RESOLUTION
of the
BOROUGH OF NEW PROVIDENCE
Resolution No. 2013-073

Council Meeting Date: 02-11-2013 Date Adopted: 02-11-2013

TITLE RESOLUTION AWARDING CONTRACT TO HENDRICKS APPRAISAL COMPANY, LLC, 7 HUTTON AVENUE, WEST ORANGE, N.J. 07052, FOR TAX APPRAISAL AND CONSULTING SERVICES

Councilperson Lesnewich submitted the following resolution, which was duly seconded by Councilperson Muñoz.

WHEREAS, the Borough of New Providence has a need to acquire Tax Appraisal Services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19-44A-20.5; and

WHEREAS, the Purchasing Agent has determined and certified in writing that the value of the service will not exceed $10,000.00; and

WHEREAS, the anticipated term of this contract is one (1) year; and

WHEREAS, Hendricks Appraisal Company has submitted a proposal, indicating they will provide professional tax appraisal services for an amount not to exceed $10,000.; and

WHEREAS Hendricks Appraisal Company, has completed and submitted a Business Entity Disclosure Certificate which certifies that Hendricks Appraisal Company has not made any reportable contributions to a political or candidate committee in the Borough of New Providence in the previous one year, and that the contract will prohibit Hendricks Appraisal Company from making any reportable contributions through the term of the contract, and

WHEREAS, the maximum amount of the contract is not to exceed $10,000.00, and said funds are available and have been certified by the Chief Financial Officer; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-5) requires that the resolution authorizing and awarding of contracts for "professional services" without

competitive bids and the contract itself must be available for public inspection.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of New Providence that they hereby agree as follows:

1. The Mayor and Borough Clerk are hereby authorized and directed to execute the attached agreement with Hendricks Appraisal Company, for professional Tax Appraisal Services.
2. Such contract is awarded without competitive bids as a "professional service" in accordance with N.J.S.A. 40A:11-5(1) (a) of the Local Public Contracts Law, because the services to be rendered are professional in nature and are unspecifiable as to requirements for performance. Such services must be rendered by a person particularly trained and licensed in this area, which requires extensive specific education and long experience in both the Federal and State procedural requirements.
3. A notice of this action shall be published once in the Courier News.

APPROVED, this 11th day of February, 2013.

RECORD OF VOTE

	AYE	NAY	ABSENT	NOT VOTING
GALLUCCIO	X			
GENNARO	X			
KAPNER	X			
LESNEWICH	X			
MUÑOZ	X			
ROBINSON	X			
HERN			TO BREAK COUNCIL TIE VOTE	

I hereby certify that the above resolution was adopted at a meeting of the Borough Council held on the 11th day of February, 2013.

Wendi B. Barry, Borough Clerk

Hendricks Appraisal Company, LLC

REAL ESTATE APPRAISALS & RESEARCH

SEVEN HUTTON AVENUE, WEST ORANGE, NEW JERSEY 07052 • 973-736-5656-7 • FAX 973-736-2364

JEFFREY R. HENDRICKS, CTA, SCGREA
MARK E. HENDRICKS, CRE, FRICS, CTA, SCGREA
ANITA M. HENDRICKS, SCGREA

ROBERT W. HENDRICKS, MAI, CRE, SCGREA
(1923-2000)

NEW JERSEY STATE CERTIFIED
GENERAL REAL ESTATE APPRAISERS

December 31, 2012

RECEIVED
JAN - 3 2013
TAX ASSESSOR'S OFFICE
BOROUGH OF NEW PROVIDENCE

Ms. Patricia Spychala, CTA
Tax Assessor
Borough of New Providence
Municipal Building
360 Elkwood Avenue
New Providence, New Jersey 07974
Via electronic mail & regular mail

Re: ***Proposal For Tax Appeal***
Appraisal & Consulting Services - 2013 Tax Year
Borough of New Providence

Dear Ms. Spychala:

In accordance with your request, I am pleased to submit my formal proposal for appraisal and consulting services in connection with the above captioned.

I appreciate the opportunity to be of service. Should you have any questions, or if you require additional information, please do not hesitate to call.

