



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 14-0005, Version: 3

Dept/ Agency: Engineering

Action: (X) Ratifying (X) Authorizing (X) Amending

Type of Service: Professional Services Contract

Purpose: To provide Construction Management and Inspection Services

Entity Name: KS Engineers, P.C.

Entity Address: 494 Broad Street, 4th Floor, Newark, New Jersey 07102

Contract Amount: \$199,717.78 (*original contract amount*)

Funding Source: UEZ

Contract Period: September 11, 2012 through December 31, 2014

Contract Basis: () Bid () State Vendor (X) Prof. Ser. () EUS

(X) Fair & Open () No Reportable Contributions () RFP () RFQ

() Private Sale () Grant () Sub-recipient () n/a

Addition Information:

Original Resolution 7R4-B adopted October 5, 2011

Original contract period September 11, 2012 through September 10, 2013, request to extend through December 31, 2014 with no additional municipal funds required

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, for Mt. Prospect Avenue and Lower Broadway Projects, with KS Engineers, P.C., 494 Broad Street, 4th Floor, Newark, New Jersey 07102 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, for 365 days hence; and

WHEREAS, as a result of delays in the start of construction, which will not begin until March 2014, the Department of Engineering requires that the contract time be extended through December 31, 2014; and

WHEREAS, the Local Public Contracts Law, *N.J.S.A. 40A:11-15(9)* permits extensions of contracts for the time of actual construction; and

WHEREAS, the attached Change Order #1/Amendment #1 to Contract #15-2011PS, City-wide Streetscape - Phase I, Construction Management and Inspection Services, for Mt. Prospect Avenue and Lower Broadway Projects, extends the contract period until December 31, 2014, with no increase in the original contract dollar amount.

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, are hereby authorized on behalf of the City of Newark to issue Change Order #1/Amendment #1 to Contract #15-2011PS, City-wide Streetscape - Phase I, Construction Management and Inspection Services, for Mt. Prospect Avenue and Lower Broadway Projects, with KS Engineers, P.C., 494 Broad Street, 4th Floor, Newark, New Jersey 07102, extending the contract period through December 31, 2014 with no increase in the original contract amount.
2. The Municipal Council hereby ratifies the contract extension from September 10, 2013 to the date of adoption of this authorizing resolution.
3. 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, adopted on August 1, 2012.
4. A fully executed copy of Change Order #1/Amendment #1 to Contract #15-2011PS, shall be filed in the Office of the City Clerk by the Director of Engineering.
5. No other changes to this contract are allowed without prior Municipal Council approval.
6. 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 December 31, 2014.
7. Notice of this Change Order #1/Amendment #1 to Contract #15-2011PS, City-wide Streetscape - Phase I, Construction Management and Inspection Services, for Mt. Prospect Avenue and Lower Broadway Projects 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 hereby amends, ratifies and authorizes the Mayor and/or his designee, the Director of the Department of Engineering, to enter into and execute Change Order #1/Amendment #1 to Contract #14-2011PS, City-wide Streetscape - Phase I, Construction Management and Inspection Services, for Mt. Prospect Avenue and Lower Broadway Projects, to KS Engineers, P.C., 494 Broad Street, 4th Floor, Newark, New Jersey, 07102, extending the contract period through December 31, 2014, with no increase in the original contract amount. No additional municipal funds required.