

RESOLUTION 19-094

RESOLUTION AUTHORIZING 3rd 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, by Resolution 18-054 adopted on May 10, 2018, RVRSA approved an amendment to the contract for additional professional engineering work 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 for a total new project amount of \$210,400; and

WHEREAS, by Resolution 19-037 adopted March 14, 2019, RVRSA approved an amendment to the contract for additional professional engineering work needed for additional soil tests to be performed within the proposed construction area within Pocket Park in the Town of Boonton, to identify and quantify contaminated soil that may be on site. Pursuant to the Request for Additional Professional Engineering Services, dated February 15, 2019 from Nancy C. Wohlieb, P.E., C.M.E., Mott MacDonald, to Robert Bocchino, P.E., CME, RVRSA, attached hereto and made a part hereof, an additional amount of \$6,500 for Environmental Soil Sampling services for a total new project amount of \$217,200.00; and

WHEREAS, additional professional engineering work is needed for unforeseen effort on the part of Mott MacDonald to satisfy both NJDEP – Green Acres and the Town of Boonton related to the restoration of Pocket Park and to provide hard-copy printing for bidding by RVRSA.

Pursuant to the Request for Additional Professional Engineering Services, dated August 23, 2019 from Nancy C. Wohlieb, P.E., C.M.E., Mott MacDonald, to Robert Bocchino, P.E., CME, RVRSA, attached hereto and made a part hereof, an additional amount of \$49,780.00 for additional design and bidding 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:

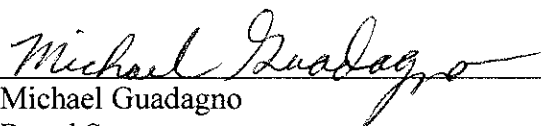
1. JoAnn Mondini, Executive Director is authorized to execute this 3rd amendment to the agreement with Mott MacDonald, with offices located at 111 Wood Avenue South, Iselin, N.J. in an additional amount of \$49,780.00 for additional design and bidding services, for a total new project amount not to exceed \$266,980.00 without further authorization, as set forth in the attached proposal from Mott MacDonald dated August 23, 2019.
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 October 10, 2019.

On motion of: Mr. Thomas Andes
Second by: Mr. Joseph Lowell
and a Roll Call Vote as Follows:

Yeas: (9) Andes, Cegelka, Corbett, Guadagno, Isselin, Lowell, Rossi, Schorno, Zuppa
Nays: (0) None
Abstain: (1) Recchia
Absent: (0) None



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

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

Our Reference
MM#377368

August 23, 2019

pw:\377368-RVRS
INTERCEPTOR SEWER
BOONTON SECTION
REPLACEMENT\Design\Corr
espondence\Client\Bocchino_
Proposal_Change_Order_Ad
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2019.docx

Mr. Bocchino:

111 Wood Avenue South
Iselin NJ 08830-4112
United States of America

As you are aware, there has continued to be an unforeseen effort on the part of Mott MacDonald to satisfy both NJDEP and the Town of Boonton related to the restoration of Pocket Park. After the submission of the original final set of bid documents on June 7, 2018 RVRSA returned the set of bid documents with comments. Extensive modifications were made to address the comments and Mott MacDonald submitted a revised set of bid documents. This package was submitted to Boonton for approval and was not acted upon until February 2019. Boonton made additional comments related to the park restoration details and overall coordination with Green Acres which have now been addressed to satisfy the municipality. In addition, NJ Green Acres imposed very specific requirements as a result of the desired Pocket Park restoration due to the park status as a Green Acres funded property. Mott MacDonald worked with Green Acres, RVRSA and Boonton to address their concerns over the work. Throughout the execution of this work, Mott MacDonald continued to coordinate with the NJDEP and several more review packages were assembled and submitted to the various entities.

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Though we believe the parties' comments have been satisfied and are ready to submit the project to NJDEP for the Authorization to Advertise, we are requesting herein additional compensation for the unanticipated design and coordination engineering services performed to date and for the additional costs needed to conduct a final review of the bid documents prior to NJDEP submission, submit 3 hard copies of the project documents to NJDEP and conduct the bid as requested, modified from our original proposal. Note that our original proposal included bid phase services based upon use of Mott MacDonald's electronic bidding service in lieu of hard-copy printing and bidding by RVRSA.

