RESOLUTION No. 16-743

Date of Adoption DEC 1 5 2016

Approved as to Form and Legality

MARC A. MCKITREN, ESQ., CITY ATTORNEY

Fiscal content certified by

MERLE BERRY, ACTING DIRECTOR OF PUBLIC WORKS

Councilman/woman presents the following Resolution:

RESOLUTION AWARDING A CONTRACT THROUGH A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44 A-20.4 ET SEQ TO MOTT MACDONALD, 111 WOOD AVENUE, ISELIN, NEW JERSEY 08830 TO PROVIDE ENGINEERING SERVICES TO PREPARE DETAILED DESIGN, PLANS AND SPECIFICATIONS, BIDDING, AND CONSTRUCTION SERVICES FOR VARIOUS BUILDING IMPROVEMENTS FOR THE CITY OF TRENTON FOR A PERIOD OF ONE YEAR IN AN AMOUNT NOT TO EXCEED $973,173.00 — RFP# 2016-35

WHEREAS, the City of Trenton has a need to provide Engineering Services to prepare detailed design, plans and specifications, bidding, and construction services for various building improvements for a period of one year; and

WHEREAS, a request for proposal was advertised, and three (3) proposals were received on August 31, 2016 and were evaluated by a committee based on criteria that included, experience, understanding of requirements and cost; and

WHEREAS, the proposal of Mott MacDonald, 111 Wood Avenue, Iselin, New Jersey 08830, was deemed to have the necessary qualifications and expertise for the performance of the services at the rates budgeted; and

WHEREAS, funds in an amount not to exceed $973,173.00 for a period of one year has been certified to be available in the following account number C-06-16-55-037B-398; and

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Trenton, that:

1. The Mayor is hereby authorized to enter into contract with Mott MacDonald, 111 Wood Avenue, Iselin, New Jersey 08830 to provide Engineering Services to prepare detailed design, plans and specifications, bidding, and construction services for various building improvements for a period of one year in an amount not to exceed $973,173.00.

2. This contract is awarded pursuant to the authority set forth in the Local Public Contracts Law at N.J.S.A. 40A:11-41.

3. A notice of this action shall be printed once in the official newspaper for the City of Trenton and the Resolution and contract shall remain on file in the City Clerk’s Office.

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This Resolution was adopted at a Meeting of the City Council of the City of Trenton Dec 1 5 2016

President of Council

City Clerk
PROFESSIONAL SERVICES CONTRACT
RFP # 2016-35
RESOLUTION # 16-743

THIS CONTRACT, made this 16th day of DECEMBER 2016 by and between the City of Trenton, a Municipal Corporation of the State of New Jersey, ("City") and MOTT MACDONALD 111 WOOD AVENUE, ISELIN, NEW JERSEY 08830 ("CONTRACTOR")

WHEREAS, the City has a need for PROFESSIONAL ENGINEERING SERVICES to Prepare Detailed Design, Plans and Specifications, Biddings, and Construction Services for Various Building Improvement for the City of Trenton, Department of Public Works, Water Utility.

WHEREAS, Contractor agrees to provide PROFESSIONAL ENGINEERING SERVICES for the City of Trenton, Department of Public Works, Water Utility in terms and conditions as set forth hereinafter, and the City being agreeable thereto;

NOW THEREFORE, the parties mutually agree as follows:

1. PROFESSIONAL SERVICES: The City agrees to award a contract to Mott MacDonald 111 Wood Avenue, Iselin, New Jersey 08830 to Prepare Detailed Design, Plans, Specifications, Bidding, and Construction Services for Various Building Improvements for the City of Trenton, Department of Public Works, Water Utility.

2. SCOPE OF SERVICES:

SCOPE OF WORK

A preliminary report dated March 14, 2016 was prepared by Hatch Mott MacDonald (Now Mott MacDonald) for various building improvements for the Trenton Water Works. This report shall be the basis of design for the improvements plus additional items. The work under the scope is broken down into four main sub groups. These groups are roofs, HVAC, card access/security monitoring/interior & exterior lighting, and building improvements. The selected consultant shall ensure that improvements are made in a manner that optimizes the work progress and does not adversely impact other improvements listed. It is the intent to incorporate all four groups into one specification and for one contractor to be hired for the construction/improvements.

