



Legislation Text

File #: 21-0535, Version: 1

Dept/ Agency: Engineering

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

Type of Service: Change Order/Amend Resolution

Purpose: Change Order #4 - McClellan Street Underpass Roadway and Drainage Improvements
Final Design

Entity Name: WSP USA, Inc. (formerly known as Parsons Brinckerhoff, Inc.)

Entity Address: One Penn Plaza, New York, New York 10119

Contract Amount: Not to exceed \$1,278,519.92

Funding Source: Federal Grant modification administered by NJDOT

Contract Period: Extended through February 1, 2022

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

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

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

Additional Information:

Resolution 7R4-b adopted on October 17, 2012, awarded a contract in an amount not to exceed \$1,091,849.92 for the period of 365 consecutive calendar days from the date of the issuance of a formal Notice to Proceed - January 15, 2014.

Change Orders #1, 2, and 3 (Resolution 7R4-b adopted on March 5, 2014, Resolution 7R4-a adopted on February 18, 2015, and Resolution 7R4-b adopted on March 2, 2016) extended the ending date of original contract period to February 1, 2015, February 1, 2016 and February 1, 2017, respectively.

Change Order # 4 will extend the end date of original contract to February 1, 2022, and an increase the contract amount by \$186,670.00 for a total contract amount not to exceed \$1,278,519.92.

WHEREAS, Resolution 7R4-b, adopted on October 17, 2012, authorized the Director of the Department of Engineering ("to accept the bid proposal and execute Contract #06-2012PS, McClellan Street Underpass Roadway and Drainage Improvements Final Design, with Parsons Brinckerhoff, Inc., 2 Gateway Center, 18th Floor, Suite 1803, Newark, New Jersey 07102, for the amount of \$1,091,849.92; and

WHEREAS, the Department of Engineering issued an initial 'Notice to Proceed' dated January 16, 2013, specifying January 16, 2013 as the effective date of the contract, terminating on January 15, 2014; and

WHEREAS, Resolution 7R4-b, adopted on March 5, 2014, authorized the Director of the Department of Engineering, pursuant to N.J.S.A. 40A:11-15(9), to issue and execute Change Order/Amendment #1, to Contract #06-2012PS, McClellan Street Underpass Roadway and Drainage Improvements Final Design, for a one (1) year extension of term of the contract, from January 15, 2014 through February 1, 2015; and

WHEREAS, Resolution 7R4-a, adopted on February 18, 2015, authorized the Director of the Department of Engineering, pursuant to N.J.S.A. 40A:11-15(9), to issue and execute Change Order/Amendment #2, to Contract #06-2012PS, McClellan Street Underpass Roadway and Drainage Improvements Final Design for a one (1) year extension of term of the contract, from February 1, 2015 through February 1, 2016; and

WHEREAS, Resolution 7R4-b, adopted on March 2, 2016, authorized the Director of the Department of Engineering, pursuant to N.J.S.A. 40A:11-15(9), to issue and execute Change Order/Amendment #3, to Contract #06-2012PS, McClellan Street Underpass Roadway and Drainage Improvements Final Design for a one (1) year extension of term of the contract, from February 1, 2016 through February 1, 2017; and

WHEREAS, the term of the Notice to Proceed was extended three (3) times with a current expiration date of February 1, 2017; and

WHEREAS, on November 3, 2017, the City received a request for Change Order #4 from WSP USA, Inc. (formerly Parsons Brinckerhoff, Inc.) indicating that additional design work was identified due to unanticipated findings regarding the utility relocation and delays due to AMTRAK's extended review process, that will result in an increase of \$186,670.00 to the original Contract #06-2012PS and an extension to the original contract period through February 1, 2022; and

WHEREAS, on August 13, 2020, the City of Newark received a letter (a copy of the authorization letter is attached hereto and made a part hereof) from the New Jersey Department of Transportation (NJDOT) advising that the NJDOT had authorized an additional \$186,670.00 for the additional scope of work with no City funds required, which was accepted by Resolution 7R3-b(S/AS) adopted on January 28, 2020; and

WHEREAS, the attached Change Order #4 to Contract #06-2012PS, McClellan Street Underpass Roadway and Drainage Improvements Final Design, extends the original contract period through February 1, 2022, with an increase of \$186,670.00 to the original contract dollar amount of \$1,091,849.92, for an amended total contract in an amount not to exceed \$1,278,519.92.

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 on behalf of the City of Newark to issue Change Order #4 to Contract #06-2012PS, McClellan Street Underpass Roadway and Drainage Improvements Final Design with WSP USA, Inc. (formerly Parsons Brinckerhoff, Inc.), One Penn Plaza, New York, New York 10119, extending the original contract period through February 1, 2022, with an increase of \$186,670.00 to the original contract amount of \$1,091,849.92 for an amended total contract in an amount not to exceed \$1,278,519.92.
2. This Change Order #4 to Contract #06-2012PS is hereby ratified from February 1, 2017 to the date of the adoption of the authorizing Municipal Council resolution.

3. The Director of the Department of Engineering shall file a fully executed copy of Change Order #4 to Contract #06-2012PS, McClellan Street Underpass Roadway and Drainage Improvements Final Design, in the Office of the City Clerk.
4. No other changes to this contract are allowed without prior Municipal Council approval.
5. No municipal funds are required for this Change Order.
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 contract period until February 1, 2022, with an increase of \$186,670.00 to the original contract dollar amount of \$1,091,849.92, for an amended total contract in an amount not to exceed \$1,278,519.92.

STATEMENT

This resolution authorizes the Mayor and/or his designee, the Director of the Department of Engineering, to issue Change Order #4 to Contract #06-2012PS, McClellan Street Underpass Roadway and Drainage Improvements Final Design, extending the original contract period until February 1, 2022, with an increase of \$186,670.00 to the original contract dollar amount of \$1,091,849.92, for an amended total contract in an amount not to exceed \$1,278,519.92.