

RESOLUTION: 158-22

**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 design, bid administration, and construction observation in connection with the 2022 NJDOT Local Freight Impact Fund – Cenco Boulevard Roadway Improvements for a total amount not to exceed \$119,295.00.
2. The term of this contract shall be from July 14, 2022 to July 13, 2023.
3. Donna Nestore, CFO, for the Borough of Clayton certifies that \$47,445.00 is available through the 2022 Municipal Budget – Engineering O&E and \$71,850.00 is available through the 2022 NJDOT Local Freight Impact 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 July 14, 2022.

BOROUGH OF CLAYTON



THOMAS BIANCO, Mayor

Attest:



CHRISTINE NEWCOMB, Municipal Clerk

May 26, 2022

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

Attention: Mayor and Council

Reference: *Proposal for Professional Services
2022 NJDOT Local Freight Impact Fund
Cenco Boulevard Roadway Improvements
S&A Proposal No. 2022-37*

Dear Mayor and Council:

Sickels & Associates, Inc. would like to thank you for the opportunity to offer this proposal for design, bid administration, and construction observation in connection with the above referenced project.

It is our understanding that the Borough wishes to proceed with their portion of the NJDOT FY 2022 Local Freight Impact Fund Program grant for \$900,000.00. The grant money is for the resurfacing of the above roadway. Commissioner Diane Gutierrez-Scaccetti's letter, dated April 25, 2022, to Mayor Bianco confirmed the approval of said amount.

The project requested \$860,105.00 for construction costs and \$129,015.75 for Construction Inspection and Material Testing (15% of the final allowable construction costs). The NJDOT grant did not provide \$89,120.75 of the Construction Application.

As reflected in the NJDOT's grant allocation, not all of the fees were funded. The DOT permits up to 15% of the construction costs to be reimbursed by the DOT through the grant money, if not all money is used for construction.

The construction plans will be prepared to attempt to maximize the construction length and funds provided by the NJDOT. The work will begin at the gutter line of East Academy Street and extend to the terminus of the roadway. The grant is intended to resurface approximately 3,000' of roadway.

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. Said services are based upon Sickels & Associates, Inc.'s understanding of the project as described herein.

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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 can be included in the cost of the project as a traffic flagger. The NJDOT will pay up to \$81.48/hours, for the officer. Any money utilized for this task must be called out in the bid and will reduce the available funding remaining for construction costs.

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 the milling of roadway, repairing any deficient subbase areas, replacing any damaged curbing, reconstructing storm water inlets, replacement of storm water pipe, resurfacing roadway with hot mixed base and surface course asphalt, replacing the stormwater grates, signage, restriping the roadway and earthen restoration. No handicap ramps or sidewalks are located on this roadway.

We propose to have several pavement cores taken within the roadway to verify the pavement thickness and subbase materials.

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

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| PHASE I | Topographical Survey & Base Plan Preparation |
| PHASE II | Construction Plans & Specifications |
| PHASE III | Geotechnical Investigation & Recommendation |
| PHASE IV | Regulatory Permits and Approvals |
| PHASE V | Bid Administration |
| PHASE VI | Contract Administration/Construction Observation |

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.

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 call for a field markout of the underground 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 three (3) bench marks for the construction stake out of the project.
- 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, curbline, 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 PLANS

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

SECTION 1.0 PRELIMINARY DESIGN

- 1.1 Request and obtain from Tax Assessor's office current information such as lot and block designations, names and addresses of property owners.
- 1.2 Complete field investigation to itemize components that need replaced. Determine locations of curb and driveway replacement.
- 1.3 Perform field verifications to correct existing pavement joint issues.
- 1.4 Based upon comments generated in Item 1.2, design horizontal and vertical alignment of the proposed roadway. Design details for typical road and curb construction and restoration.
- 1.5 Determine storm water inlets to be reconstructed.
- 1.6 Design striping and signage to correspond with MUTCD and NJDOT requirements.
- 1.7 Design soil erosion and sediment control measures and prepare necessary narrative.

SECTION 2.0 CONSTRUCTION DESIGN PLANS

- 2.1 Prepare necessary preliminary construction documents. Drawings which may be required on this project are:
 - a. Construction Plans and Profiles.
 - b. Construction Detail Sheets.
 - c. Soil Erosion and Sediment Control Plans.
 - d. Detail Sheet for Soil Erosion and Sediment Control.
- 2.2 Prepare estimate of bid quantities and construction costs.
- 2.3 Prepare standard and technical NJDOT bid specifications.

- 2.4 Meet with Borough Public Works Department for overall scope of work to finalize construction plans.

PHASE III GEOTECHNICAL INVESTIGATION & RECOMMENDATIONS

The scope of this Phase is concurrent with Phase II and includes five (5) pavement cores to verify the thickness of the pavement roadbed and preparing recommendations for the new road design.

PHASE IV 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. 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 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. Reviewing contractor's vouchers and recommending payment to the Borough.

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3. Full time observation and coordination during construction activities with the Borough and the Contractor.
4. Preparing observation reports identifying the progress of the project and any observed deviation from the contract documents.
5. Preparing interim and final list of quantities to reflect those actually constructed based upon observation reports and field measurements.
6. 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 contractor and the Borough Public Works Department.
7. 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.
8. Project close and final change order to the NJDOT for final release of remaining grant funding.

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 **\$119,295.00**, 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	\$ 9,995.00
Phase II	Preliminary Construction Plans	\$ 28,900.00
Phase III	Geotechnical Investigation & Recommendation	\$ 2,000.00
Phase IV	Regulatory Permits & Approvals	\$ 6,550.00
Phase V	Bid Administration	\$ 2,250.00
Phase VI	Construction Management	<u>\$ 69,600.00</u>
TOTAL		\$119,295.00

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Please note the estimated cost of the NJDOT pavement core analysis is **\$2,500.00**. 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 VI of this Proposal.

The above fee is our estimate of the normal services necessary to complete the project prior to the bidding phase based upon the cost estimate and scope of work by 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 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
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.

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

Accepted this 14th day of July, 2022

By:

SIGNATURE

TITLE

Tom Bianco
NAME (PLEASE PRINT OR TYPE)

Borough of Clayton
COMPANY

ADDRESS

PHONE NUMBER

FAX NUMBER

CLIENT'S E-MAIL ADDRESS