



Legislation Text

File #: 23-0064, Version: 1

Dept/ Agency: Engineering

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

Type of Service: Grant Agreement

Purpose: Amend Resolution 7R3-c(AS) adopted on November 8, 2018 and Accept Grant Funding and Agreement Modification #1 from New Jersey Department of Transportation (NJDOT) for Delancy Street Drainage, Traffic and Roadway Improvements (Final Design) project.

Entity Name: State of New Jersey, Department of Transportation, Local Aid and Economic Development

Entity Address: 1035 Parkway Avenue, Trenton, New Jersey 08625

Grant Amount: \$345,490.61

Funding Source: State of New Jersey, Department of Transportation, Local Aid and Economic Development

Total Project Cost: \$936,313.61

City Contribution: \$0.00

Other Funding Source/Amount: Not Applicable

Grant Period: April 6, 2018 through January 31, 2025

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

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

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

List of Property: (if applicable)

(Address/Block/Lot/Ward)

Additional Information:

This Resolution modifies Resolution 7R3-c(AS) adopted on November 8, 2018, to accept additional funds and extend the contract term of Cost Reimbursement Agreement #2018-DT-BLA-FEP-204 to January 31, 2025.

The acceptance of these funds would bring the total grant award to \$936,313.61.

WHEREAS, the City of Newark, Department of Engineering (the "City"), through a Federally Funded Local Scoping process has determined Delancy Street, which is located in Newark's East Ward, is in need of complete reconstruction between Avenue I and Avenue P; and

WHEREAS, during the Preliminary Engineering Phase of the Project it was determined the scope of work must be expanded to address unanticipated conditions in: (1) Stormwater Management; (2) Outfall East of Turnpike; and (3) Right-of-Way Acquisitions, all of which are necessary to complete the Project and the final design; and

WHEREAS, on June 18, 2018, the City received a letter (a copy of the authorization letter is attached hereto and made a part hereof) from New Jersey Department of Transportation (NJDOT) authorizing a Fund Exchange Program -Cost Reimbursement Agreement #2018-DT-BLA-FEP-204 in the amount of Five Hundred Ninety Thousand Eight Hundred Twenty-Three Dollars and Zero Cents (\$590,823.00) to complete the Delancy Street Drainage, Traffic and Roadway Improvements (Final

Design) Project; and

WHEREAS, due to unforeseen circumstances, the Delancy Street final design efforts were halted for several years, and were reinitiated on or about January 19, 2021. As a result of this delay, the contracted design firm, Michael Baker International, Inc., has identified several additional tasks not included in the original scope of work which are required to complete the final design (a copy of the revised technical proposal is attached hereto). These tasks include the preparation of new permit applications, supplemental surveys due to outdated base mapping, updated final roadway plans due to changes in the existing conditions, among other revisions to the original scope of work; and

WHEREAS, as a result of the foregoing, the City requires additional funds for the Delancy Street Roadway Improvement (Final Design), in the amount of Three Hundred Forty-Five Thousand Four Hundred Ninety Dollars and Sixty-One Cents (\$345,490.61); and

WHEREAS, on August 8, 2022, the City sent a letter (a copy of the letter is attached hereto and made a part hereof) to New Jersey Department of Transportation (NJDOT) to request additional funds for the Delancy Street Roadway Improvement (Final Design); and

WHEREAS, without the need for an application, on February 15, 2023, the City received a letter (a copy of the authorization letter is attached hereto and made a part hereof) from NJDOT authorizing the additional funds in the amount of Three Hundred Forty-Five Thousand Four Hundred Ninety Dollars and Sixty-One Cents (\$345,490.61), as well as an extension of the contract term of Cost Reimbursement Agreement #2018-DT-BLA-FEP-204 to January 31, 2025, for the Delancy Street Drainage, Traffic and Roadway Improvements (Final Design) Project; and

WHEREAS, the City wishes to accept these funds and enter into Agreement Modification #1 (a copy of the Agreement Modification letter is attached hereto and made a part hereof), of Cost Reimbursement Agreement #2018-DT-BLA-FEP-204, with the New Jersey Department of Transportation, Local Aid and Economic Development, for additional grant funding in the amount of Three Hundred Forty-Five Thousand Four Hundred Ninety Dollars and Sixty-One Cents (\$345,490.61), amending the total grant amount to Nine Hundred Thirty-Six Thousand Three Hundred Thirteen Dollars and Sixty-One Cents (\$936,313.61) for the Delancy Street Drainage, Traffic and Roadway Improvements (Final Design) Project; and

WHEREAS, as part of the Agreement Modification #1, all allowable costs incurred for the performance of work in the attached Scope of Work shall be eligible for reimbursement from the effective date of April 6, 2018 and all such work shall be completed by the amended date of January 31, 2025, for the Delancy Street Drainage, Traffic and Roadway Improvements (Final Design) Project; and

WHEREAS, the City wishes to appoint the Mayor of the City of Newark and/or his designee, the Acting Director of the Department of Engineering to act as the authorized person to execute the Agreement Modification #1 to Cost Reimbursement Agreement #2018-DT-BLA-FEP-204, which results in the amended acceptance of a grant award in the amount of Nine Hundred Thirty-Six Thousand Three Hundred Thirteen and Sixty-One Cents (\$936,313.61) for the City of Newark, Delancy Street Drainage, Traffic and Roadway Improvements (Final Design) Project.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF

NEWARK, NEW JERSEY, THAT:

1. The Mayor of the City of Newark and/or his designee, the Acting Director of the Department of Engineering, are hereby authorized to accept from the New Jersey Department of Transportation additional grant funding in the amount of Three Hundred Forty-Five Thousand Four Hundred Ninety Dollars and Sixty-One Cents (\$345,490.61) for the final design of Delancy Street between Avenue I and Avenue P, with no funds required, which results in an amended acceptance of a grant award in the amount of Nine Hundred Thirty-Six Thousand Three Hundred Thirteen Dollars and Sixty-One Cents (\$936,313.61) and an extension of the grant contract term to January 31, 2025.
2. The additional grant award in the amount of Three Hundred Forty-Five Thousand Four Hundred Ninety Dollars and Sixty-One Cents (\$345,490.61) from New Jersey Department of Transportation (NJDOT) is hereby accepted (a copy of the agreement is attached hereto and made a part hereof).
3. The Mayor of the City of Newark and/or his designee, the Acting Director of the Department of Engineering are hereby authorized on behalf of the City of Newark to enter into and execute Agreement Modification #1 to the Cost Reimbursement Agreement #2018-DT-BLA-FEP-204 to accept the additional funds provided in the amount of Three Hundred Forty-Five Thousand Four Hundred Ninety Dollars and Sixty-One Cents (\$345,490.61) for the City of Newark, Delancy Street Drainage, Traffic and Roadway Improvements (Final Design) as per terms and conditions of the Cost Reimbursement Agreement, between the City of Newark and New Jersey Department of Transportation.
4. The Acting Director of the Department of Engineering shall file a fully executed copy of the grant application, the grant award letter and the grant agreement in the Office of the City Clerk.

STATEMENT

This Resolution ratifies and authorizes the Mayor of the City of Newark and/or his designee, the Acting Director of the Department of Engineering to accept additional grant funds in the amount of \$345,490.61, for a total grant award of \$936,313.61 from the New Jersey Department of Transportation for the final design of Delancy Street between Avenue I and Avenue P. No municipal funds are required for receipt or acceptance of this grant award.