

Resolution of the Demarest Governing Body

Resolution No. 099 -24

May 13, 2024

Council Member	Motion	Second	Yes	No	Abstain	Absent
Jiang		✓	✓			
Fox			✓			
Marks			✓			
Slowikowski	✓		✓			
Reiss			✓			
Collins			✓			

TITLE: RESOLUTION AUTHORIZING THE CONSTRUCTION MANAGEMENT FOR 2023 NJDOT PAVING – MADISON AVE.

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WHEREAS, the Borough of Demarest has a need for construction management services related to FY2023 NJDOT Paving of Madison Ave.; and

WHEREAS, the Borough received a proposal dated May 7, 2024 from Colliers Engineering & Design to provide those services, attached, for the sum of \$32,500.00; 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 \$32,500.00 a copy of which is annexed to this Resolution.

APPROVED:



Mayor Brian Bernstein

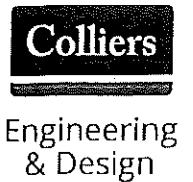
CERTIFICATION

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, NJ 07856
Main: 877 627 3772



May 7, 2024

Julie Falkenstein, Borough Administrator
Mayor and Council
Borough of Demarest
118 Serpentine Road
Demarest, NJ 07627

Proposal for Professional Services
NJDOT FY2023 – Madison Avenue
Professional Engineering Construction Administration Services
Borough of Demarest, Bergen County, NJ
Colliers Engineering & Design Proposal No.: DEB0055p

Dear Mayor and Council,

Colliers Engineering & Design, Inc. (CED) is pleased to present the following agreement for construction administration services regarding the NJDOT FY 2023 Madison Avenue Project. Funding shall be provided through current bond ordinance(s) and the anticipated capital bond ordinance for capital improvements. Partial funding shall be provided through a grant received by the New Jersey Department of Transportation Local Aid. The Engineer's Estimate is approximately \$214,322.00 for the Base Bid and \$245,287.00 for the Base Bid Plus Alternative "A". The NJDOT has awarded \$112,840.00 in grant funding for this project.

The project consists of improvements to the following locations:

- **Madison Avenue** (from Knickerbocker Road to Stelfox Street) – Approximately 1,985 linear feet

It is our understanding that Madison Avenue is under the Borough's jurisdiction. It is also our understanding that this roadway is generally in poor condition. Improvements to the roadway will include milling, base repair, spot curb repair, inlet grates, curb pieces, ADA compliant curb ramps with detectable warning surfaces, resurfacing, striping and restoration.

CED has previously been authorized to design the project and coordinate with NJDOT for approval and authorization to bid. This engineering agreement shall be utilized for construction oversight and NJDOT closeout procedures.

Scope of Services

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

TASK 1.0 – CONSTRUCTION OBSERVATION AND ADMINISTRATION SERVICES

Upon award of the construction contract to the lowest responsive and responsible bidder, CED shall coordinate a Pre-Construction meeting with the contractor and the Borough. During construction, CED shall monitor the contractor's performance and enforce the adherence to the contract documents and project schedule.

CED shall provide the Borough with on-site construction administration services during milling and paving operations. CED will also supervise any ancillary work such as striping, curb replacement, and ADA ramp reconstruction. This task should last approximately 4 weeks. In addition, CED anticipates that there will be 2 weeks of part-time construction administration services for the contractor to complete the punch list items. CED will utilize the same construction administrator on the site for the entirety of the project mentioned above in order to provide consistency for the project.

Daily observation reports will be retained by CED regarding the project. CED shall 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 shall be taken by CED on behalf of the Borough. CED will review the submittals for the projects including shop drawings and as-built drawings provided by the contractor.

It should be noted that dependent upon the construction activity, one week may require additional site observations services while another week may require less observation. This is strictly dependent upon the contractor's course of action. Construction Administration Services shall commence prior to the actual construction due to the review and approval of Shop Drawings. Should additional time and effort be necessary for on-site inspection services, CED will prepare an addendum outlining the amount of time and effort that is required to complete the tasks and inform the Borough accordingly. CED will review shop drawings as submitted by the contractor. We will make the necessary recommendations specific to final roadway striping and layout. We will also assist with the review of pay requests and preparation of closeout documents as it relates only to the project.

Prior to completion, a final punch list shall be created by the construction administrator and completion deadlines shall be scheduled for all open items. Upon completion of the punch list items, a final site visit shall be scheduled with the contractor and the Borough to close out the project. CED will prepare the paperwork for final payment for the contractor and submittal to NJDOT for funding reimbursement.

CED will coordinate with NJDOT throughout construction and after project completion for closeout of the project. Upon completion of construction, CED will coordinate with NJDOT for final inspections, any needed corrective actions, and perform the effort necessary to obtain reimbursement from the funding agency.

PROJECTED SCHEDULE

<u>Task</u>	<u>Anticipated Schedule</u>
Design Services	Completed
Bidding Services	May 2024
Construction Contract Award	June 2024
Construction Administration	July 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 need to be altered.

Schedule of Fees

<u>Task Name</u>	<u>Fee</u>
TASK 1.0 – CONSTRUCTION OBSERVATION AND ADMINISTRATION SERVICES	\$32,500.00
TOTAL LUMP SUM FEE	\$32,500.00

The above design services will be provided on a lump sum basis not to exceed the listed amount unless otherwise authorized. This Contract and Fee Schedule is based upon the Borough Engineering Contract authorized by Borough of Demarest.

Project Deliverables

During the reimbursement preparation process, CED will provide the Borough of Demarest with documentation for their review and execution on an as-needed basis or as requested. Certification by the Chief Financial Officer shall be required for the closeout documents in order to recoup reimbursable funds.

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.

Exclusions

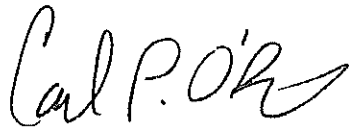
If any item listed herein, or otherwise not specifically mentioned within this agreement or the Borough Engineering Agreement is deemed necessary, then CED may prepare an addendum to this agreement for your review, outlining the scope of additional services and associated professional fees with regard to the extra services. Unanticipated additional services shall 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 or approved Purchase Order 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 us.

Sincerely,

Colliers Engineering & Design, Inc.



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



Nick Chelius, P.E.
Borough Engineer

CPO/nhc/ka

cc: Michael Greco, Deputy Borough Clerk (via email)
Deena Rosendahl, Esq., Borough Attorney (via email)
Peter Suh, Borough CFO (via email)
Craig Zimmermann, COLLIERS ENGINEERING & DESIGN (via email)
Robert Culvert, COLLIERS ENGINEERING & DESIGN (via email)
Jamie Giurintano, COLLIERS ENGINEERING & DESIGN (via email)
James Priolo, COLLIERS ENGINEERING & DESIGN (via email)