RESOLUTION

Approved as to Form and Legality

CITY ATTORNEY

Factual content certified by

DR. SHING-FUT HSUEH, PH.D., P.E., P.P.
UTILITIES DIRECTOR

Councilman/woman presents the following Resolution:

RESOLUTION AWARDING A CONTRACT THROUGH A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-28.4 ET SEQ TO SUBURBAN CONSULTING ENGINEERS, INC., 96 US HIGHWAY 206, SUITE #101, FLANDERS, NEW JERSEY 07836 FOR THE REVIEW, DESIGN AND CONSTRUCTION OBSERVATION SERVICES FOR THE MERCERVILLE TANK IMPROVEMENT FOR A PERIOD OF ONE (1) YEAR IN AN AMOUNT NOT TO EXCEED $104,795.00 - RFP# 2018-24

WHEREAS, the City of Trenton has a need for the Review, Design and Construction Observation Services for the Mercerville Tank Improvement for the Department of Public Works, Trenton Water Utility; and

WHEREAS, the request for proposal was advertised on May 16, 2018, and two (2) proposals were received on June 6, 2018, and were evaluated by a committee based on criteria that included, experience, understanding of requirements and cost; and

WHEREAS, the proposal of Suburban Consulting Engineers, Inc., 96 US Highway 206, Suite #101, Flanders, New Jersey 07836 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 $104,795.00 at $110.89 per hour for a period of one (1) year have been certified to be available in the following Capital account number: C-06-15-SS-039C-342.

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

1. The Mayor is authorized to enter into contract with Suburban Consulting Engineers, Inc., 96 US Highway 206, Suite #101, Flanders, New Jersey 07836 in an amount not to exceed $104,795.00 for the Review, Design and Construction observation Services for the Mercerville Tank Improvement for the City of Trenton, Department of Public Works, Trenton Water Utility for a period of one (1) year.

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 on

President of Council

City Clerk

Date of Adoption November 1, 2018
PROFESSIONAL SERVICES CONTRACT

RFP2018-24
RESOLUTION 18-725

THIS CONTRACT, made this 1st day of NOVEMBER 2018 by and between the CITY OF TRENTON, 319 EAST STATE STREET, TRENTON, NEW JERSEY 08608 a Municipal Corporation of the State of New Jersey, ("City") and SUBURBAN CONSULTING ENGINEERS, INC., 96 US HIGHWAY 206, SUITE #101, FLANDERS, NEW JERSEY 07836 (CONTRACTOR`).

WHEREAS, the City has a need for THE REVIEW, DESIGN AND CONSTRUCTION OBSERVATION SERVICES FOR THE MERCERVILLE TANK IMPROVEMENTS for the City of Trenton, Trenton Water Works

WHEREAS, Contractor agrees to provide THE REVIEW, DESIGN AND CONSTRUCTION OBSERVATION SERVICES FOR THE MERCERVILLE TANK IMPROVEMENTS for the City of Trenton, Trenton Water Works in accordance with the terms and conditions as set forth hereinafter, and the City being agreeable thereto:

NOW THEREFORE, the parties mutually agree as follows:

THE REVIEW, DESIGN AND CONSTRUCTION OBSERVATION SERVICES FOR THE MERCERVILLE TANK IMPROVEMENTS The City agrees to retain SUBURBAN CONSULTING ENGINEERS, INC., 96 US HIGHWAY 206, SUITE #101, FLANDERS, NEW JERSEY 07836 ("the request of and under the general supervision of the City of Trenton, Trenton Water Works

1. SCOPE OF SERVICES

SEE ATTACHED SCOPE OF SERVICES

DURATION OF THE CONTRACT:
This contract shall remain in full force and effect for a period of One (1) year November 1, 2018 to October 31, 2019 in an amount not to exceed $104,795.00 contingent upon the adoption of FY'2019 temporary and or final budget.

2. 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.

3. 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.

4. INTEGRATION: Resolution #18-725 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 nonbinding, void, and of no effect and neither party has relied on any such prior representations in entering into this Contract with the City of Trenton, Trenton Water Works

5. 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.
6. **GOVERNING LAW:** This Contract shall be governed by the laws of the State of New Jersey.