Very truly yours,

Mark E. Hendricks, CRE©, FRICS, CTA, SCGREA
Hendricks Appraisal Company, LLC
Real Estate Appraisals, Research & Consulting

MEH:mm
attachment

Standard Proposal For Appraisal & Consulting Assignments

Introduction:

There are two (2) primary types of appraisal reports available, these include the Complete Appraisal Report in which none of the departure provisions under the Uniform Standards of Professional Appraisal Practice (USPAP) are invoked; and the Limited Appraisal in which one or more departure provisions will be invoked. There are also three (3) types of individual (written) appraisal reporting formats available, these include the following.

Self-Contained Appraisal Report: This is an all encompassing in depth appraisal in a narrative format. It is the most **detailed** of all appraisal reports and includes all referenced and supporting information and data as it relates to the property being appraised. The report details and walks the client in a step by step method through the entire appraisal processes and conclusions.

Summary Appraisal Report: This type of appraisal report is the more commonly requested of all other types of reporting options available. The primary disparity between a Summary Report and a Self-Contained Report is that a Summary Report will essentially provide a **summary** or synopsis of the extensive and detailed findings, conclusions or information contained in a Self-Contained report. In addition, the Summary Report assumes that the client or reader will have a limited or basic understanding of the appraisal process as well as the property being appraised.

Restricted Appraisal Report: This type of report is the most limited of all reporting formats available. This type of report will generally be requested for use by a client that the appraiser assumes is familiar with the property being appraised as well as having a basic understanding of the appraisal process. In this report, the conclusions and findings are stated with **minimal** elaboration or supporting documentation being provided. The appraiser will, in most cases retain any and all of the detailed information and supporting documentation in his work file for the assignment.

Based on the purpose of the appraisal reports to be prepared (Tax Appeal litigation), as well as consideration of the types of properties to be appraised, a formal narrative ***Summary Appraisal*** report shall be prepared.

Standard Proposal For Appraisal & Consulting Assignments

Scope of the Appraisal:

The following represents the basic Scope of Work which shall be completed in connection with this assignment.

- Physical inspection of the property.
- Physical inspection of the subject neighborhood-area
- Identification of property as well as the specific estate being appraised.
- Detailed description of property and its immediate environment
- Review and analysis of municipal records including assessment, zoning, flood conditions, redevelopment plans, etc.
- Analysis and discussion regarding the highest and best use of the property.
- Discussion as to an appropriate valuation method(s) to utilize.
- Research and investigation of market data to be utilized in the assignment
- Estimate of Market Value as of the effective date of the assignment.
- Preparation of appraisal reports in narrative summary format in multiple copies and certified to Ms. Patricia Spychala, Tax Assessor for the Township of New Providence as client.
- Presentation and submission of appraisal reports, in four (4) copies along with a summary of any and all limiting conditions, definitions and assumptions.

Purpose of the Appraisal - Intended Use & User of the Report:

Based on a discussion with the client it is my understanding that the purpose of the appraisals shall be to convey an estimate of the Market Value of each property in connection with pending Tax Appeals involving Tax Year 2013 (as of October 1, 2012). It can be assumed that several matters may involve preceding Tax Year appeals. In this regard, at the direction of the client, the appraiser shall include the preceding Tax Year valuations within the appraisal report.

The appraisal reports to be prepared shall be for the exclusive use of the client, its designated (authorized) representatives, as well as for submission to the Tax Court of New Jersey.

Special Conditions - Assumptions:

The appraisal reports shall be prepared under the special assumption and condition that the subject properties are unencumbered with any adverse environmental conditions or contamination of any kind. The appraiser is not qualified to determine or render an opinion as to the existence of environmental conditions which may be present.

Standard Proposal For Appraisal & Consulting Assignments

Proposed Fees:

Consulting Assignments	*$ 150.00 Per Hour*
Typical Commercial Properties - Class 4A	*$1,500.00 to $2,500.00*
Typical Industrial Properties - Class 4B	*$1,750.00 to $2,500.00*
Typical Apartment Properties - Class 4C	*$1,750.00 to $2,500.00*

The fee schedule included above is offered as a guide and represents typical or average appraisal fees I charge other municipalities I serve. They do not apply to large, complex properties such as shopping centers, corporate or multi-tenanted office buildings in excess of 100,000 square feet, apartment complexes in excess of 50 units, or industrial properties which exceed 75,000 square feet in size. In the event a request is made for an appraisal of a large complex property as noted above, a reasonable fee shall be negotiated between the Borough of New Providence and the Hendricks Appraisal Company, LLC.

