Legislation Text

File #: 25-0802, **Version:** 1

Dept/ Agency: Economic and Housing Development
Action: () Ratifying (X) Authorizing ( ) Amending
Type of Service: Professional Service Contract
Purpose: To provide professional Architecture, Civil, Mechanical, Electrical, Plumbing and Fire Protection and Structural Engineering Design services, as well as Construction Management services for the new mixed-use Kawaida Towers residential development to be located at 17-21 Halsey Street
Entity Name: OCA Architects, Inc.
Entity Address: 211 Warren Street, Suite 216 - 218, Newark, New Jersey 07103
Contract Amount: An amount not to exceed $297,000.00
Funding Source: NW026-32100-B2025
Contract Period: One (1) year from the Notice to Proceed
Contract Basis: ( ) Bid ( ) State Vendor (X) Prof. Ser. ( ) EUS
(X) Non-Fair & Open (X) No Reportable Contributions ( ) RFP ( ) RFQ
( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) n/a
Additional Information:
Failed 7R2-g 070225
Failed 7R2-a 080625
Deferred 7R2-a 090425
Failed 7R2-a 091725

WHEREAS, the City of Newark ("City") wishes to enter into a Professional Services contract with OCA Architects, Inc., 211 Warren Street, Suite 216 - 218, Newark, New Jersey 07103 for the purpose of providing architectural services for the design and construction of a new 9-story mixed-use development, to be located at 17-21 Halsey Street, designed to create affordable condominium ownership opportunities in the Central Ward, as more specifically set forth in the contract attached hereto and made a part thereof; and

WHEREAS, the above-referenced Professional Services are exempt from the public bidding requirements of Local Public Contracts Law, pursuant to N.J.S.A. 40A:11-5(1)(a)(i), as these services are to be rendered by a person (or persons) authorized by law to practice a recognized profession, whose practice is regulated by law, and the performance of which services requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study as distinguished from general academic instruction; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that a notice of the award of contracts for "Professional Services" without competitive bidding must be published in a local newspaper; and

WHEREAS, this contract is for an amount over $17,500.00 and is being awarded as a non-fair and open contract pursuant to N.J.S.A. 19:44A-20.5 and is in compliance with the State Pay-to-Play; and

WHEREAS, OCA Architects, Inc, has completed and submitted a Business Entity Disclosure Certification, which shall be placed on file with this Resolution in the Office of the City Clerk and certifies that OCA Architects, Inc., has not made any reportable contributions to a political or a candidate committee in the City of Newark in the previous one (1) year, and that the contract will prohibit OCA Architects, Inc. from making any reportable contributions through the term of the contract; and

WHEREAS, the City wishes to enter into a professional service contract in an amount not to exceed Two Hundred Ninety-Seven Thousand Dollars And Zero Cents ($297,000.00) with OCA Architects, Inc. for the period of January 1, 2025, through December 31, 2025; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT: 1. The Mayor of the City of Newark and/or his designee, the Deputy Mayor/Director of the Department of Economic and Housing Development are hereby authorized to enter into and execute a Professional Service Contract with OCA Architects, Inc., 211 Warren Street, Suite 216 - 218, Newark, New Jersey 07103, in the amount not to exceed Two Hundred Ninety-Seven Thousand Dollars And Zero Cents ($297,000.00), to provide Architectural services for the design and construction of a new 9-story mixed-use development, to be located at 17 -21 Halsey Street, as more specifically set forth in the Contract attached hereto and made a part thereof for a one (1) year period following the date of issuance of Notice to Proceed.

2. The Contract is being awarded pursuant to the N.J.S.A. 40A:11-5 (1)(a)(i) as a Professional Services Exception to public bidding and a Non-Fair and Open Procedures of the Pay - To - Play Law N.J.S.A 19:44A-20.5

3. OCA Architects, Inc., has completed and submitted a City of Newark Political Contribution Disclosure Form and a Business Entity Disclosure Certificate, which certify that OCA Architects, Inc., has not made any reportable contributions to a political or candidate committee in the City of Newark in the previous one year, and their contract will prohibit OCA Architects, Inc., from making any reportable contributions through the term of contract.

4. Attached hereto is a Certification of Funds from the Director of Finance, which states: 1) that there are sufficient funds in the amount of Two Hundred Ninety-Seven Thousand Dollars And Zero Cents ($297,000.00) for the purpose set forth herein above; and 2) that the line appropriation which shall be charged is as follows:

Bus. Unit	Acct. #	Budget Ref.
NW026	32100	B2025

5. A fully executed copy of the Contract together with this Resolution, the Business Entity Disclosure Certification, 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.

6. There shall be no amendments or changes to the Contract without the approval of the Municipal Council.7. A notice of this action shall be published in the newspaper authorized by law to publish legal advertisements and as required by law within ten (10) days of adoption of this Resolution.

7. There shall be no advance payments against the 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 and Housing Development to enter into and execute a Professional Services Contract with OCA Architects, Inc., 211 Warren Street, Suite 216 - 218, Newark, New Jersey 07103, for a total contract amount not to exceed Two Hundred Ninety-Seven Thousand Dollars And Zero Cents ($297,000.00), to provide architectural services for the design and construction of a new 9-story mixed-use development, to be located at 17-21 Halsey Street, as more specifically set forth in the contract attached hereto and made a part thereof. This contract shall be in effect for a period of one (1) year from the issuance of the Notice to Proceed.

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