

RESOLUTION NO. 2019-519

A RESOLUTION TO AMEND AND SUPPLEMENT RESOLUTION NO. 2017-49 AND AUTHORIZING THE ISSUANCE OF CHANGE ORDER NO. 1, FOR THE AMOUNT OF \$103,615.00, TO THE PROFESSIONAL SERVICES CONTRACT NO. C17-0025, ISSUED TO O.R. COLAN ASSOC., LLC, UNION, NJ.

WHEREAS, the City Council of the City of Vineland, on January 24, 2017, adopted Resolution No. 2017-49, entitled "A RESOLUTION AUTHORIZING AN AGREEMENT FOR PROFESSIONAL SERVICES WITH O.R. COLAN ASSOC., LLC, UNION, NJ, FOR RIGHT OF WAY ACQUISITION SERVICES (GARDEN & MILL INTERSECTION)"; and

WHEREAS, the City Engineer has requested that an amendment be made to contract awarded to O.R. Colan Assoc., LLC, Union, NJ, for Right of Way Acquisition Services (Garden & Mill Intersection), as authorized by Resolution No. 2017-49; by change order to Contract No. C17-0025 to provide additional funds needed because the acquisition process was stalled by no fault of the contractor and as a result, appraisals were required to be done again and the negotiation process restarted; and

WHEREAS, the Chief Financial Officer has certified that funds for the amendment requested herein are available; now, therefore,

BE IT RESOLVED by the Council of the City of Vineland as follows:

1. THAT Resolution No. 2017-49, entitled "A RESOLUTION AUTHORIZING AN AGREEMENT FOR PROFESSIONAL SERVICES WITH O.R. COLAN ASSOC., LLC, UNION, NJ, FOR RIGHT OF WAY ACQUISITION SERVICES (GARDEN & MILL INTERSECTION)"; be and the same is hereby amended and supplemented to increase maximum amount of the contract by \$103,615.00.

2. THAT the Purchasing Agent be and the same is hereby authorized to issue an amendatory supplemental change order #1 to Contract No. C17-0025, in the amount of \$103,615.00.

Adopted:

President of Council

ATTEST:

City Clerk



December 3, 2019

REPORT

TO: THE MAYOR AND COUNCIL

Amendatory Supplemental Change Order No. 1
Contract No. C17-0025
Right of Way Acquisition Services (Garden & Mill Intersection)
O.R. Colan Assoc., LLC, Union, NJ

We are requesting that an amendatory supplemental change order be issued to Contract No. C17-0025, to O.R. Colan Assoc., LLC, Union, NJ, for Right of Way Acquisition Services (Garden & Mill Intersection). This contract was authorized by Resolution No. 2017-49, adopted by City Council on January 24, 2017.

The change order is in the amount of \$103,615.00.00 will provide additional funds needed because the acquisition process was stalled by no fault of the contractor and as a result, appraisals were required to be done again and the negotiation process restarted.

This change order increases the original contract amount from \$219,610.00 to \$323,225.00.

The amendatory supplemental change order for which authorization is herein requested may be authorized in accordance with N.J.A.C. 5:34-4.1 et seq.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Dickenson", is written over the typed name and title.

Robert Dickenson
Business Administrator

RD/wr



REQUEST FOR CHANGE ORDER

FOR:

Professional Services for Right of Way Acquisition Services Garden & Mill Traffic Signal

PROJECT NAME

TO: BUSINESS ADMINISTRATION

DEPARTMENT: Admin / Engineering FROM: David J. Maillet, PE

This is a request for change order # 1 to Contract # C17-0025 for:

Project Name _____

Name/Address of Contractor: OR Colan

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.)

The acquisition process was stalled by no fault of the contractor. As a result, appraisals were required to be done again and the negotiation process restarted.

Original Contract Amount:	\$ <u>219,610.00</u>
Amount of this change order:	\$ <u>103,615.00</u>
Previous Change Orders:	\$ _____
Total Revised Amount:	\$ <u>323,225.00</u>

APPROVED BY: David J. Maillet
Print/type


Signature

NOTE:

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

Account # C0400000175478631

CC: Purchasing Division



October 15, 2019

City of Vineland
David Maillet, City Engineer
640 E. Wood Street
P.O. Box 1508
Vineland, NJ 08362

RE: Additional Funding Proposal – Acquisition Services
Garden and Mill Intersection, Vineland, New Jersey

Dear Mr. Maillet:

O.R. Colan Associates (“ORC”) submits this additional funding proposal in the amount of \$103,615.00 for the above referenced project. The amount is based on the estimated costs to complete this project after the 2018 delay (\$128,615.00), less the estimated remaining balance (\$25,000.00) as of the end of this month (October 31, 2019) of our original contract funded in March 2017.

Details by task, hours, fees and expenses are provided on page 3 of this submittal.

