

**ORDINANCE NO.: 06-19**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF MOUNT ARLINGTON, COUNTY OF MORRIS AND STATE OF NEW JERSEY, AUTHORIZING AND APPROPRIATING \$681,274.00 FOR DEPARTMENT OF PUBLIC WORKS IMPROVEMENTS**

**WHEREAS**, the Mayor and Council for the Borough of Mount Arlington desires to begin the Department of Public Works Improvements project; and

**WHEREAS**, the cost of said improvements is estimated to be \$271,274 for Recycling Center Replacement Wall and \$410,000 for a Storage Building; and

**WHEREAS**, in order to finance the expenditures associated with the Department of Public Works Improvements, including but not limited to, all activities associated with the construction; the design and implementation of all necessary measures; and issuance of Request for Proposals the Borough Engineer has provided the estimated cost for the project; a copy of which shall be incorporated herein. The Borough authorizes the appropriation and expenditure of \$681,274.00; \$577,216.00 from the Capital Improvement Fund, \$95,578.67 from Ordinance 18-17 for "Acquisition of a Pole Barn Storage Facility" and preliminary expenditures totaling \$8,479.33 were paid through Resolution 2018-57 "Reserve for Preliminary Expenses for 2018 Capital Projects" and General Engineering; and

**WHEREAS**, the Borough Engineer and the Borough Chief Financial Officer recommends the Mayor and Council for the Borough of Mount Arlington authorize the appropriation.

**BE IT ORDAINED**, by the Mayor and Council of the Borough of Mount Arlington, County of Morris and State of New Jersey as follows:

**Section 1:** The improvement and purpose described in Section 3 of this ordinance is hereby authorized as a general improvement to be made or acquired by the Borough of Mount Arlington, County of Morris, New Jersey (hereinafter referred to as the "Borough"). For the said improvement or purpose stated in Section 3 of this ordinance, there is hereby appropriated \$205,876.00, said sum being inclusive of all appropriations heretofore made therefor.

**Section 2:** The improvement hereby authorized and the purpose for the financing of which said obligations are to be issued is as follows:

The construction of the Department of Public Works Improvements, including but not limited to, all activities associated with the construction; the design and implementation of all necessary measures; and issuance of Request for Proposals. For the said improvement or purpose stated in this Section, there is appropriated \$681,274.00; \$577,216.00 from the Capital Improvement Fund, \$95,578.67 from Ordinance 18-17 for “Acquisition of a Pole Barn Storage Facility” and preliminary expenditures totaling \$8,479.33 were paid through Resolution 2018-57 “Reserve for Preliminary Expenses for 2018 Capital Projects” and General Engineering.

**Section 3:** The improvement authorized is expenditures associated with the Department of Public Works Improvement Project, including but not limited to, all activities associated with construction costs; the design and implementation of all necessary measures; and Request for Proposals.

The following additional matters are hereby determined, declared, recited and stated:

- (a) The purpose described in Section 2 of this ordinance is not a current expense and is property or an improvement which the Borough may lawfully acquire or make as a general improvement having a period of usefulness of at least five (5) years and no part of the cost thereof has been or shall be specially assessed on property benefitted thereby.
- (b) Amount not exceeding \$119,794.00 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed and permitted under N.J.S.A. 40A:2-20 of the Law may be included as part of the costs of said improvement and are included in the foregoing estimates thereof.

**Section 4:** Any grant or other moneys received for the purposes described in Section 3 hereof in addition to the funds expressly appropriated in Section 2 hereof, shall be applied to direct payment of the cost of the improvement.

**Section 5:** The Capital Budget of the Borough is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board of the New Jersey Department of Community Affairs showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

**Section 6:** The provisions of this Ordinance are severable. To the extent any clause, phrase, sentence, paragraph or provision of this Ordinance shall be declared invalid, illegal, or unconstitutional, the remaining provisions shall continue in full force and effect.

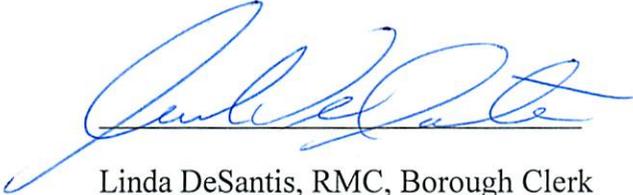
**Section 7:** To the extent that any previous Ordinance or resolutions inconsistent with or contradictory hereto, said Ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

**Section 8:** This ordinance shall take effect after final adoption and publication in the manner provided by law.

**I HEREBY CERTIFY** this to be a true and correct Ordinance of the Mayor and Council of the Borough of Mount Arlington, introduced on January 15, 2019; and will be further considered after a public hearing held on February 5, 2019 at the Municipal Building at 7:00 p.m.

