

RESOLUTION NO. 2017-83

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE NEW JERSEY DEPARTMENT OF TRANSPORTATION AND THE CITY OF VINELAND WITH RESPECT TO SABATER ELEMENTARY SAFE ROUTE TO SCHOOL 2014, PHASE 2.

WHEREAS, the New Jersey Department of Transportation has submitted to the City of Vineland a cost reimbursement agreement with respect to funding for Sabater Elementary Safe Route to School 2014, Phase 2, under Federal Project No. TAP-C00S(891), copy of which is attached; and

WHEREAS, reimbursement to the City for total costs incurred under this agreement is authorized up to an amount of \$303,977.00; and

WHEREAS, said Agreement has been reviewed by the governing body and is considered to be in the best interest of the City of Vineland; now, therefore,

BE IT RESOLVED by the City Council of the City of Vineland, as follows:

1. THAT the Mayor and City Clerk are hereby authorized to execute the agreement between the New Jersey Department of Transportation and the City of Vineland with respect to funding for Sabater Elementary Safe Route to School 2014, Phase 2, under Federal Project No. TAP-C00S(891).
2. THAT the City Engineer is designated as the City's representative responsible for project direction and management of said agreement.

Adopted:

President of Council

ATTEST:

City Clerk

1/13/2017

MEMORANDUM TO: Robert Dickenson, Assistant Business Administrator

FROM: Rick Caudill, Assistant Engineer, Civil

RE: Sabater Elementary Safe Route
to School 2014, Phase 2
Federal Project No. TAP-C00S(891)
Agreement No. 17-DT-BLA-739
City Eng. File No.: 13-025



The Federal Highway Administration authorized funding up to an amount of \$303,977.00 for the above local lead project (see attached award letter). Enclosed is a copy of the Federal Aid agreement that requires a resolution authorizing execution.

As indicated in the award letter, our department requires four (4) originals of the agreement (pages 13, 16 & 20 of the agreement need to be signed **in blue ink**, and sealed, where required) and four (4) certified copies of the authorizing resolution for submission to NJDOT also signed **in blue ink**. Please note that the date on the first page is not required to be entered at this time.

Should you have any questions or comments feel free to contact this office.

c: Susan Baldosaro, CFO





State of New Jersey

DEPARTMENT OF TRANSPORTATION
One Executive Campus
Route 70
Cherry Hill, New Jersey 08002



CHRIS CHRISTIE
Governor

RICHARD T. HAMMER
Commissioner

KIM GUADAGNO
Lt. Governor

January 12, 2017

Brian Myers, P.E.
City Engineer, Vineland City
Department of Engineering
640 E. Wood Street
Vineland, NJ 08360

Re.: **LETTER OF AUTHORIZATION**
Sabater Elementary Safe Route to School 2014, Phase 2
Location: SW & SE Bouvards from Elmer Street to Cherry Street
City of Vineland, Cumberland County
Federal Project No. TAP-C00S(891)
NJDOT Job No. 6014415
FAP-2014-Vineland City-02431

Dear Mr. Myers:

This is to inform you that on 12/29/2016, Federal Highway Administration authorized funding up to an amount of \$303,977.00, for the above captioned Federal Aid project in the City of Vineland, Cumberland County.

The following reflects a breakdown of authorized costs as submitted with the federal authorization request:

Description	Federally Participating	Federally Non-participating (Vineland City's share)
Construction Costs	\$234,700.00	\$0.00
Construction Engineering/Inspection Costs	\$54,277.00	\$0.00
Construction Engineering/Inspection (Vineland City's Force Account) Costs	\$0.00	\$0.00
Material Testing Costs	\$15,000.00	\$0.00
Third Party Non-sharing Costs	\$0.00	\$0.00
Total Amount	\$303,977.00	\$0.00

Requirements for this project include, but are not limited to, the following:

Local Public Agency Eligibility:

Vineland City is required to maintain its Local Public Agency Eligibility Certification current and valid during the term of this project in accordance with the requirements of NJDOT Division of Local Aid and Economic Development Policy/Procedure No. 010.00 dated October 1, 2012.

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Project Agreement

- FHWA requirements (<http://www.fhwa.dot.gov/federal-aidessentials/companionresources/45projreq.pdf>) state that the subaward (Project Agreement) agreement is contingent on the project agreement between the State DOT and FHWA. The subaward agreement makes Federal-aid available to the LPA, but any costs incurred prior to a subaward agreement are ineligible for reimbursement.
- Return four (4) original signed in blue ink and sealed copies of the agreement attaching (i) signed in blue ink/sealed Resolutions (authorizing the Officials to sign the agreement) (ii) Scope of Work (narrative or description of the project) and (iii) a cost estimate used for authorization purposes; for execution by the Department. You must also enter name/titles of officials in the agreement, where required, to expedite processing by this office.
- DO NOT enter the date on page 1.
- Signed copies of the agreement should be returned within 45 days of this letter.

