



Legislation Details (With Text)

File #: 15-2019 **Version:** 1 **Name:** Delancy St Final Design, Change Order # 4
Type: Resolution **Status:** Filed
File created: 10/23/2015 **In control:** Engineering
On agenda: 1/20/2016 **Final action:** 1/20/2016
Title: Dept/ Agency: Engineering
Action: ☒ Ratifying ☒ Authorizing ☐ Amending
Type of Service: Professional Services Contract
Purpose: Change Order No.4, Delancy Street Roadway Improvements, Final Design, Contract No. 06-2011PS
Entity Name: Michael Baker Jr., Inc.
Entity Address: One Gateway Center, Suite 2330, Newark, New Jersey 07102
Contract Amount: \$1,394,352.00
Funding Source: Department of Engineering Budget 2015
Contract Period: One (1) year extension of the term of the contract, from November 1, 2015 through November 1, 2016
Contract Basis: ☐ Bid ☐ State Vendor ☒ Prof. Ser. ☐ EUS
☐ Fair & Open ☐ No Reportable Contributions ☐ RFP ☐ RFQ
☐ Private Sale ☐ Grant ☐ Sub-recipient ☐ n/a
Addition Information:
A one (1) year extension of the term of the contract from November 1, 2015 through November 1, 2016, at no additional cost to the City of Newark.
Sponsors: Council of the Whole
Indexes:
Code sections:

Date	Ver.	Action By	Action	Result
1/20/2016	1	Municipal Council	Adopt	Pass

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Addition Information:
A one (1) year extension of the term of the contract from November 1, 2015 through November 1, 2016, at no additional cost to the City of Newark.

WHEREAS, Resolution. 7R4-C, adopted September 8, 2011, authorized the Director of the Department of Engineering to accept the proposal submitted by Michael Baker Jr. Inc., One Gateway Center, Suite 2330, Newark, New Jersey 07102, and execute Contract No. 06-2011PS, for the Delancy Street Roadway Improvements, Final Design Project, in the amount not to exceed \$1,192,837.00; and

WHEREAS, the original contract term was 365 days from the effective date of the issuance of the Notice to Proceed, from November 3, 2011 through November 2, 2012; and

WHEREAS, Resolution 7R4-A, adopted January 16, 2013, authorized the Director of the Department of Engineering to issue and execute Change Order No. 1/Contract Amendment, to Contract No. 06-2011PS, for the Delancy Street Roadway Improvements, Final Design Project, which authorized a one (1) year extension of term of the contract, from November 3, 2012 to November 2, 2013; and

WHEREAS, Resolution 7R4-A, adopted March 5, 2014, authorized the Director of the Department of Engineering to issue and execute Change Order No. 2/Contract Amendment, to Contract No. 06-2011PS, for the Delancy Street Roadway Improvements, Final Design Project, for a one (1) year extension of the contract term, from November 2, 2013 to November 1, 2014; and

WHEREAS, Resolution 7R4-F, adopted June 17, 2015, authorized the Director of the Department of Engineering to issue and execute Change Order No. 3/Contract Amendment, to Contract No. 06-2011PS, for the Delancy Street Roadway Improvements, Final Design Project, for a one (1) year extension of the contract term, from November 1, 2014 to November 1, 2015, and an increase in the contract amount by \$201,515.00, thereby bringing the total contract amount to \$1,394,352.00; and

WHEREAS, as a result of the following unforeseen delays, an extension of time is required ("Fourth Extension") in order to complete the design of the Delancy Street Roadway Improvements and commence construction, in accordance with a proposed, revised project schedule:

1. The current design requires two feet takes to correct two horizontal curves to meet current design standards. This will require environmental and hazardous waste studies.
2. There are several utilities and construction easements required for construction.
3. Driveway access impacts that require access drawings and discussions with property owners.
4. Underground conflicts between proposed drainage design and existing utilities that will need underground test pits.
5. Additional coordination between stakeholders.

WHEREAS, the Director of the Department of Engineering requests an extension of the contract term for an additional year, from November 1, 2015 to November 1, 2016, with such additional extensions as may be required to complete the actual construction of the project, as permitted by the Local Public Contracts Law, N.J.S.A. 40A:11-15 (9), subject to Municipal Council approval; and

WHEREAS, the award of this Change Order is in accordance with the procedures for the award of a professional service contract of Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.,

and the non-fair and open procedures of the New Jersey Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.5, and is in compliance with the City of Newark Contractor Pay-to-Play Reform Ordinance, 6PSF-a, August 1, 2012.

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. 4 and execute a Contract Amendment for a one (1) year extension of the term of Contract No. 06-2011PS, for the Delancy Street Roadway Improvements, Final Design Project, from November 1, 2015 to November 1, 2016, at no additional cost to the City of Newark.
2. The Municipal Council hereby ratifies the contract extension from November 1, 2015 to the date of adoption of this authorizing resolution.
3. A fully executed copy of Change Order No. 4/Contract Amendment to Contract No. 06-2011PS, shall be filed in the Office of the City Clerk by the Director of Engineering.
4. No other changes to this contract are allowed without prior Municipal Council approval.
5. Any further extensions, as may be permitted by N.J.S.A. 40A:11-15(9), are subject to Municipal Council approval.
6. The award of this Change Order is in accordance with the procedures for the award of a professional service contract of Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., and the non-fair and open procedures of the New Jersey Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.5, and is in compliance with the City of Newark Contractor Pay-to-Play Reform Ordinance, 6PSF-a, August 1, 2012.
7. Notice of this Change Order for a professional services contract, in accordance with N.J.S.A. 40A:11-5 (1)(a)(i), shall be published in the official newspaper of the municipality, which notice shall be filed in the Office of the City Clerk for inspection by the public.

STATEMENT

This Resolution authorizes and ratifies the Mayor and/or his designee and the Director of the Department of Engineering, to issue and execute Change Order No.4/Contract Amendment to Contract No. 06-2011PS, for the Delancy Street Roadway Improvements, Final Design Project, for a one (1) year extension to the contract term, from November 1, 2015 to November 1, 2016, at no additional cost to the City of Newark.