Attest:

BOROUGH OF MOUNT ARLINGTON



Linda DeSantis, RMC, Borough Clerk

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Michael Stanzilis, Mayor  
Borough of Mount Arlington



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Sparta, New Jersey 07871

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July 2 2018

VIA EMAIL: [crinaldi@mtarlingtonboro.com](mailto:crinaldi@mtarlingtonboro.com)

Carolyn Rinaldi  
Municipal Administrator  
Borough of Mt. Arlington  
419 Howard Boulevard  
Mt. Arlington, New Jersey 07856

576 C 009

Re: Proposal for Professional Engineering Services  
DPW Retaining Wall Replacement Design  
Mt. Arlington Borough, Morris County, New Jersey

CP Proposal No. 18-025

Dear Ms. Rinaldi:

CP Engineers, LLC (CP) is pleased to provide this Proposal for professional engineering services to the Borough of Mount Arlington for the design of cast-in-place concrete retaining walls to replace existing deteriorating retaining walls at the Department of Public Works (DPW) facility on Altenbrand Avenue. We thank you for the opportunity to submit this proposal and for allowing CP to provide our services to you.

### **Background**

The Borough is seeking to replace the deteriorated retaining wall structures adjacent to the recycling dumpsters at the rear of the DPW building on Altenbrand Avenue. Based on discussions with Borough representatives, it is understood that the new walls are to be constructed of cast-in-place reinforced concrete. The existing modular block retaining walls are approximately 230 linear feet in length and provide space for five recycling dumpsters. Each dumpster area also includes a concrete slab which will be replaced as part of the work.

The following sections of this proposal outline the services required to proceed with this work.

### **Scope of Services**

#### Task 1: Site Survey & Geotechnical Investigation

- A. A site survey will be conducted in the area of the existing retaining walls and will include topography, existing conditions and existing utilities to confirm present conditions and allow for proper location of the new walls and the potential for minor access improvements to the facility.

- B. Four (4) geotechnical borings will be advanced in the vicinity of the project area to ascertain the extent and nature of the fill known to be in the area, and its degree of consolidation.
- C. Being aware of the Borough's intention to construct a storage building at the DPW site, and being aware that the borings in "b" above should not require more than ½ day to complete, four (4) additional geotechnical borings will be advanced at the utility building location to take advantage of the economy of scale.
- D. A geotechnical report will be prepared making recommendations regarding design aspects related to the subsurface conditions for both the walls and the utility building.

#### Task 2: Preliminary Design

- A. CP will consult with the Morris County Municipal Utilities Authority (MCMUA) to coordinate the work with operations relating to the adjacent water storage tank that MCMUA operates on the property.
- B. CP will review the need to accommodate the potential installation of future conduits to the existing cell tower by future potential users.
- C. CP will review the results of the geotechnical investigation to determine if specialized construction is required due to subsurface conditions. If specialized construction is required, CP will advise the Borough for further authorization.
- D. CP will provide 75 percent design drawings and specifications to allow for review and confirmation of the design concept by the Borough.

#### Task 3: Detailed Design

- A. CP will incorporate any comments from the 75 percent design phase to prepare a complete set of Contract Documents (detailed design drawings and specifications) suitable for solicitation of bids.
- B. CP will complete and submit applications for the following permit(s). The associated application fee(s) will be determined prior to submittal and will be the responsibility of the Borough.
  - 1. Morris County Soil Conservation District (MCSCD) Soil Erosion and Sediment Control Certification.
- C. CP will complete a Final Construction Cost Estimate will be provided based on the final design.

#### Task 4: Bid Phase

- A. Coordination of the reproduction of Contract Documents and distribution of Contract Documents

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- to prospective bidders (cost of reproduction not included).
- B. Receipt, logging and response to bidder questions.
  - C. Conduct Pre-Bid Meeting and prepare minutes thereof.
  - D. Prepare and distribute addenda, as necessary.
  - E. Conduct bid opening and canvass all bids to ensure all bidding laws and requirements have been satisfied.
  - F. Review bids, conduct qualification and experience reviews, and recommend award of the Contract.
  - G. Issuing of the Notice of Award, review of all bonds and insurances, and issuing of the Notice to Proceed.

Task 5: Construction Services

- A. Coordinate and conduct the preconstruction meeting, prepare and distribute minutes thereof.
- B. Review and comment on or approve Contractor's construction progress schedule, schedule of shop drawings, warranty and sample submittal schedules, and the contract schedule of values and cost breakdowns.
- C. Review and comment on Contractor's proposed construction sequencing plan to insure the best interests of the Borough are met.
- D. Review and comment on or approve proposed subcontractors, materials, and equipment to be utilized by Contractor.
- E. Provide Contractor with paper copies and/or AutoCAD files of the Contract Drawings for the Contractor's use in maintaining a set of Record Drawings, to be turned over to the Engineer, as required in the Contract Documents. Maintain record of all field changes for incorporation into Record Drawings.
- F. Review of shop drawings and submissions; issue comments on and/or approval of all submissions.
- G. Review and analyze material test results for compliance with contract acceptance values.
- H. Review all product warranties, supplier's certificates, and laboratory test results to determine conformance with the Contract Documents.
- I. Review and comment on Contractor's proposed method for maintaining facilities and site access during construction.
- J. Review Contractor's proposed excavation and dewatering procedures.

