



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 15-0795, Version: 1

Dept/ Agency: Engineering

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

Type of Service: Professional Services Contract

Purpose: Delancy Street Roadway Improvements, Final Design Project, Change Order No. 3 to Contract No. 06-2011PS

Entity Name: Michael Baker Jr., Inc.

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

Contract Amount: Increased by \$201,515.00 (Change Order Amount) thereby bringing the total amount of this contract to \$1,394,352.00

Funding Source: NJDOT/FHWA

Contract Period: Extended to November 1, 2014 to November 1, 2015

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

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

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

Addition Information:

Original contract-\$1,192,837.00 + Change Order #3 - \$201,515.00= New Contract Total-\$1,394.352.00. Note: Change Orders 1 & 2 extended the dates of completion.

WHEREAS, Resolution 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 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 term of the contract, from November 2, 2013 to November 1, 2014; and

WHEREAS, additional design work was identified that was not anticipated under the original scope of work, which is required in order to complete 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, the City of Newark required 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, which was accepted by Resolution 7R4-c December 17, 2014; and

WHEREAS, the City of Newark desires to increase the contract amount by \$201,515.00, thereby bringing the total amount of this contract to \$1,394,352.00; and

WHEREAS, the Director of the Department of Engineering requests an extension of the contract term for an additional year, from November 1, 2014 to November 1, 2015, 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.

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, are hereby authorized on behalf of the City of Newark to issue Change Order No. 3 to Contract No. 06-2011PS, for the Delancy Street Roadway Improvements, Final Design Project, with Michael Baker Jr., Inc., One Gateway Center, Suite 2330, Newark, New Jersey 07102, extending the contract period from November 1, 2014 to November 1, 2015 and increasing the contract amount by \$201,515.00, thereby bringing the total amount of this contract to \$1,394,352.00.
2. The Municipal Council hereby ratifies Change Order No.3 /Contract Amendment to Contract No. 06-2011PS, from November 1, 2014 to the date of adoption of this authorizing resolution.
3. A fully executed copy of Change Order No. 3/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. Funds for Change Order No. 3 to Contract No. 06-2011PS, in the amount of \$201,515.20 is provided as below:

Fund: NW051, Dept.: G15, Project: E1510, Account: 71280, Budget Year: B2015

7. 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.

8. 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 the Mayor and/or his designee and 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 term of the contract, from November 1, 2014 to November 1, 2015 and to increase contract amount by \$201,515.00, thereby bringing the total amount of this contract to \$1,394,352.00.