



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

File #: 12-1348, Version: 2

**Dept/ Agency:** Engineering

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

**Type of Service:** Professional Services Contract

**Purpose:** McClellan Street Underpass Roadway and Drainage Improvements - Final Design

**Entity Name:** Parsons Brinckerhoff, Inc.

**Entity Address:** Two Gateway Center, 18th Fl., Newark, New Jersey 07102

**Contract Amount:** \$1,091,849.92

**Funding Source:** New Jersey Department of Transportation Grant

**Contract Period:** Three hundred sixty-five (365) consecutive calendar days from issuance of a formal 'Notice to Proceed'

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

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

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

**Addition Information:**

Funding from the following Budget Lines:

Fund 051, Dept. G12, Project E12F0, Account 71280, Budget Year B2012

**WHEREAS**, the Division of Traffic and Signals, Department of Engineering, City of Newark, is in need of Engineering Services relating to the McClellan Street Underpass Roadway and Drainage Improvements - Final Design; and

**WHEREAS**, the engineering services are Professional Services, which are exempt from the requirements of public bidding pursuant to the Local Public Contracts Law, NJSA 40A:11-5 (1)(a)(i); and

**WHEREAS**, pursuant to the fair and open process of the State of New Jersey Pay-to-Play Law, N.J.S.A. 19:44A-20.5, the Division of Traffic and Signals, Department of Engineering, City of Newark, publicly advertised a Request for Proposal (RFP) on July 11, 2011, July 18, 2011 and July 25, 2011, for the McClellan Street Underpass Roadway and Drainage Improvements - Final Design; and

**WHEREAS**, on August 9, 2011, six (6) firms submitted their responses to the Request for Proposal (RFP); and

**WHEREAS**, a selection committee of personnel from the Department of Engineering, Department of Water and Sewer Utilities, New Jersey Department of Transportation (NJDOT) and the North Jersey Transportation Planning Authority, evaluated the six (6) proposals received and selected Parsons Brinckerhoff, Inc., Two Gateway Center, 18th Fl., Newark, New Jersey 07102, for the McClellan Street Underpass Roadway and Drainage Improvements - Final Design, because their proposal was unanimously selected by the selection committee for Quality and Presentation of the Proposal, Project Understanding and Overall Project Team Experience; and

**WHEREAS**, the City of Newark received notice on October 6, 2011 from the New Jersey Department of Transportation (a copy of the NJDOT authorization letter is attached hereto and made a part hereof) that it was authorized to enter into an agreement with Parsons Brinckerhoff, Inc. for the McClellan Street Underpass Roadway and Drainage Improvements - Final Design; and

**WHEREAS**, the Director of the Department of Engineering desires to award a contract based upon the proposal submitted by Parsons Brinckerhoff, Inc., Two Gateway Center, 18th Fl., Newark, New Jersey 07102, for the McClellan Street Underpass Roadway and Drainage Improvements - Final Design, in the amount not to exceed \$1,091,849.92.

**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, are hereby authorized on behalf of the City of Newark to award a contract based upon the proposal dated August 9, 2011, and revised August 18, 2011, and revised December 19, 2011, which were submitted by Parsons Brinckerhoff, Inc., Two Gateway Center, 18th Fl., Newark, New Jersey 07102, and execute Contract No. 06-2012PS, for the McClellan Street Underpass Roadway and Drainage Improvements - Final Design, in the amount not to exceed \$1,091,849.92.
2. Attached hereto is a Certification of Funds issued by the Chief Financial Officer, City of Newark, which states that there are available sufficient legally appropriated funds for the purpose set forth hereinabove. A copy of the Certification of Funds issued shall be filed in the Office of the City Clerk by the Director of the Department of Engineering together with this resolution.
3. No changes to this contract are allowed without prior Municipal Council approval.
4. A fully executed copy of the contract shall be filed in the Office of the City Clerk by the Director of the Department of Engineering and available for inspection.
5. This contract is to be completed within a period of three hundred sixty-five (365) consecutive calendar days from issuance of a formal 'Notice to Proceed' by the Director of the Department of Engineering.
6. The Request for Proposal process under the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1, complies with the Fair and Open Process of the State of New Jersey Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.5, and is in compliance with Executive Order MEO-07-0001, effective March 31, 2007.
7. There shall be no advance payments made against this contract in accordance with N.J.S.A. 40A:5-16.
8. Funds for this contract in the amount of \$1,091,849.92 are from the following budget lines:

Fund 051, Dept. G12, Project E12F0, Account 71280, Budget Year B2012

9. A notice of this action shall be placed in the newspaper as required by law within ten (10) days of the adoption of this resolution.

**STATEMENT**

This resolution authorizes the Mayor and/or his designee, the Director of the Department of Engineering, to enter into and execute Contract No. 06-2012PS with Parsons Brinckerhoff, Inc., Two Gateway Center, 18th Fl., Newark, New Jersey 07102, to provide the McClellan Street Underpass Roadway and Drainage Improvements - Final Design, for a period of three hundred sixty-five consecutive calendar days from issuance of a formal 'Notice to Proceed' by the Director of the Department of Engineering in an amount not to exceed \$1,091,849.92.