


# RESOLUTION

No. 19-127

Date of Adoption MAR 21 2019

Approved as to Form and Legality

Factual content certified by

  
CITY ATTORNEY

  
Shing-Fu Hsueh, Ph.D., P.E., P.P.

Councilman /woman

presents the following Resolution:

**RESOLUTION AUTHORIZING CHANGE ORDER NUMBER 1  
TO THE CONTRACT WITH CDM SMITH, INCORPORATED  
TO PROVIDE ADDITIONAL  
PROFESSIONAL ENGINEERING SERVICES REQUIRED  
FOR THE CORROSION CONTROL PROJECT  
FOR A PERIOD OF SEVEN MONTHS  
IN AN AMOUNT NOT TO EXCEED \$52,100.00**

**WHEREAS,** Resolution 17-831 authorized a contract with CDM Smith, Incorporated to provide the Professional Engineering Services for Corrosion Control Review (Including Existing System) Study, Recommendation and Preliminary Design for the City of Trenton, in the amount of \$309,492.00; and

**WHEREAS,** during the performance of said contract the City of Trenton entered into an Administrative Consent Order (ACO) which with the New Jersey Department of Environmental Protection for efforts related to Trenton's Corrosion Control Treatment Study, Lead Service Line Replacement Project, LCR Public Education and Water Quality Monitoring; and

**WHEREAS,** the ACO specifies an enforcement compliance schedule as well penalty stipulations in the event the terms of the ACO are not met; and

**WHEREAS,** the ACO specifies an enforcement compliance schedule as well penalty stipulations in the event the terms of the ACO are not met, as evidenced by the attached Certification; and

**WHEREAS,** the changes will not alter the contract in such a manner as to nullify the effect of the competitive determination of lowest responsible bidder which was made at the time of the contract award; and

**WHEREAS,** the amount of this change order is \$52,100.00. Previous change orders have been authorized in the amount of \$0.00. The total amount of this and previous change orders is less than 20% of the original contract.

**WHEREAS,** funding have been certified to be available in 9-05- -55-5500-899

**NOW, THEREFORE, BE IT RESOLVED,** by the City Council of the City of Trenton that Change Order Number 1 to the contract with CDM Smith Incorporated is hereby authorized.

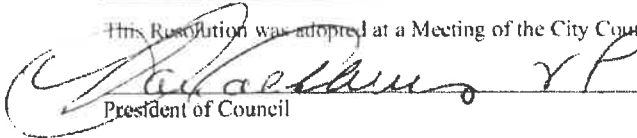
**BE IT FURTHER RESOLVED,** that a brief notice shall be printed once in an official newspaper and filed with the City Clerk indicating the additional amount to be expended, the original contract price, the nature of the original and additional work, and why it is necessary to expend the additional funds.

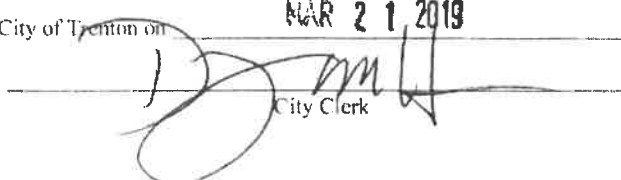
**BE IT FURTHER RESOLVED,** notice of this change order shall be filed on an Appendix to the Annual Budget and included as supplemental material in the Annual Audit.

	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent
BLAKELEY	<input checked="" type="checkbox"/>				MUSCHAI	<input checked="" type="checkbox"/>				MCBRIDE				<input checked="" type="checkbox"/>
CALDWELL	<input checked="" type="checkbox"/>				RODRIGUEZ	<input checked="" type="checkbox"/>								
WILSON	<input checked="" type="checkbox"/>				VAUGHN	<input checked="" type="checkbox"/>								
HARRISON	<input checked="" type="checkbox"/>													

This Resolution was adopted at a Meeting of the City Council of the City of Trenton on

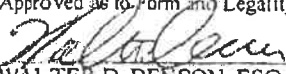
**MAR 21 2019**

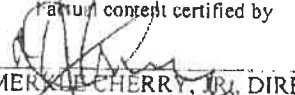
  
President of Council


  
City Clerk

# RESOLUTION No. 17-831

Date of Adoption DEC 21 2017

Approved as to Form and Legality  
  
 WALTER D. DENSON, ESQ., CITY ATTORNEY

Form content certified by  
  
 MERKLE CHERRY, JR., 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 CDM SMITH, INC., 110 FIELDCREST AVENUE, SUITE 8, 6<sup>TH</sup> FLOOR, EDISON, NEW JERSEY 08837 FOR PROFESSIONAL ENGINEERING SERVICES FOR CORROSION CONTROL REVIEW (INCLUDING EXISTING SYSTEM) STUDY, RECOMMENDATION AND PRELIMINARY DESIGN IN AN AMOUNT NOT TO EXCEED \$309,492.00- RFP 2017-30**

**WHEREAS**, the City has a need for Engineering Design Services for Corrosion Control Review (Including Existing System) Study, Recommendation and Preliminary Design for the City of Trenton, Department of Public Works, Trenton Water Utility for a period of one (1) year from date of award; and

**WHEREAS**, a request for proposal was advertised, and two (2) proposals were received on August 29, 2017 and were evaluated by a committee based on criteria that included, experience, understanding of requirements and cost; and

**WHEREAS**, the proposal of CDM Smith, Inc., 110 Fieldcrest Avenue, Suite 8, 6<sup>th</sup> Floor, Edison, New Jersey 08837 was deemed to have the necessary qualifications and expertise for the performance of the services at the rates budgeted; and

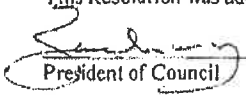
**WHEREAS**, funds in an amount not to exceed \$309,492.00 have been certified to be available in account number 8-05- -55-5500-899-002 contingent upon the adoption of the FY2018 final budget.