- K. Prepare Final Record Drawings which reflect actual construction under the contract.
- L. Coordinate with the MC SCD, MCMUA and other regulatory agencies, as necessary, during construction. Attend meetings and site visits by regulatory agencies.
- M. Provide part-time inspection to properly observe all activities associated with the construction as coordinated with the Borough Construction Department. Prepare daily inspection reports and maintain a filing system for all reports.
- N. Conduct construction progress meetings, prepare and distribute minutes of meetings.
- O. Review and comment on all requests by Contractor.
- P. Witness all field tests.
- Q. Coordinate and resolve unacceptable work with the Contractor and Borough, as allowed for in the Contract Documents.
- R. Review and certify Payment Requisitions and provide recommendations for payment.
- S. Coordinate issuance of all required project change orders, assist in determining the value of the change in work and the negotiating of the associated changes in contract time and costs, and certification of change order as applicable.
- T. Provide all required recommendations, inspections, reports and certifications associated with the Contract general conditions; e.g. partial utilization, substantial completion, final acceptance, suspension or termination of work, dispute resolution.
- U. Certify to the Borough that the Contractor has completed the work in accordance with the Contract Documents.

#### **Clarifications**

1. The scope of services does not include required regulatory application fees which will be the responsibility of the Borough.
2. The scope assumes that the geotechnical investigations will not uncover conditions requiring specialized construction.
3. The scope excludes historic and archeological assessments, surveys, or coordination with the New Jersey Register of Historic Places.
4. Construction materials testing and certification services.



**Cost**

Based on the foregoing, CP proposes to perform this work for a time and expense basis with a not to exceed budget of \$47,700.00. CP will bill the Borough on a monthly basis. The overall "not to exceed" fee is derived from the following breakdown of cost per task:

Task 1 - Site Survey & Geotechnical	\$9,250.00
Task 2 - Preliminary Design	\$12,750.00
Task 3 - Detailed Design	\$8,000.00
Task 4 - Bid Phase	\$4,000.00
Task 5 - Construction Services	<u>\$13,700.00</u>
<b>TOTAL NOT TO EXCEED FEE</b>	<b>\$47,700.00</b>

**Schedule**

CP is prepared to begin work immediately upon your authorization.

**Authorization**

CP proposes to perform these services under the terms and conditions of our current agreement. If this proposal meets with your approval, kindly indicate your acceptance by providing a resolution incorporating this proposal as reference or by signing and returning a copy of this document to our office.

Please feel free to call me with any questions or comments.

Very truly yours,  
**CP ENGINEERS, LLC**

Stanley G. Puszcz, P.E., BCEE, C.M.E.  
Managing Partner

Accepted this \_\_\_\_\_ day of \_\_\_\_\_, 2018

By (Signature): \_\_\_\_\_

By (Printed): \_\_\_\_\_

Title: \_\_\_\_\_

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*Cost  
\$212,920  
+ 5% w/w (\$10,646)  
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271,274*



**BOROUGH OF MOUNT ARLINGTON  
RECYCLING CENTER WALLS  
ENGINEER'S OPINION OF PROBABLE COST**

1/9/19

ITEM #	SEC. #	DESCRIPTION	UNIT	UNIT COST	QUANTITY	IF AND WHERE DIRECTED	BID QUANTITY	TOTAL COST
1	154	MOBILIZATION	LS	\$30,000	1	0	1	\$30,000
2	161	FINAL CLEANUP	LS	\$10,000	1	0	1	\$10,000
3	201	CLEARING SITE	LS	\$30,000	1	0	1	\$30,000
4	202	EXCAVATION, UNCLASSIFIED	CY	\$15	283	37	320	\$4,800
5	302	DENSE-GRADED AGGREGATE BASE COURSE, 4" THICK	SY	\$12	167	23	190	\$2,280
6	401	HMA MILLING, GREATER THAN 4" - 6"	SY	\$12	167	23	190	\$2,280
7	401	HMA SURFACE COURSE 9.5M64, 2"	TON	\$85	20	5	25	\$2,125
8	402	HMA BASE COURSE 12.5M64, 4"	TON	\$90	39	6	45	\$4,050
9	504	CONCRETE SLAB, 8" THICK	LS	\$17,000	1	0	1	\$17,000
10	513	RETAINING WALL, CAST-IN-PLACE	LS	\$50,000	1	0	1	\$50,000
11	701	2" FLEXIBLE NONMETALLIC CONDUIT (TOTAL OF 3 CONDUITS)	LF	\$20	277	33	310	\$6,200
12	804	TOPSOILING, 4" THICK	SY	\$10	32	8	40	\$400
13	806	FERTILIZING, SEEDING, AND MULCHING, TYPE "1"	SY	\$3	32	8	40	\$120

CONSTRUCTION COST SUBTOTAL: \$159,255  
20% CONTINGENCY: \$31,851  
TOTAL BUDGETARY ESTIMATE \$191,106

Thomas R. Lemanowicz, NJPE Lic. No. 24GE039574800

Date