



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 14-1384, **Version:** 1

Dept/ Agency: Engineering

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

Type of Service: Change Order

Purpose: Design and Preparation of Bid Documents and Construction Management/Administration for the Construction of a New Building on a City-Owned Parcel located at 502-504 Clinton Avenue, Newark, New Jersey

Entity Name: Netta Architects

Entity Address: 1084 Route 22 West, Mountainside, New Jersey 07092

Contract Amount: \$86,000.00 (with an increase of \$35,000.00 for a total amount of \$121,000.00)

Funding Source: City of Newark/Department of Engineering Budget

Contract Period: April 24, 2014 through April 23, 2015

Contract Basis: () Bid () State Vendor (X) Prof. Ser. () EUS
() Fair & Open () No Reportable Contributions () RFP () RFQ
() Private Sale () Grant () Sub-recipient () n/a

Additional Information:

Contract #02-2014PS

7R4-b 031914

WHEREAS, Resolution 7R4-b, adopted March 19, 2014, authorized the Director of the Department of Engineering to execute Contract #02-2014PS Design and Preparation of Bid Documents and Construction Management/Administration for the Construction of a New Building on a City-Owned Parcel located at 502-504 Clinton Avenue, Newark, New Jersey, with Netta Architects, 1084 Route 22 West, Mountainside, New Jersey 07092, in the amount of \$86,000.00; and

WHEREAS, a 'Notice to Proceed' for Contract #02-2014PS was issued specifying April 24, 2014 as the effective date of the contract and ending on April 23, 2015; and

WHEREAS, after the completion of Phase 1 - Assessment, two (2) items were discovered an underground storage tank (See Attachment A) that need to be addressed before this project can move to Phase II; and

WHEREAS, the Director of the Department of Engineering desires to amend Contract #02-2014PS to an increase of \$35,000.00, in the total amount of the contract, thereby amending it from an amount not to exceed \$86,000.00 to \$121,000.00; 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 and in compliance with the Contractor Pay-to-Play Ordinance, 6PSF-a, August 1, 2012.

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 #02-2014PS Design and Preparation of Bid Documents and Construction Management/Administration for the Construction of a New Building on a City-Owned Parcel located at 502-504 Clinton Avenue, Newark, New Jersey, with Netta Architects, 1084 Route 22 West, Mountainside, New Jersey 07092, to amend the contract as follows: an increase of \$35,000.00 in the total amount of the contract, thereby amending it from an amount not to exceed \$86,000.00 to \$121,000.00.
2. Attached hereto is the Certification of Funds with available balances issued by the Chief Financial Officer, City of Newark, which states that there are available sufficient legally appropriated funds for the purpose set forth hereinabove, in the amounts of \$86,000.00 and \$35,000.00.
Funds for this project shall be from Fund: 045, Department: 012, Project: 12A10, Account: 94710, Budget Year: B2012 and Fund: 045, Department: 13G, Project: 13A10, Account: 94710, Budget Year: B2007.
3. All other terms and conditions of Contract #02-2014PS Design and Preparation of Bid Documents and Construction Management/Administration for the Construction of a New Building on a City-Owned Parcel located at 502-504 Clinton Avenue, Newark, New Jersey, shall apply and remain in force and effect..
4. A fully executed copy of Amendment #1 to Contract #02-2014PS Design and Preparation of Bid Documents and Construction Management/Administration for the Construction of a New Building on a City-owned parcel located at 502-504 Clinton Avenue, Newark, New Jersey shall be filed in the Office of the City Clerk by the Director of the Department of Engineering.
5. No further amendments or modifications to this amended contract shall be permitted without prior Municipal Council approval.
6. There shall be no advance payments made against this contract in accordance with N.J.A.C. 40A:5-16.
7. Notice of the award of this contract amendment shall be published in a newspaper within 10 days of adoption.
8. Netta Architects has completed and submitted a Business Entity Disclosure Certification and an updated City Political Disclosure Statement and a Certification of Compliance with the Contractor Pay-to-Play Ordinance, which certifies that the Business Entity, as defined therein, has not made any prohibited contributions to a political or candidate committee in the City of Newark or the County of Essex in the previous one year, and the contract will prohibit Netta Architects, from making any prohibited contributions through the term of the contract.

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 and the Contractor Pay-to-Play Ordinance, 6PSF-a, 080112.

STATEMENT

This resolution authorizes the Mayor and/or his designee and the Director of Engineering, to execute Amendment #1 to Contract #02-2014PS Design and Preparation of Bid Documents and Construction Management/Administration for the Construction of a New Building on a City-Owned Parcel located at 502-504 Clinton Avenue, Newark, New Jersey, to amend the contract as follows: an increase of \$35,000.00 in the total amount of the contract, thereby amending it from an amount not to exceed \$86,000.00 to \$121,000.00, with Netta Architects, 1084 Route 22 West, Mountainside, New Jersey 07092.