

**Resolution of the Demarest Governing Body**

**Resolution No. 107 -24**

**May 13, 2024**

<b>Council Member</b>	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
<b>Jiang</b>		✓	✓			
<b>Fox</b>			✓			
<b>Marks</b>			✓			
<b>Slowikowski</b>	✓		✓			
<b>Reiss</b>			✓			
<b>Collins</b>			✓			

**TITLE: RESOLUTION AUTHORIZING THE CONSTRUCTION MANAGEMENT FOR 2024 RIVERSIDE COOPERATIVE PAVING**

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**WHEREAS**, the Borough of Demarest has a need for construction management services related to FY2024 Riverside Cooperative Paving; and

**WHEREAS**, the Borough received a proposal dated April 24, 2024 from Colliers Engineering & Design to provide those services, attached, for the sum of \$45,500.00; and

**WHEREAS**, the appointment and the contract are exempted from the competitive bidding requirements of the Local Public Contracts Law, (NJSA 40A:11-1 et. Seq.) as "Professional Services", pursuant to NJSA 40A:11-5(1)(a); and


**WHEREAS**, the vendor is the currently appointed 2024 Borough Engineer for the Borough of Demarest and the Mayor and Council awarded said 2024 contract pursuant to the provisions of NJSA 19:44A-20.5; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available in account CIF 04-2250; and

**NOW THEREFORE, BE IT RESOLVED**, by the Borough of Demarest that the Borough Administrator is authorized to execute the agreement to authorize Colliers Engineering

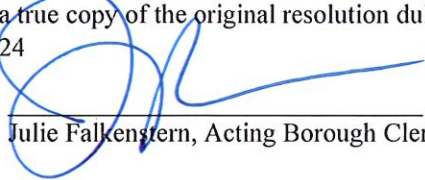
& Design to perform the work described herein not to exceed \$45,500.00 a copy of which is annexed to this Resolution.

**APPROVED:**

  
\_\_\_\_\_  
Mayor Brian Bernstein

**CERTIFICATION**

I, Julie Falkenstern, Acting Borough Clerk, of the Borough of Demarest, in the County of Bergen and the State of New Jersey do hereby certify that the foregoing Resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting on May 13, 2024

  
\_\_\_\_\_  
Julie Falkenstern, Acting Borough Clerk

400 Valley Road Suite 304  
Mt. Arlington New Jersey 07856  
Main: 877 627 3772



Engineering  
& Design

April 24, 2024

Julie Falkenstern, Borough Administrator  
Borough of Demarest  
118 Serpentine Road  
Demarest, NJ 07627

2024 Riverside Cooperative Paving Program - Demarest Portion  
Professional Engineering Construction Administration Services  
Borough of Demarest, Bergen County, NJ  
Colliers Engineering & Design Project No. DEB0064P

Dear Mayor and Council,

Colliers Engineering & Design (dba Maser Consulting) is pleased to present the following agreement for construction observation and administration services related to the 2024 Riverside Cooperative Paving Program. Funding will be provided through current bond ordinance(s) and the anticipated capital bond ordinance for capital improvements.

Colliers Engineering & Design has been authorized by the Lead Agency (Northvale) to perform the preparation of specifications for receipt of bids (Riverside Cooperative) on this project. Bids were received on March 28, 2024, and the apparent low bidder is DLS Contracting, Inc. In working specifically with the paving needs identified for Demarest, the Borough's portion of the contract is currently \$316,282.94 based on the bid results.

## Section I – Scope of Services

Based on our conversations and information noted above, we propose to complete the following:

### **TASK I. CONSTRUCTION OBSERVATION AND ADMINISTRATION SERVICES:**

Upon award of a contract under the Riverside Cooperative Bid, Colliers Engineering & Design will coordinate a Pre-Construction meeting with the contractor, Borough Officials, and the Department of Public Works (DPW). During construction, Colliers Engineering & Design will monitor the contractor's performance and enforce the adherence to the contract documents and project schedule.