As compensation of the aforementioned work please consider the following request for additional contract fees:



Additional Fees Requested

Item	Fee Requested	Additional Hours
RVRSA Comment Revisions	\$21,695	134
NJDEP Coordination	\$2,893	22.5
Green Acres Comments and Coordination	\$6,807	49
Boonton Comments and Coordination	\$5,159	48
Preparation of Additional Design Submissions	\$10,726	61.3
Sub Total Unforeseen Labor and Expenses to Date	\$47,280	315
Bid Phase Services Additional Costs	\$2,500	(includes printing)
Total Additional Fee Request	\$49,780	315

Our efforts above represent an additional amount of total hours as noted in the above table.

We request this additional fee be added to the existing lump sum portion of our contract for design and bid phases. No other services will be performed unless authorized or stated herein. Upon receipt of the Authorization to Advertise, the project bid phase will commence.

Thank you for considering this request and for the opportunity to continue to serve the RVRSA.

Very truly yours,

Mott MacDonald

Nancy C. Wohlleb, P.E., C.M.E., Env. Sp.
Vice President
Principal Project Manager
T 973-912-2616
nancy.wohlleb@mottmac.com

cc: JoAnn Mondsini (RVRSA)
Anthony Esposito, III, PE

Additional Cost to Address RVRSA Comments

Date	Employee	Hours	Cost	Comment
9/14/2018	Taricani, Nicholas E.	0.5	\$43.28	Scanned a set of plans and file management.
9/14/2018	Polednik, Roy P.	1	\$124.95	Reviewed RVRSA attorney comments.
11/2/2018	Polednik, Roy P.	0.8	\$99.96	Reviewed front end specs.
11/9/2018	Polednik, Roy P.	5	\$624.75	Front end review. Prepared correspondence.
11/30/2018	Polednik, Roy P.	6	\$749.70	Revised specs per RVRSA attorney review.
1/18/2019	Wohleb, Nancy C.	1	\$213.93	final review of documents
1/18/2019	Polednik, Roy P.	4.5	\$584.82	Revised specs per Nancy's comments. Reviewed drawings.
1/18/2019	Taricani, Nicholas E.	9	\$843.75	Prepared Specifications and plans. Reviewed with Roy and Nancy.
1/25/2019	Wohleb, Christopher	14.2	\$2,170.96	Modify Contract 35 design plans / prepare hydraulic profiles / review bypass procedure
1/25/2019	Wohleb, Nancy C.	23	\$4,920.50	additional modifications per RVRSA review 2nd Boonton review (OUTSIDE SCOPE) QA QC for bidding
1/25/2019	Kocsik, Peter E.	3.5	\$1,105.00	meeting with Auth/ review sequencing/final review
1/25/2019	Taricani, Nicholas E.	2	\$187.50	Prepared changes to specifications and the cost estimate. Reviewed with Chris and Nancy.
2/1/2019	Kocsik, Peter E.	1.5	\$473.57	last second changes
2/1/2019	Polednik, Roy P.	8.5	\$1,104.65	Project review/discussion. Correspondence. Reviewed construction schedule.
2/1/2019	Wohleb, Nancy C.	10	\$2,139.35	Project Review
2/1/2019	Taricani, Nicholas E.	14	\$1,312.50	Prepared updates to Specifications and plans. Reviewed with Roy and Nancy.
2/1/2019	Wohleb, Christopher	14	\$2,140.38	Modifications to Design Plans and Specifications
2/8/2019	Kocsik, Peter E.	2.3	\$726.15	Engineering comm mtg/ Boonton comments
2/8/2019	Wohleb, Christopher	1	\$152.88	Modify and print Bypass head-loss calculations / Specification changes for contaminated soil disposal
2/15/2019	Kocsik, Peter E.	1.2	\$378.85	SOil sampling/ revised bypass testing
2/15/2019	Polednik, Roy P.	9	\$1,169.62	Meeting with ENV. Review with Nancy. Prepared Soil sampling proposal.
2/15/2019	Wohleb, Nancy C.	2	\$427.87	Koch meeting soils proposal RVRSA additional comments
Total:		134.00	\$21,694.93	

