



Legislation Details (With Text)

File #: 14-1954 **Version:** 1 **Name:** Delancy Street between Avenue I and Rutherford Street Accept Funds and Agreement Mod # 1
Type: Resolution **Status:** Filed
File created: 11/17/2014 **In control:** Engineering
On agenda: 12/17/2014 **Final action:** 12/17/2014

Title: Dept/ Agency: Engineering
Action: (x) Ratifying (X) Authorizing (X) Amending
Type of Service: Amending Resolution accepting additional grant funds Purpose: Apply, Accept Grant Funding and Agreement Modification
Entity Name: City of Newark
Entity Address: 920 Broad Street, Newark, New Jersey 07102
Grant Amount: \$201,515.00
Funding Source: NJDOT
Total Project Cost: \$1,401,505.00
City Contribution: \$0
Other Funding Source/Amount: N/A
Contract Period: N/A
Contract Basis: () Bid () State Vendor () Prof. Ser. () EUS
() Fair & Open () No Reportable Contributions () RFP () RFQ
() Private Sale (X) Grant () Sub-recipient () n/a
Additional Information:
Grant award increased by \$201,515.00 and acceptance and extension of time of contract term to September 13, 2016.

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
12/17/2014	1	Municipal Council	Adopt	Pass

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September 13, 2016.

WHEREAS, Resolution 7R4-C adopted January 5, 2011, applied and accepted grant funds in the amount of \$1,199,990.00, from the New Jersey Department of Transportation for the design of Delancy Street between Avenue I and Rutherford Street; and

WHEREAS, Resolution No. 7R4-D adopted January 19, 2012, authorized the Mayor and/or his designee, the Director of the Department of Engineering to execute Cost Reimbursement Agreement No. 2011-DT-BLA-220 for the Newark City, Delancy Street(Final Design), City of Newark, Essex County, STP-7621(101)PE with the New Jersey Department of Transportation; and

WHEREAS, during the Preliminary Engineering Phase, the Department of Engineering concluded that the scope of work must be expanded to address unanticipated conditions. The extra scope of work relates to three categories: Stormwater Management; Outfall East of Turnpike and Right-of-Way Acquisitions, all of which are necessary to complete the project and the final design. The additional scope of work includes soil testing to meet NJDEP's Stormwater Management Rules (N.J.A.C. 7:8), additional design, survey work and permits for the stream cleaning, and design work for the Right-of-Way Acquisition; and

WHEREAS, as a result of the foregoing, the City of Newark requires additional funds for the design of Delancy Street between Avenue I and Rutherford Street; and

WHEREAS, on November 10, 2014, 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 advising that the Federal Highway Administration had authorized an additional \$201,515.00, for the additional scope of work for the design of Delancy Street between Avenue I and Rutherford Street, with no City funds required; and

WHEREAS, the Director of the Department of Engineering seeks ratification of the application and authorization to accept the additional grant award; and

WHEREAS, the City of Newark wishes to enter into an Agreement Modification #1 to Cost Reimbursement Agreement No. 2011-DT-BLA-220, termed Federal Aid Agreement, with New Jersey Department of Transportation, Division of Local Aid and Economic Development for the Newark City, Delancy Street(Final Design); and

WHEREAS, as part of the Agreement Modification #1 to the Cost Reimbursement Agreement No. 2011-DT-BLA-220, all allowable costs incurred for the performance of work in the attached Scope of Work in this Cost Reimbursement Agreement shall be eligible for reimbursement from the effective date of September 13, 2010 and all such work shall be completed by the amended date of September 13, 2016, for the Newark City, Delancy Street(Final Design), City of Newark, Essex County, STP-7621(101)PE; and

WHEREAS, the City of Newark wishes to appoint the Mayor and/or his designee, the Director of the Department of Engineering, to act as the authorized person to execute the Agreement Modification #1 to the Cost Reimbursement Agreement No. 2011-DT-BLA-220 which results in an amended acceptance of a grant award in the amount of \$1,401,505.00 for the Newark City, Delancy Street (Final Design), City of Newark, Essex County, STP-7621(101) PE.

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 to accept from the New Jersey Department of Transportation additional grant funding in the amount of \$201,515.00 for the design of Delancy Street between Avenue I and Rutherford Street, with no City funds required, which results in an amended acceptance of a grant award in the amount of \$1,401,505.00 and an extension of the grant contract term to September 13, 2016.
2. The additional grant award in the amount of \$201,515.00 from the New Jersey Department of Transportation is hereby accepted (a copy of the authorization letter is attached hereto and made a part hereof).
3. The Mayor and/or his designee, the Director of the Department of Engineering, are hereby authorized on behalf of the City of Newark to execute Agreement Modification #1 to the Cost Reimbursement Agreement No. 2011-DT-BLA-220 to accept funds provided in the amount of \$201,515.00 for the Newark City, Delancy Street(Final Design), City of Newark, Essex County, STP-7621(101)PE as per terms and conditions of the Cost Reimbursement Agreement, between the City of Newark and New Jersey Department of Transportation.
4. The Director of Department of Engineering shall file a fully-executed copy of the grant application, the grant award letter and the grant agreement in the Office of the City Clerk.

STATEMENT

This resolution ratifies and authorizes the Mayor and/or his designee, the Director of the Department of Engineering, to apply and accept additional grant funds in the amount of \$201,515.00, bringing the total grant award to \$1,401,505.00, from the New Jersey Department of Transportation, for the design of Delancy Street between Avenue I and Rutherford Street. No municipal funds are required for receipt or acceptance of this grant award.