A. ROOFS

Two of the significant facilities used to provide service are the Trenton Water Filtration Plant/Mechanical Dewatering building(s) and the Distribution System Complex buildings. Each of those facilities is experiencing the symptoms of a failing roofing system. The Trenton Water Filtration Plant roof was installed about 24 years ago. The Mechanical Dewatering Facility roof was installed about 21 years ago. The Distribution System Complex roofs were installed about 24 years ago. The work shall be completed as per the preliminary design recommendations for all of the Water Filtration plant, Mechanical Dewatering Facility, and Distribution System complex roofs as outlined.

The work in this section is divided into two phases. The first phase includes detailed design, permitting, and bid period engineering services. The second phase includes construction period engineering services.
I. PROVIDE DESIGN, PERMITTING AND BID PERIOD ENGINEERING SERVICES
The work in this phase shall include but not be limited to the preparation and
delivery of twenty copies of plans and specifications that shall include the
standard City of Trenton front-end documents and all other requirements of
the City of Trenton. It shall also include but not necessarily be limited to the
following:
• Attend kickoff meeting
• Review existing plans and records
• Review and incorporate recommendations from the March 14, 2016
  Preliminary Report.
• Develop a list of critical items that could impact operations during
  construction
• Attend a pre-design meeting to review options for the final design[s]
  that efficiently address the recommendations in the preliminary report
  and receive directions from TWW regarding the final design.
• Develop preliminary design and drawings
• Submit four copies of the 95 percent preliminary design to Trenton
  Water Works for review
• Attend a 95 percent design review meeting
• Attend other meetings as may be necessary
• Incorporate revisions, develop final design, and prepare bid
  documents (twenty copies of plans and specifications including City
  of Trenton front end). Plans shall be formatted to open with AutoCAD
  LT 2012 or older. Electronic versions of the specification and plans shall
  be furnished to Trenton Water Works on a CD.
• Attend a Pre-Bid meeting
• Provide written responses to all properly submitted questions or
  requests for clarifications submitted by prospective bidders
• Review all bids found non-defective by the City of Trenton and
  evaluate bidders experience, ability to perform work and any other
  relevant aspect of bid
• Prepare a bid report that includes a summary of bids and the results of
  the review and evaluation noted above.
• Deliver to TWW three paper copies and an electronic (.pdf) copy of
  the bid report

II. PROVIDE CONSTRUCTION PHASE ENGINEERING SERVICES
The work in this phase shall include but not necessarily be limited to the
following:
• Schedule and attend a pre-construction meeting and monthly
  progress meetings and prepare minutes of each meeting (proposals
  shall include an estimate of how many monthly meetings shall take
  place)
• Provide construction period services, including but not necessarily
  limited to, review of shop drawings, review and respond to contractor
  RFI's, construction observation, review and validation of contractor
  payment requests, preparation of construction activity summary
  reports; scheduling, attending and providing agenda and meeting
  minutes for a pre-construction meeting and monthly progress
  meetings.

The Consultant shall provide the following for the meetings:
o Prepare an agenda.
o Evaluate contractor requests for change orders and, if determined to be prudent or required after review by duly authorized Trenton Water Works personnel, preparing the necessary documents to process the change order request; and evaluating Trenton Water Works personnel change order requests orders and, if determined to be prudent or required after review by duly authorized Trenton Water Works personnel, preparing the necessary documents to process the change order request.
o Scheduling of critical work tasks and coordinating activities between Trenton Water Works and the contractor.
o Review that status of RFI's and submittal approval status.
o Resolve conflicts between any party (TWW, Consultant, and/or Contractor).
o Discuss issues that arise during the construction.
o Discuss the construction schedule and % complete.
o Discuss any credits due.
o Provide typed minutes to critical staff within three (3) days after the meeting date.
  • Review and process Contractor’s payment applications
  • Conduct day-to-day communications with the contractor and the City and, when necessary, prepare written correspondence with TWW and the contractor
  • Conduct part time construction observation
  • Prepare and furnish record plans including an electronic set. Plans shall be formatted to open with AutoCAD LT 2012 or older.
  • Prepare punch list for project closeout
  • Review and process manufacturer’s O&M manuals and record documentation
  • Provide warranty and other applicable documents
  • Prepare final payment application

B. HVAC
In the early 1990’s the Mechanical Dewatering Facility (MDF) was constructed. The HVAC systems for both the MDF and the Filtration Plant were upgraded during this project. Some major and minor changes were made to the HVAC systems as part of Filtration Plant upgrades when a new pretreatment building was constructed as well as associated processes around 2009.

