



Legislation Details (With Text)

File #: 19-1975 **Version:** 1 **Name:** 2020 Brinkerhoff Environmental Services
Type: Resolution **Status:** Adopted
File created: 12/16/2019 **In control:** Economic and Housing Development
On agenda: 3/10/2020 **Final action:** 3/10/2020

Title: Dept/ Agency: Economic and Housing Development
Action: () Ratifying (X) Authorizing () Amending
Type of Service: Professional Services Contract
Purpose: To provide On-Call Environmental Consulting/Management Services.
Entity Name: Brinkerhoff Environmental Services, Inc.
Entity Address: 1805 Atlantic Avenue, Manasquan, New Jersey 08736
Contract Amount: Not to exceed \$200,000.00
Funding Source: Community and Economic Development Trust Fund
Contract Period: One (1) year from the date of issuance of a Notice to Proceed
Contract Basis: () Bid () State Vendor (X) Prof. Ser. () EUS
() Fair & Open () No Reportable Contributions (X) RFP () RFQ
() Private Sale () Grant () Sub-recipient () n/a
Additional Information:

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
3/10/2020	1	Municipal Council	Adopt	Pass

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Additional Information:

WHEREAS, the City of Newark, Department of Economic and Housing Development (the "City") advertised a Request for Proposal (RFP) for On-Call Environmental Consulting/Management Services on November 4, 2019, with a due date of November 26, 2019, in accordance with the requirements of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. (the "LPCL"); and

WHEREAS, Brinkerhoff Environmental Services, Inc. ("Brinkerhoff"), submitted a proposal to

the City before the deadline of November 26, 2019, for On-Call Environmental Consulting/Management Services; and

WHEREAS, through a measured evaluation of all proposals submitted in response to the RFP, the Department of Economic and Housing Development determined that Brinkerhoff was the most qualified for the services requested; and

WHEREAS, Brinkerhoff's proposal, demonstrated their range of engineering knowledge and skills in addition to their extensive experience in brownfield assessment and remediation, expertise in fundraising and grant management, Brinkerhoff was determined to be the respondent most able to meet the City's needs; and

WHEREAS, Environmental Consulting/Management Services are Professional Services exempt from the public bidding requirements in accordance with N.J.S.A. 40A:11-5 provides that professional services are exempt under LPCL; and

WHEREAS, the City wishes to enter into a Professional Service contract in an amount not to exceed Two Hundred Thousand Dollars and Zero Cents (\$200,000.00) with Brinkerhoff Environmental Services, Inc. for On-Call Environmental Consulting/Management Services; and

WHEREAS, the Municipal Council adopted the Contractor Pay-to-Play Reform Ordinance, R.O. 2:4-22C, 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 part 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 Economic and Housing Development, are hereby authorized, on the behalf of the City of Newark, to enter into and execute an agreement with Brinkerhoff Environmental Services, Inc., 1805 Atlantic Avenue, Manasquan, New Jersey 08736, to provide On-Call Environmental Consulting/Management Services, for the period of one (1) year from the date of the issuance of a Notice to Proceed by the Director of the Department of Economic and Housing Development.

2. The contract shall be for an amount not to exceed Two Hundred Thousand Dollars and Zero Cents (\$200,000.00), which represents the amount remaining on the existing appropriation for such services, as well as those eligible activities funded from the Hazardous Discharge Site Remediation Fund, the New Jersey Department of Environmental Protection, the United States Environmental Protection Agency and/or other third party funds.

3. This contract is being awarded pursuant to the Fair and Open Procedures of the State Pay-to-Play Law (N.J.S.A. 19:44A-20.5) and pursuant to the provisions of the Local Public Contacts Law (N.J.S.A. 40A:11-5(1)(a)(i)); is in compliance with the City's Contractor Pay-to-Play Reform Ordinance, R.O. 2:4-22C.

4. Attached hereto is a Certification of Funds from the Finance Director of the City of Newark, which states: (1) that there are sufficient funds in the amount of \$200,000.00 for the purpose set forth herein above; and (2) that the line appropriation which shall be charged is as follows:

<u>Business Unit</u>	<u>Dept.</u>	<u>Div./Proj.</u>	<u>Activity</u>	<u>Acct. #</u>	<u>Budget Ref.</u>
NW026	BS			32100	B2020

5. The Director of the Department of Economic and Housing Development shall file a fully executed copy of this contract and Notice to Proceed in the Office of the City Clerk.

6. There shall be no advance payments against this contract pursuant to N.J.S.A. 40A:5-16.

7. 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 Economic and Housing Development to enter into and execute a contract with Brinkerhoff Environmental Services, Inc., 1805 Atlantic Avenue, Manasquan, New Jersey 08736, to provide On-Call Environmental Consulting/Management Services in an amount not to exceed Two Hundred Thousand Dollars and Zero Cents (\$200,000.00), for the period of one (1) year from the date of issuance of a Notice to Proceed by the Director of the Department of Economic and Housing Development.