

RESOLUTION NO. 2017-300

A RESOLUTION AUTHORIZING THE ISSUANCE OF AN AMENDATORY SUPPLEMENTAL CHANGE ORDER NO. 2 TO CONTRACT NO. C16-0036, ISSUED TO PENNONI ASSOCIATES, HADDON HEIGHTS, NJ, IN THE AMOUNT OF \$16,054.48.

WHEREAS, the City Council of the City of Vineland, on April 26, 2016, adopted Resolution No. 2016-137, entitled "A RESOLUTION AUTHORIZING AN AGREEMENT FOR PROFESSIONAL SERVICES WITH PENNONI ASSOCIATES, HADDON HEIGHTS, NJ, FOR THE DESIGN OF GARDEN & MILL TRAFFIC SIGNAL, IN THE AMOUNT NOT TO EXCEED \$85,227.13"; and

WHEREAS, N.J.A.C. 5:30-11.9 sets forth the procedures for processing change orders which exceed the 20 percent limitation; and

WHEREAS, the City Engineer has requested that an amendment be made to contract awarded to Pennoni Associates, Haddon Heights, NJ for the Design of Garden & Mill Traffic Signal, as authorized by Resolution No. 2016-137; said amendment is due to two (2) changes in the project:

1. The need for Environmental Assessments of Properties for the Right-of-Way Acquisition at a cost of \$18,500;
2. Due to a change in the subcontractor, resulting in a credit to the City in the amount of \$2,445.52; and

WHEREAS, the City of Vineland desires to comply with said requirements of N.J.A.C. 5:30-11.9, and to that end herewith files with the governing body a report stating the facts involved and indicating that said change order may be allowed under these regulations; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for the amendatory supplemental change order for which authorization is requested in the amount of \$16,054.48; now, therefore,

BE IT RESOLVED by the Council of the City of Vineland that said amendatory supplemental change order #2 to Contract No. C16-0036, issued to Pennoni Associates, Haddon Heights, NJ, in the amount of \$16,054.48, be and the same is hereby ratified and approved.

Adopted:

President of Council

ATTEST:

City Clerk



July 5, 2017

REPORT

TO: THE MAYOR AND COUNCIL

Amendatory Supplemental Change Order No. 2
Contract No. C16-0036
Design of Garden & Mill Traffic Signal
Pennoni Associates, Haddon Heights, NJ

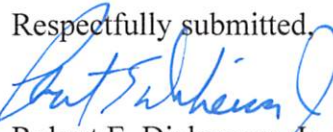
We are requesting that an amendatory supplemental change order be issued to Contract No. C16-0036, issued to Pennoni Associates, Haddon Heights, NJ, for the Design of Garden & Mill Traffic Signal. This contract was authorized by Resolution No. 2016-137, adopted by City Council on April 26, 2016.

The change order is in the amount of \$16,054.48 provides for two (2) changes in the project:

1. The need for Environmental Assessments of Properties for the Right-of-Way Acquisition at a cost of \$18,500;
2. Due to a change in the subcontractor, resulting in a credit to the City in the amount of \$2,445.52.

This change order, plus change order #1 (\$1,972.47) represents an increase of approximately 21.1517% over the original contract amount of \$85,227.13.

The amendatory supplemental change order which exceeds the 20% limitation, for which authorization is herein requested, may be authorized in accordance with N.J.A.C. 5:30-11.9.

Respectfully submitted,

Robert E. Dickenson, Jr.
Business Administrator

RD/wr
Encl.



REQUEST FOR CHANGE ORDER

FOR:

PROFESSIONAL SERVICES FOR THE DESIGN OF GARDEN & MILL TRAFFIC SIGNA

PROJECT NAME

TO: BUSINESS ADMINISTRATION

DEPARTMENT: PW / CITY ENGINEER FROM: DAVID MAILLET

This is a request for change order # 2 to Contract # C16-0036 for:

Project Name

Name/Address of Contractor: PENNONI ASSOCIATES

The change order is necessary because: (use additional pages if necessary to explain your reason and you must attach *documentation to support the necessity of this change order. *(Documentation from contractor, engineer, etc.)