Advertisement of Contract

- As per the NJDOT Procedures for Federal Aid Projects Local Aid Federal Aid handbook, Vineland City is required to advertise for construction bids within 60 calendar days from the date of this letter. The project shall be advertised once a week for a minimum of three (3) consecutive weeks in at least two (2) legal newspapers.
- Vineland City must send NJDOT a schedule of advertisement and anticipated bid date, start date for construction, and a current construction bar chart (Critical Path Method Schedule.) prior to advertisement. Vineland City may use its own format for the bid proposal; however, the construction items and quantities must be the same as the final plans, specifications and estimate (as submitted with the authorization request). Any modifications to the construction items and quantities will require FHWA's prior approval and authorization.
- The number of Training Positions will be 0 (Total Trainees Hours = 0).
- The Disadvantaged Business Enterprise (DBE) goal is 0%.
- General wage determinations issued under Davis-Bacon and related acts, published by US Department of Labor, may be obtained from the Web Determinations online web site at <http://www.wdol.gov/dba.aspx#0>. Select state, county and construction type heading: HIGHWAY where the Project is to be performed then click Search.
- Pay the prevailing wage rates determined by the United States Secretary of Labor and the New Jersey Department of Labor. If the prevailing wage rate prescribed for any craft by the United States Secretary of Labor is not the same as the prevailing wage rate prescribed for that craft by the New Jersey Department of Labor, pay the higher rate. State wage rates may be obtained from the New Jersey Department of Labor & Workforce Development (Telephone: 609-292-2259) or by accessing the Department of Labor & Workforce Development's web site at http://lwd.dol.state.nj.us/labor/wagehour/wagehour_index.html. The State wage rates in effect at the time of award are part of this Contract, pursuant to Chapter 150, Laws of 1963 (NJSA 34:11-56.25, et seq.).
- Contract completion date as noted in the bid documents must be specified in the project specifications with provisions for liquidated damages as per NJDOT 2007 Standard Specifications for Road and Bridge Construction section 108.20.
- Bids may be accepted up to 10 days following the last date of advertisement.

Award of Contract

- Vineland City must award a construction contract within 4 months of the date of this notification. Failure to award construction within 4 months of NJDOT's letter may result in the withdrawal of funding. Withdrawal of funds may require the project to be reprogrammed by the MPO and rescheduled for approvals in the Transportation Improvement Program (TIP) and Statewide Transportation Improvement Program (STIP) and reauthorization of funds by FHWA. This could result in significant project delays.
- Upon award of construction contract, Vineland City must submit:
 - Certified copies of the bid summary
 - Resolution of award
 - Affidavit of advertisements
 - Completed copies of Federal attachments
 - Written verification that the contractor and/or subcontractors are not on the debarred list

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City of Vineland, Cumberland County
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- o Completed copies of CR-266F (DBE/ESBE)
 - o Verification that the bidder has met the proposed DBE/ESBE goal requirement for this project
 - o Completed Checklist for the Award of a Federal Aid Construction Contract
- Vineland City must complete and submit a copy of the bid analysis prepared in accordance with the FHWA's Guidelines on Preparing Engineer's Estimate, Bid Reviews and Evaluation, dated January 20, 2004 {Formerly T5080.4}. These Guidelines are available at:
<http://www.fhwa.dot.gov/programadmin/contracts/ta508046.pdf>.

Project Billing

- NJDOT must receive an initial billing (payment voucher) from the recipient for the construction project no later than 3 months after NJDOT has concurred in the award of the construction contract. NJDOT must receive subsequent billings (payment vouchers) on a monthly basis after the initial billing but no later than 3 months thereafter as stipulated in the project agreement. Failure to meet the billing requirements may result in the restriction of authorization of any future FHWA funding until such time as progress on timely billings is demonstrated.
- The project will be considered "Inactive" if Vineland City fails to submit an invoice within the durations described in 23 CFR 630.106. It is Vineland City's responsibility to ensure that the federal funding is not jeopardized for this project due to an "Inactive" project status.

Final Inspection and Closeout

- All projects constructed with Federal funds require full-time construction inspection and oversight. Failure to follow the Federal guidelines may result in the loss of Federal reimbursement.
- Requests for final inspection and acceptance to NJDOT shall be made by Vineland City no later than 30 days following Substantial Completion of construction.
- Close-out documents shall be submitted by Vineland City to NJDOT within 6 months of receipt of acceptance by NJDOT.

Failure to meet the time requirements for project close-out may result in the restriction of authorization of future FHWA funding until such time as progress on close-out is demonstrated.

Vineland City may appeal decisions made by NJDOT regarding all above compliance issues on a case-by-case basis, but NJDOT reserves the right to make a final determination whether to continue funding the project or not. NJDOT will be reviewing the status of the federal-aid agreement and the issues associated with compliance on a monthly basis.

It is the NJDOT's desire to make the process of funding and oversight as reasonable as possible and at the same time satisfy FHWA requirements. Vineland City's cooperation will greatly facilitate this effort and assist in future funding.

Should you have any questions regarding the above, please contact Brian Wirtz at (856) 486-6779.

Sincerely,



Salim T. Mikhael
Manager
District 4 Local Aid

Enclosures

Copy via email (only): David Maillet, Vineland City
Hui, Kwan khui@dvrpc.org (DVRPC)
Jennifer Marandino jmarandino@sjtpo.org (SJTPO)