

**CITY COUNCIL****The City of Orange Township, New Jersey**DATE March 19, 2024NUMBER 163-2024**AMENDED**

**TITLE: A RESOLUTION AUTHORIZING AND RATIFYING THE AWARD OF A NON-FAIR AND OPEN PROFESSIONAL SERVICES AGREEMENT WITH INTEGRA REALTY RESOURCES-NORTHERN NJ, LLC, 301 SOUTH LIVINGSTON AVENUE, LIVINGSTON, NEW JERSEY FOR THE PREPARATION OF MARKET, FEASIBILITY, ECONOMIC IMPACT, VALUATION (APPRAISAL) ANALYSIS, FISCAL IMPACT AND PAYMENT IN LIEU OF TAXES (PILOT) STUDIES IN CONNECTION WITH CERTAIN PROPOSED DEVELOPMENT AND PROPOSED REDEVELOPMENT PROJECTS WITHIN THE CITY OF ORANGE TOWNSHIP FOR A PERIOD OF JANUARY 1, 2024 THROUGH DECEMBER 31, 2024 IN AN AMOUNT NOT TO EXCEED \$50,000.00.**

**WHEREAS**, there exists a need for specialized real estate advisory and financial services to the City of Orange Township (the "City") in connection with various proposed development and proposed redevelopment projects within the City; and

**WHEREAS**, such specialized real estate financial services, valuation (appraisal) analysis can be performed by Integra Realty Resources-Northern, NJ, LLC, 301 South Livingston Avenue, Livingston, New Jersey; and

**WHEREAS**, THE CITY OF ORANGE TOWNSHIP desires to retain INTEGRA REALTY RESOURCES-NORTHERN NJ, LLC to provide real estate advisory and financial services, which shall include appraisals, fiscal impact and payment in lieu of taxes (Pilot) studies that will analyze factors including, but not limited to, the economic impact, municipal services impact, employment impact and overall community benefit these projects will have on the municipality in an amount not to exceed \$50,000.00; and

**WHEREAS**, per P.L. 2004, Chapter 19, as amended, provides for the awarding of a contract for "Professional Services" according to the non-fair and open process; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection; and

**WHEREAS**, INTEGRA REALTY RESOURCES-NORTHERN NJ, LLC, has completed and submitted a Business Disclosure Certification which certifies that it has not made any reportable contributions to a political or candidate committee in the City in the previous one (1) year, and that the contract will prohibit INTEGRA REALTY RESOURCES-NORTHERN NJ, LLC from making any reportable contributions throughout the term of the contract; and

**WHEREAS**, in certain instances with regard to development and/or redevelopment projects, Integra Realty Resources-Northern NJ, LLC will receive payment through escrow accounts funded by the development applicants; and

  
CITY ATTORNEY

**BUSINESS ENTITY DISCLOSURE CERTIFICATION**  
**FOR NON-FAIR AND OPEN CONTRACTS**  
Required Pursuant To N.J.S.A. 19:44A-20.8  
**CITY OF ORANGE TOWNSHIP, NEW JERSEY**

The following is statutory text related to the terms and citations used in the Business Entity Disclosure Certification form.

**“Local Unit Pay-To-Play Law” (P.L. 2004, c.19, as amended by P.L. 2005, c.51)**

**19:44A-20.6 Certain contributions deemed as contributions by business entity.**

5. When a business entity is a natural person, a contribution by that person's spouse or child, residing therewith, shall be deemed to be a contribution by the business entity. When a business entity is other than a natural person, a contribution by any person or other business entity having an interest therein shall be deemed to be a contribution by the business entity.

**19:44A-20.7 Definitions relative to certain campaign contributions.**

6. As used in sections 2 through 12 of this act:

“business entity” means any natural or legal person, business corporation, professional services corporation, limited liability company, partnership, limited partnership, business trust, association or any other legal commercial entity organized under the laws of this State or of any other state or foreign jurisdiction;

“interest” means the ownership or control of more than 10% of the profits or assets of a business entity or 10% of the stock in the case of a business entity that is a corporation for profit, as appropriate;

**Temporary and Executing**

12. Nothing contained in this act shall be construed as affecting the eligibility of any business entity to perform a public contract because that entity made a contribution to any committee during the one-year period immediately preceding the effective date of this act.

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**The New Jersey Campaign Contributions and Expenditures Reporting Act (N.J.S.A. 19:44A-1 et seq.)**

**19:44A-3 Definitions.** In pertinent part...

p. The term "political party committee" means the State committee of a political party, as organized pursuant to R.S.19:5-4, any county committee of a political party, as organized pursuant to R.S.19:5-3, or any municipal committee of a political party, as organized pursuant to R.S.19:5-2.

q. The term "candidate committee" means a committee established pursuant to subsection a. of section 9 of P.L.1973, c.83 (C.19:44A-9) for the purpose of receiving contributions and making expenditures.

r. the term "joint candidates committee" means a committee established pursuant to subsection a. of section 9 of P.L.1973, c.83 (C.19:44A-9) by at least two candidates for the same elective public offices in the same election in a legislative district, county, municipality or school district, but not more candidates than the total number of the same elective public offices to be filled in that election, for the purpose of receiving contributions and making expenditures. For the purpose of this subsection: ...; the offices of member of the board of chosen freeholders and county executive shall be deemed to be the same elective public offices in a county; and the offices of mayor and member of the municipal governing body shall be deemed to be the same elective public offices in a municipality.

