

RESOLUTION 52-20

RESOLUTION AUTHORIZING AGREEMENT FOR CERTAIN PROFESSIONAL SERVICES ADOPTED BY THE BOROUGH OF CLAYTON

WHEREAS, there exists a need for specialized services on behalf of the Borough of Clayton; and

WHEREAS, funds are or will be available for this purpose; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 requires that notice with respect to contracts for Professional Services awarded without competitive bids must be publicly advertised.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Clayton, County of Gloucester, and State of New Jersey as follows:

1. That Sickels & Associates, Inc., of Woodbury, New Jersey is hereby hired to provide bid and construction administration/observation in connection with the NJDOT Municipal Aid – Reconstruction of Walnut Street, for a total amount not to exceed \$20,365.00.
2. The term of this contract shall be from January 23, 2020 to January 22, 2021.
3. Donna Nestore, CFO, for the Borough of Clayton certifies that \$20,365.00 is available through the 2019 NJDOT Municipal Aid Grant.
4. The Contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-11-5(1)(a), and the Fair and Open Process because it is for services performed by persons authorized by law to practice a recognized profession.
5. A copy of this resolution as well as the Contract shall be placed on file with the Clerk of the Borough of Clayton.
6. A notice in accordance with the Local Public Contracts Law of New Jersey shall be published in The Sentinel or South Jersey Times.
7. The Mayor and Clerk of the Borough of Clayton are hereby authorized to execute a Contract outlining the above on behalf of the Borough of Clayton.

ADOPTED at a meeting of the Mayor and Council of the Borough of Clayton, County of Gloucester, and State of New Jersey on January 23, 2020.

BOROUGH OF CLAYTON



THOMAS BIANCO, Mayor

Attest:



CHRISTINE NEWCOMB, Municipal Clerk

December 4, 2019

Borough of Clayton
125 N. Delsea Drive
Clayton, New Jersey 08312

Attention: Mayor and Council

Reference: *Proposal for Professional Services
NJDOT Municipal Aid Program
Reconstruction of Walnut Street
From Delsea Drive (NJSH 47) to South Broad Street
S&A File No. C-150
S&A Proposal No. 2019-32-A*

Dear Mayor and Council:

Sickels & Associates, Inc. would like to thank you for the opportunity to offer this proposal for bid and construction administration/observation in connection with the above referenced project. This proposal will supplement our survey and design proposal No. 2019-32.

It is our understanding that the Borough wishes to proceed with bidding the Reconstruction of Walnut Street from Delsea Drive (NJSH 47) to South Broad Street. Commissioner Diane Gutierrez-Scaccetti's letter, dated March 25, 2019, to Mayor Bianco confirmed the approval of \$270,000.00. The Borough's overall application requested \$238,642.50 for construction and \$35,796.37 for construction inspection and material testing for the project. Within the latter amount, this office's construction management fees were included in accordance with NJDOT regulations. As reflected in the NJDOT's allocation, the majority of the construction management fees were funded.

Within the latter amount, this office's construction management fees were included in accordance with NJDOT regulations. As reflected in the NJDOT's allocation, the construction management fees were not funded.

Based upon the increased grant amount, it appears the overall proposed road reconstruction will have sufficient funds to construct the entire length and include reimbursement for this office's construction management services.

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The NJDOT permits up to 15% of the construction costs to be reimbursed by the NJDOT through the grant money. If the Borough wishes to use the DOT grant for reimbursement, we request the Borough to advise us of same prior to the award of the low bidder.

Therefore, we have prepared the following proposal for the various bid and construction management services that we anticipate will be required on the above referenced project. Said services are based upon Sickels & Associates, Inc.'s understanding of the project as described herein.

If the Clayton Police Department determines it is necessary for their services with respect to traffic control, the associated costs are the responsibility of the Borough. The NJDOT has indicated any costs for the use of the Clayton Police Department cannot be paid for by the grant funding.

For ease of review, the proposal is organized in the following manner; Our Understanding of the Project, Description of Services, Consulting Fee and Terms and Conditions.

OUR UNDERSTANDING OF THE PROJECT

The project will involve milling of the roadway, resurfacing with hot mixed asphalt base and surface course, replace damaged curb and driveway aprons, install concrete curb where feasible to improve drainage conditions and install paint striping and signage. There is no sidewalk on this street.