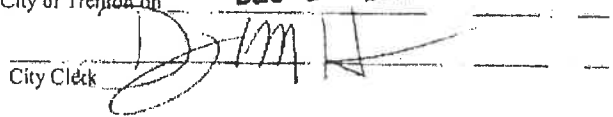
**NOW, THEREFORE IT IS RESOLVED**, by the City Council of the City of Trenton, as follows:

1. The Mayor is hereby authorized to enter into a contract with CDM Smith, Inc., 110 Fieldcrest Avenue, Suite 8, 6<sup>th</sup> Floor, Edison, New Jersey 08837 for a period of one (1) year from date of award in an amount not to exceed \$309,492.00 for the City of Trenton, Department of Public Works, Trenton Water Utility.
2. This contract is awarded pursuant to the authority set forth in the Local Public Contracts Law at N.J.S.A. 40A:11-5.
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.

	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent
BETHEA	✓				HOLLY WARD	✓				CHESTER	✓			
CALDWELL WILSON	✓				MUSCHAL	✓								
HARRISON	✓				REYNOLDS JACKSON	✓								

This Resolution was adopted at a Meeting of the City Council of the City of Trenton on DEC 21 2017

  
 President of Council

  
 City Clerk

**RESOLUTION # 19-108  
CHANGE ORDER #1  
RFP2017-30**

**THE AGREEMENT** made this **22<sup>ND</sup> day of MARCH 2019**, by and between the **CITY OF TRENTON**, a municipal corporation, of the State of New Jersey, with principal offices located at **319 EAST STATE STREET, TRENTON, NEW JERSEY 08608** (hereinafter the "City") and **CDM SMITH, INC., 110 FIELDCREST AVENUE, SUITE 8, 6<sup>TH</sup> FLOOR, EDISON, NEW JERSEY 08837** (hereinafter "CONTRACTOR")

**WHEREAS**, Resolution 17-831 awarded a contract on December 21, 2017, to CDM Smith, Inc., 110 Fieldcrest Avenue, Suite 8, 6<sup>th</sup> Floor, Edison, New Jersey 08837 for Professional Engineering Services for Corrosion Control Review (Including Existing System), Study, Recommendation and Preliminary Design in an amount not to exceed \$309,492.00 for the City of Trenton, Department of Public Works, Trenton Water Utility for a Period of One (1) Year from date of award; and

**WHEREAS**, during the performance of said contract the City of Trenton entered into an Administrative Consent Order (ACO) which with the New Jersey Department of Environmental Protection for efforts related to Trenton's Corrosion Control Treatment Study, Lead Service Line Replacement Project, LCR Public Education and Water Quality Monitoring; and

**WHEREAS**, the ACO specifies an enforcement compliance schedule as well penalty stipulations in the event the terms of the ACO are not met; and

**WHEREAS**, the ACO specifies an enforcement compliance schedule as well penalty stipulations in the event terms of the ACO are not met, as evidenced by the attached Certification; and

**WHEREAS**, the changes will not alter the contract in such a manner as to nullify the effect of the competitive determination of the lowest responsible bidder which was made at the time of the contract award; and

**WHEREAS**, Resolution No. #19-127 dated March 21, 2019, authorized Change Order No. #1 in an amount not to exceed \$52,100.00. Previous change orders have been authorized in the amount of \$0.00. The total amount of this and previous change orders is less than 20% of the original contract; and

**WHEREAS**, the contract performance period is to be extended for an additional seven (7) months with a completion date of October 20, 2019 from date of award; and

**NOW THEREFORE**, the parties mutually agree as follows:

1. The amount of the agreement shall be in an amount not to exceed \$52,100.00. The changes will not alter the contract in such a manner as to nullify the effect of the competitive determination of lowest responsible bidder which was made at the time of the contract award; and
2. The Mayor is hereby authorized Change Order No. #1 with CDM Smith, Inc., 110 Fieldcrest Avenue, Suite 8, 6<sup>th</sup> Floor, Edison, New Jersey 08837 for said purposes in the manner prescribed by law.

**IN WITNESS WHEREOF**, the parties have hereunto set their bands and seals the day and year first above written.

ATTEST:

  
DWAYNE M. HARRIS

CITY OF TRENTON

  
HONORABLE W. REED GUSCIORA, ESQ.

Witness:

  
DATE

APRIL 16, 2019

  
CDM SMITH, INC.  
110 FIELDCREST AVENUE, SUITE 8, 6<sup>TH</sup> FLOOR  
EDISON, NEW JERSEY 08837