

## **RESOLUTION 18-054**

### **RESOLUTION AUTHORIZING AMENDMENT TO AGREEMENT FOR PROFESSIONAL ENGINEER SERVICES FOR CONTRACT 35 REBID II**

**WHEREAS**, pursuant to Resolution 10-063, the Rockaway Valley Regional Sewerage Authority ("RVRSA") entered into a public contract with Insituform Technologies, Inc. (d/b/a Insituform Technologies, LLC and hereinafter referred to as "Insituform") entitled Interceptor Sewer Rehabilitation Project 2009, Contract No. 35 - Rebid, State EIT Project No. S340756-02, for the rehabilitation of its trunk line; and

**WHEREAS**, during the course of the work, certain issues arose regarding the lining of the interceptor under Washington Street in the Town of Boonton, and that work was not performed by Insituform consistent with a Settlement Agreement executed on July 11, 2013, and its attached Contract Modification CM-1; and

**WHEREAS**, by Resolution 17-049 adopted on March 9, 2017, RVRSA engaged the services of a professional engineer for design Services, that includes bidding specifications, permitting assistance, and NJEIT assistance in the amount of \$84,000; and Construction Phase Engineering Services in the amount of \$80,000, to Mott MacDonald with offices located at 111 Wood Avenue South, Iselin, New Jersey 08830, for a total contract amount not to exceed \$164,000.00 without further authorization; and

**WHEREAS**, additional professional engineering work is needed related to the new siphon outlet chamber final gate configuration to address the scope change from slide gates to sluice gates with at grade operators, rehabilitation of manholes and design services for sewer lining at Meter Station B, as well as, other scope of work changes requested by RVRSA and Pocket Park Restoration requested by the Town of Boonton. Pursuant to the Request for Additional Professional Engineering Services, dated April 26, 2018 from Nancy C. Wohlieb, P.E., C.M.E. and Peter E. Kocsik, P.E., Mott MacDonald, to Robert Bocchino, P.E., CME, RVRSA, attached hereto and made a part hereof, an additional amount of \$36,400 for design services, and an additional amount of \$10,000 for construction phase services is required for this project; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)(i)) exempts the award of contracts for professional services from the requirements of public advertisement and bidding; and

**WHEREAS**, funds are available at EIT- 035.

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

1. JoAnn Mondsini, Executive Director is authorized to execute an amendment to the agreement with Mott MacDonald, with offices located at 111 Wood Avenue South, Iselin, N.J. in an additional amount of \$36,400 for design services, and an additional amount of

\$10,000 for construction phase services for a total new project amount not to exceed \$210,400.00 without further authorization, as set forth in the attached proposal from Mott MacDonald dated April 26, 2018.

2. The Executive Director, staff and consultants are authorized to take all appropriate actions to effectuate this Resolution.
3. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1) (a) (i) of the Local Public Contracts Law because the service is of such a nature that it requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of study in engineering instruction as distinguished from general academic instruction or apprenticeship and training.

### CERTIFICATION

I hereby certify that this Resolution was adopted at a regularly scheduled meeting of the Rockaway Valley Regional Sewerage Authority held on May 10, 2018.

On motion of Glenn Corbett

Second by Michael Guadagno

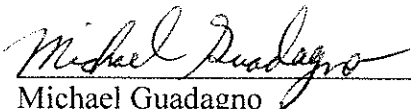
and a Roll Call Vote as Follows:

Yeas: (7) Andes, Cegelka, Corbett, Guadagno, Isselin, Rossi, Schorno

Nays: (0) None

Abstain: (1) Vincitore

Absent: (2) Lowell and Recchia

  
Michael Guadagno  
Board Secretary



Mr. Robert Bocchino, PE, CME  
Manager of Engineering  
Rockaway Valley Regional Sewerage Authority  
RD #1  
99 Greenbank Road  
Boonton, NJ 07005-7118

**Your Reference**  
Contract 35 Rebid-II

**Our Reference**  
MM#377368

pw:\377368-RVRS  
INTERCEPTOR SEWER  
BOONTON SECTION  
REPLACEMENT\Design\Corr  
espondence\Client\Bocchino\_  
Proposal\_Additional\_Services  
\_4-26-2018.docx

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**Rockaway Valley Regional Sewerage Authority**  
**Contract 35 Re-Bid II Request Additional Professional Engineering Services**

April 26, 2018

Dear Bob:

In a previous letter dated February 14, 2018, Mott MacDonald had requested an authorization for additional professional engineering services for Contract 35. As requested, we have investigated the extent of engineering services anticipated for preparation of updates to the Environmental Planning Report (EPR) required under the project's loan program funding in an attempt to reduce our requested fee. In addition, we have also included in our proposal the additional work needed to include in the Contract 35 construction contract additional sewer investigation and sewer rehabilitation work downstream of the Washington Street area in Boonton at the Town of Boonton Meter Chamber.