Our approach to this project as outlined in the Description of Services consists of the following two (2) phases.

PHASE V Bid Administration

PHASE VI Contract Administration/Construction Observation

DESCRIPTION OF SERVICES:

Based on the above project description, our scope of services will include the following activities:

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PHASE V BID ADMINISTRATION

Assist the Borough with the bidding process by:

1. Attending Bid-Opening Meeting.
2. Reviewing bids for completeness.
3. Tabulate bids and recommending award.

**PHASE VI CONTRACT ADMINISTRATION/CONSTRUCTION
OBSERVATION**

Assist the Borough during the construction process by:

1. Attending the pre-construction conference.
2. Complete NJDOT Applications for initial 75% grant disbursement.
3. Reviewing contractor's vouchers and recommending payment.
4. Full time observation and coordination during construction activities with the Borough and the Contractor.
5. Preparing observation reports identifying the progress of the project and any observed deviation from the contract documents.
6. Preparing interim and final list of quantities to reflect those actually constructed based upon observation reports and field measurements.
7. Upon substantial completion, conduct an inspection of the work for conformance with the contract documents and issue a punch list of any defects and/or deficiencies to the Borough.
8. Upon notification that punch list items have been completed, conduct a final inspection for conformance with the contract documents and issue a recommendation of acceptance.
9. Closing out project and submit final change order to NJDOT for final release of remaining grant funding.

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CONSULTING FEE FOR SERVICES RENDERED

Based on the understanding of the project and description of service, our total consulting fee to complete the various activities described herein is estimated at **\$20,365.00** plus the cost of reimbursable expenses which will be invoiced separately.

Said consulting fee is apportioned in accordance with the following breakdown:

Phase V	Bid Administration	\$ 1,450.00
Phase VI	Contract Administration/ Construction Observation	<u>\$18,915.00</u>
TOTAL		\$20,365.00

Please note the estimated cost of the NJDOT pavement core analysis is **\$1,750.00**. The cost for this service, required by the NJDOT for release of the last 25% of the grant, will be in addition to the costs included within Phase V of this Proposal.

The above fee is our estimate of the normal services necessary to complete the project based upon the cost estimate and scope of work the NJDOT. However, should the need arise for additional work by virtue of major revisions or redesign as required by the reviewing agencies, or should additional services beyond those outlined in the Description of Services be required, then said work will be considered as extra and invoiced as Additional Services at the hourly rates per our Annual Fee Schedule.

Sickels & Associates is prepared to commence work immediately upon receipt of authorization. This proposal assumes that authorization to proceed will be issued within sixty (60) days from the date of this proposal. The terms and conditions of this proposal shall remain in effect for sixty (60) days.

If you concur with our Description of Services, Consulting Fee, and Terms and Conditions, please execute the Proposal Acceptance & Notice to Proceed and return same to our office. Our fee schedule is the same as that provided with the RFQ to the Municipality.

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We would like to thank you for the opportunity to offer the services of our firm and we look forward to working with you. Should you have any questions or require further information, please contact us at (856) 848-6800.

Very truly yours,

SICKELS & ASSOCIATES, INC.



Mark R. Brunermer, PE, CME
President

MRB:kc

cc: Sue Miller, Administrator (*via email only*)
 Donna Nestore, C.F.O. (*via email only*)
 Christine Newcomb, Borough Clerk (*via email & regular mail*)
 Patricia Owens, S&A, Inc.

File: 2019-32-A

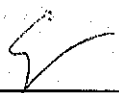
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PROPOSAL ACCEPTANCE & NOTICE TO PROCEED

Having reviewed the proposal for the various surveying services, including the Terms and Conditions of the Service Agreement which is a part thereof, acceptance of the proposal is hereby confirmed. Sickels & Associates, Inc. is authorized to proceed with the work.

Accepted this 23rd day of January, 2020

By:  Mayor
SIGNATURE TITLE

Tom Bianco
NAME (PLEASE PRINT OR TYPE)

Borough of Clayton
COMPANY

ADDRESS

PHONE NUMBER FAX NUMBER

CLIENT'S E-MAIL ADDRESS