

RESOLUTION
of the
BOROUGH OF NEW PROVIDENCE
Resolution No. 2019-230

Council Meeting Date: 09-23-2019

Date Adopted: 09-23-2019

TITLE RESOLUTION ACCEPTING THE PROPOSAL OF MASER CONSULTING, P.A. FOR PROFESSIONAL ENGINEERING AND CONSTRUCTION ADMINISTRATION SERVICES REGARDING DOWNTOWN STREETScape PROJECT (PHASE II-A)

Councilperson Muñoz submitted the following resolution, which was duly seconded by Councilperson DeSarno.

WHEREAS, the Borough of New Providence acquired Professional Engineering and Professional Construction Administration Services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19-44A-20.5; and

WHEREAS, Maser Consulting was awarded a contract with the Borough of New Providence via Resolution 2017-018 to provide professional engineering services; and,

WHEREAS, Maser Consulting Services has submitted a proposal dated September 19, 2019 indicating they will provide professional engineering and professional construction administration services relating to the Downtown Streetscape Project (Phase II-A), for an amount not to exceed \$79,500.00; and

WHEREAS, the fees assessed with this proposal are contained in said contract; and

WHEREAS, the maximum amount of the contract is not to exceed \$79,500.00, and said funds are available from the following accounts:

C-04-55-973-290-301500

and have been certified by the Chief Financial Officer; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of New Providence that they hereby approve and authorize the professional services included in the Maser Consulting Services proposal dated September 19, 2019.

APPROVED, this 23rd day of September, 2019.

RECORD OF VOTE

| | AYE | NAY | ABSENT | NOT VOTING |
|----------|-----|-----|---------------------------|------------|
| CUMISKEY | X | | | |
| DESARNO | X | | | |
| GENNARO | | | X | |
| GEOFFROY | X | | | |
| MUÑOZ | X | | | |
| ROBINSON | X | | | |
| MORGAN | | | TO BREAK COUNCIL TIE VOTE | |

I hereby certify that the above resolution was adopted at a meeting of the Borough Council held on the 23rd day of September, 2019.

Wendi B. Barry, Borough Clerk



Engineers
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Landscape Architects
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September 19, 2019

VIA EMAIL

Mr. Douglas R. Marvin, Administrator
Borough of New Providence
360 Elkwood Lane
New Providence, New Jersey 07974

Re: Professional Services Proposal
Downtown Streetscape Project (Phase II-A)
Springfield Avenue
Borough of New Providence
Union County, New Jersey
MC Project No. NPT-624P

Dear Mr. Marvin:

Maser Consulting P.A. is pleased to submit this proposal to provide professional construction administration services for the Phase II-A Downtown Improvement Project Springfield Avenue in the Borough of New Providence, NJ. We understand that this is a federally funded project with funding partially provided by the New Jersey Department of Transportation, Division of Local Aid and Economic Development and therefore, requires full-time construction observation in accordance with Federal Aid Guidelines.

After a cursory review of the contract drawings and specification, we understand that this project includes the installation of new concrete and granite curbing, concrete sidewalk, concrete paver walkway, in-roadway warning light enhanced crosswalk system, decorative street lighting, electrical improvements, trees, landscaping and installation of related site appurtenances. All installations shall be in accordance with current ADA requirements.

Note, that this project has been awarded to A.A. Berms in the amount of \$288,832.00.

The following scope of services has been separated into phases so that it may be more easily reviewed.





SCOPE OF SERVICES

Upon award of the contract, Maser Consulting shall provide the following services:

PHASE 1.0 PRE-CONSTRUCTION TASKS

Our office will coordinate and facilitate a Pre-Construction meeting with the awarded contractor as well as the Borough and applicable agencies including the New Jersey Department of Transportation (NJDOT). In addition, we will work with the contractor and NJDOT to ensure the proper documentation is in order prior to issuance of the notice to proceed and to ensure compliance with the funding agreement. Once the pre-construction documentation is checked and NJDOT agrees, we will coordinate scheduling with the contractor and borough and issue a notice to proceed.

