

RESOLUTION OF THE ROCKAWAY VALLEY REGIONAL SEWERAGE AUTHORITY AUTHORIZING EXECUTION OF A PROFESSIONAL ENGINEERING SERVICE CONTRACT TO PROVIDE CONSTRUCTION PHASE ENGINEERING AND RESIDENT PROJECT REPRESENTATIVE (RPR) SERVICES FOR THE FINAL CLARIFIERS REPAIR PROJECT

WHEREAS, a need exists for the procurement of professional engineering services in order to provide construction phase engineering and resident project representative (RPR) Services for the Final Clarifiers Repair Project (Contract 40); and

WHEREAS, Carrie Feuer, P.E., Manager of Engineering, Rockaway Valley Regional Sewerage Authority, has solicited quotations for the performance of these services. A proposal dated May 3, 2016, for professional engineering services from Timothy D. Bradley, P.E., Kleinfelder LLC, having an office at 321 Wall Street, Princeton, New Jersey ("Kleinfelder"), which is marked "Schedule A" and attached hereto and made a part hereof, for the performance of construction phase engineering and resident project representative (RPR) Services for the Final Clarifiers Repair Project, in the amount of \$562,100.00. Proposals were also solicited from CH2M Hill, R3M, and Mott MacDonald, however, these entities declined to submit proposals for the performance of these services; and

WHEREAS, the RVRSA desires to authorize Kleinfelder, Inc. to undertake such services as set forth in the attached proposal for the same dated May 3, 2016, in an amount not to exceed \$562,100.00 without prior authorization and calculated on a time charged plus expense basis; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40:11-1 et seq.) authorizes contracts for the provision of "Professional Services," which may be awarded without public advertising and competitive bidding, provided a brief notice of the nature, duration, service and amount of contract is published, and that the Resolution and contract are kept on file and available for public inspection.

WHEREAS, funds are available for these purposes at line item 01-EIT-40 Clarifier Repairs and Equipment; and

NOW, THEREFORE, BE IT RESOLVED the Rockaway Valley Regional Sewerage Authority as follows:

1. The Rockaway Valley Regional Sewerage Authority recognizes that Kleinfelder has an established reputation in the field of engineering matters related to the services set forth in the letter proposal attached hereto at Schedule A from

Timothy D. Bradley, P.E., Kleinfelder to JoAnn Mondsini, Executive Director, RVRSA dated May 3, 2016, and recognizes that they possess specialized abilities and resources to provide the expert engineering services necessary to meet the Authority's needs.

2. The Executive Director of the Rockaway Valley Regional Sewerage Authority is hereby authorized and directed to execute a contract for professional services, in a form acceptable to the Executive Director and Counsel, between the Rockaway Valley Regional Sewerage Authority and the firm of Kleinfelder, having an office at 321 Wall Street, Princeton, New Jersey, for construction phase engineering and resident project representative (RPR) Services for the Final Clarifiers Repair Project, at a cost not to exceed \$562,100.00 without further authorization, to be calculated on a time charged plus expense basis, in accordance with the letter proposal dated May 3, 2016, attached hereto at Schedule A, and conditioned upon the submission by Kleinfelder of its New Jersey Business Registration Certificate and Business Entity Disclosure Certification.
3. This contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-5.
4. A notice of contract award shall be published in the official newspaper, a brief notice stating the nature, duration, service and amount of the contract, and that the Resolution and contract are on file and available for public inspection at the Authority and the clerk's office of the municipalities creating the Authority.
5. This Resolution shall take effect as provided by law.

CERTIFICATION

I do hereby certify that this Resolution was adopted at a regular meeting of the Rockaway Valley Regional Sewerage Authority held on June 9, 2016

On motion of: Glenn Corbett

Second by: Michael Guadagno

ROLL CALL VOTE:

YEAS: (7) Andes, Cegelka, Corbett, Guadagno, Recchia, Rossi, Schorno

NAYS: (0) None

ABSTAIN: (1) Vincitore

ABSENT: (2) Lowell and Secco


Michael Guadagno
Board Secretary



May 3, 2016

VIA EMAIL

JoAnn Mondsin
Executive Director
Rockaway Valley Regional SA
RD #1, 99 Green Bank Road
Boonton, NJ 07005