Our original contract was based on a continuous period of about one year after startup for providing the acquisition tasks identified. The ten-month suspension of the acquisition process in July 2018 occurred when offers to purchase were scheduled with property owners, requiring all activities prior to negotiation be repeated. General impacts are as follows:

- Title search abstracts completed in May 2018 needed updating one year later to verify any changes to ownership or other title conditions.
- The appraiser had to redraft appraisals that were completed and issued in 2018 (with the exception of E17, because of the ongoing development discussions between the City and the property owner). Appraisals must reflect current market values and conditions, and NJDOT considers a six-month old appraisal outdated. These appraisals were over one year old at the time of the suspension and were redrafted for the time lapse along with values based on the City’s decision to change acquisitions from fee simple to easements.

- The appraisal reviewer prepared updated reports based on the new appraisal reports.
- ORC staff repeated pre-acquisition activities after the suspension as lifted. A representative list of various activities that were repeated/conducted are: restart meetings; order title updates; renegotiate and finalize consultant agreements for new appraisals and appraisal reviews; discussions during process with title company and appraisers; review title, appraisal and review reports; revise forms and documents to adjust to easement vs. fee acquisitions and changes due to updates including drafting an easement agreement for City review and approval; discussions with Pennoni on current plans and individual parcel maps; preparation of original offer packages based on 2018 appraisal; field phone calls from owners who were engaged in the process and respond to questions after the suspension; prepare new offers and compile packages.

ORC will work diligently to complete this project as soon as we can, and we will only invoice for actual time and expenses necessary within the project budget.

Note that the additional funding estimate does not include any costs that may become necessary as a result of the condemnation process. The degree to which any of these services will be required under this contract are unknown. ORC proposes that these potential costs be evaluated should one or more parcels be submitted for condemnation and needs can be determined.

Thank you, please contact me if you have any questions.

Sincerely,



Nancy Maieski
Vice President
Phone: (973) 623-3900 Ext. 11
Fax: (973) 623-1100
nmaieski@orcolan.com

**ADDITIONAL FUNDING NEEDED TO COMPLETE PROJECT
VINELAND - INTERSECTION IMPROVMEENT - GARDEN AND MILL**

LABOR/FEES	Hours and fees for additional Funding														Total Hours	Billing Rate	Total	
	Pre-Acquisition Redo		Update Title Search		Update Appraisal/ New Review		Negotiation		Closings/ Filings		Project Closeout		Project Management					
Staff Name	hrs		hrs		hrs		hrs		hrs		hrs		hrs					
ORC																		
N Maieski Contract Manager	0	0.00	0	0	8	1,536	15	2,880	10	1,920	15	2,880	20	3,840	68	192.00	13,056	
M Tanger Project Manager	0	0.00	0	0	8	1,104	240	33,120	25	3,450	15	2,070	5	690	293	138.00	40,434	
T Williams Adm. Assistant													5	375	5	75.00	375	
N Cunningham Adm. Assistant													5	375	5	75.00	375	
TBD -Quality Review		0.00		0				0		0		0	15	1,875	15	125.00	1,875	
	0	0.00	0	0	16	2,640	255	36,000	35	5,370	30	4,950	50	7,155	386		\$56,115	
MHale & Associates (new Appraisal updates)																		
Appraisals					30,000												\$30,000	
IRR (Review updates)																		
Appraisal Reviews					15,000												\$15,000	
Landis Title Services**																		
Title Upates									14,000								14,000	
Recording Fees									1,500								1,500	
Placeholder for Title Insurance (Unknown until values are known)									10,000								10,000	
																	\$25,500	
TOTAL LABOR/FEE		0		0	47,640		36,000		30,870		4,950		7,155				\$126,615	
REIMBURSABLE EXPENSES																		
Travel	Allowance based on actual - estimate 2000 miles @ .58/mile; say \$300 tolls (Rounded)															1,500		
Postage	Allowance based on actual - say 36 certified @ \$8/each; say \$200 regular mail (rounded)															500		
																2,000		
TOTAL COSTS ESTIMATED TO COMPLETE ACQUISITION PROCESS**																\$128,615		
ORIGINAL COST PROPOSAL AMOUNT PROVIDED 2016, BASED ON 9-12 MONTH ACQUISITION PERIOD																219,610		
ESTIMATED AMOUNT EXPENDED THROUGH OCTOBER 2019																194,610		
REMAINING AMOUNT OF ORIGINAL CONTRACT (1/2017) ESTIMATED AS OF OCTOBER 31, 2019																25,000		
ADDITIONAL COSTS ESTIMATED TO COMPLETE ACQUISITION PROCESS																128,615		
LESS: ESTIMATED REMAINING AMOUNT OF ORIGINAL CONTRACT 1/2017-10/31/2019																25,000		
TOTAL ADDITIONAL FUNDING ESTIMATE																\$103,615		

****NOTE:** Potential costs for services after the legal condemnation process has commenced are not included in the above estimate.