7. **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 conform 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.

SUBURBAN CONSULTING ENGINEERS, INC.,  
96 US HIGHWAY 206, SUITE #101,  
FLANDERS, NEW JERSEY 07836  
Andrew S. Holt, Executive Vice President  
Seal:  

12/10/2018  
DATE  

Attest:  
Reyna M. Burger, Vice President / Corporate Secretary  
Date: 12/10/2018  
IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year above written.

ATTEST:  
DWAYNE M. HARRIS  
MUNICIPAL CLERK  
DATE 11/09/19  

CITY OF TRENTON  
W. REED GUSCIORA, ESQ.  
MAYOR  
DATE 11/7/19
I. INTRODUCTION

A. Purpose of the Request for Proposal (RFP)

The City of Trenton requests proposals from qualified engineering companies (the "Firm or Firms") to provide the professional engineering services described in the scope of work defined below.

B. Background

The Trenton Water Works (TWW) is a Division within the City of Trenton's Department of Public Works. TWW provides service to approximately 60,000 metered customers and 225,000 people in the City of Trenton as well as portions of Ewing, Hamilton, Hopewell, and Lawrence Townships through approximately 630 miles of transmission and distribution mains. The distribution system is made up of four 1-MG above ground storage tanks, one 600,000 gallon hydropillar, a 1.2-MG standpipe for system storage, and a 100 million gallon reservoir.

The Mercerville Tank is one of the 1-MG above ground storage tank. The tank water cycles only under the most extreme conditions due to the elevation of this tank and how it is placed on the system. This causes concern for the quality of the water that remains stagnant in the tank.

A cursory inspection was last performed by Tank Industry Consultants on September 20, 2017 and they furnished a report.

II. SCOPE OF WORK

1. Hold a kick off meeting with Trenton Water Works
2. Review and verify all drawings and site plans.
3. Review and verify all equipment and appurtenances on the site. This includes Trenton Water Works items as well as cell phone providers or other agencies.
4. Review the inspection report prepared by TIC in September of 2017 and earlier reports.
5. Review the report prepared by CDM-Smith that was performed for the Whitehorse Tank. The methods used for circulating the water and mixing within the Whitehorse Tank have been successful and this approach shall be made on the Mercerville Tank.
6. A cursory review of the distribution system hydraulics and tank operation shall be performed for the Mercerville Tank to optimize the design requirements.
7. Conduct a meeting with Trenton Water Works to discuss the approach to be taken when preparing the plans and specifications.
8. Prepare four draft sets of plans and specifications for Trenton Water Works' review. The plans shall include but not be limited to addressing the water cycling, maintenance of a chlorine residual, site improvements (fencing, trees, appearance, grading, etc.), tank interior painting, tank exterior painting, repair allowances, recommendations made by Tank Industry Consultants, cathodic protection system (or whether needed), site security (addressed as part of another on-going project) but review mounting requirements and locations, new access to the vault, painting of all piping in the vault, vault lighting (LEDs) and electric, vault sump pump and appurtenances, any relocations of SCADA equipment, SCADA communications, etc.

9. Conduct a meeting with Trenton Water Works to discuss the draft plans and specifications. Present an engineer's construction estimate for budgetary purposes.

10. Incorporate Trenton Water Works' comments into the final plans and specifications.

11. The engineering services shall include an allowance for 20 copies of final plans and specifications with all applicable City documents incorporated.

12. Provide written responses to all properly submitted questions or requests for clarifications submitted by prospective bidders.

13. Review all bids found non-defective by the City of Trenton and evaluate bidder's experience, ability to perform work and any other relevant aspect of bid.

14. Prepare a bid report that includes a summary of bids and the results of the review and evaluation noted above.

15. Deliver to TWW three paper copies and an electronic (pdf) copy of the bid report.

16. Provide construction period services, including but not necessarily limited to, review of shop drawings, 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 or bi-weekly progress meetings; evaluating 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 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.

17. Furnish 5 final hardcopies of the operations manual, maintenance manual, and SOP's. Also furnish one electronic set that includes a PDF of all documents.

18. Furnish 5 final hardcopy "As-Built" drawings, a PDF version, and an AutoCAD LT 2009 (or older) version.