



## Legislation Text

File #: 18-1750, Version: 1

**Dept/ Agency:** Engineering

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

**Type of Service:** Professional Services Contract

**Purpose:** Second Amendment to extend Contract #06-2015PS, at no additional cost, to conduct a comprehensive Stormwater Utility Feasibility Study in the City of Newark

**Entity Name:** Black & Veatch Management Consulting, LLC

**Entity Address:** 11401 Lamar Avenue, Overland Park, Kansas 66211

**Contract Amount:** Maximum amount not to exceed \$244,435.00

**Funding Source:** 2016 Budget/ Water and Sewer Utilities

**Contract Period:** Extend term of the contract to October, 31 2016 through October 31, 2019

**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:**

Resolution 7R4-a adopted on July 7, 2016 authorizing Contract #06-2015PS with Black & Veatch Management Consulting, LLC.

Resolution 7R3-a(s) adopted on November 21, 2017 authorizing first amended contract to extend Contract #06-2015PS

**WHEREAS**, Resolution 7R4-a, adopted on July 7, 2016, authorized the Mayor and/or his designee, the Director of Engineering, on behalf of the City of Newark (the "City") to enter into and execute a Professional Services Contract #06-2015PS, Development of Stormwater Utility Fee, with Black & Veatch Management Consulting, LLC ("Black & Veatch"), 11401 Lamar Avenue, Overland Park, Kansas 66211, to conduct a Comprehensive Stormwater Utility Feasibility Study in the City of Newark, for the purpose of evaluating the City's ability to create and implement a Stormwater Utility to more effectively manage and maintain Newark's stormwater infrastructure, for a one year term from the issuance of a Notice to Proceed, for the maximum amount not to exceed \$244,435.00; and

**WHEREAS**, the Department of Engineering issued a formal Notice to Proceed on October 31, 2016, as the effective date of the contract and terminating on October 31, 2017; and

**WHEREAS**, on November 21, 2017, the Municipal Council adopted Resolution 7R3-a(s), ratifying and authorizing an extension of the contract term from October 31, 2016 through October 31, 2017, to October 31, 2016 through October 31, 2018; and

**WHEREAS**, due to continued unforeseen delays, gathering and analyzing information essential to completing the tasks identified in the scope of work, the Director of the Department of Engineering and Black & Veatch both agree that a time extension is necessary to complete the project at no additional cost; and

**WHEREAS**, in accordance with N.J.S.A. 40A:11-15(9), the Director of the Department of

Engineering desires to amend Contract #06-2015PS to extend the contract term from October 31, 2016 through October 31, 2018, to October 31, 2016 through October 31, 2019, to account for project completion at no additional cost to the City of Newark.

**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 Engineering is hereby authorized to enter into and execute a Second Amendment to Contract #06-2015PS Development of Stormwater Utility Fee, in the form attached hereto, with Black & Veatch Management Consulting, LLC, 11401 Lamar Avenue, Overland Park, Kansas 66211, to extend the term from October 31, 2016 through October 31, 2017, to October 31, 2016 through October 31, 2019, with no additional cost to the City.
2. The Municipal Council hereby ratifies the contract amendment from July 7, 2016 to the date of adoption of this authorizing resolution.
3. All other terms and conditions of Contract 06-2015PS Development of Stormwater Utility Fee, shall remain in force and effect until the contract is completed.
4. A fully executed copy of the Second Amendment to Contract 06-2015PS Development of Stormwater Utility Fee, shall be filed in the Office of the City Clerk by the Director of the Department of Engineering and/or his designee.
5. Sufficient funds for this contract have been certified by the Director of Finance. A copy of the Certification of Funds issued shall be filed in the Office of the City Clerk together with this resolution by the Director of the Department of Engineering
6. No further amendments or modifications to this amended contract shall be permitted without prior Municipal Council approval.

**STATEMENT**

This resolution hereby ratifies and authorizes the Mayor and/or his designee, the Director of the Department of Engineering, to enter into and execute a Second Amendment to Contract #06-2015PS Development of Stormwater Utility Fee, with Black & Veatch Management Consulting, LLC, 11401 Lamar Avenue, Overland Park, Kansas 66211 to extend the term of the contract from October 31, 2016 through October 31, 2017, to October 31, 2016 through October 31, 2019, with no additional cost to the City.