



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 14-0045, Version: 1

Dept/ Agency: Engineering

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

Type of Service: Professional Services Contract

Purpose: Delancy Street Roadway Improvement, Final Design Project Change Order #2,
Contract Amendment for Extension of Time

Entity Name: Michael Baker, Jr. Inc.

Entity Address: One Gateway Center, Suite 2330, Newark, New Jersey 07102

Contract Amount: Original Contract amount not to exceed \$1,192,837.00

Funding Source: N/A

Contract Period: November 1, 2014

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

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

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

Addition Information:

Extending term of contract one (1) additional year, November 2, 2013 to November 1, 2014, at no additional cost to City of Newark.

Contract No. 06-2011PS, for the Delancy Street Roadway Improvements, Final Design Project

WHEREAS, Resolution No. 7R4-C, adopted September 8, 2011, authorized the Director of the Department of Engineering to accept the proposal dated August 9, 2010 and revised August 23, 2010 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, or November 3, 2011 through November 2, 2012; and

WHEREAS, Resolution No. 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, as a result of the following unforeseen delays, an extension of time is required 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 the acquisition in fee, of the real property necessary to correct two horizontal curves to meet current design standards. The additional fee taking, not originally anticipated will then necessitate environmental and hazardous

waste studies.

2. There are several utilities and construction easements to be obtained which are also required for construction, which were not original anticipated.
3. Additional driveways/access impacts that require access drawings and discussions/negotiations with property owners.
4. Underground conflicts between proposed drainage design and existing utilities that will need additional review and underground test pits.
5. Additional coordination between stakeholders, including property owners and public agencies (NJTA, NJDOT and utility companies).

WHEREAS, the Director of the Department of Engineering requests an extension of the contract term for an additional year, from November 2, 2013 to November 1, 2014, with such additional extensions as required to complete the actual construction of the project, as permitted by the Local 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 Executive Order on Pay-to-Play Reform (MEO-07-0001) and the 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 the Director of the Department of Engineering, is hereby authorized on behalf of the City of Newark to issue Change Order No. 2 and execute a Contract Amendment for a one (1) year extension of the term of Contract No. 06-2011PS, with Michael Baker, Jr. Inc., One Gateway Center, Suite 2330, Newark, New Jersey 07102, for the Delancy Street Roadway Improvements, Final Design Project, from November 2, 2013 to November 1, 2014, with no additional cost to the City of Newark.
2. The Municipal Council hereby ratifies the contract extension from November 2, 2013 to the date of adoption of this authorizing resolution.
3. A fully executed copy of Change Order No. 2/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 Executive Order on Pay to pLay Reform (MEO-0001-007) and the 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 ratifies and authorizes the Mayor, and/or his designee, the Director of the Department of Engineering, to issue and execute Change Order No. 2/Contract Amendment to Contract No. 06-2011PS, with Michael Baker, Jr., Inc., One Gateway Center, Suite 2330, Newark, New Jersey 07102, for the Delancy Street Roadway Improvements, Final Design Project, for a one (1) year extension of the term of the contract, from November 2, 2013 to November 1, 2014, at no additional cost to the City of Newark..