Legislation Text

File #: 17-1172, **Version:** 1

Dept/ Agency: Water and Sewer Utilities
Action: ( ) Ratifying (X) Authorizing ( ) Amending
Type of Service: Intergovernmental Agreement
Purpose: Utility Engineering and Construction Agreement Maintenance Bridge Fender Replacement Contract 2017-3
Entity Name: New Jersey Department of Transportation
Entity Address: Post Office Box 600, Trenton, New Jersey 08625-0600
Contract Amount: N/A
Funding Source: New Jersey Department of Transportation
Contract Period: Until Completion of State Project
Contract Basis: ( ) Bid ( ) State Vendor ( ) Prof. Ser. ( ) EUS
( ) Fair & Open ( ) No Reportable Contributions ( ) RFP ( ) RFQ
( ) Private Sale ( ) Grant ( ) Sub-recipient (X) n/a
Additional Information:
No municipal funds are required or will be spent under this agreement

WHEREAS, the State of New Jersey, through the New Jersey Department of Transportation (NJDOT or State) is in a process to undertake the design and construction of Maintenance Bridge Fender Replacement Contract 2017-3 located in Kearny Township, Jersey City, Newark City, East Rutherford Borough, Secaucus Township, Little Ferry Borough and Ridgefield Park Village, in Hudson, Essex and Bergen Counties, hereinafter called the “Project”; and

WHEREAS, the State Project may require the protection, relocation, rearrangement or adjustment of existing utility facilities, and the construction of new facilities, of the Water and Sewer System owned and operated by the City of Newark (City); and

WHEREAS, the City’s legal right to occupy the public right-of way, subject to the conditions imposed by NJDOT, is in no way changed or mitigated by this Agreement; and

WHEREAS, the City of Newark is not obligated, under State law or by this Agreement, to relocate its own facilities at its own expense for this type of State Project; and

WHEREAS, the provisions of the State’s Accommodation of Utilities within Highway Right-of-Way N.J.A.C. 16:25 and Code of Federal Regulations, 23 C.F.R. 645, Subpart B are applicable; and

WHEREAS, the State will supply the City with a copy of the contract plans and specifications once the State Project is advertised; and

WHEREAS, the City shall cooperate with the State in developing plans and cost estimates for the work necessitated by the State Project and the City shall designate a responsible representative, from its Department of Water and Sewer Utilities, to coordinate its efforts with those of the State.

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 Water and Sewer Utilities, are hereby authorized on the behalf of the City of Newark to enter into a Utility Relocation Agreement with the New Jersey Department of Transportation (NJDOT) for the purpose of Maintenance Bridge Fender Replacement Contract 2017-3 located in Kearny Township, Jersey City, Newark City, East Rutherford Borough, Secaucus Township, Little Ferry Borough and Ridgefield Park Village, in Hudson, Essex and Bergen Counties.

2. A fully executed copy of this Agreement shall be filed in the Office of the City Clerk by the Director of Water and Sewer Utilities.

3. No changes shall be made to the terms and conditions of this Agreement without prior Municipal Council approval.

4. No municipal funds are required or will be spent under this Agreement or for this State Project. However, the State will reimburse the City for any costs incurred by the City, which are necessary to accomplish this State Project.

STATEMENT

This resolution authorizes the Mayor and/or his designee, Director of the Department of Water and Sewer Utilities, to enter into a Utility Relocation Agreement with the New Jersey Department of Transportation (NJDOT) for the protection, relocation, rearrangement, adjustment and/or replacement of the utility facilities of the City's existing Water and Sewer System, and the construction of new facilities, as may become necessary during the State's Project to make improvements on the Maintenance Bridge Fender Replacement Contract 2017-3 located in Kearny Township, Jersey City, Newark City, East Rutherford Borough, Secaucus Township, Little Ferry Borough and Ridgefield Park Village, in Hudson, Essex and Bergen Counties.

powered by Legistar™