



Legislation Details (With Text)

File #: 22-1602 **Version:** 1 **Name:** Resolution: Professional Services Contract - Michael Baker International, Inc.,
Type: Resolution **Status:** Adopted
File created: 10/31/2022 **In control:** Engineering
On agenda: 3/1/2023 **Final action:** 3/1/2023

Title: Dept/ Agency: Engineering
Action: () Ratifying (X) Authorizing () Amending
Type of Service: Professional Services Contract
Purpose: To provide Professional Services for the completion of a Concept Development Study.
Entity Name: Michael Baker International, Inc.
Entity Address: 100 Airside Drive, Moon Township, Pennsylvania 15108;
One Gateway Center, Suite 1601, Newark New Jersey 07102 (satellite address)
Contract Amount: Not to exceed \$498,000.00
Funding Source: Federal Highway Administration FHWA/New Jersey Department of Transportation
Contract Period: Not to exceed 365 consecutive calendar days from the date of the issuance of a formal Notice to Proceed
Contract Basis: () Bid () State Vendor (X) Prof. Ser. () EUS
() Fair & Open () No Reportable Contributions () RFP () RFQ
() Private Sale () Grant () Sub-recipient () n/a
Addition Information:

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
3/1/2023	1	Municipal Council	Adopt	Pass

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Addition Information:

WHEREAS, the City's Department of Engineering, Division of Traffic and Signals is in need of Professional Services relating to the Route 21, Newark Riverfront Pedestrian and Bicycle Access Concept Development Study; and

WHEREAS, Federal Highway Administration (FHWA) provides opportunities for Local Agencies, such as City of Newark, to receive Federal Aid Highway Program (FAHP or federal aid) through New Jersey Department of Transportation (NJDOT); and

WHEREAS, the City of Newark (the “City”) was notified on May 17, 2022 by the New Jersey Department of Transportation (NJDOT) that the Route 21, Newark Riverfront Pedestrian and Bicycle Access Concept Study funding was authorized; and

WHEREAS, the City (the “Local Public Agency”) which receives federal aid funds, are responsible for administering their projects and meeting all federal aid requirements; and

WHEREAS, all contracts for engineering and design services related to construction projects will comply with the requirements of 23 U.S.C. § 112 and 23 CFR 172, which allows for competitive negotiations; and

WHEREAS, consultant services funded wholly or partially with FHWA funds are procured and administered by the City in accordance with 49 CFR Part 18- Uniform Administrative Requirements for Grants and Cooperative Agreements; to State and Local Government, and the City follows the competitive negotiation/qualification requirements defined by the Brooks Act 40 U.S.C. § 1101 et seq.; and

WHEREAS, applicable Federal laws and regulations do not permit any State or local requirements that limit competition except those related directly to the qualifications of consulting firms to perform the work in a competent and responsible manner; and

WHEREAS, the City publicly advertised a Request for Proposal (RFP) on May 18, 2021, for the Route 21, Newark Riverfront Pedestrian and Bicycle Access Concept Development Study, Professional Services; and

WHEREAS, on June 10, 2021, two (2) firms (Michael Baker International, Inc. and Sam Schwartz.) submitted their responses to the RFP; and

WHEREAS, the selection committee of personnel from the Department of Engineering, Division of Traffic and Signals, after carefully reviewing the two (2) proposals unanimously selected Michael Baker International, Inc. located at One Gateway Center Suite 1601 Newark, New Jersey, for the Route 21 Newark Riverfront Pedestrian and Bicycle Access Concept Development Study because its proposal was found to fulfill the requirements of the RFP, showed project understanding and meets all project team experience requirements; and

WHEREAS, the City of Newark was notified by the Federal Highway Administration (FHWA) on May 17, 2022, that it has authorized funding for the Route 21 Newark Riverfront Pedestrian and Bicycle Access Concept Development Study Professional Services, in the amount not to exceed Four Hundred Ninety Eight Thousand Dollars and Zero Cents (\$498,000.00); and

WHEREAS, the Acting Director of the Department of Engineering desires to accept the Proposal submitted by Michael Baker International, Inc., 100 Airside Drive, Moon Township, Pennsylvania 15108/One Gateway Center, Suite 1601, Newark, New Jersey (satellite address) for the Route 21 Newark Riverfront Pedestrian and Bicycle Access Concept Development Study, in an

amount not to exceed Four Hundred Ninety-Eight Thousand Dollars and Zero Cents (\$498,000.00).

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 Acting Director of the Department of Engineering, are authorized on behalf of the City of Newark, to accept the professional services proposal dated June 10, 2021 and cost proposal dated June 10, 2021, submitted by Michael Baker International, Inc. located at 100 Airside Drive, Moon Township, Pennsylvania 15108/One Gateway Center, Suite 1601, Newark, New Jersey (satellite address) and execute Contract #2022-03PS, the Route 21 Newark Riverfront Pedestrian and Bicycle Access Concept Development Study Professional Services, in an amount not to exceed Four Hundred Ninety-Eight Thousand Dollars and Zero Cents (\$498,000.00).
2. Attached hereto is a Certification of Funds issued by the City's Chief Financial Officer, which states that there are available sufficient legally appropriated funds for the purpose set forth hereinabove.
3. Funds for this contract in the amount of Four Hundred Ninety-Eight Thousand Dollars and Zero Cents (\$498,000.00) is provided as below:
Fund 051, Dept. G16, Project E1610-72090, B2016.
4. A copy of the Certification of Funds shall be filed in the Office of the City Clerk by the Acting Director of the Department of Engineering.
5. No changes to this contract are allowed without prior Municipal Council approval.
6. A fully executed copy of the contract shall be filed in the Office of the City Clerk by the Acting Director of the Department of Engineering and made available for inspection.
7. This contract is to be completed within a period not to exceed 365 consecutive calendar days from the issue of a formal Notice to Proceed by the Acting Director of the Department of Engineering. A copy of the Notice to Proceed shall be filed with the Office of the City Clerk.
8. Federal Highway Administration funds are procured and administered by the City in accordance with 49 CFR Part 18 - Uniform Administrative Requirements for Grants and Cooperative Agreements, to State and Local Government, and the City follows the competitive negotiation/qualification requirements defined by the Brooks Act 40 U.S.C. § 1101 et seq.
9. There shall be no advance payments made against this contract in accordance with N.J.S.A. 40A:5-16.
10. 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.

STATEMENT

This Resolution authorizes the Mayor of the City of Newark and/or his designee, the Acting

Director of the Department of Engineering, on behalf of the City of Newark, to accept the Technical Proposal and Cost Proposal both dated June 10, 2021, submitted by Michael Baker International, Inc., 100 Airside Drive, Moon Township, Pennsylvania 15108/One Gateway Center, Suite 1601, Newark, New Jersey (satellite address), for the Route 21 Newark Riverfront Pedestrian and Bicycle Access Concept Development Study, in the amount not to exceed \$498,000.00, to commence after the issuance of a formal Notice to Proceed for a contract period not to exceed 365 consecutive calendar days.