**RE: FINAL CLARIFIERS REPAIR PROJECT, CONTRACT 40
PROPOSAL FOR CONSTRUCTION PHASE ENGINEERING AND RESIDENT PROJECT
REPRESENTATIVE SERVICES**

Dear Ms. Mondsin:

As requested by Carrie Feuer, I have prepared this proposal for Kleinfelder (KLF), together with AECOM, to provide construction phase engineering and resident project representative (RPR) Services for the Final Clarifiers Repair Project. AECOM will serve as a subconsultant to Kleinfelder for construction phase engineering related to the structural and electrical elements of the project. Background information is presented below followed by our proposed Scope of Work and Cost Proposal.

BACKGROUND

KLF has prepared the draft Contract Drawings and Specifications for the Final Clarifiers Repair Project, and previously assisted RVRSA in submitting a loan application for this project to the New Jersey Environmental Infrastructure Financing Program (NJEIFP). The estimated construction cost of this project is \$6.1 million and the estimated construction duration, due to sequencing requirements, is eighteen (18) months.

The NJEIFP requires that engineering and RPR services be performed during the construction phase of a project to ensure that it is constructed in accordance with the approved drawings and specifications, and that equipment, processes and systems are placed into successful operation. As a result of this requirement, the NJEIFP loan application must include the cost for these services. The cost for these services that was included in RVRSA's NJEIFP loan application was the NJDEP's default value of 12% of the estimated construction cost, i.e., \$732,000. However, due to the NJEIFP's newly adopted approach, this does not mean that RVRSA will actually borrow \$732,000 for construction phase engineering and RPR services. The NJEIFP's newly adopted approach is to close on the final NJEIFP loan after construction is complete (or substantially complete) so that the amount ultimately borrowed is equal to the costs actually incurred. This is the same approach that the USDA has used for its Rural Development loan program for many years. As key element of the NJEIFP's newly adopted approach, interim construction loans, at 0% interest, are obtained to cover costs through final loan closing.

This proposal presents our estimated not-to-exceed cost for construction phase engineering and RPR services which can be used by RVRSA in determining how much to borrow for the interim construction loan.

KLF's proposed scope of work, which is consistent with the NJEIFP's requirements, follows.

SCOPE OF WORK

KLF's proposed scope of work consists of the following tasks:

- Task 1 – Bidding and Award Assistance
- Task 2 – Preparation of Conformed Documents
- Task 3 – Resident Project Representative Services
- Task 4 – Meetings and Site Visits
- Task 5 - Submittal Review and Processing
- Task 6 – Requests for Information
- Task 7 – Change Order Assistance
- Task 8 – Testing and Startup Assistance
- Task 9 – Record Drawings
- Task 10 – Maintenance Period Support
- Task 11 - Project Administration

Each task is described in detail below.

Task 1 – Bidding and Award Assistance

KLF will provide the NJEIFP-approved Contract Documents to RVRSA for distribution to prospective bidders during the bid period. It is assumed that RVRSA will advertise the project in local newspaper(s) and that a total of thirty-five (35) sets of full size Contract Documents will be reproduced and provided for RVRSA's distribution to prospective bidders and for its internal use. Five (5) additional sets of Contract Documents will be reproduced for KLF/AECOM's use during bidding.

KLF's Project Manager will attend the pre-bid meeting, and will jointly lead the meeting with RVRSA.

KLF will respond to significant questions raised during the pre-bid meeting or received in writing during the bid period by issuing addenda. It is assumed that two (2) addenda will be issued. KLF will submit the addenda to RVRSA and NJDEP for approval, and will distribute the addenda to those prospective bidders that have purchased Contract Documents.

KLF will attend the bid opening and will perform a review of the apparent three lowest bidder's bids for completeness. KLF will check the apparent low bidder's references and will have a Dun & Bradstreet Financial Analysis performed on the apparent low bidder. This information will be utilized to prepare an award recommendation letter to RVRSA.

KLF will provide the information required by NJDEP to issue Authorization to Award. It is assumed that the project will not need to be re-bid.

Task 2 – Preparation of Conformed Documents

KLF will prepare conformed documents by incorporating changes made by addendum into the design plans and specifications approved by NJDEP. Conformed documents will be stamped "Issued for Construction".