**19:44A-8 and 16 Contributions, expenditures, reports, requirements.**

*While the provisions of this section are too extensive to reprint here, the following is deemed to be the pertinent part affecting amounts of contributions:*

“The \$300 limit established in this subsection shall remain as stated in this subsection without further adjustment by the commission in the manner prescribed by section 22 of P.L.1993, c.65 (C.19:44A-7.2)

**BUSINESS ENTITY DISCLOSURE CERTIFICATION  
FOR NON-FAIR AND OPEN CONTRACTS  
Required Pursuant To N.J.S.A. 19:44A-20.8  
CITY OF ORANGE TOWNSHIP, NEW JERSEY**

**Part I – Vendor Affirmation**

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that

\_\_\_\_\_ (Contractor)  
has not made and will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 et seq. that, pursuant to P.L. 2004, c. 19 would bar the award of this contract in the one year period preceding the date of reorganization to any of the following named candidate committee, joint candidates committee; or political party committee representing the elected officials of the **CITY OF ORANGE TOWNSHIP** as defined pursuant to N.J.S.A. 19:44A-3(p), (q) and (r).

|                       |  |
|-----------------------|--|
| Dwayne D. Warren      |  |
| Kerry Coley           |  |
| Quantavia Hilbert     |  |
| Tency A. Eason        |  |
| Clifford Ross         |  |
| Weldon Montague, III  |  |
| Jamie Summers-Johnson |  |
| Adrienne Wooten       |  |
|                       |  |

**Part II – Ownership Disclosure Certification**

I certify that the list below contains the names and home addresses of all owners holding 10% or more of the issued and outstanding stock of the undersigned.

Check the box that represents the type of business entity:

- Partnership     Corporation     Sole Proprietorship     Subchapter S Corporation  
 Limited Partnership     Limited Liability Corporation     Limited Liability Partnership

| Name of Stock or Shareholder | Home Address |
|------------------------------|--------------|
|                              |              |
|                              |              |
|                              |              |
|                              |              |
|                              |              |
|                              |              |
|                              |              |
|                              |              |
|                              |              |

**Part 3 – Signature and Attestation:**

The undersigned is fully aware that if I have misrepresented in whole or part this affirmation and certification, I and/or the business entity, will be liable for any penalty permitted under law.

Name of Business Entity: \_\_\_\_\_

Signed: \_\_\_\_\_ Title: \_\_\_\_\_

Print Name: \_\_\_\_\_ Date: \_\_\_\_\_

|                                                       |                                                        |
|-------------------------------------------------------|--------------------------------------------------------|
| Subscribed and sworn before me the _____ day of _____ | _____ (Affiant)                                        |
| _____, 2006.                                          |                                                        |
| My Commission expires:                                | _____ (Print name & title of affiant) (Corporate Seal) |

**WHEREAS**, in certain instances where the work performed by Integra Realty Resources-Northern NJ, LLC is not directly related to a specific development and/or redevelopment project, invoices will be paid by municipal funding; and

**WHEREAS**, the Chief Financial Officer of the CITY OF ORANGE TOWNSHIP has prepared the necessary Certificate of Availability of Funds, a copy of which is attached hereto certifying that funds will be available for this purpose in Account No. 4-01-20-170-000-528, contingent upon Council approval and inclusion of said item in the 2024 Temporary Budget and adopted 2024 Budget.

**WHEREAS**, the Chief Financial Officer for the City of Orange Township certifies that funds will be secured for each project into its dedicated escrow account prior to work commencing, and, therefore funds will be available to contract with INTEGRA REALTY RESOURCES-NORTHERN NJ, LLC for specialized real estate advisory and financial services to the City of Orange Township in connection with various proposed development and proposed redevelopment projects.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Orange Township as follows:

1. The Mayor is hereby authorized and directed to execute the attached Agreement with Integra Realty Resources-Northern NJ, LLC to prepare MARKET, FEASIBILITY, ECONOMIC IMPACT, VALUATION (APPRAISAL) ANALYSIS, FISCAL IMPACT and PAYMENT IN LIEU OF TAXES (PILOT) STUDIES in connection with specific development projects proposed in the CITY OF ORANGE TOWNSHIP.
2. That this contract is awarded in accordance to the non-fair and open process under provisions of P.L. 2004, Chapter 19, as amended.
3. Notice of this action shall be printed in the Orange Transcript as required by law within ten (10) days of its passage.
4. The agreement herein and this resolution are contingent upon certification of funds appropriate funding to render payment for services provided within.

**Adopted:**

  
\_\_\_\_\_  
**Joyce L. Lanier, RMC**  
City Clerk

\_\_\_\_\_  
**Tency A. Eason**  
Council President

CITY OF ORANGE TOWNSHIP  
FINANCE DEPARTMENT

CERTIFICATION OF FUNDS  
NEXT BUDGET

I, Nile Clements, Chief Financial Officer for the City of Orange Township, do hereby confirm that based on the Quote or RFP, RFQ, bid results or "extraordinary unspecifiable services" without competitive bids for 2024 service contract, and the resolution to be presented to the Council for approval, and contingent upon Council approval and inclusion of said item in the Temporary Budget and adopted 2024 Budget, there will be sufficient funds to contract with:

Vendor Name: Integra Realty Resources  
Northern New Jersey LLC

Address: 25A Vreeland Road  
Suite 100

City: Florham Park  
State: New Jersey  
Zip Code: 07932

Purpose: Fiscal Impact Studies for PILOT projects  
Vendor ID: VALUE010

Temporary Budget: \$ 12,500.00  
Fund: Current Fund  
Line Description PLD - Planning Division - Contractual Services  
Account Numbers(s): CY'24 4-01-20-170-000-528

The remainder of: \$ 37,500.00  
will be provided in  
Fund: Current Fund  
Line Description PLD - Planning Division - Contractual Services  
Account Numbers(s): CY'24 4-01-20-170-000-528

Purchase Order # : 24-00576

Amount not to exceed: \$ 50,000.00

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Division Head

Date

*Nile Clements*

2/22/2024

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Chief Financial Officer

Date