

**RESOLUTION: 76-21**

**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 for surveying and engineering services in connection with the 2021 NJDOT Municipal Aid Program – South Broad Street, Phase II Roadway Improvements Phases I through IV for a total amount not to exceed \$20,450.00.
2. The term of this contract shall be from March 25, 2021 to March 24, 2022.
3. Donna Nestore, CFO, for the Borough of Clayton certifies that \$20,450.00 is available through the 2021 Municipal Budget – Engineering O&E.
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 March 25, 2021.

BOROUGH OF CLAYTON



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THOMAS BIANCO, Mayor

Attest:



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CHRISTINE NEWCOMB, Municipal Clerk

Revised February 18, 2021  
~~February 8, 2021~~

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

Attention: Mayor and Council

**Reference: *Proposal for Professional Services  
2021 NJDOT Municipal Aid Program  
South Broad Street-Phase II Roadway Improvements  
S&A Proposal No. 2021-05***

Dear Mayor and Council:

Sickels & Associates, Inc. would like to thank you for the opportunity to offer this proposal for surveying and engineering services in connection with the above referenced project.

It is our understanding that the Borough wishes to proceed with the South Broad Street Phase II Roadway Improvements. Commissioner Diane Gutierrez-Scaccetti's letter, dated November 16, 2020, to Mayor Bianco confirmed the approval of \$217,186.00. The Borough's overall application requested \$190,327.50 for construction, \$28,549.12 for construction inspection and material testing for the project, totaling \$218,876.62.

As reflected in the NJDOT's allocation, the construction management fees were mostly funded. It appears the \$1,689.62 of the construction management fees will be the responsibility of the Borough unless the portion of the grant used for construction is not utilized. The DOT permits up to 15% of the construction costs to be reimbursed by the DOT through the grant money.

Therefore, we have prepared the following proposal for the various surveying, engineering and construction management services that we anticipate will be required on the above referenced project which will encompass approximately 1300 linear feet of roadway. The work will begin north of Marten Avenue (Phase I limits) and extend to the railroad crossing at Erie Avenue. Said services are based upon Sickels & Associates, Inc.'s understanding of the project as described herein.

The construction plans will be prepared with a base bid and minimum of one (1) alternate phase/contract, in an attempt to maximize the grant money available.

**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.

Our approach to this project as outlined in the Description of Services consists of the following six (6) phases.

- PHASE I Topographical Survey & Base Plan Preparation
- PHASE II Preliminary Construction Design
- PHASE III Regulatory Permits and Approvals
- PHASE IV Final Construction Plans
- PHASE V Bid Administration
- PHASE VI Construction Management

For the purpose of defining the extent of services which may be required for completion of the surveying, engineering and design of this project, this proposal assumes that all necessary construction will be let out for public bid. As such, contract documents and technical specifications required for public bidding purposes will be prepared. A separate proposal will be issued for the bidding and construction management once the NJDOT approves the construction plan to go to bid.

Our proposal does not include performing test pits to verify locations of utilities and services, nor does it include a soil investigation program to identify subsurface soil conditions and groundwater levels. Sickels & Associates, Inc. will assist the Borough in obtaining proposals from others if such services are deemed necessary.

### **DESCRIPTION OF SERVICES:**

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

**PHASE I TOPOGRAPHICAL SURVEY & BASE PLAN**

**SECTION 1.0 AVAILABLE INFORMATION**

- 1.1 Request and obtain available information from Municipal agencies such as as-built plans and tax maps for use in preparing base plans.
- 1.2 Call for utility markout of area in question prior to initiation of field work. We will require the Borough Public Works Department to field markout the existing water and sewer mains and services.

**SECTION 2.0 TOPOGRAPHIC SURVEY**

- 2.1 Establish horizontal and vertical ground controls for survey of the project area by establishing two GPS points along the project. Provide a minimum of two (2) bench marks for the construction stake out of the project. Tie into topographical survey with Phase I construction plans.
- 2.2 Establish approximate location of right-of-way and property boundaries within and adjacent to the project area based upon available tax map information. Monumentation, if present, will be field located and identified but will not be verified since the roadway will be reinstalled in the same location.
- 2.3 Obtain topographic information by field survey to locate and identify pertinent features within and immediately adjacent to the right-of-way, where required.
- 2.4 Obtain spot elevations at fifty (50) foot intervals to define the profile of the existing centerline, curb line, sidewalk and right-of-way.
- 2.5 Investigate and identify by field survey the location, elevation, size and type of all visible and/or accessible utilities, water mains, sanitary and storm drainage facilities within the project limits.

**SECTION 3.0 PREPARATION OF BASE PLANS**

- 3.1 Prepare base plans using Auto CAD Software showing the overall project limits, Right-of-Way and property line locations and elevations to develop plans and profiles.
- 3.2 The plans and profiles shall be prepared at a minimum scale of 1" = 20' (horizontal scale) and 1" = 2' (vertical scale).