Some of the HVAC units are at the end of their useful life and others are in poor condition. Some of the units in the MDF have been water damaged due to flooding that occurred inside the building. The atmosphere in some areas is humid and contains chlorine making it extremely corrosive to metal.

The HVAC systems were reviewed as part of the preliminary design. The report recommendations shall be incorporated into the final design.

i. Provide Design, Permitting and Bid Period Engineering Services
The work in this phase shall include the preparation and delivery of twenty copies of plans and specifications that shall include the standard City of
Trenton front-end documents and all other requirements of the City of Trenton. It shall also include but not necessarily be limited to the following:

- Attend kickoff meeting
- The consultant shall collect and review existing plans.
- The consultant shall familiarize themselves and verify existing systems. This shall include, but not limited to, the following equipment: Modifications done, ventilation systems (including laboratory fume hoods), heating systems, air conditioning systems, dehumidification, control systems, energy requirements, equipment placement (both for serviceability and protection from damage), sensors, smoke detectors, electrical circuits, criticality of particular areas, etc.
- Conduct a meeting with Trenton Water Works to discuss the recommendations to be incorporated into the plans and specifications.
- Prepare four copies of the draft plans and technical specifications at 50% and 95% complete for review and comment by Trenton Water Works. The draft plans and specifications shall include but not be limited to, all equipment, structural, architectural, appurtenances, electrical, etc.
- Attend two meetings with Trenton Water Works to discuss the draft plans and specifications. These shall be held at 50% and 95% design.
- Incorporate Trenton Water Works’ comments into the final plans and specifications, meet with purchasing and ensure all City documents and language is incorporated into the plans and specifications, and prepare/submit one PDF electronic copy and one electronic file in Microsoft Word. Electronic files of all drawings shall be furnished in AutoCAD LT 2012 (or older). There shall be an allowance for up to 20 hard copies of the plans and specifications during the bid period.

ii. Provide Construction Phase Engineering Services
- Prepare necessary documents to obtain any permits required by the City of Trenton and, if necessary, required by any other jurisdictional agency.
- Provide bid period services, including but not necessarily limited to, review of bidder’s bid (equipment, relevant experience, cost proposal, etc.) and preparation of a bid report with findings and recommendations.
- Provide construction period services, including but not necessarily limited to, review of shop drawings, construction observation, review and validation of contractor payment requests, respond to contractor RFI’s, preparation of construction activity summary reports; scheduling, attending and providing agenda and meeting minutes for a pre-construction meeting and monthly progress meetings. The consultant shall provide the following for the meetings:
  o Prepare an agenda.
  o Evaluate contractor requests for change orders and, if determined to be prudent or required after review by duly authorized Trenton Water Works personnel, preparing the necessary documents to process the change order request; and evaluating Trenton Water Works personnel change order requests orders and, if determined to be prudent or required after review by duly authorized Trenton Water Works
personnel, preparing the necessary documents to process the change order request.

- Scheduling of critical work tasks and coordinating activities between Trenton Water Works and the contractor.
- Review the status of RFI’s and submittal approval status.
- Resolve conflicts between any party (TWW, Consultant, and/or Contractor).
- Discuss issues that arise during the construction.
- Discuss the construction schedule and % complete.
- Discuss any credits due.
- Provide typed minutes to critical staff within three (3) days after the meeting date.

- Provide training to Trenton Water Works operation and maintenance staff.
- The training for the operations staff shall concentrate on the optimization of the new equipment and its operation. Explain how the equipment works and minor maintenance needs. There shall be an allowance at least three (3) separate four hour sessions.
- The consultant shall furnish a minimum of 6 sets of O&M manuals for the equipment supplied (and a PDF) and these shall be labeled and provided with a catalog list of documents. The O&M’s shall be specific to the equipment installed at Trenton Water Works and not have extraneous generic information. The consultant shall also furnish typed SOP’s (Standard Operating Procedures) both electronically (PDF & Word) as well as hard copies.
- Coordinate completion of punch list items and perform necessary site inspections to verify that work items have been completed.
- Furnish As-buils (PDF, AutoCADLT 2012 or older, and Word)
- Trenton Water Works has NJDEP approved TCPA and DPCC plans. The consultant shall amend any required drawings, program requirements, SOP’s, etc. for the existing TCPA, DPCC, and other applicable plans as a result of the final design. Where approvals are necessary the consultant shall work with the NJDEP for approvals and final documents. Incorporate changes into all documents and/or files.
- Prepare a detailed annual maintenance contract (editable in Microsoft Word) that TWW may use as specifications to bid the annual service of all HVAC systems to maintain them in optimum working condition. The contract shall include but not be limited to, all equipment (identification & location), service to be provided (and frequency), values to be recorded, report requirement (typed, listing status, findings, corrective actions, frequency, etc.), drawings showing general location, etc.