Phase 1.0 – Not to Exceed **\$8,000.00**

PHASE 2.0 CONSTRUCTION ADMINISTRATION TASKS

Maser Consulting will provide construction administration service as follows:

- **Shop Drawing Review:** Maser will coordinate, track and review all shop drawings, submittals and work drawing submissions. For the purposes of this project, it is assumed that Suburban Consulting Engineers may need to provide additional technical review should there be any submissions that are not to specifications but may be an approved equal.
- **Requests for Information (RFI's):** Maser will review each RFI to determine the nature of the request. Whenever possible, Maser will directly answer the RFIs, however it is assumed that some of the more complex requests should be vetted with Suburban Consulting Engineers. For the purposes of this proposal, we have assumed there will be **5 RFIs** on this project.
- **Engineering Design Support/Coordination:** During any construction, design support is often needed to modify designs based on issues that come up in the field. The Maser team will coordinate directly with the contractor and if necessary, Suburban Consulting Engineers as needed on these tasks. The Borough will immediately be made aware of any potential changes that would impact the plans or specifications.

Phase 2.0 – Not to Exceed **\$7,500.00**



PHASE 3.0 CONSTRUCTION INSPECTION & OBSERVATION TASKS

Maser Consulting shall provide full-time construction management services throughout the duration of this project as is required based on the federal funding guidelines. We will utilize an on-site Field Manager for the duration of the project in order to provide consistency throughout construction. The contract documents allow for a 170-day construction duration.

Maser Consulting estimates that the duration of construction should be approximately six (6) weeks from the start of work. In addition, Maser Consulting anticipates that there will be three (3) weeks of part-time construction administration services for the Contractors to complete the punch list items. The goal is to construct the entirety of the project during the 2019 construction season. Please note that this project is weather dependent. Should inclement weather occur, the construction schedule may be altered. Should any additional work be awarded for construction, the construction administration portion of the contract shall be amended to reflect the additional effort of inspection services.

Daily inspection reports will be retained by Maser Consulting regarding the project. Maser Consulting shall review and prepare Contractor's payments as well as change orders. If unacceptable work or material is supplied by the Contractor, immediate corrective action shall be taken by Maser Consulting on behalf of the Borough.

Prior to completion, a final punch list shall be created by the Inspector and completion deadlines shall be scheduled for all open items. Upon completion of the punch list items, a final site inspection shall be scheduled with the Contractor and the Borough in order to close out the project. Maser Consulting will prepare the paperwork for final inspection and final payment for the Contractor. Should additional construction administration services be required, Maser Consulting shall coordinate with the Borough and inform the appropriate personnel of the status of construction. Maser Consulting will prepare the paperwork for payments for the Contractor and submittal to NJDOT for funding reimbursement.

The Maser Consulting team is extremely familiar with NJDOT field inspection and reporting procedures, along with any reporting the County will require for the close-out of this project. We will provide daily, detailed inspection reports with photos of the day's construction activities in electronic format, if required. Maser Consulting's reports will be in an easy-to-read and understandable format, typically not exceeding two pages. We are extremely familiar with the Davis-Bacon process on wage rates, standard Federal Reporting documents, and most importantly, close-out documentation. Our Resident Engineer will conduct routine wage rate inspections for all worker trades on the project using the NJDOT DC-126 Wage Rate Inspection form and prepare the DC-127 for the monthly certification of contractor's payroll as well. Maser Consulting will verify that all prevailing wage rates are being correctly paid to each worker classification and that the contractor's certified payroll is in accordance with the New Jersey Department of Labor (NJDOLE) established rates to ensure prevailing wages for each trade are paid pursuant to the contract specifications.