Colliers Engineering & Design will provide the Borough with part-time on-site construction administration services during the concrete work, potential drainage improvements and milling/paving operations. This task should last approximately eight (8) weeks. In addition, Colliers Engineering & Design anticipates that there will be two (2) weeks of part-time construction administration services for the contractor to complete the punch list items. Colliers Engineering & Design will utilize the same construction administrator on the site for the entirety of the project in order to provide consistency for the project. Observation reports will be retained by Colliers Engineering & Design regarding the project. Colliers Engineering & Design will review and prepare contractor's payments as well as change orders (if necessary). If unacceptable work or material is supplied by the contractor, immediate corrective action will be taken by Colliers Engineering & Design on behalf of the Borough. Colliers Engineering & Design



Engineering  
& Design

will review the submittals for the projects including shop drawings and as-built drawings provided by the contractor. Prior to completion, a final punch list will be created by the construction administrator and completion deadlines will be scheduled for all open items. Upon completion of the punch list items, a final site visit will be scheduled with the contractor and the Borough to close out the project. Colliers Engineering & Design will prepare the paperwork for final payment for the contractor.

### Projected Schedule:

The following is the estimated schedules for the project:

<u>Task</u>	<u>Anticipated Schedule</u>
Construction Contract Award	April 2024
Pre-Construction Meeting	May 2024
Construction Administration Services	Spring/Summer 2024
Project Closeout	Summer/Fall 2024

The goal is to construct the entirety of the project during the 2024 construction season. Please note that this project is weather dependent. Should inclement weather occur, the construction schedule may be altered.

### Schedule of Fees

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

<b>Task Name</b>	<b>Fee</b>
<b>Task 1 Construction Observation &amp; Administration Services</b>	<b>\$45,500.00</b>
Total Lump Sum	\$45,500.00

The above services will be provided on a lump sum basis not to exceed the listed amount. This Contract and Fee Schedule is based upon the Borough Engineering Contract authorized by Borough of Demarest (Resolution No. 016-24).

### Project Deliverables:

During the contractor payment preparation process, Colliers Engineering & Design will provide the Borough of Demarest with documentation for their review and execution for contractor payment. Certification by the Chief Financial Officer will be required for all closeout documents.

### Reimbursable Expenses:

Reimbursable expenses including delivery, printing, copying, postage and other reproducible costs for the above-mentioned deliverables are included within this agreement and are included in the project cost.

### Plan Revisions and Extra Services:

Any revision requested by the Borough of Demarest or review agencies that is a major redesign or not an error or omission on the part of Colliers Engineering & Design will be billed on an hourly basis in accordance with our current contract.

### Exclusions:

If any item listed herein, or otherwise not specifically mentioned within this agreement or the Borough Engineering Agreement is deemed necessary, then Colliers Engineering & Design may prepare an addendum to this agreement for your review, outlining the scope of additional services and associated professional fees with regard to the extra services. Unanticipated additional services will be in accordance with the Schedule of Hourly Rates for the number of hours of effort required. No extra services will be performed without authorization from the Borough.

Please forward a copy of the Resolution of Approval and/or Approved Purchase Order for this agreement to this office. This will constitute approval of the proposed engineering services.

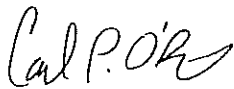
We thank you very much for the opportunity to offer our services and look forward to working with you on this and future projects. In the meantime, should you have any questions regarding this agreement, please feel free to contact me.

Sincerely,

Colliers Engineering & Design



Nick Chelius, P.E.  
Borough Engineer



Carl O'Brien, P.E.  
Geographic Discipline Leader

cc: Michael Greco (Deputy Borough Clerk)  
Deena Rosendahl, Esq. (Borough Attorney)  
Peter Suh (Borough CFO)  
Jason Gangi (DPW)  
Jamie Giurintano, PE (CED)  
Robert Culvert (CED)  
Marie Raffay, PE (CED)  
Craig Zimmermann, PE (CED)  
James Priolo, PE (CED)