



Legislation Details (With Text)

File #: 17-1747 **Version:** 1 **Name:** First Amendment to Contract #06-2015PS
Development of Stormwater Utility Fee

Type: Resolution **Status:** Adopted

File created: 10/3/2017 **In control:** Engineering

On agenda: 11/21/2017 **Final action:** 11/21/2017

Title: Dept/ Agency: Engineering
Action: Ratifying Authorizing Amending
Type of Service: Professional Services Contract
Purpose: First Amendment to Contract #06-2015PS, Development of Stormwater Utility Fee with Black & Veatch Management Consulting, LLC to extend the term of the contract from October 31, 2016 through October 31, 2017, to October 31, 2016 through October 31, 2018, pursuant to N.J.S.A. 40A:11-15(9), at no additional cost to the City.
Entity Name: Black & Veatch Management Consulting, LLC.
Entity Address: 11401 Lamar Avenue, Overland Park, Kansas 66211
Contract Amount: Maximum amount not to exceed \$244,435.00
Funding Source: 2016 Budget/Water & Sewer Utilities
Contract Period: Extend term of the contract to October 31, 2016 through October 31, 2018
Contract Basis: Bid State Vendor Prof. Ser. EUS
 Fair & Open No Reportable Contributions RFP RFQ
 Private Sale Grant Sub-recipient n/a
Addition Information:
Amending Contract #06-2015PS to extend the term of the contract from October 31, 2016 through October 31, 2017, to October 31, 2016 through October 31, 2018 at no additional cost to the City.
Resolution 7R4-a adopted, July 07, 2016.

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
11/21/2017	1	Municipal Council	Adopt	Pass

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Amending Contract #06-2015PS to extend the term of the contract from October 31, 2016 through October 31, 2017, to October 31, 2016 through October 31, 2018 at no additional cost to the City. Resolution 7R4-a adopted, July 07, 2016.

WHEREAS, Resolution 7R4-A, adopted on July 7, 2016, authorized the Mayor and/or his designee the Director of the Department of Engineering, on behalf of the City of Newark (the "City") to enter into and execute a Professional Services Contract #06-2015PS, Development of Stormwater Utility Fee, with Black & Veatch Management Consulting, LLC ("Black & Veatch"), 11401 Lamar Avenue, Overland Park, Kansas 66211, to conduct a Comprehensive Stormwater Utility Feasibility Study in the City of Newark for the purpose of evaluating the City's ability to create and implement a Stormwater Utility fee and incentive program, within the Department of Water and Sewer Utilities, to more effectively manage and maintain our stormwater infrastructure; and

WHEREAS, the Department of Engineering issued a 'Notice to Proceed' dated October 31, 2016 as the effective date of the contract and terminating on October 31, 2017; and

WHEREAS, due to unforeseen delays, gathering and analyzing information essential to completing the tasks identified in the scope of work, the project has experienced delays moving forward on schedule; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-15(9) permits extensions of public works contracts, including those for professional services, for the time authorized and necessary to complete actual construction; and

WHEREAS, the Director of the Department of Engineering and the consultant, Black & Veatch agree that a time extension is necessary to complete the project at no additional cost to the City; and

WHEREAS, the Director of the Department of Engineering desires to amend Contract #06-2015PS to extend the contract term, from October, 31 2016 through October 31, 2017, to October 31, 2016 through October 31, 2018 to account for project completion at no additional cost to the City of Newark.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:

1. The Mayor and/or his designee, the Director of the Department of Engineering, is hereby authorized to execute a First Amendment to Contract #06-2015PS Development of Stormwater Utility Fee, with Black & Veatch Management Consulting, LLC, 11401 Lamar Avenue, Overland Park, Kansas 66211, to extend the contract term from October 31, 2016 through October 31, 2017, to October 31, 2016 through October 31, 2018, pursuant to N.J.S.A. 40A:11-15(9), at no additional cost to the City.
2. The Municipal Council hereby ratifies the contract amendment from October 31, 2016 to the date of adoption of this authorizing resolution.
3. All other terms and conditions of Contract 06-2015PS Development of Stormwater Utility Fee, shall remain in force and effect until the contract is completed.

4. A fully executed copy of the First Amendment to Contract 06-2015PS Development of Stormwater Utility Fee shall be filed in the Office of the City Clerk by the Director of the Department of Engineering and/or his designee.
5. No additional funding is necessary for this amendment.
6. No further amendments or modifications to this amended contract shall be permitted without prior Municipal Council approval.
7. Consistent with the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-15(9), the Director of the Department of Engineering is authorized to extend the time to complete this contract to October 31, 2018.

STATEMENT

This resolution hereby ratifies and authorizes the Mayor and/or his designee, the Director of Department of Engineering, to execute a First Amendment to Contract #06-2015PS, Development of Stormwater Utility Fee, with Black & Veatch Management Consulting, LLC, to extend the term of the contract from October 31, 2016 through October 31, 2017, to October 31, 2016 through October 31, 2018, pursuant to N.J.S.A. 40A:11-15(9), at no additional cost to the City.