA, Inc., 200 Franklin Square Drive, Suite 402, Somerset, New Jersey 08873, for the purpose of providing design, engineering and construction management services at the JFK Recreation Center in an amount not to exceed One Hundred Thirty-Three Thousand Two Hundred and Seventy-Five Dollars and Zero Cents (\$133,275.00).
2. The term of this contract shall be for a period of one (1) year from the date of a Notice to Proceed issued by the Director of the Department of Engineering and/or his designee.
3. This contract is awarded without competitive bidding as an exception to public bidding pursuant to the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)(i)), professional services, pursuant to the Non-Fair and Open Procedures of the State Pay-to-Play Law (N.J.S.A. 19:44A-20.5), and the Business Entity has certified that it has not made or solicited a contribution in violation of the Contractor Pay-to-Play Reform Ordinance 2:4-22C.
4. Attached hereto is the Certification of Funds from the Director of Finance, which states that there are available sufficient legally appropriated funds in the amount of One Hundred Thirty-Three Thousand Two Hundred Seventy-Five Dollars and Zero Cents (\$133,275.00) for the purposes set forth herein provided from: Business Unit: NW026; Account#: 46160; Budget Year: B2018.
5. There shall be no amendments or changes to this contract without prior approval of the Municipal Council.
6. There shall be no advance payments made against this contract in accordance with N.J.S.A. 40A:5-16.
7. The Determination of Value Letter and Business Entity Disclosure Certification are attached and will be filed with the Office of the City Clerk.
8. A copy of the executed contract shall be filed in the Office of the City Clerk by the Director of the Department of Engineering and shall be made available for public inspection.
9. A notice of this action shall be published in the newspaper authorized by law to publish a legal advertisement and as required by law within ten (10) days of the adoption of this resolution.

STATEMENT

This resolution authorizes the Mayor and/or his designee, the Director of the Department of Engineering, to enter into and execute a contract with Design Resources Group Architects, AIA, Inc., 200 Franklin Square Drive, Suite 402, Somerset, New Jersey 08873, for the purpose of providing design, engineering and construction management services at the JFK Recreation Center, in an amount not to exceed One Hundred Thirty-Three Thousand Two Hundred and Seventy-Five Dollars and Zero Cents (\$133,275.00), for the period of one (1) year from the date of a Notice to Proceed issued by the Director of the Department of Engineering and/or his designee.