Estimated Time Requirement:

Assuming that no delays are encountered in an inspection of the individual properties and that all necessary and required discovery information has been provided by the plaintiff or property owner, the appraiser shall adhere and comply with all Tax Court of New Jersey Case Management Orders relating to dates of inspection, appraisal exchange, conferences and trials.

Additional Fees & Costs:

In the event the appraiser is requested to attend conferences, meetings, hearings or trials in connection with this assignment, the appraiser shall be compensated at the rate of $150.00 per hour. In addition, should the client request the appraiser to review, analyze, critique or comment upon any reports or documents which may be supplied in connection with the valuation of the property, the same hourly rates shall apply.

Payment of Fees:

The client shall be responsible for payment of all appraisal fees as well as additional costs (if applicable). All fees, charges and or balances are due and payable upon receipt of appraisal reports. It is assumed that a purchase order or voucher system is currently employed and that once an invoice is submitted for payment, a voucher or purchase order shall be issued to the appraiser for execution and then submitted to the appropriate municipal authority for payment.

Standard Proposal For Appraisal & Consulting Assignments

Responsible Appraiser(s) for Assignment:

The appraiser noted below shall be directly responsible for the completion of this appraisal assignment. The qualifications of said appraiser have been attached to this proposal.

Mark E. Hendricks, CRE©, FRICS, CTA, SCGREA (RG00923)

Retainer Agreement:

None required.

Agreement:

I, _____. having full authority to enter into this agreement, accept the terms and conditions contained within the accompanying proposal as submitted by the Hendricks Appraisal Company, LLC and dated December 31, 2012.

_____ _____

Signature Date

_____

Printed Name & Title

Please note that the terms and conditions of this proposal shall remain in effect for sixty (60) days from December 31, 2012.

Prepared & Authorized By:

_____ **December 31, 2012**

Mark E. Hendricks, Principal & CEO Date
Hendricks Appraisal Company, LLC
Seven Hutton Avenue
West Orange, New Jersey 07052
(973) 736-5656
(973) 736-2364 - fax

REAL ESTATE APPRAISALS & RESEARCH

Tabulation of Current Municipal Clients

City of Newark
Romal Bullock, Tax Assessor
City of Newark
920 Broad Street
Newark, New Jersey 07102
(973) 733-3952

Township of Belleville
Mr. Kevin Esposito, Tax Assessor
Township of Belleville
152 Washington Avenue
Belleville, New Jersey 07109
(973) - 450-3304

Borough of Chatham
Ms. Therese DiPierro, Tax Assessor
Borough of Chatham
54 Fairmount Avenue
Chatham, New Jersey 07928
(973) 635-0674 (ext. 201)

Township of Cedar Grove
Mr. Richard Hamilton, Jr., Tax Assessor
Township of Cedar Grove
525 Pompton Avenue
Cedar Grove, New Jersey 07006
(973) 239-1410 – ext. 216

Township of Fairfield
Mr. Michael Leposky, Tax Assessor
Township of Fairfield
230 Fairfield Road
Fairfield, New Jersey 07006
(973) 882-2717

Borough of Glen Ridge
Mr. George Librizzi, Tax Assessor
Borough of Glen Ridge
825 Bloomfield Avenue
Glen Ridge, New Jersey 07028
(973) 748-8400 (ext. 249)

Township of Little Falls
Mr. Richard Hamilton, Tax Assessor
Township of Little Falls
225 Main Street
Little Falls, New Jersey 07424
(973) 256-0272

Tabulation of Current Municipal Clients

Borough of New Providence
Ms. Patricia Spychala, Tax Assessor
Borough of New Providence
360 Elkwood Avenue
New Providence, New Jersey 07974
(908) 665-8271

