



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

File #: 14-0026, Version: 2

**Dept/ Agency:** Engineering

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

**Type of Service:** Change Order/Amend Resolution

**Purpose:** Professional Services Contract

**Entity Name:** KS Engineers, P.C.

**Entity Address:** (494 Broad Street, Newark, New Jersey 07102

**Contract Amount:** \$25,308.94(Change Order Amount) for a total amount not to exceed \$374,834.64

**Funding Source:** City of Newark/Capital Budget

**Contract Period:** December 19, 2012 through June 30, 2014

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

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

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

**Additional Information:**

Original contract amount \$349,525.70

**WHEREAS**, Resolution 7R4-C, adopted October 17, 2012, authorized the Director of the Department of Engineering to execute Contract No. 08-2012PS, MUTCD Traffic Sign Inventory and Assessment Program, a professional services contract, with KS Engineers, P.C., 494 Broad Street, Newark, New Jersey 07102, for the amount of \$349,525.70; and

**WHEREAS**, a Notice to Proceed was issued on December 19, 2012, which date constituted the commencement of the contract term, which was 365 days hence; and

**WHEREAS**, as result of the need for additional equipment and software in order for the new sign database to operate with the City's sign fabrication equipment, and the need to extend the contract period until June 30, 2014 in order to add the additional signs installed throughout the contract period into the new sign database, the Department of Engineering requires that the contract dollar amount be increased by \$25,308.94 and the completion date extended through June 30, 2014; 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 has certified that Change Order No. 1 is permissible pursuant to the regulations governing professional service contracts, more specifically, N.J.A.C. 5:30-11.1, et seq., and does not constitute a material expansion in the size, nature or scope of the Project and the extra work could not be reasonably effectuated by a separately bid contract, without unduly disruption the basic work; and

**WHEREAS**, the attached Change Order No. 1 to Contract No. 08-2012PS, MUTCD Traffic

Sign Inventory and Assessment Program, extends the contract period until June 30, 2014 and increases the contract amount by \$25,308.94, thereby bringing the total amount of this contract to \$374,834.64.

**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. 1 to Contract No. 08-2012PS, MUTCD Traffic Sign Inventory and Assessment Program, with KS Engineers, P.C., 33 Wood Avenue South, Suite 830, Iselin, New Jersey 08830, extending the contract period through June 30, 2014 and increasing the contract amount by \$25,308.94, thereby bringing the total amount of this contract to \$374,834.64.
2. The Municipal Council hereby ratifies the contract extension from December 18, 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, August 1, 2012.
4. A fully executed copy of Change Order No. 1 to Contract No. 08-2012PS, 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. Funds for Change Order No. 1 to Contract No. 08-2012PS, in the amount of \$25,308.94 is provided as below:  
  
Fund 045, Dept. 007, Project 07B90, Account 94710, Budget Year B2007
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 June 30, 2014.

**STATEMENT**

This Resolution ratifies and authorizes the Mayor and/or his designee, the Director of the Department of Engineering, to issue Change Order No. 1 to Contract No. 08-2012PS, MUTCD Traffic Sign Inventory and Assessment Program, to KS Engineers, P.C., 494 Broad Street, 4<sup>th</sup> Floor, Newark, New Jersey, 07102, increasing the contract amount by \$25,308.94 for a total amount not to exceed \$374,834.64 and extending the contract period through June 30, 2014.