This could be the most important aspect of the project and can affect ultimate funding of the project. Maser Consulting is extremely familiar with the requirements of Source Documentation and understands that funding is based upon accurate reporting. We want to aid in the Borough of New Providence's responsibility of the LPA (Local Public Agency) requirements. We will perform the required tasks as required by NJDOT and the Federal Highway Administration. Our staff is diligent in report documentation, filing, and scanning documents to a central server to ensure no items are lost. We will monitor the contractor to ensure that all construction items are in compliance with all local, state, federal laws and ordinances. We have prepared DC-29's/DC-144's on all NJDOT projects and have incorporated the Maser Consulting forms to include all items that are on the DC-29/DC-144 inspection reports but have added additional entries to ensure compliance. Maser Consulting has successfully completed several federally funded projects and is familiar with the following listed source documents as required on Federal projects:

- CR-266F: Schedule of Emerging Small Business Enterprise/Disadvantage Business Enterprise (ESBE/DBE) Participation;
- DC-17 Contractor's Certification of Compliance;
- DC-18: Request for Approval to Sublet;
- DC-18A: NJDOT Request for approval to Sublet on projects utilizing 2007 specifications;
- DC-123: Contractor's Final Certificate of Compliance;
- DC-126: NJDOT Wage Rate Inspection;
- DC-127: NJDOT Monthly Certification of Contractor's Payroll;
- DC-2891: Material Questionnaire;
- CR-347-2: New Jersey Department of State Compliance;
- CR-347: Payroll Certification Prepared by contractor; and
- CC-257R: Monthly Employment Utilization Report (Prepared by contractor on-line).

The Maser Consulting team is federally funded trained, through Rutgers LTAP, to ensure that the above listed documents, if required, are thoroughly reviewed and included in a monthly submission package on behalf of the LPA to NJDOT Local Aid.

During all periods of construction, Maser Consulting's full time Field Observer will be responsible for overseeing all inspection staff, and for ensuring proper cost control, progress control, and quality control. The duties of the inspection staff and of the Project Manager will include the following:

- Pursuant to section 108.10 of the contract specifications, all work must be completed within 170 calendar days. Our office will provide full-time inspection for an assumed duration of 6 weeks of construction with 3 weeks to address punch list items.



- Investigate all complaints and inquiries from the property owners, citizens and public officials. Keep a detailed written account of the issues with provided solutions for record. Should any situation remain unresolved they will be referred to the County in detail with the recommended solution.
- Assuring compliance with the specifications, and NJDOT 2007 Standard Specifications/ Supplementary Specifications for Federal Aid Projects.
- Reviewing, approving, and submitting requests for lane closings.
- Utility Coordination with public utilities identified in section 105.07.01 in the Contract Specifications. Ensure that the contractor provides the necessary utility protection when working in the vicinity of any public utility. Will ensure the contractor uses the New Jersey One Call system to obtain Mark-Outs of all underground utilities in advance of beginning any ground intrusive operations.
- Ensure the contractor places all Maintenance and Protection of Traffic (MPT) equipment pursuant to the contract and in accordance with section 159.01 of the contract specifications. Monitoring traffic flow throughout the construction period. Developing recommendations for any changes or additional traffic protection measures that may be in the interest of the traveling public.
- Preparing and maintaining daily inspection reports, including photographs of the progress of the project and individual issues of significance.
- Verify that pedestrian facilities meet ADA requirements.
- Ensure that “Buy America” requirements are met for all iron and steel materials incorporated into the project. Our Resident Engineer will check obtain and inspect all material tickets, bills of lading, and chain of custody receipts to confirm material meets the Buy America requirements. We will ensure that the contractor submits the DC-17 Certification of Compliance for items containing Steel and Iron form. No materials will be allowed to be placed on-site until confirmation of compliance with the Buy America contract provision.
- Coordinating with other County contracts and other agencies.
- Evaluating and approving the quality and workmanship of all contract work. Reporting on the quantities of materials furnished, numbers and classifications of workers employed, type of equipment used, and quantity of pay items constructed through inspector’s daily reports. Noting any changes in weather, contractor’s procedures, unusual incidents or findings, deterioration requiring special attention, additional work, or possible additional compensation. Required detailed inspection/progress reports with digital images will be prepared using proper forms and procedures as outlined in the NJDOT Manual for Construction. Maintaining as-builts.
- Processing of Change Orders on the NJDOT DC-173 Contract Modification form. Ensure that the change order is required and conforms to the NJDOT procedures in the standard specifications.
- Maintaining computerized records of quantities and cost, preparing and approving Certificates for Payment, and forwarding them to the Borough of New Providence. Forwarding to the Borough periodic progress summaries for each pay item and periodic



narrative reports of progress, problems, or unusual conditions. Monitoring the contractor's staging areas, access areas, and disposal sites on Borough of New Providence/County right-of way.