This shall apply to the tanks, booster stations, pumping stations, reservoir, gatehouse, filtration plant, mechanical dewatering facility, administrative offices, etc. Also, any areas currently under design and/or construction shall be reviewed and then incorporated into the new system.

Note: The reservoir is scheduled to be covered with a floating cover. This project is tentatively scheduled for the contractor to receive a notice to
proceed by early 2017. The consultant shall apply careful consideration to ensure that there are no interferences between different contracts that may be occurring simultaneously or design considerations affected by the construction.

The card access/security improvements/lighting shall include but not necessarily be limited to all recommendations from the preliminary design report and shall be incorporated into the detailed design.

This section shall consist of two phases.

- Design systems for hardening the security of the facilities.
- Construction services.

I. DESIGN SYSTEMS FOR HARDENING THE SECURITY OF THE FACILITIES
(To include but not necessarily be limited to the following)

- Perimeter access control improvements to limit access to employees and authorized deliveries. This shall include, but not necessarily be limited to, driveways, walkways, potential site access points, rooms, etc.
- The old camera systems at the filtration plant and mechanical dewatering facilities shall be scraped and re-designed. This system never functioned correctly. There is currently a temporary system covering some areas.
- The new design(s) shall include but not be limited to security lighting, card access, high resolution cameras, DVR’s, intercoms, door sensors, doors, windows, protective screens, electrical and communication wiring & conduit, circuit breakers and/or panels, fencing, gates, powered gate at MDF, etc.
- Shall incorporate interior and exterior lighting recommendations identified in preliminary report dated March 14, 2016. Additionally, this shall include changing all light fixtures within the fibered areas with LED lighting in corrosion resistant mountings (suitable for chlorine environments) that are motion activated.
- The design shall include, but not necessarily be limited to, use of access systems utilizing both conventional cards as local sensors (halo) as well as other identifying equipment such as biometric devices. System shall be set-up to be easily used in-lieu of card punch/timeclock for work monitoring with report functions in spreadsheets.
- Equipment shall have an open architecture and use of proprietary equipment and systems shall be avoided. Cameras shall be high resolution (at least 3 MP with clear resolution for forensic review of images. Higher resolution cameras shall be used where 3 MP does not provide sufficient resolution.), color, clear night/dark resolution and designed to be tamper proof with little to no distortion of images.
- The camera design shall allow for maximum communication to ensure equipment access and use without slowing. This may include the use of fiberoptics for longer data runs and wireless systems using secure services through a wireless provider.
• Shall incorporate window, door, and protective screen recommendations identified in preliminary report dated March 14, 2016. This shall include but not necessarily be limited to replacing door hardware on the East & West filter wings entering into the filter area. These were damaged by the corrosive environment.
• Integration of camera, card access, etc. shall be addressed with a multi-tier security protocol such as: User/Supervisor/Administrator. Events shall be easily reviewed that show access points, status, and visual. Monitoring shall be on a separate network and accessible at designated locations.
• Additional sensitive operational areas shall be added for operator monitoring of processes that may not be listed in the preliminary design report dated March 14, 2016.
• Specifications shall include provisions for the contractor to set up screens, data sheets, archiving, etc. meeting the approvals by consultant and TWW.
• Prepare four copies of the draft plans and technical specifications at 25%, 50%, and 95% complete for review and comment by Trenton Water Works. The draft plans and specifications shall include but not be limited to, all equipment, structural, architectural, appurtenances, electrical, etc.
• Attend three meetings with Trenton Water Works to discuss the draft plans and specifications. These shall be held at 25%, 50%, and 95% design.
• Incorporate Trenton Water Works' comments into the final plans and specifications, meet with purchasing and ensure all City documents and language is incorporated into the plans and specifications, and prepare/submit one PDF electronic copy and one electronic file in Microsoft Word. Electronic files of all drawings shall be furnished in AutoCAD LT 2012 (or older). There shall be an allowance for up to 20 hard copies of the plans and specifications during the bid period.