Additional Cost to Address Boonton Comments

Date	Employee	Hours	Cost	Comment
4/19/2019	Anthony Esposito III	2	\$204.42	Review of current documents and development of response to letter from town engineer for the Town of Boonton.
4/22/2019	Anthony Esposito III	6	\$613.25	Review of Suburban Engineers comments and development of sketch for discussion with MS from Green Acres.
4/24/2019	Anthony Esposito III	2	\$204.42	Begin Revision of sketch.
4/26/2019	Anthony Esposito III	8	\$817.66	Revise Sketch for Discussion with JM and RB from RVRSA. Discussion of outstanding tasks for completion of site design for Pocket Park. Revision of contract drawings for Pocket Park.
5/1/2019	Anthony Esposito III	3	\$306.62	Addressing Boonton Engineer's concern regarding work in Pocket Park.
5/3/2019	Anthony Esposito III	1	\$102.21	Drafting response letter to Boonton Engineer's concerns regarding Pocket Park.
5/6/2019	Anthony Esposito III	6	\$613.25	Response to SCE comments.
5/9/2019	Anthony Esposito III	2	\$204.42	Revision of contract drawings.
5/10/2019	Anthony Esposito III	4	\$408.83	Revision of contract drawings.
5/13/2019	Anthony Esposito III	1	\$102.21	Drawing revisions.
5/14/2019	Anthony Esposito III	1	\$102.21	Coordinating drawing revision for survey revision to update tree locations.
5/15/2019	Anthony Esposito III	1	\$102.21	Coordinating drawing revision for survey revision to update tree locations.
4/18/2019	Chris Wohleb	0.5	\$76.44	Coordination with co-worker for completion of outstanding project tasks
5/6/2019	Jason Harkins	1	\$133.20	Planting Notes/Details
4/29/2019	Nancy Wohleb	1	\$213.93	Park Layout
4/30/2019	Nancy Wohleb	1	\$213.93	Park Layout
5/13/2019	Nicholas Taricani	3.5	\$328.13	Prepared updates to the plans and prepared documents. Reviewed with Nancy and Anthony.
5/14/2019	Nicholas Taricani	2	\$187.50	Prepared updates to the plans and prepared documents. Reviewed with Nancy and Anthony.
5/17/2019	Nicholas Taricani	1	\$93.75	Prepared updates to the plans and prepared documents. Reviewed with Nancy and Anthony.
3/11/2019	Roy Polednik	0.5	\$64.98	C35 REBID DESIGN / C 35 REBID Design
3/15/2019	Roy Polednik	0.5	\$64.98	C35 REBID DESIGN / C 35 REBID Design
Total:		48	\$5,158.55	

Additional Cost to Address Green Acres Comments

Date	Employee	Hours	Cost	Comment	Amount
2/22/2019	Polednik, Roy P.	5.5	\$714.77	Correspondence with Green Acres. Revised specifications. Project review with Nancy and Pete.	619.47
2/8/2019	Polednik, Roy P.	9	\$1,169.62	Project review. Reviewed and prepared comments response. Correspondence with Green Acres.	1,013.67
4/23/2019	Anthony Esposito III	7	\$715.45	Discussion of site layout sketch with MS from Green Acres. Summarise conversation with MS.	620.06
4/29/2019	Anthony Esposito III	6	\$613.25	Revision of plans and details for replacement of Siphon Outlet Chamber and downstream section of Boonton Interceptor at Pocket Park.	531.48
4/30/2019	Anthony Esposito III	4	\$408.83	Revision of plans and details for replacement of Siphon Outlet Chamber and downstream section of Boonton Interceptor at Pocket Park.	354.32
5/2/2019	Anthony Esposito III	3	\$306.62	Addressing Green Acres concerns regarding work in Pocket Park. Coordination with Landscape Architect.	265.74
5/7/2019	Anthony Esposito III	2	\$204.42	Revising drawings for inclusion of landscaping details.	177.16
4/4/2019	Nancy Wohlleb	2	\$427.87	Green Acres Issues Project Status	370.82
4/5/2019	Nancy Wohlleb	2	\$427.87	Green Acres Issues Project Status	370.82
4/9/2019	Nancy Wohlleb	1	\$213.93	Green Acres Issues Meeting	185.41
4/10/2019	Nancy Wohlleb	2.5	\$534.84	Green Acres Issues Meeting	463.53
4/22/2019	Nancy Wohlleb	1	\$213.93	Green Acres and Park Restoration issues	185.41
4/23/2019	Nancy Wohlleb	1	\$213.93	Green Acres and Park Restoration issues	185.41
4/24/2019	Nancy Wohlleb	1	\$213.93	Green Acres and Park Restoration issues	185.41
4/25/2019	Nancy Wohlleb	1	\$213.93	Green Acres and Park Restoration issues	185.41
4/26/2019	Nancy Wohlleb	1	\$213.93	Green Acres and Park Restoration issues	185.41
Total:				49 \$6,807.15	185.41