Conformed documents will be reproduced and provided to RVRSA (2 sets), NJDEP (2 sets) and the Contractor (2 sets) within 4 weeks following Contract Award. Conformed documents will also be reproduced and distributed to the KLF/AECOM project team members (5 sets). Therefore, a total of eleven (11) sets of conformed documents will be reproduced and distributed. An electronic file copy of the conformed documents will also be provided to RVRSA.

Task 3 – Resident Project Representative Services

KLF will provide RPR services to monitor the contractor's progress and compliance with the contract drawings and specifications, including the contractor's environmental protection and restoration measures. The RPR will keep RVRSA fully apprised of all significant construction issues, such as construction defects, potential schedule delays, and potential change orders. Specific activities include the following:

- Conduct daily inspections (except during the first month) with corresponding log notes. Prepare weekly inspection reports.
- Conduct brief weekly construction look-ahead meetings.
- Review monthly payment requests including the final payment requests, and prepare the NJEIT packages for payment request.
- Actively participate in the resolution of issues involving unforeseen field conditions and construction difficulties.
- Inspect materials delivered to the site according to approved submittals.
- Confirm that insurance certificates have been received for all subcontractors working on site and that they have not expired while the subcontractor is on site.
- Review and evaluate potential change orders, including detailed review of cost proposals.
- Facilitate communication with the NJEIFP inspector assigned to the project.
- Assist RVRSA with SED reporting requirements.
- For the Preconstruction Conference and monthly construction progress meetings: prepare an agenda, conduct the meeting, and prepare and distribute the meeting minutes. Attach PCO/Change Order Log to each set of monthly meeting minutes.
- Monitor red-line markups of contract drawings for record drawings prepared by the contractor.
- Monitor checkout, testing and startup of equipment and systems.
- Coordinate and monitor the quality of vendor training.
- Prepare and update punchlists of remaining work items.
- Evaluate substantial and final completion and issue certificates of substantial or final completion as appropriate.

KLF's proposed RPR is Alphonse J. Sessa who has over 37 years of RPR and design experience. He is currently serving as the RPR for a complex \$8.6 million project for the Sussex County Municipal Utilities Authority involving three (3) separate contracts to construct a new wastewater conveyance, treatment and disposal system. This project is currently nearing completion.

For purposes of estimating the level of effort and cost of providing RPR services, it is assumed that the RPR: (1) will not be on site during months 1 and 2 of the 18 month construction period, i.e., until after the contractor mobilizes following the receipt, review and approval of the initial shop drawings; (2) will be on-site 50% of the time during months 3 and 4, as construction begins to ramp up; (3) will be on-site full time during months 5 through 16; and (4) will be on-site 50%

of the time in months 17 and 18, i.e., when the Contractor's work is limited to addressing punchlist items.

Task 4 – Meetings and Site Visits

In addition to the weekly coordination meetings conducted by the RPR, KLF's Project Manager or Senior Project Engineer will participate in the following meetings:

- Preconstruction Conference.
- Monthly construction progress meetings.
- Two (2) RVRSA infrastructure committee or board meetings.

In summary, a total of twenty (20) meetings are assumed. Regarding site visits, it is assumed that AECOM's electrical engineer will make three (3) site visits during the course of the project, and AECOM structural engineer will make two (2) site visits during the course of the project. Therefore, a total of five (5) site visits are assumed.

Task 5 – Submittal Review and Processing

KLF will review submittals and other shop drawings to evaluate that the proposed materials and equipment conform to the contract documents. It is recognized that most submittals are specified to be received electronically from the contractor. The activities that will be performed in this are listed below.

- Maintain a log of all submittals and their sub-items with action codes, and dates of receipt from and return to the contractor.
- Review submittals within 14 days following receipt except for complex submittals.
- Prepare review comments and assign action codes.
- Return reviewed submittals with review comments to contractor.

The following number of initial and re-submittals are anticipated.

