



Legislation Details (With Text)

**File #:** 14-2025      **Version:** 1      **Name:** KSE - Change Order #2 - Mt Prospect Ave & Broadway Construction Management  
**Type:** Resolution      **Status:** Filed  
**File created:** 11/24/2014      **In control:** Engineering  
**On agenda:** 1/7/2015      **Final action:** 1/21/2015

**Title:** Dept/ Agency: Engineering  
Action: (X) Ratifying (X) Authorizing (X) Amending  
Type of Service: Professional Services Contract  
Purpose: Construction Management and Inspection Services  
Entity Name: KS Engineers, P.C.  
Entity Address: 494 Broad Street, 4th Floor, Newark, New Jersey 07102  
Contract Amount: \$78,355.20  
Funding Source: UEZ  
Contract Period: Extending contract period until April 30, 2015  
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:  
Change Order No. 2; Original contract amount \$199,717.78  
Deferred 7R4-a 010715

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
1/21/2015	1	Municipal Council	Adopt	Pass
1/7/2015	1	Municipal Council	Defer	Pass

**Title**

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**WHEREAS**, Resolution 7R4-B, adopted October 5, 2011, authorized the Director of the Department of Engineering to accept the bid proposal and execute Contract No. 15-2011PS, City-wide Streetscape - Phase I, Construction Management and Inspection Services, Mt. Prospect Avenue and Lower Broadway Projects, with KS Engineers, P.C., for the amount of \$199,717.78; and

**WHEREAS**, a Notice to Proceed was issued on September 11, 2012, which date constituted the commencement of the contract term, which was 365 days hence; and

**WHEREAS**, Change Order #1/Amendment #1, Resolution 7R4-A, adopted April 2, 2014, authorized the Director of the Department of Engineering to extend the contract period through December 31, 2014; and

**WHEREAS**, work started in October of 2012, at which time English Paving was the contractor for performing the construction work for the Project, but the contract between English Paving and the City was terminated. However, KS Engineers, P.C. had already provided work on this project in the amount of \$17,186.40. This equaled 186 hours of work; and

**WHEREAS**, due to additional work required for the construction of the repair of vaults on Lower Broadway, changes in traffic signals due to underground utility conflicts, additional tree removals, increases in the concrete curb and sidewalk installation work, increases in the milling and HMA paving work, additional hours for Contract Administration and Inspection Services are required; and

**WHEREAS**, the remaining months of monitoring of the work and closeout of the project require an additional 848 work hours at a cost of \$78,355.20 and an extension of time until April 30, 2015.

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

1. The Mayor and/or his designee and the Director of the Department of Engineering, is hereby authorized on behalf of the City of Newark to issue Change Order No. 2 to Contract No. 15-2011PS, City-wide Streetscape - Phase I, Construction Management and Inspection Services, Mt. Prospect Avenue and Lower Broadway Projects, with KS Engineers, P.C., 494 Broad St, 4<sup>th</sup> Floor, Newark, New Jersey 07102, extending the contract period through April 30, 2015 and increase contract amount by \$78,355.20, thereby bringing the total amount of this contract to \$278,072.98.
2. The extension of this contract is in accordance with the non-fair and open procedures of the Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.5, and in compliance with the Executive Order on Pay-to-Play Reform (MEO-07-0001) and the Contractor Pay-to-Play Reform Ordinance, 6PSF-a, August 1, 2012.
3. A fully executed copy of Change Order No. 2 to Contract No. 15-2011PS, shall be filed in the Office of the City Clerk by the Director of Engineering.
4. No other changes to this contract are allowed without prior Municipal Council approval.
5. Funds for Change Order No. 2 to Contract No. 08-2012PS, in the amount of \$78,355.20 is

provided as below:

\$71,739.71

Fund 051, Dept. G09, Project A19A0, Account 71280, Budget Year B2009

\$6,615.49

Fund 051, Dept. G09, Project A19A0, Account 72250, Budget Year B2009

6. Consistent with the provisions of the Local Public `Contracts Law, N.J.S.A. 40:A:11-15(9), the Director of the Department of Engineering is authorized to extend the time to complete this contract to April 30, 2015.
7. Notice of this change order, in accordance with N.J.A.C. 5:30-11.9(c)(6) and N.J.S.A. 40A:11-5(1)(a)(i), shall be published in the newspaper as required by law within ten (10) days of its passage.

#### **STATEMENT**

This Resolution ratifies and authorizes the Mayor and/or his designee, the Director of the Department of Engineering, to issue Change Order No. 2 to Contract No. 14-2011PS, City-wide Streetscape - Phase I, Construction Management and Inspection Services, Mt. Prospect Avenue and Lower Broadway Projects, to KS Engineers, P.C., 494 Broad Street, 4<sup>th</sup> Floor, Newark, New Jersey, 07102, extending the contract period through April 30, 2015 and increasing the contract amount by \$78,355.20, thereby bringing the total amount of this contract to \$278,072.98.