I. PROVIDE CONSTRUCTION PHASE ENGINEERING SERVICES
• Prepare necessary documents to obtain any permits required by the City of Trenton and, if necessary, required by any other jurisdictional agency.
• Provide bid period services, including but not necessarily limited to, review of bidder's bid (equipment, relevant experience, cost proposal, etc.) and preparation of a bid report with findings and recommendations.
• Provide construction period services, including but not necessarily limited to, review of shop drawings, part-time construction observation, review and validation of contractor payment requests, respond to contractor RFI's, preparation of construction activity summary reports; scheduling, attending and providing agenda and meeting minutes for a pre-construction meeting and monthly progress meetings. The consultant shall provide the following for the meetings:
  o Prepare an agenda.
  o Evaluate contractor requests for change orders and, if determined to be prudent or required after review by duly authorized Trenton Water Works personnel, preparing the necessary documents to process the change order request; and evaluating Trenton Water Works personnel
change order requests orders and, if determined to be prudent or required after review by duly authorized Trenton Water Works personnel, preparing the necessary documents to process the change order request.
- Scheduling of critical work tasks and coordinating activities between Trenton Water Works and the contractor.
- Review the status of RFI's and submittal approval status.
- Resolve conflicts between any party (TWW, Consultant, and/or Contractor).
- Discuss issues that arise during the construction.
- Discuss the construction schedule and % complete.
- Discuss any credits due.
- Provide typed minutes to critical staff within three (3) days after the meeting date.
- Provide training to Trenton Water Works operation and maintenance staff.
- The training for the operations staff shall concentrate on the optimization of the new equipment and its operation. Explain how the equipment works. There shall be an allowance of at least three (3) separate four hour sessions.
- The consultant shall furnish a minimum of 6 sets of O&M manuals for the equipment supplied. The O&M's shall be specific to the equipment installed and these shall be labeled and provided with a catalog list of documents and exclude extraneous generic information. The consultant shall also furnish typed SOP's (Standard Operating Procedures) both electronically (PDF & Word) as well as hard copies.
- Coordinate completion of punch list items and perform necessary site inspections to verify that work items have been completed.
- Furnish As-builts (PDF, AutoCADLT 2012 or older, and Word)
- Provide warranty and other applicable documents
- Prepare final payment application
- The consultant shall prepare a facility emergency action plan to include, but not necessarily be limited to, items such as facility breach, evacuation (bomb scare or other), intruder inside, intruder attempting to enter, active shooter, etc. There shall be an allowance for a draft document, and two reviews with meetings prior to the final document. The 6 copies of the final document shall be furnished along with electronic files in both PDF and Microsoft Word format. The consultant shall provide up to three 2-hour employee training sessions using Microsoft Power Point and handouts. Electronic copies of the PowerPoint presentation and handouts shall be provided to Trenton Water Works for future use.

B. BUILDING IMPROVEMENTS
The scope of work in this section is divided into two phases. The first phase includes detailed design (which includes, but is not necessarily limited to, items from the preliminary report dated March 14, 2016) and bid period engineering services relevant to performing the best method of rehabilitation to the Filtration Plant, MDF, and Cortland Street Administrative Offices. Also to be included is the proper signage to be placed thereafter, opposite the critical water appurtenance and on the Filtration Plant Wall. Signage shall
also be renewed on the Gravity Thickeners after cosmetic upgrades are completed. Final terminology, details, size and drawing layout on the sign shall be determined by the Water Treatment Plant Superintendent. The second phase includes, but is not necessarily limited to, construction period engineering services to correct deficiencies identified in the first phase.

The filtration plant, dewatering facility, and Cortland Street Administrative offices are experiencing symptoms of concrete deterioration requiring replacement and/or rehabilitation. This is outlined in the preliminary report.