## **1 New Work Requested**

### **1.1 Environmental Planning Documents**

Since issuing our February letter, Mott MacDonald has been in contact with Maureen Guilfooy from the NJDEP regarding to the Environmental Planning Report (EPR) for Contract 35. Based on this correspondence, we anticipate that the preparation of an entirely new Environmental Planning Report Document will not be required as previously assumed. The NJDEP has clarified that only an amendment to the original EPR be submitted including the changes in scope, land disturbance calculations, and a User Cost analysis is to be updated-thereby greatly reducing our level of effort.

Based on the information that you provided to us on March 28, 2018, the remaining funds available for this project are as follows:

Building Costs	\$1,029,866
Contingencies	\$75,422
Planning and Design	\$51,023

Contingent upon the total project costs not exceeding the above amounts, we may conclude that there will not be any additional User Costs as a result of this change to the project and that a formal analysis of these costs will not be required. As such, Mott MacDonald is able to reduce our previous fee estimate of \$12,000 for a

new EPR to a fee of \$3,200 (25 hours) to prepare and submit the requested documents to the NJDEP.

### **1.2 Bypass Redundancy**

Mott MacDonald has prepared an extensive bypass plan that will allow the last reach of the siphon to be diverted through the existing Monroe Street Pump Station's bypass force main. Initially, we anticipated connection into the bypass force main through an existing manifold. Theoretically, this arrangement should have been adequate, but as a precautionary measure we revised our plans and specifications to create another direct connection the bypass force main which eliminated a hydraulic bottle neck and significantly increased the capacity of the siphon bypass.

Based on recent discussions with the RVRSA, it is our understanding that the Authority feels redundancy needs to be incorporated into the bypass plan should a catastrophic failure occur. Mott MacDonald has reviewed possible options and believes that the most efficient approach would be the installation of a line stop in the second siphon barrel and overland pipe connecting the line stop to Manhole B-9. The section of overland pipe crossing Washington Street would be detached but readily available for quick mobilization. These additional bypass features require depiction and description in the project plans and specifications. Accordingly, we herein request an additional authorization for a fee increase to our design contract. We request an additional 48 hours, \$6,500.

### **1.3 Siphon Outlet Chamber Gates**

Some additional effort is now needed related to the new siphon outlet chamber final gate configuration. We would request a fee increase to address the scope change from slide gates to sluice gates with at grade operators. There will be concrete configuration changes, hatch plan relocation and additional structural engineering needed to finalize the construction details and specifications. Accordingly, we herein request an additional authorization for a fee increase to our design contract. We request an additional 24 hours, \$3,200.

### **1.4 Rehabilitation of Manholes and Sewer Lining at Meter Station B**

It has been brought to our attention that the RVRSA would like to consider adding the lining of approximately 76 feet of 18" pipe, 2 manholes and the meter chamber located at Meter Station B, subject to EIT funds being available. Currently, we estimate the construction cost of this project to be approximately \$720,000. It is anticipated that the bypass redundancy plan may add an additional \$80,000 to \$100,000. Assuming there are no major defects in the pipes or manholes, we estimate the construction cost of the manhole and chamber rehabilitation and pipe lining to be approximately \$100,000-\$120,000. Therefore, it is likely that sufficient funds are available for the inclusion of this additional work in this project.

The assumed design engineering scope for this work includes:

- Review of internal pipe video inspection provided by the RVRSA
- One site visit with RVRSA to confirm the RVRSA pole camera inspections
- Pipe, Manhole B-1A., the manhole, chamber condition assessment
- Preparation of location mapping (based upon existing available aerial mapping)
- Preparation of Temporary Bypass of flow during work
- Review of access issues for construction

- Preparation of construction details and specifications. These documents will be included in the Construction Documents and the scope and Bid pages will be revised accordingly.
- Mott MacDonald will also include these items in the update to the EPR documents for NJDEP submission. Should the Authority wish to proceed with adding the above manhole and sewer rehabilitation to this project, Mott MacDonald requests the additional design fee of \$10,000 (80 hours) for additional engineering.

## **2 Additional Design Services**

With regard to plan changes, Mott MacDonald also indicated during our October 2017 meeting that there have been several scope changes that we have addressed that we request additional funds to replenish the original design budget. This replenishment will allow the project to progress to 100% design completion. The additional work was principally associated with the following:

- Bypass Testing
- Town of Boonton Review Comments and Pocket Park Restoration

### **2.1 Bypass Testing**

As you are aware, the original intent for bypass testing was to discuss and confirm the feasibility of bypassing with construction contractors. To assure that the associated contractor input was fully reimbursable under the NJEIFP loan, Mott MacDonald was asked to prepare supporting documents to support the circulation of a request for quotation by RVRSA outside of a formal bid process. Based upon feedback from the Authority Attorney, Mott MacDonald was asked to prepare a more formal and separate set of construction documents just associated with the testing the feasibility of the bypass prior to construction. During the time of Attorney review for these documents, Mott MacDonald progressed the design for the pipe replacement such that by the time of the October progress meeting, it made little sense to continue with separate "bids" for testing and installation. Also, the comments received from the Town of Boonton demanding extensive bypass testing further complicated the matter and necessitated the need for an additional meeting with Boonton on January 30<sup>th</sup>, 2018. There was unforeseen additional effort to create the testing construction documents and then re-merge them into one single, overall contract and address Boonton's concerns related to the testing.