THIS CHANGE ORDER IS DUE TO TWO (2) CHANGES IN THE PROJECT. FIRST, IS THE NEED FOR ENVIRONMENTAL ASSESSMENTS OF PROPERTIES FOR THE

RIGHT OF WAY ACQUISITION, AT A COST OF \$18,500. SECOND IS DUE TO A CHANGE IN SUBCONTRACTOR, RESULTING IN A CREDIT TO THE CITY IN THE AMOUNT OF \$2,445.52

Original Contract Amount: \$ 85,227.13
Amount of this change order: \$ 16,054.48
Previous Change Orders: \$ 1972.47
Total Revised Amount: \$ 103,254.08

APPROVED BY: BRIAN N. MYERS
Print/type

Signature

NOTE: CHANGE ORDERS CANNOT EXCEED 20% OF THE ORIGINAL CONTRACT AMOUNT

Please provide the account number that the change order will be charged to:

Account # 021-0-00-00-0000-2-5518201

CC: Purchasing Division

Handwritten initials

June 21, 2017

CVIN 1601

Mr. David J. Maillet, P.E.
Principal Engineer
Division of Engineering and Planning
City of Vineland
640 E. Wood Street
Vineland, NJ 08360

**RE: PROPOSAL FOR PROFESSIONAL CONSULTING SERVICES
PHASE I ENVIRONMENTAL SITE ASSESSMENTS
15 PROPERTIES
WEST GARDEN ROAD AND NORTH MILL ROAD INTERSECTION
VINELAND, NJ**

Dear Mr. Maillet:

Pennoni has prepared this proposal for **The City of Vineland (Client)** to conduct Phase I Environmental Site Assessments (ESAs) in accordance with the ASTM International (ASTM) Standard Practice for ESAs: Phase I ESA Process (E1527-13) requirements, for the above-referenced properties, hereinafter referred to as "subject properties" or "sites." Pennoni understands that the Client is widening the referenced intersection and Phase I ESAs are required for each of the properties involved in the road widening efforts. Further, Pennoni understands that the property use in the project area is composed of residential and industrial.

SCOPE OF SERVICES

Our Phase I ESAs will consist of research and review of site histories; regulatory issues associated with or pertaining to the sites and municipal and/or state records; site inspections; meetings/discussions with personnel familiar with sites' operations; and the preparation of Phase I ESA Reports. Each of the above items are detailed below.

Site History Evaluations

The history of each site will be developed to assess past uses and businesses that may have resulted in the presence of recognized environmental conditions (RECs). Information that will be reviewed to develop site histories will include, but not necessarily be limited to, the following:

- Historic atlas/topographic maps
- Historic insurance maps
- City directories
- Aerial photographs
- Interview with personnel familiar with the site (if available)

Regulatory Review

Pennoni will obtain and review a report from a third-party vendor, which will provide a listing of suspect sites within specific radii of the sites, in accordance with ASTM E1527-13. In addition, Pennoni will submit written records requests to specific federal, state, and local governmental/regulatory agencies for information relative to the subject properties that may provide evidence of RECs.

Pennoni will review files for the applicable regulatory agencies, as readily available. If Pennoni obtains any information upon completion of the Phase I ESA Reports that may affect the findings of the Phase I ESAs, an addendum letter will be prepared to document the changes to the Phase I ESA Report(s), if appropriate.

Site Reconnaissance and Representative Interviews

An exterior site reconnaissance will be conducted to identify RECs. The site reconnaissance will include a visual exterior search of the subject properties and associated structures, as well as the identification of adjacent property usage. An inspection of the ground surface will be made for visual evidence of chemical or petroleum spills. During the inspection, Pennoni will interview available site representatives regarding the environmental condition (current and historic) of the site, as available.