Specification Section	Number of Initial Submittals	Number of Re-submittals
01000: Schedule of Values	1	1
01000: Construction Schedules	4	1
01005: Maintenance of Plant Operations and Misc. Requirements	1	1
01380: Construction Photographs	2	0
01500: Temporary Facilities	1	1
01568: Soil Erosion and Sediment Control	2	1
Total Division One Submittals	11	5
02100: Site Preparation and Restoration	1	1
02220: Demolition	1	0
Total Civil Submittals	2	1
03100: Concrete Formwork	1	1
03200: Reinforcement Bars	1	1
03250: Concrete Joints and Accessories	1	0
03300 Cast-In-Place-Concrete	2	1
03370 Concrete Repair Work	1	1
05500: Miscellaneous Metal	1	1

05515: Aluminum Stairs and Ladders	1	1
05520: Metal Railings	1	1
05530: Metal Grating	1	1
09940: Shop Painting	1	0
09941: Field Painting	1	1
Total Structural/Architectural Submittals	12	9
11249: Fall Protection Rail System	1	1
11441: Center Column Final Clarifier Equipment	3	1
13232: Final Clarifier Weirs and Baffles	2	1
15056: Pipe Supports	1	1
15100: Valves, 4-inch and Larger	3	1
15103: Stainless Steel Gates and Appurtenances	2	1
15370: Piping and Appurtenances	3	1
Total Equipment/Mechanical Submittals	15	7
16065: Electrical System Studies	1	1
16070: Hangers and Supports for Electrical Systems	1	1
16071: Seismic Controls for Electrical Systems	1	0
16075: Electrical Identification	1	0
16110: Raceway Boxes for Electrical Systems	1	1
16120: Electrical Wires and Cables	1	1
16140: Wiring Devices	1	1
16160: Panelboards	1	0
16320: Dry-Type Transformers	1	0
16400: Surge Protection Devices	1	1
16402: Underground Ducts and Raceways for Electrical Systems	1	0
16450: Grounding and Bonding for Electrical Systems	1	0
16510: LED Interior Lighting	1	1
16520: LED Exterior Lighting	1	1
16770: Electric Heat Tracing	1	1
16900: Electrical Controls & Misc. Electrical Equipment	2	1
16920: Motor Control Center	2	1
16930: Pre-Engineered Fiberglass Enclosure	1	1
16998: Field Inspection and Acceptance Tests	1	0
Total Electrical Submittals	21	12
Total Contract Submittals	61	34

Therefore, for purposes of estimating the level of effort and cost associated with this task, it is assumed that the total number of initial submittals to be reviewed will be sixty one (61) and that the number of re-submittals to be reviewed will be thirty four (34).

Task 6 – Requests for Information

In this task, KLF will review and provide written responses to Contractor RFIs and will maintain a log of all RFIs. RFIs will be reviewed and responded to within 7 days following receipt.

For estimating the level of effort and cost of this task, it is assumed that the total number of RFIs to be responded to will average one (1) for every two (2) contract drawings, plus one (1) for every four (4) technical specification sections. The total resulting number of estimated RFIs is twenty five (25).

Task 7 - Change Order Assistance

KLF will review potential change orders (PCOs) and will negotiate and process final change orders by performing the following activities:

- Maintain a log of all PCOs and change orders along with dates, amounts and status.
- Review and evaluate PCOs and advise RVRSA of their merit.
- Review and negotiate change order cost proposals.
- Prepare change orders for RVRSA for submission to NJDEP including NJDEP change order form. Coordinate with NJDEP.

It is assumed that: the total numbers of PCOs to be evaluated will be 10; and three (3) change orders will be issued for Contract 40 each aggregating multiple PCOs.

Task 8– Testing and Startup Assistance

In this task, KLF will provide support to the RPR as required during equipment and systems checkout, testing and startup. A total effort of 32 hours is assumed.

Task 9 – Record Drawings

At the completion of the project, KLF will prepare record drawings in AutoCAD format based on the “red-line” mark-ups of the contract drawings maintained by the contractor. Three (3) full size sets, two (2) half size sets and one (1) electronically searchable pdf set will be provided.

Task 10 – Maintenance Period Support

Prior to the expiration of the one-year maintenance period, KLF will coordinate with RVRSA and will perform a visual inspection of the work, and will prepare a memorandum of our findings.

