



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

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File #: 15-0131, Version: 1

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**Dept/ Agency:** Engineering

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

**Type of Service:** Professional Services Contract

**Purpose:** McClellan Street Underpass Roadway and Drainage Improvements Final Design, Change Order No. 2

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

**Entity Address:** 2 Gateway Center, 18th Floor, Suite 1803, Newark, New Jersey 07102

**Contract Amount:** \$0.00

**Funding Source:** N/A

**Contract Period:** Extends the contract period until February 1, 2016

**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:**

Amending Contract No. 06-2012PS extending the term of the contract, from January 16, 2013 through February 1, 2014 to January 16, 2013 through February 1, 2016. No increase in the original contract dollar amount of \$1,091,849.92.

Resolution 7R4-C adopted May 18, 2011 (Original contract \$3,188,600.00)

**WHEREAS**, Resolution 7R4-B, adopted October 17, 2012, authorized the Director of the Department of Engineering to accept the bid proposal and execute Contract No. 06-2012PS, McClellan Street Underpass Roadway and Drainage Improvements Final Design, with Parsons Brinckerhoff, Inc., 2 Gateway Center, 18th Floor, Suite 1803, Newark, New Jersey 07102 , for the amount of \$1,091,849.92; and

**WHEREAS**, a 'Notice to Proceed' was issued dated January 16, 2013, specifying January 16, 2013 as the effective date of the contract, terminating on January 15, 2014; and

**WHEREAS**, Resolution 7R4-B, adopted March 5, 2014, authorized the Director of the Department of Engineering to issue and execute Change Order No. 1/Contract Amendment No. 1, to Contract #06-2012PS, McClellan Street Underpass Roadway and Drainage Improvements Final Design for a one (1) year extension of term of the contract, from January 16, 2013 through February 1, 2014 to January 16, 2013 through February 1, 2016; and

**WHEREAS**, as result of delays in acquiring the necessary design agreements from AMTRAK to allow the consultant to do any field investigations within AMTRAK Right-of-Way, which needs to be done before any design concepts to lower the McClellan Street profile can be developed, the Department of Engineering requires that the expiration of the contract be extended until February 1, 2016; and

**WHEREAS**, the Director of the Department of Engineering and the contractor, Bismark Construction Corporation agree that a time extension is necessary for the additional work needed to complete the Project; and

**WHEREAS**, the attached Change Order No. 2 to Contract No. 06-2012PS, McClellan Street Underpass Roadway and Drainage Improvements Final Design, extends the contract period from January 16, 2013 through February 1, 2014 to January 16, 2014 through February 1, 2016 with no increase in the original contract dollar amount.

**WHEREAS**, the Director of the Department of Engineering recommends the time extension of the contract and certifies that the work is being performed in an efficient and effective manner; and

**WHEREAS**, the term of a public works contract, including contracts for professional services may be extended for such time as necessary for the completion of actual construction, pursuant to the Local Public Contracts Law, *N.J.S.A. 40A:11-15(9)*.

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, 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 enter into and execute a Second Amendment to Contract No. 06-2012PS, McClellan Street Underpass Roadway and Drainage Improvements Final Design, extending the contract period from January 16, 2013 through February 1, 2014 to January 16, 2013 through February 1, 2016 with no increase in the original contract dollar amount.
2. The Municipal Council hereby ratifies this contract amendment from February 1, 2014 to the date of the adoption of this resolution.
3. All other terms and conditions of Contract No. 06-2012PS, McClellan Street Underpass Roadway and Drainage Improvements Final Design shall apply and remain in force till the contract is completed.
4. A fully executed copy of Change Order No. 2 to Contract No. 06-2012PS, shall be filed in the Office of the City Clerk by the Director of Engineering.
5. No further amendments or modifications to this amended contract shall be permitted without prior Municipal Council approval.
6. This contract amendment is in compliance with the provisions of the Local Public Contracts Law *N.J.S.A. 40A:11-15(9)* and pursuant to the New Jersey Local Unit Pay-to-Play Law, *N.J.S.A. 19:44-20*, and in compliance with Executive Order (MEO-07-0001) effective March 31, 2007.

#### **STATEMENT**

This Resolution authorizes the Mayor and/or his designee and the Director of the Department of Engineering to enter into and execute a Second Amendment to Contract No. 06-2012PS, McClellan Street Underpass Roadway and Drainage Improvements Final Design, extending the contract period from January 16, 2013 through February 1, 2014 to January

16, 2013 through February 1, 2016 with no increase in the original contract dollar amount.