



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 13-1744, Version: 1

Dept/ Agency: Economic & Housing Development

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

Type of Service: EUS Contract

Purpose: On-Call Environmental Consulting/Management Services

Entity Name: Brownfield Redevelopment Solutions, Inc.

Entity Address: 739 Stokes Road, Units A&B, Medford, New Jersey 08055

Contract Amount: \$250,000.00 (Not to Exceed)

Funding Source: City of Newark/Economic and Housing Development

Period: One (1) year from the date a formal Notice to Proceed is issued by the Department of Economic and Housing Development

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

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

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

Additional Information:

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

WHEREAS, the proposal documents issued by the City of Newark, Department of Economic & Housing Development for On-call Environmental Consulting/Management Services advised all prospective bidders that the City could award a contract for the coordination of the City's applications for environmental investigation and remediation funds and to manage the City's brownfield programs, including as required, the oversight of environmental investigation and remediation consultant contracts, the management of DEP compliance requirements, coordination of HDSRF grant applications with DEP, the management of State and Federal grants, the application for state and federal grants, and project specific work as requested; and

WHEREAS, the advertisement required sealed bids to be submitted on Monday, August 12, 2013 by no later than 2:00 p.m. (the "Bid Opening Date"); and

WHEREAS, Brownfield Redevelopment Solutions, Inc., 739 Stokes Road, Units A & B, Medford, New Jersey 08055, was the only bidder for On-call Environmental Consulting/Management Services; and

WHEREAS, the City of Newark, Department of Economic & Housing Development wishes to accept the bid submitted by Brownfield Redevelopment Solutions, Inc. and to execute an Extraordinary Unspecifiable Services contract with Brownfield Redevelopment Solutions, Inc. for On-

Call Environmental Consulting/Management Services; and

WHEREAS, the type of services required by the City of Newark are of such a qualitative nature that the performance cannot be reasonably described by written specifications pursuant to N.J.A.C. 5:34-2.2(b); and

WHEREAS, on-call environmental consulting and or management services are an extraordinary unspecified service, not required to be publicly bid pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(ii); and

WHEREAS, the contract amount shall be for one (1) year from the date a formal Notice to Proceed is issued by the Department of Economic and Housing Development and shall be for an amount not to exceed Two Hundred and Fifty Thousand Dollars (\$250,000.00) with eligible activities to also be funded from the Hazardous Discharge Site Remediation Fund, the New Jersey Department of Environmental Protection and the United States Environmental Protection Agency and/or other third party funds; and

WHEREAS, the contract is being awarded pursuant to a fair and open procedure of the State Pay-to-Play Law, N.J.S.A. 19:44A-20.5 and pursuant to the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)(ii) and is in compliance with Newark Executive Order 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, effective March 31, 2007.

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 Deputy Mayor/Director of the Department of Economic & Housing Development, are hereby authorized to accept the bid submitted by Brownfield Redevelopment Solutions, Inc., 739 Stokes Road, Units A & B, Medford, New Jersey 08055 and to execute an Extraordinary Unspecifiable Services contract for On-Call Environmental Consulting/Management Services for an amount not to exceed Two Hundred and Fifty Thousand Dollars (\$250,000.00) with eligible activities to also be funded from the Hazardous Discharge Site Remediation Fund, the New Jersey Department of Environmental Protection and the United States Environmental Protection Agency and/or other third party funds for one (1) year from the date a formal Notice to Proceed is issued by the Department of Economic and Housing Development.

2. This contract is being awarded pursuant to a fair and open procedures of State Pay-to-Play Law, N.J.S.A. 19:44A-20.5 and pursuant to the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)(ii) and is in compliance with Newark Executive Order MEO-07-0001, effective March 31, 2007.

3. Attached hereto is a certification of funds issued by the Chief Financial Officer, City of Newark, which states (1) that there are available sufficient legally appropriated funds in the amount of Two Hundred and Fifty Thousand Dollars (\$250,000.00) for the purposes set forth herein and (2) that the line appropriation of the official budget which shall be charged is Business Unit NW026; dept. ID, BS; Account 32100, and Budget Ref. B2013. A copy of the certification of funds shall be filed in the

Office of the City Clerk by the Deputy Mayor/Director of the Department of Economic & Housing Development.

4. The executed contract and the certification of funds shall be filed in the Office of the City Clerk by the Deputy Mayor/Director of the Department of Economic and Housing Development.

5. No changes to this contract are allowed without prior Municipal Council approval.

6. A notice of this action shall be published in the newspaper as required by law within 10 days of its passage.

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

STATEMENT

This resolution authorizes the Mayor and/or his designee, the Deputy Mayor/Director of the Department of Economic & Housing Development, to accept the bid submitted by Brownfield Redevelopment Solutions, Inc., 739 Stokes Road, Units A & B, Medford, New Jersey 08055, and to enter into a Extraordinary Unspecifiable Services contract for On-Call Environmental Consulting/Management Services in an amount not to exceed Two Hundred and Fifty Thousand Dollars (\$250,000.00), with eligible activities to also be funded from the Hazardous Discharge Site Remediation Fund, the New Jersey Department of Environmental Protection and the United States Environmental Protection Agency and/or other third party funds for one (1) year from the date a formal Notice to Proceed is issued by the Department of Economic and Housing Development.