**Filtration Plant Facilities**
- Efflorescence of the concrete walls
- Spalling of the concrete walls
- Serious concrete patch repair or replacement of sections of the concrete walls. This includes the West side filterbed influent channel on the riverside which will require some additional review and work on the inside of the channel as outlined in the preliminary report.
- Spalling, Efflorescence, poor cosmetic patchwork and in some cases serious deterioration of the concrete roof structure over the Chlorine Contact Basins which is adjacent to the east side Filter Building but located south (river side).
- Cracks in the walls of the Chlorine Contact Basins were poorly sealed on the outside resulting in leakage and staining.
- Some of the sidewalks around the Filtration Plant need replacement due to surface cracks not along pre-formed break lines.
- Tile block failures on the East Filter wing especially around the windows.
- Back section at the end of the East Filter Wing has some concrete failure on the ceiling. This is a safety concern and shall be corrected.
- East Wing terrazzo stairs were damaged during some earlier construction and building settling. Return stairs to original condition.

**Mechanical Dewatering Facilities**
The Mechanical Dewatering Building has four (4) bays for the dumpsters collecting sludge. Each of the dumpsters have rollers which have gouged out long channels in the concrete pads from moving the dumpsters in and out of the facility as part of the process of removing solid waste and returning the empty containers. These areas require rehabilitation using materials or technologies that shall improve upon the present process and reduce considerably any future wear in this area during the sludge removal process.
- Dumpsters rollers which have gouged out long channels in the concrete pads resulting in damage from the inside of the dumpster area to outside of the dumpster door
- Enhancements in the form of simple cosmetic improvements to the concrete or brick surface that may require but is not limited to sand blasting, re-grouting, sealing and painting
- The concrete driveway apron of the MDF has pothole damage.
- The two main stairwells in the MDF have water intrusion from above, water intrusion at the bottom, efflorescence, etc. affecting the concrete surfaces. This has caused damage to the coating system. All areas shall be sealed to prevent water intrusion (with means to
remove any water at the base), cleared of old coating, and then re-coated or sealed as appropriate.

- Gate at MDF – review operational needs, design powered gate with card access and remote control with intercom, install new chain driven electric gate, include any lighting, security camera, driveway sensors, and electrical systems needed.

**ADMINISTRATIVE OFFICES, CORTLAND STREET**

Repair/replace damaged sections of the walls, fencing, and gates for the exterior perimeter at the Administrative Offices on Cortland Street. Sections along the front have damaged and failing brickwork. The decorative metal is beginning to corrode in sections and requires a new protective coating or replacement. This shall be evaluated prior to designing appropriate corrective measures.

I. PROVIDE DESIGN AND BID PERIOD ENGINEERING SERVICES

The work to be performed in this phase shall include the preparation of twenty copies of plans and specifications inclusive of the standard City of Trenton front-end documents and all other requirements of the City of Trenton. It shall also include but not necessarily be limited to the following:

- Attend kickoff meeting with TWW supervision
- Review existing plans and records
- Conduct an onsite survey and assessment of the Filtration Plant cementitious coating wall deterioration, the concrete roof over the chlorine contact basins, back walls, side walls, concrete sidewalk and apron condition as well as the MDF dumpster area damage, Administrative Offices fencing/gates/brick walls surrounding buildings, east filter wing, etc. Add any items that may have been missed in the Preliminary Report but should be included.
- Prepare 50% and 95% design documents and submit four copies of each for TWW to review and later discuss at scheduled meetings with the consultant.
- Incorporate revisions, develop final design, and prepare bid documents (twenty copies of plans and specifications including City of Trenton front end documents). Plans shall be formatted to open with AutoCAD LT 2012 or older version. Electronic versions of the specification and plans shall be furnished to Trenton Water Works on a CD

II. PROVIDE CONSTRUCTION PHASE ENGINEERING SERVICES

The work in this phase shall include but not necessarily be limited to the following:

- Provide written responses to all properly submitted questions or requests for clarifications submitted by prospective bidders
- Review all bids found non-defective by the City of Trenton and evaluate bidders experience, ability to perform work and any other relevant aspect of the bid
• Prepare a bid report that includes a summary of bids and the results of the review and evaluation noted above
• Deliver to TWW three paper copies and an electronic (pdf) copy of the bid report
• Schedule and attend a pre-construction meeting and monthly progress meetings and prepare minutes of each meeting (proposal shall include an estimate of how many monthly meeting shall take place)
• Review shop drawings
• Review and respond to contractor’s request for information (RFI’s)
• Review and process Contractor’s payment applications
• Conduct day-to-day and, when necessary, prepare written correspondence with TWW and the contractor
• Conduct part time construction observation
• Prepare and furnish record plans including an electronic set. Plans shall be formatted to open with AutoCAD LT 2012 or older format.
• Prepare a punch list for project closeout
• Review and process manufacturer’s O&M manuals and record documentation
• Provide warranty and other applicable documents
• Prepare final payment application

2. DURATION OF THE CONTRACT: This contract shall remain in full force and shall be awarded in an amount not to exceed $973,173.00 for a period of one year.