### **2.2 Town of Boonton Review Comments and Pocket Park Restoration**

As noted above, we did not anticipate the extensive comments from the Town of Boonton, especially in regard to the bypass and the restoration of Pocket Park, that required additional effort to respond to fencing, gate and restoration layouts, details and their plans to restore the park to improved usage in the next 1-2 years. Further coordination with the Authority and the Town of Boonton will also be required as discussed at the recent meeting with them. It is noted that although their engineer made little comment on the traffic control plan when submitted, discussion at the meeting introduced new, unforeseen concerns about even a short-term road closure, complicating the construction sequence. To facilitate completion of the drawings, we have forwarded our responses to their prior comments and most recent construction plans in anticipation of receipt of one final round of comments particularly related to the park restoration, traffic control and work hours. As such, we limit any further plan changes to one round of comments from Boonton and Morris County (for the confirmation of work hours).



We believe that upon receipt and addressing Boonton and Morris County's comments, the project can be made bid ready, subject to NJEIFP approvals. To proceed to that point, and based upon the above unforeseen issues, we herein request an additional authorization for a fee increase to our design contract. We request for the additional 110 hours, \$13,500.

### **3 Design Fee Request Summary**

We summarize our request as follows:

#### **New Work Requested**

Environmental Planning Report Amendment	\$3,200
Bypass Redundancy	\$6,500
Siphon Outlet Chamber Sluice Gates	\$3,200
Meter Station B Sewer Rehabilitation	\$10,000

#### **Additional Design Services**

<u>Bypass Testing/Town of Boonton Comments/Pocket Park</u>	<u>\$13,500</u>
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<b>Total Design Fee Request</b>	<b>\$36,400</b>
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We request the foregoing be added to the existing lump sum portion of our contract for design and bid phases.

#### **Construction Phase Services**

The addition of the Bypass Redundancy and the Meter Station B Manhole and Sewer Rehabilitation will also result in additional effort during the construction phase of this project. Note that the general construction contractor for the Washington Street portion of the work will likely have to subcontract with a pipeline rehabilitation contractor to complete the Meter Station B work. As such, there will be additional administration, coordination, shop drawing review and onsite inspection needed. Mott MacDonald requests authorization for an additional \$10,000 (80 hours) for Construction Phase Professional Engineering Services if the Authority wishes to proceed with the addition of the additional bypass redundancy and Meter Station B Sewer Rehabilitation work.

#### **Construction Phase Services Fee Summary Request**

<u>Meter Station B Sewer Rehabilitation and Bypass Redundancy</u>	<u>\$10,000</u>
<b>Total Construction Phase Services Fee Request</b>	<b>\$10,000</b>

We request the foregoing to be added to the existing reimbursable budget of our existing construction phase services contract for this project which are to be billed on a reimbursable basis with our prevailing rate schedule and based on the actual hours anticipated and are "not to exceed" without prior authorization.

All other terms of our contract remain unchanged.

If you require any additional information, please do not hesitate to contact me.



#### 4 Bid and Construction Schedule

Given the nature of this project and its specific challenges, we propose the following Bid and Construction Schedule. Note that the advertisement date would occur upon receipt of the NJDEP Authorization to Advertise.

- Advertise – 6 weeks prior to RVRSA Intent to Award Meeting
- Bid Opening – 2 weeks prior to RVRSA Intent to Award Meeting
- Bid Report – 1 week prior to RVRSA Intent to Award Meeting
- RVRSA Intent to Award Meeting
- RVRSA Award Meeting
- Pre-Construction Meeting – 5 days following RVRSA Award Meeting
- Notice to Proceed – 10 days following RVRSA Award Meeting
- Bypass Test – 100 days following RVRSA Award Meeting
- Construction Begins – 107 days following RVRSA Award Meeting

Included in this schedule is a lead time of 90 days for the procurement of the Inlet Chamber and prefabricated CCFRPM manhole elbow. Additionally, a bid period of weeks has been included.

Very truly yours,

Mott MacDonald

A handwritten signature in black ink, appearing to read 'Nancy Wohlleb'.

Nancy C. Wohlleb, P.E., C.M.E.,  
Env. Sp.

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Principal Project Manager  
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A handwritten signature in black ink, appearing to read 'Peter E. Kocsik'.

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