



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

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File #: 13-0557, Version: 1

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**Dept/ Agency:** Engineering

**Action:** ( X ) Ratifying ( ) Authorizing ( X ) Amending

**Type of Service:** Change Order/Amend Resolution 7R4-e051811

**Purpose:** Hayes Park East Demolition - Environmental Remediation Design Services

**Entity Name:** Weston Solutions, Inc.

**Entity Address:** 1 Gateway Center, Suite 2600, Newark, New Jersey 07102

**Contract Amount:** \$82,500.00

**Funding Source:** City of Newark Budget/Engineering

**Contract Period:** June 30, 2012 to June 29, 2013

**Contract Basis:** ( ) Bid ( ) State Vendor ( ) Prof. Ser. ( ) EUS

( X ) Fair & Open ( X ) No Reportable Contributions ( ) RFP ( ) RFQ

( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) n/a

**Additional Information:**

Contract #01-2011PS

**No Action Taken 7R4-a 051513**

**WHEREAS**, Resolution 7R4-e adopted May 18, 2011, authorized the Director of the Department of Engineering to execute Contract #01-2011PS Environmental Remediation Design for Hayes Park East with Weston Solutions, Inc., 1 Gateway Center, Suite 2600, Newark, New Jersey 07102, for a total amount of \$82,500.00; and

**WHEREAS**, a 'Notice to Proceed' was issued dated July 1, 2011, specifying July 1, 2011 as the effective date and ending on June 30, 2012; and

**WHEREAS**, due to unforeseen delays with the contractor public bidding and procurement process, the field work component was completed more than one (1) year after the City issued the formal Notice to Proceed to Weston Solutions, Inc.; and

**WHEREAS**, the Director of the Department of Engineering desires to amend Contract #01-2011PS, to extend the contract term from July 1, 2011 to June 30, 2012 to June 30, 2012 to June 29, 2013, 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 and in accordance with the Local Pay-to-Play Law, N.J.S.A. 19:44A-20.5.

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF**

**NEWARK, NEW JERSEY, THAT:**

1. The Mayor and/or his designee and the Director of Engineering are hereby authorized to execute Amendment #1 to Contract #01-2011PS Environmental Remediation Design for Hayes Park East, with Weston Solutions, Inc., 1 Gateway Center, Suite 2600, Newark, New Jersey 07102, to amend the term from July 1, 2011 to June 30, 2012 to June 30, 2012 to June 29, 2013. The contract amendment is hereby ratified from June 30, 2012 to the date of the adoption of this resolution.
2. All other terms and conditions of Contract #01-2011PS Environmental Remediation Design for Hayes Park East shall apply and remain in force until the contract is completed.
3. A fully executed copy of Amendment #1 to Contract #01-2011PS Environmental Remediation Design for Hayes Park East shall be filed in the Office of the City Clerk by the Director of the Department of Engineering.
4. No further amendments or modifications to this amended contract shall be permitted 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 notice of this action shall be published in a newspaper as required by law within ten (10) days of the adoption of this resolution.
7. Weston Solutions, Inc. has completed and submitted a Business Entity Disclosure Certification and an updated City Political Disclosure Statement which certifies that the Business Entity, as defined therein, has not made any reportable contributions to a political or candidate committee in the City of Newark in the previous one year, and the contract will prohibit Weston Solutions, Inc., from making any reportable contributions through the term of the contract.
8. A fully executed copy of this amendment shall be filed in the Office of the City Clerk by the Director Engineering or his designee.
9. 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 New Jersey Local Unit Pay-to-Play Law, N.J.S.A. 19:44-20.5 as a 'Non-Fair and Open Contract' , and in compliance with Executive Order (MEO-07-0001) effective March 31, 2007.

**STATEMENT**

This resolution authorizes the Mayor and/or his designee and the Director of Engineering, to execute Amendment #1 to Contract #01-2011PS Environmental Remediation Design for Hayes Park East, to amend the term from July 1, 2011 to June 30, 2012 to June 30, 2012 to June 29, 2013, with Weston Solutions, Inc., 1 Gateway Center Suite 2600, Newark, New Jersey, 07102, at no additional cost to the City. The contract amendment is hereby ratified from June 30, 2012 to the date of the adoption of

this resolution.