Task 11– Project Administration

KLF will perform the following project administration activities:

- Provide general communication with RVRSA and Contractors throughout the duration of construction.
- Provide communication and correspondence with the NJDEP and NJEIT as required for NJEIFP financing.
- Maintain project files as required for periodic inspection by the NJEIFP.
- Effectively manage the project team and coordinate the activities of the office staff with the resident project representative.
- Prepare monthly invoices.
- Maintain quality assurance and quality control.
- Provide the following each month: reviewed submittals (pdf), monthly meeting minutes (pdf), weekly inspection reports (pdf), and payment requests (paper & pdf).
- Provide the following at project completion: shop drawing log (pdf), final payment request (paper & pdf), final change order (paper & pdf), record drawings, O&M manuals and construction certifications.
- In general, all electronic documents provided to RVRSA will be electronically searchable.

COST PROPOSAL

Kleinfelder proposes to perform the scope of work described above on a time charged plus expense basis in accordance with the terms and conditions of our 2016 agreement for consulting services.

The estimated cost per task and total cost are summarized in the table below. A spreadsheet presenting a detailed breakdown of these costs is attached.

Cost Summary

Task	Description	Cost
1	Bidding and Award Assistance	\$23,200
2	Preparation of Conformed Documents	\$8,840
3	Resident Project Representative Services	\$327,600
4	Meetings and Site Visits	\$22,800
5	Submittal Review and Processing	\$72,080
6	Requests for Information	\$18,240
7	Change Order Assistance	\$19,720
8	Testing and Startup Assistance	\$4,390
9	Record Drawings	\$13,290
10	Maintenance Period Support	\$4,570
11	Project Administration	\$47,370
	Total	\$562,100

As shown in the table, the total estimated cost is \$562,100 which will not be exceeded without RVRSA's prior approval. This cost is substantially less than the \$732,000 cost included in the NJEIP loan application based on NJDEP's standard calculated cost for these service for a project of this size.

We appreciate the opportunity to continue supporting RVRSA with this important project. Please contact me at 609-454-4555, or by email at TBradley@Kleinfelder.com, if you have any questions or need additional information.

Sincerely,



Timothy D. Bradley, P.E.
Vice President

cc: C. Feuer

**Contract 40 Final Clarifiers Repair Project
Construction Phase Engineering and RPR Services**

TASKS	Rate, \$/hour	235	140	180	155	100	80	Kleinfielder Hours	Labor Fee	Kleinfielder Expenses	AECOM Electrical Structural (Blended)	AECOM Cost	Sub Markup 0.10	Total Fee	Rounded Fee
		Project Manager (Bradley)	Resident Proj. Rep. (Sessa)	Sr. Project Engineer (Ferguson)	Project Engineer (Nexon)	Staff Engineer (Dovel)	Project Assistant (Taylor)								
1 Bidding and Award Assistance		10		34		8	8	60	\$9,910	\$7,200	34	\$5,534	\$553	\$23,197	\$23,200
2 Preparation of Conform Documents		1		6		24	2	33	\$3,875	\$2,100	16	\$2,604	\$260	\$8,839	\$8,840
3 Resident Project Representative Services (56 weeks)			2,240					2,240	\$313,600	\$14,000		\$0	\$0	\$327,600	\$327,600
4 Meetings and Site Visits (20 Meetings and 5 Site Visits)		40		44				84	\$17,320	\$1,000		\$4,069	\$407	\$22,796	\$22,800
5 Submittal Review and processing (61 Initial and 34 Resubmittals)		24		100	20	95		239	\$36,240	\$750	196	\$31,899	\$3,190	\$72,079	\$72,080
6 Requests for Information (25 RFIs)		8		36		16		60	\$9,960	\$50	46	\$7,487	\$749	\$18,245	\$18,240
7 Change Order Assistance (10 POCs and 3 Cos)		4		40	12	8		68	\$11,740	\$100	44	\$7,161	\$716	\$19,717	\$19,720
8 Testing and Startup Assistance (24 hours)		1		8	12			24	\$4,240	\$150		\$0	\$0	\$4,390	\$4,390
9 Record Drawings		1		31		32		37	\$4,155	\$900	46	\$7,487	\$749	\$13,290	\$13,290
10 Maintenance Period Support		78	24	4			2	31	\$4,475	\$100		\$0	\$0	\$4,575	\$4,570
11 Project Administration (18 months = 78 weeks)			78	78			78	234	\$38,610	\$1,600	40	\$8,510	\$851	\$47,371	\$47,370
TOTAL		175	2,264	354	44	183	90	3,110	454,125	27,950	447	72,750	7,275	562,100	562,100