Phase I ESA Reports

15 site-specific Phase I ESA Reports will be prepared in accordance with ASTM E1527-13 to document the findings of the Phase I ESAs. Each report will include the following items:

- Site history summary based on historic maps, aerial photographs, etc.
- Regulatory agency file summary
- Site inspection summary
- Conclusions/list of RECs, controlled RECs, historical RECs, and/or business environmental risks, if present
- Limitations and/or data gaps

Background file review

The ASTM1527E-13 standard (standard) requires that "If the site or any of the adjoining properties is identified on one or more of the standard environmental record sources..., pertinent regulatory files and/or records associated with the listing should be reviewed," when reasonably ascertainable and subject to limits. As an alternative, the environmental professional may review files/records from an alternative source(s) (for example, on-site records, user provided records, records from local government agencies, interviews with regulatory officials or other individuals knowledgeable about the environmental conditions that resulted in the standard environmental record source listing, etc.), if such review is sufficient to evaluate the existence of and differentiate between a REC, historical REC, controlled REC, or a de minimis condition.

To the extent that regulatory files associated with the listing are reviewed to evaluate the listing, this may require the performance of a review of regulatory files at additional cost, as required from the associated contingency fee specified.

SCHEDULE

Pennoni is prepared to begin work on this project upon receipt of written notice to proceed will endeavor to complete the work in accordance with your scheduling needs. We estimate that the scope of services will be completed within one month from receipt of notice to proceed. This schedule is based on assumptions noted throughout this proposal.

FEE

Pennoni will conduct the scope of services for the lump sum fee of **\$18,500**. Please note that this price reflects the completion of 15 individual Phase I ESA Reports. If the 15 properties can be considered one site, and one Phase I ESA Report accounting for all 15 sites would suffice for Client use, the project fee would be **\$9,500**.

ASSUMPTIONS

The scope, schedule, and fee as outlined above are based on the following assumptions:

- Unrestricted access to the subject properties will be provided on the dates and times requested (access to be coordinated/requested/provided by the Client).
- The Client will provide the results of a lien search for each site. If a lien search summary is not provided for review, it will be identified as a data gap in the Phase I ESA Reports.
- The Client will provide a chain-of-title for each site covering the past 50 years. If chains of title are not provided or the title company's report does not satisfactorily provide the required title history, it will be identified as a data gap in the Phase I ESA Reports.
- An onsite regulatory agency file review is not required. If a review of pertinent regulatory files and/or records associated with any sites are required, in the opinion of the Environmental Professional, such a review will be conducted at additional cost. Per-day cost for file reviews is estimated at **\$850**. Duration of file reviews is dependent on the number of files identified by the agency. Pennoni will provide the Client with a separate proposal if a file review is needed.
- Copies of reports of previous/historic environmental investigations or assessments conducted relative to the sites will be provided by the Client within one week from receipt of authorization to proceed.

CLIENT RESPONSIBILITIES

The Client will be responsible for supplying Pennoni with the following information, as available:

- Contact information for personnel knowledgeable of sites' activities and operations (past and present).
- Results of site-specific lien searches.
- Chains-of-title covering the past 50 years for each site.
- Copy of property valuations or appraisal, along with the real estate listings specifying the seller asking price, if applicable.
- Copies of any previous environmental studies/reports.

Thank you for affording us the opportunity to work with you on this project. If you have any questions, please feel free to contact us.

Sincerely,

PENNONI ASSOCIATES INC.



Marc Chartier, P.G., LSRP
Environmental Division Manager



Edward P. Guetens
Vice President

cc: Beth-Ann Grasso, P.E., Pennoni

Attachment: General Terms and Conditions

Please indicate your acceptance of this proposal by signing and returning a copy as our authorization to proceed. In signing this proposal, the Client authorizes Pennoni to complete the professional services outlined in this proposal in accordance with the attached terms and conditions.

Accepted By:

(Authorized Representative of the Client)

(Print Name & Title)

(Date)