- Inspecting for compliance with all regulations, taking immediate action to correct nonconforming practices, ensuring sites are properly restored.
- Reviewing contractor's claims and requests for additional compensation and making recommendations regarding payment. Prepare, recommend, and process for payment any required change orders.
- Scheduling, coordinating, attending, and documenting pre-construction and Utility Field meetings.
- Scheduling, coordinating, attending, and documenting bi-weekly meetings. Additional meetings will also be arranged as needed or requested by the County. These meetings are above and beyond the day-to-day contact and communication with the contractor. The County will be informed of all job meetings so that they can attend as desired.

Phase 3.0 – Not to Exceed

\$56,000.00

PHASE 4.0 PROJECT CLOSE-OUT TASKS

After substantial completion of all construction on this project, our Resident Engineer will be responsible for the following:

- Coordinating all final testing of the in-road warning system and electrical upgrades with Suburban Consulting Engineers.
- Preparing a preliminary deficiency list. Arranging for, coordinating, and participating in the final inspection. Ensuring that all pay items have been measured, certifying that the work has been completed in conformance with the plans and specifications, and verifying that the final estimate of payment to the contractor is correct.
- Preparing and submitting accurate and complete redline as-built drawings within 30 days of the final inspection. Turning over all records, documents, and requested information to County at the conclusion of the project.

Phase 4.0 – Not to Exceed

\$8,000.00



PROJECTED SCHEDULE:

The estimated schedule for the project is outlined below.

| | Approximate Start Date | Approximate End Date |
|--|-------------------------------|-----------------------------|
| Pre-Construction Meeting and DOT Compliance | June 2019 | September 2019 |
| Construction | October 2019 | December 2019 |
| Punch List Compliance | December 2019 | January 2020 |
| Project Closeout | January 2020 | February 2020 |

FEE AGREEMENT:

For your convenience, we have broken down the total estimated cost of the project into the categories identified within the Scope of Services.

| | |
|--|--------------------|
| PHASE 1.0 PRE-CONSTRUCTION TASKS | \$8,000.00 |
| PHASE 2.0 CONSTRUCTION ADMINISTRATION TASKS | \$7,500.00 |
| PHASE 3.0 CONSTRUCTION INSPECTION & OBSERVATION TASKS | \$56,000.00 |
| PHASE 4.0 PROJECT CLOSE-OUT TASKS | \$8,000.00 |
| Total Not to Exceed | \$79,500.00 |

The above Engineering Services will be provided on an incremental basis not to exceed the listed amount. This Contract and Fee Schedule is based upon the Borough Engineering Contract Authorized by the Borough of New Providence.

The Borough CFO should also review and discuss this agreement with the appropriate Borough staff regarding allocation of the appropriate funding and/or bond ordinance for said Engineering Services.

REIMBURSABLE EXPENSES

Reimbursable expenses including delivery, printing, copying, postage and other reproducible costs for the above-mentioned deliverables are not included within this agreement and will be billed based on the Contract and Fee Schedule for the Borough Engineering Contract Authorized by the Borough of New Providence.



EXCLUSIONS

Any service associated with the following items is specifically excluded from the scope of professional services within this agreement:

- Permitting with outside agencies;
- Project surveying;
- Construction stakeout services;
- Utility mark-out coordination; and
- Traffic Safety Control.

If you find this proposal acceptable, please forward a copy of the Resolution of Approval for this Proposal and Authorization to Bid to this office. This will constitute approval of the proposed work.

Thank you for the opportunity to offer our services for the Downtown Streetscape Project. We look forward to working with you on this and future projects. In the meantime, should you have any questions regarding this proposal, please feel free to contact me.

Very truly yours,

MASER CONSULTING P.A.

A handwritten signature in blue ink, appearing to read 'K. Boyer', is written over a faint, light blue circular watermark.

Kevin Boyer, P.E., C.F.M.
Project Manager/Associate

KEB/ljb

cc: Wendi Barry (WBARRY@newprov.org)
Andrew Hipolit (ahipolit@maserconsulting.com)
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