Borough of North Caldwell
Mr. George Librizzi, Tax Assessor
Borough of North Caldwell
Gould Avenue
North Caldwell, New Jersey 07006
(973) 228-6417

Township of Nutley
Mr. George Librizzi, Tax Assessor
Township of Nutley
1 Kennedy Drive
Nutley, New Jersey 07110
(973) 284-4956

City of Orange Township
Mr. Matthew Rinaldi, Tax Assessor
City of Orange Township
29 North Day Street
Orange, New Jersey 07050
(973) 266-4013

City of Paterson
Mr. Richard Marra, Tax Assessor
City of Paterson
155 Market Street
Paterson, New Jersey 07505
(973) 321-1389

City of Summit
Ms. Patricia Spychala, Tax Assessor
512 Springfield Avenue
Summit, New Jersey 07901
(908) 273-6405

Borough of Roseland
Mr. Kevin Esposito, Tax Assessor
Borough of Roseland
19 Harrison Avenue
Roseland, New Jersey 07068
(973) 403-6044

Tabulation of Current Municipal Clients

Township of Union
Mr. Paul Parsons, Tax Assessor
Township of Union
1976 Morris Avenue
Union, New Jersey 07083
(908) 651-8508

Borough of Verona
Mr. George F. Librizzi, Tax Assessor
800 Bloomfield Avenue
Verona, New Jersey 07044
(973) 857-4837

Township of West Caldwell
Mr. Richard Hamilton Jr., Tax Assessor
Township of West Caldwell
30 Clinton Road
West Caldwell, New Jersey 07006
(973) 226-2303

Township of West Orange
Mr. Kevin J. Dillon, Tax Assessor
Township of West Orange
66 Main Street
West Orange, New Jersey 07052
(973) 325-4060

PROFESSIONAL QUALIFICATIONS

MARK E. HENDRICKS, CRE©, FRICS, CTA, SCGREA

Education: Mount Saint Mary's University – B.A. - 1981
Emmitsburg, Maryland

Experience:

Actively engaged in real estate valuation, counseling and advisory studies within the State of New Jersey since 1981. Appraisal, counseling and advisory assignments included the following: residential properties, subdivisions, multi-family condominium and townhouse development; commercial properties, retail centers, mixed-use properties, automobile dealerships, neighborhood shopping centers, regional shopping malls; office buildings, corporate facilities, corporate campus, leasing analysis and consulting; apartment properties of all types; industrial properties, warehouse, manufacturing, flex, distribution and terminals; vacant sites including residential, commercial, industrial, waterfront, quarry properties, green acres-open space, conservation and recreational lands; other assignments of a specialized nature include: corporate office-headquarters, power generation facilities and substations; hospitals, schools, golf courses, telecom facilities, easements, partial interests, breweries and insurance loss analysis. These assignments were conducted for both public and private entities and individuals.

Mr. Hendricks has qualified as an expert witness before the Tax Court of New Jersey, the Superior Court of New Jersey, the United States Bankruptcy Courts, numerous County Boards of Taxation, along with many local planning and zoning boards.

- He has served as a Commissioner in Condemnation for the Superior Court of New Jersey.
- Mr. Hendricks has served as the municipal Tax Assessor for the Township of Nutley - 2004.
- He is also an active owner/investor and manager in several small apartment and office properties.

Employment:

1981-1997 – Vice President
Robert W. Hendricks & Company, Inc.

1997-Present – Principal
The Hendricks Appraisal Company, LLC
Hutton Park Professional Building – Suite A
Seven Hutton Avenue
West Orange, New Jersey 07052
(973) 736-5656 – (973) 736-2364 (Facsimile)

PROFESSIONAL QUALIFICATIONS

MARK E. HENDRICKS, CRE©, FRICS, CTA, SCGREA

Affiliations:

Member - The Counselors of Real Estate – CRE
Member - Fellow of the Royal Institution of Chartered Surveyors – FRICS
Associate Member Appraisal Institute – MAI Associate
Member IAAO – International Association of Assessing Officers
Member Appraisal Section – National Association of Realtors
Member IREM - Institute of Real Estate Management

New Jersey State Certified General Real Estate Appraiser (SCGREA-42RG0923)
New Jersey State Certified Tax Assessor – CTA (#1591)

General Information:

Mr. Hendricks has conducted acquisition appraisals for various large scale eminent domain projects including: the New Jersey Performing Arts Center (NJPAC); Prudential Center Arena; Society Hill Development at University Heights; Essex County Correctional Facility; Honorable Joseph G. Minish Passaic River Waterfront Promenade; Science Park School Project. In addition to acquisition appraisals, he has served as the review appraiser in connection with other large scale developments including: the Riverfront Stadium facility; New Jersey Transit Light Rail Program; Newark Airport Monorail; various public school development and expansion projects.