3. COMPENSATION: All work performed by the Contractor according to the attached scope of services. The Contractor shall submit monthly bills complete with appropriate support documentation to justify said billing.

In no event during the terms of this Contract, Contractor’s billings shall hereunder exceed the amount set forth in Resolution No. #16-743 which is incorporated herein by reference. In the event Contractor anticipates exceeding the aforesaid contract amount, the Independent Contractor, shall give prior written notice to the City of Trenton, Department of Public Works, Trenton Water works.

4. STATUS OF CONTRACTOR: It is expressly understood by and between the parties hereto that the status of the Contractor retained to carry out the services set forth in this agreement is that of an Independent Contractor. It is further understood by and between the parties that is not intended nor shall it be construed, that the contractor is an agent, employee, or officer of the City of Trenton.

5. NOTICES: Any notices required to be delivered to either party pursuant to this Contract shall be in writing to their respective addresses. The parties shall be responsible for notifying each other of any change of address.

6. INTEGRATION: RFP# 2016-35 and this contract constitutes the entire agreement between the parties and any representation that may have been made prior to the execution of this Contract are nonbonding, void, and of no effect and neither party has relied on any such prior representations in entering into this Contract.
7. **ENFORCEABILITY**: If any term or condition of this Contract or its application to any party or circumstances shall be deemed invalid or unenforceable, the remainder of the Contract and its application to other parties and circumstances shall not be affected.

8. **GOVERNING LAW**: This Contract shall be governed by the laws of the State of New Jersey.

9. **MISCELLANEOUS PROVISIONS:**

   a. Contractor, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, sex, gender identity or expression, affectional or sexual orientation, disability or nationality. Contractor will take affirmative action to ensure that such applicants are recruited and employed and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, sex, affectional, gender identity or expression, sexual orientation. Such action shall include, but is not limited to the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause;

   b. Contractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, sex, gender identity or expression, affectional or sexual orientation.

   c. Contractor, where applicable, agrees to comply with the regulations promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time and the American with Disabilities Act.

   d. Contractor, where applicable, agrees to attempt to schedule minority and female workers consistent with the applicable county employment goals prescribed by N.J.A.C. 17:27-5.2 promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time or in accordance with a binding determination of the applicable county employment goals determined by the Affirmative Action Office pursuant to N.J.A.C. 17:27-5.2, amended and supplemented from time to time.

   e. Contractor, where applicable, agrees to inform in writing appropriate recruitment agencies in the area, including employment agencies, placement bureaus, colleges, universities, labor unions that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status, sex, gender identity or expression, affectional, sexual orientation, disability or nationality and that it will discontinue the use of
any recruitment agency which engages in direct or indirect discriminatory practices.

f. Contractor, where applicable, agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, race, creed, color, national origin, ancestry, marital status, sex, gender identity or expression, affectional, sexual orientation, disability or nationality. Contractor will conformance these employment goals consistent with statutes and court decisions of the State of New Jersey, and applicable Federal law and Federal court decisions.

g. Contractor, where applicable, shall furnish such reports or other documents to the Affirmative Action Office as may be requested by the office from time to time in order to carry out the purposes of these regulations. Contractor shall furnish such information as may be requested by the Affirmative Action Office for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code (N.J.A.C. 17:27).

h. Contractor, shall submit along with the signed contract one of the following as evidence of compliance with N.J.A.C. 17-27:

1. Appropriate evidence that the Independent contractor is operating under an existing Federally approved or sanctioned affirmative action program.


3. An initial employee information report (Form AA#302) provided by the Affirmative Action Office and completed by the contractor in accordance with N.J.A.C. 17:27-4
ATTEST:

RICHARD M. KACHMAR
CITY CLERK

2/15/17

DATE

CITY OF TRENTON

ERIC E. JACKSON
MAYOR

DATE