

Resolution 23-092

**RESOLUTION AUTHORIZING 5th AMENDMENT OF CONTRACT TO  
MOTT-MACDONALD TO PROVIDE CONSTRUCTION PHASE  
ENGINEERING AND RESIDENT PROJECT REPRESENTATIVE (RPR)  
SERVICES FOR THE FILTRATION AND PHOSPHORUS REMOVAL  
FACILITIES PROJECT**

**WHEREAS**, by Resolution 19-081, adopted on September 12, 2019, RVRSA authorized a contract with the firm of Mott MacDonald, 111 Wood Avenue South, Iselin, New Jersey, to provide construction phase engineering and resident project representative (RPR) Services for the Filtration and Phosphorus Removal Facilities Project (Contract 41) in the not to exceed amount of \$705,950.00; and

**WHEREAS**, by Resolution 21-058, adopted April 8, 2021, the RVRSA authorized a contract amendment to amend Resolution 19-081 to include the corrected total contract amount of \$696,050.00 and authorized Mott MacDonald to undertake additional Bid Phase Engineering Services, including additional printing services and modifications to Electrical Plan sheets, in an amount not to exceed \$34,000.00, for a new total contract amount of \$730,050.00; and

**WHEREAS**, by Resolution 22-057, adopted May 12, 2022, the RVRSA authorized a contract amendment for additional costs associated with Bid Phase Task 1 - RPR Services, Task 2 – Submittal Review, Task 3 – RFI's, Task 5 – Change Orders, Task 6 – Project Administration, Task 9 – Printing and Mileage Expenses, in the amount of \$372,000.00 for a new total contract amount of \$1,102,050.00; and

**WHEREAS**, by Resolution 23-035, adopted February 9, 2023, the RVRSA authorized a contract amendment for additional costs associated with Task 2 – RPR Services, Task 3 – Meetings, Task 4 – Submittal Review, Task 5 – RFI's, Task 6 – Change Orders, Task 9 – Project Administration, Mileage Expenses, in the amount of \$226,500.00 for a new total contract amount of \$1,328,550.00; and

**WHEREAS**, by Resolution 23-065, adopted June 8, 2023, the RVRSA authorized a contract amendment for additional costs for Preparation of NJDEP Chemical Discharge Prevention, Containment & Countermeasure (DPCC) Plan for the Wastewater Treatment Plant, in the amount of \$33,000.00 for a new total contract amount of \$1,361,550.00; and

**WHEREAS**, the RVRSA has received a proposal dated September 8, 2023 from Peter E. Kocsik, P.E., Senior Vice President, Mott MacDonald, entitled *Rockaway Valley Regional Sewerage Authority Phosphorus Removal and Filtration Facilities (Contract 41) Update on Budget Status / Request for Modification Bid Phase / Construction Phase Services*, updating Mott MacDonald's project expenditures to date, and requesting an increased budget of \$62,000.00 based upon the extended construction period and anticipated work that remains to be

completed, which is summarized as follows:

Description	Previously Approved Labor Budget	Actual Expenditures	Anticipated Expenditures through Project Completion	Additional Budget Required
Task 2 – RPR Services	\$515,000.00	\$502,625.00	\$502,625.00	\$0.00
Task 3 – Meetings	\$58,190.00	\$58,459.25	\$60,690.00	\$2,500.00
Task 4 – Submittal Review	\$271,800.00	\$277,019.70	\$283,800.00	\$12,000.00
Task 5 – RFI's	\$54,690.00	\$53,833.00	\$53,833.00	\$0.00
Task 6 – Change Orders	\$70,930.00	\$64,567.50	\$79,930.00	\$9,000.00
Task 7 – Testing & Startup Assistance	\$36,260.00	\$44,964.25	\$52,260.00	\$16,000.00
Task 8 – Record Drawings	\$17,450.00	\$472.50	\$5,450.00	\$0.00
Task 9 – Project Administration	\$213,480.00	\$247,411.78	\$261,480.00	\$22,452.09
Mileage Expenses	\$9,312.67	\$8,996.76	\$8,996.76	\$0.00
Total				\$61,952.09
Amount of Budget Increase Requested				<b>\$62,000.00</b>

**WHEREAS**, the RVRSA desires to authorize Mott-MacDonald to undertake the additional services as set forth in the attached proposal for the same, dated September 8, 2023, in an amount not to exceed \$62,000.00 without prior authorization, for a new total contract amount of \$1,423,550.00; 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; and

**WHEREAS**, funds are available for these purposes at line item 01-EIT-41 Filtration and Phosphorus Removal Facilities Project.

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

1. The Rockaway Valley Regional Sewerage Authority recognizes that Mott-MacDonald has an established reputation in the field of engineering matters related to the services set forth in the letter proposals on file at the offices of the Rockaway Valley Regional Sewerage Authority 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 amendment for professional services, in a form acceptable to the Executive Director and Counsel, between the Rockaway Valley Regional Sewerage Authority and the firm of Mott-MacDonald, having an office at 111 Wood Avenue South, Iselin, New Jersey, for Professional Bid Phase and Construction Phase Engineering and Resident Project Representation Services for Contract 41 – Filtration and Phosphorus Removal Facilities Project, at a cost not to exceed \$1,423,550.00 without further authorization, to be calculated on a time charged plus expense basis, in accordance with the letter proposal dated September 8, 2023, attached hereto at Schedule A, and conditioned upon the submission by Mott-MacDonald 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.
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 September 14, 2023.

On motion of: Commissioner Andes

Second by: Commissioner Cegelka

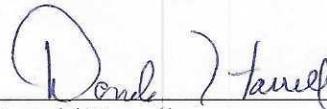
And a Roll Call Vote as Follows:

Yeas: (8) Andes, Cegelka, Farrell, Howarth, Isselin, Lavery, Potter, and Zuppa.

Nays: (0) None

Abstain: (0) None

Absent: (2) Corbett and Schorno

A handwritten signature in blue ink that reads "Donald Farrell". The signature is written in a cursive style with a large initial "D".

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Donald Farrell  
Board Secretary