



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 14-0207, Version: 1

Dept/ Agency: Engineering

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

Type of Service: Professional Services Contract

Purpose: To provide Ironbound Stadium "A" Field Environmental Remediation and Football Field Restoration located at Saint Charles Street, Newark, New Jersey 07105

Entity Name: Weston Solutions, Inc.

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

Contract Amount: \$934,644.00

Funding Source: Hess Fund

Contract Period: One (1) year from the issuance of a Notice to Proceed

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

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

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

Addition Information:

Contract #05-2014PS Ironbound Stadium "A" Field Environmental Remediation and Football Field Restoration at Saint Charles Street, Newark, New Jersey 07105

WHEREAS, the Department of Engineering is in need of professional engineering services for the Ironbound Stadium "A" Field Environmental Remediation and Football Field Restoration, Saint Charles Street, Newark, New Jersey 07105; and

WHEREAS, the contracted services to be provided must be performed by engineers licensed by the State of New Jersey, which 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, the Director of the Department of Engineering requested a proposal from Weston Solutions, Inc. to perform certain environmental remediation services; and

WHEREAS, based on the expertise, background, and experience in performing services for the City of Newark, the Director of the Department of Engineering has determined that it is in the best interest of the City of Newark to accept the revised proposal dated January 31, 2014, and execute Contract #05-2014PS Ironbound Stadium "A" Field Environmental Remediation and Football Field Restoration, Saint Charles Street, Newark, New Jersey 07105, with Weston Solutions, Inc., 1 Gateway Center, Suite 2600, Newark, New Jersey 07102, for the total contract amount not to exceed \$934,644.00; and

WHEREAS, the Director of Engineering hereby recommends to the Municipal Council that a contract for Professional Services be awarded to Weston Solutions, Inc., 1 Gateway Center, Suite 2600, Newark, New Jersey 07102, for a term of one (1) year from the issuance of a formal Notice to Proceed, for an amount not to exceed \$934,644.00; and

WHEREAS, this professional services contract is awarded pursuant to and in conformance with the Non-Fair and Open contract procedures of the State of New Jersey Local Pay-to-Play Law, *N.J.S.A. 19:44A-20.5*, the Executive Order Number MEO-07-0001 (hereinafter "Pay to Play Executive Order"), which prohibits the making and soliciting of certain political contributions to Newark Municipal Candidates before and during the duration of the contract, and the City of Newark, Contractor Pay-to-Play Reform Ordinance, 2:4-22C, et al, which forbids, inter alia, the award of a contract to a Business Entity, as defined therein, which has made or solicited political contributions to Newark Municipal and County of Essex Candidates, officer 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; and certain other political party or candidate committees, in excess of certain thresholds; and

WHEREAS, Weston Solutions, Inc. (the "Business Entity") has completed and submitted a Business Entity Disclosure Certificate, the original of which shall be placed on file with the contract in the Office of the City Clerk.

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, is hereby authorized on behalf of the City of Newark to execute Contract #05-2014PS Ironbound Stadium "A" Field Environmental Remediation and Football Field Restoration, Saint Charles Street, Newark, New Jersey 07105, a professional services contract, with Weston Solutions, Inc., 1 Gateway Center, Suite 2600, Newark, New Jersey 07102, for an amount not to exceed \$934,644.00..
2. Attached hereto is a Certification of Funds issued by the Acting Chief Financial Officer of the City of Newark, which states that there are available sufficient legally appropriated funds in the amount of \$934,644.00 for the purposes set forth herein. A copy of the Certification of Funds shall be filed in the Office of the City Clerk by the Director of Engineering together with this resolution.
3. The term of this contract shall be one (1) year from the date a formal "Notice to Proceed" is issued by the Director of Engineering and/or his designee.
4. No amendments to this contract shall be allowed or authorized 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 fully executed copy of the contract shall be filed in the Office of the City Clerk, by the Director of Engineering and/or his designee.
7. A notice of this action shall be printed in a local newspaper as required by law within ten (10) days hereof.

8. Funds for this contract in the amount of \$934,644.00 is provided from: Fund: 026, Department: BS, Account: 32070, Budget Year: B2013.

STATEMENT:

This resolution hereby authorizes the Mayor and/or his designee, the Director of the Department of Engineering, to enter into and execute Contract #05-2014PS Ironbound Stadium "A" Field Environmental Remediation and Football Field Restoration, Saint Charles Street, Newark, New Jersey 07105, a professional services contract with Weston Solutions, Inc., of 1 Gateway Center, Suite 2600, Newark, New Jersey 07102, for the period of one (1) year from the date a formal "Notice to Proceed" in an amount not to exceed \$934,644.00. .