Other major redevelopment projects predominantly located within the City of Newark included the Home Depot; Victory Gardens development; South Ward Industrial Park; Hartz Mountain Industrial-Waverly Yards; Multiplex Cinema; Newark Entertainment Complex; Bergen Street Redevelopment project; and the Center City (Paterson) development.

Mr. Hendricks is currently retained as the real estate appraisal expert and tax consultant for numerous municipalities including: Township of Cedar Grove, Township of Fairfield, Borough of Glen Ridge, Township of Irvington, City of Newark, Borough of New Providence, Borough of North Caldwell, Township of Nutley, City of Orange Township, City of Paterson, Rockleigh Borough, Borough of Roseland, Township of Union, Township of Verona, Township of West Caldwell, and the Township of West Orange.

In addition to his appraisal, consulting and advisory experience, he has been retained by various communities to review and monitor on-going or recently completed Class IV components (commercial-industrial) of real property revaluation programs. These include the Township of Cedar Grove, Township of Nutley, the Borough of North Caldwell, the Township of Fairfield, the City of Paterson, the Borough of Roseland, the Township of Verona, the Township of West Caldwell and the Township of West Orange.

PARTIAL LISTING OF CLIENTS SERVED AND MAJOR ASSIGNMENTS

Government

U.S. Department of Commerce
U.S. Department of Justice
U.S. Department of Veterans Affairs
U.S. Post Office
U.S. Small Business Administration
Internal Revenue Service
U.S. Department of the Interior

N. J. Office of the Attorney General
N. J. Economic Development Authority
N. J. Department of Environmental Protection
N. J. Schools Development Authority
N. J. Housing & Mortgage Finance Agency

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Essex County Board of Chosen Freeholders
Essex County Parks Commission
Essex County Office of the County Counsel
Essex County Improvement Authority

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Township of Belleville
Township of Bloomfield
Township of Cedar Grove
Township of East Hanover
Township of Fairfield
Borough of Glen Ridge
Township of Irvington
City of Newark
Township of New Providence
Township of Nutley
Borough of North Caldwell
City of Orange Township
City of Paterson
Borough of Rockleigh
Borough of Roseland
Township of South Orange Village
Township of Union
Township of Verona
Township of West Caldwell
Township of West Orange

Financial

Boiling Springs Savings Bank
Bank of America
Citibank
Washington Mutual
TD Bank
Sun National Bank
PNC Bank
Regal Bank
Llewellyn Edison Savings Bank
Valley National Bank

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Attorneys

DeCotis, Fitzpatrick, Cole & Wisler
Gibbons, LLC
Lum, Drasco & Positan, LLC
Podvey, Sachs, Meanor, Catenacci, Hildner, Cocoziello & Chatman
Piro, Zinna, Cifelli, Paris & Genitempo, LLC
Schneck, Holtzman, LLC
McElroy, Deutsch & Mulvaney
Scarinci & Hollenbeck, LLC
Riker, Danzig, Scherer, Hyland & Perretti, LLP

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Major Assignments

N.J. Performing Arts Center
Prudential Center (NJ Devils Arena)
Essex County Administration Complex
Newark Riverfront Stadium
N.J. Transit Light Rail Project - Newark
Anheuser-Busch Brewery
New Jersey Institute of Technology
Prudential Headquarters - Newark
PSEG Corporate Headquarters
Gateway Office Complex
East Orange General Hospital
The Mall at Short Hills
Essex County Hilltop Reservation
River Vale Country Club
Ridgewood Country Club
Montclair County Country Club
Crestmont Country Club