- 3.3 Submit utility base plans to respective Municipal and Utility agencies for review and verification of information shown thereon.

**PHASE II PRELIMINARY CONSTRUCTION PLANS**

The scope of this Phase includes preparation of preliminary design plans and technical documents.

**SECTION 1.0 CONSTRUCTION DESIGN PLANS**

- 1.1 Prepare necessary preliminary construction documents. Drawings which may be required on this project are:
- a. Cover Sheet with Project Title and Key Map.
  - b. Construction Plans and Profiles.
  - c. Construction Detail Sheets.
  - d. Soil Erosion and Sediment Control Plans.
  - e. Detail Sheet for Soil Erosion and Sediment Control.
  - f. Traffic Detour Plan.
- 1.2 Prepare standard and technical bid specifications.

**SECTION 2.0 CONSTRUCTION DESIGN SUBMISSION**

- 2.1 Upon completion of preliminary design, submit one (1) set of preliminary plans to the Borough for review and comment. Arrange and attend meeting with Borough staff to review proposed design. Revise plans as required to address review comments and resubmit for Borough's acceptance.
- 2.2 Prepare estimate of bid quantities and construction costs.
- 2.3 Based on review comments, confirm the general scope, extent and character of the project with the Borough prior to proceeding with the Phase III.

**PHASE III REGULATORY PERMITS AND APPROVALS**

The scope of this Phase includes preparation and submission of applications and support documents.

**SECTION 1.0 APPLICATIONS AND SUBMISSIONS**

- 1.1 Prepare and submit necessary applications and support documents prepared herein, and assist in procuring required permits and approvals relating to the design and implementation of the project. The Borough is responsible for any application and review fees. Permits and/or approvals which may be required are:
  - a. Certification from Soil Conservation District.
  - b. New Jersey Department of Transportation.
- 1.2 Based on review comments, confirm the general scope, extent and character of the project with the Borough prior to proceeding with Phase IV.

**PHASE IV FINAL CONSTRUCTION PLANS**

The scope of this Phase includes preparation of final plans for construction purposes:

**SECTION 1.0 DESIGN FINALIZATION AND SUBMISSION**

- 1.1 Based on preliminary and governmental review comments, revise and finalize construction drawings listed in Phase II and finalize design documents for public bidding purposes.
- 1.2 Submit final construction plans to respective Municipal and Utility agencies.
- 1.3 Prepare Contract Documents consisting of Notice to Bidders, Bid Form, Contract Forms and General and Supplemental Conditions.
- 1.4 Address issues raised by contractor or unforeseen conditions during construction.

**PHASE      V      BID ADMINISTRATION**

Assist the Borough with the bidding process by:

1. Prepare and Submit Notice to Bidder to designated Newspaper.
2. Attending Bid-Opening Meeting.
3. Reviewing bids for completeness.
4. 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.



**Reference: Proposal for Professional Services  
2021 NJDOT Municipal Aid Program  
South Broad Street – Phase II Roadway Improvements  
S&A Proposal No. 2021-05**

**Revised February 18, 2021  
~~February 8, 2021~~**

**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 **\$44,300.00** plus the cost of reimbursable expenses which will be invoiced separately.

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

Phase I	Topographical Survey & Base Plan Preparation	\$ 3,900.00
Phase II	Preliminary Construction Plans	\$ 12,900.00
Phase III	Regulatory Permits & Approvals	\$ 1,625.00
Phase IV	Final Construction Plans	<u>\$ 2,025.00</u>
<b>SUBTOTAL</b>		<b>\$ 20,450.00</b>
Phase V	Bid Administration	\$ 1,350.00
Phase VI	Construction Management	<u>\$ 22,500.00</u>
<b>SUBTOTAL</b>		<b>\$ 23,850.00</b>
<b>TOTAL</b>		<b>\$ 44,300.00</b>

Please note the estimated cost of the NJDOT pavement core analysis is **\$1,850.00**. 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.

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                  *2021 NJDOT Municipal Aid Program*  
                  *South Broad Street – Phase II Roadway Improvements*  
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***Revised February 18, 2021*  
*February 8, 2021***

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 and Consulting Fee, please execute one copy as our formal authorization to proceed and return same to our office. The Terms and Conditions and Annual Fee Schedule for this proposal are the same as is on file with the Borough Clerk's office.

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*)  
      Greg Sawyer, CPWM (*via email only*)  
      Patricia Owens, S&A, Inc.

File: 2021-05

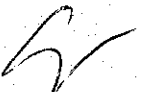
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*Revised February 18, 2021  
February 8, 2021*

**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 on file with the Municipality, acceptance of the proposal is hereby confirmed. Sickels & Associates, Inc. is authorized to proceed with the work.

Accepted this 25th day of March, 2021

By:  Mayor  
SIGNATURE TITLE

Tom Bianco  
NAME (PLEASE PRINT OR TYPE)

Borough of Clayton  
COMPANY

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ADDRESS

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PHONE NUMBER FAX NUMBER

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CLIENT'S E-MAIL ADDRESS