Additional Cost to Address NJDEP Comments

Date	Employee	Quantity	Cost	Comment
12/14/2018	Polednik, Roy P.	1.2	\$149.94	Project review. Correspondence with NJDEP.
1/11/2019	Polednik, Roy P.	13.5	\$1,754.43	Specification revision 31. Addressed NJDEP Comments. SED utilization plan.
21-Sep-18	Polednik, Roy P.	1.2	\$149.94	Reviewed SECD comments. Plan revisions.
21-Sep-18	Wohleib, Nancy C.	1	\$207.09	approve SCD permit response revisions
12-Oct-18	Polednik, Roy P.	1	\$124.95	Revised specs per Morris County SECD comments. Prepared correspondence.
26-Oct-18	Polednik, Roy P.	0.6	\$74.97	Correspondence with SECD. Project review.
11-Jan-19	Taricani, Nicholas	3.5	\$328.13	Prepared Specifications and the SED Utilization Plan. Reviewed with Roy.
16-Nov-18	Wohleib, Nancy C.	0.5	\$103.55	NJ I Bank email status and response
Total:		22.5	\$2,893.00	

Additional Cost for Additional Submission Preparation

Date	Employee	Hours	Cost	Comment	Amount
8/24/2018	Polednik, Roy P	16.3	\$2,036.69	Prepared SCD application and support documents. Revised plans and specs per QAQC. Correspondence.	1765.13
8/24/2018	Wohleb, Nancy C.	2	\$414.18	review and discuss qa qc comments review revisions	358.96
8/31/2018	Polednik, Roy P.	6.5	\$812.18	Plan/spec revisions. Correspondence with RVRSA. Review with Nancy	703.89
8/31/2018	Wohleb, Nancy C.	1	\$207.09	advise on NJEIT submission requirements	179.48
9/7/2018	Polednik, Roy P.	1	\$124.95	Finalized SCD application documents.	108.29
2/8/2019	Wohleb, Nancy C.	16	\$3,422.95	finalize for submission	2966.56
5/13/2019	Nancy Wohleb	1	\$213.93	finalize for submission	185.41
5/14/2019	Nancy Wohleb	1	\$213.93	finalize for submission	185.41
5/15/2019	Nancy Wohleb	1	\$213.93	finalize for submission	185.41
5/16/2019	Nancy Wohleb	1	\$213.93	finalize for submission	185.41
5/17/2019	Nancy Wohleb	1	\$213.93	finalize for submission	185.41
7/2/2019	Nancy Wohleb	1	\$213.93	correspondence specs	185.41
7/3/2019	Nancy Wohleb	1	\$213.93	correspondence specs	185.41
7/5/2019	Nancy Wohleb	1	\$213.93	correspondence specs	185.41
10-Aug-18	Polednik, Roy P.	0.5	\$62.48	Reviewed QAQC comments.	54.15
17-Aug-18	Curti, Robert A.	9	\$1,726.44		1496.25
17-Aug-18	Wohleb, Nancy C.	1	\$207.09	review final submission prepare updated schedule	179.48
Total:				61.3	\$10,725.54