



Legislation Details (With Text)

**File #:** 22-0930      **Version:** 1      **Name:** Resolution: Close-out Change Order #1 Contract 38-WS2025 - Pacific Construction  
**Type:** Resolution      **Status:** Adopted  
**File created:** 6/29/2022      **In control:** Water Sewer Utility  
**On agenda:** 8/3/2022      **Final action:** 8/3/2022

**Title:** Dept/ Agency: Water and Sewer Utilities  
Action:  Ratifying    Authorizing    Amending  
Type of Service: Final Quantities Change Order #1/Amend Resolution 7R12-c adopted on December 22, 2020  
Purpose: To execute Contract Close-out Change Order #1 Phase-10(A) Lead Service Line Replacement - Contract 38-WS2025.  
Entity Name: Pacific Construction, LLC  
Entity Address: 531 US Highway 22E, #240, Whitehouse Station, New Jersey 08889  
Contract Amount: Not to exceed \$10,825,580.00  
Funding Source: Capital Budget/Department of Water and Sewer Utilities  
Contract Period: 210 calendar days from the date of the written Notice to Proceed to final completion  
Contract Basis:  Bid    State Vendor    Prof. Ser.    EUS  
 Fair & Open    No Reportable Contributions    RFP    RFQ  
 Private Sale    Grant    Sub-recipient    n/a  
Additional Information:  
Resolution 7R12-c adopted on December 22, 2020 awarded a contract in an amount not to exceed \$10,825,580.00 for a period of 210 calendar days to final completion from the date of the written Notice to Proceed.

Contract Close-out Change Order #1 will close project with no change in contract amount of \$10,825,580.00 and no extension on final completion of 210 calendar days from the date of the written Notice to Proceed to final completion.

This Change Order is ratified from the date of the Contract Modification Proposal and Acceptance (Closeout Change Order #1) to the date of this authorizing Resolution. Funds for this contract previously certified and encumbered in support of Resolution 7R12-c adopted on December 22, 2020 remain available from the Water Capital Account NW041-18W-18W00-94710-B2018, until completion of the project and close-out of the contract.

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
8/3/2022	1	Municipal Council	Adopt	Pass

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**Entity Name:** Pacific Construction, LLC  
**Entity Address:** 531 US Highway 22E, #240, Whitehouse Station, New Jersey 08889

**Contract Amount:** Not to exceed \$10,825,580.00

**Funding Source:** Capital Budget/Department of Water and Sewer Utilities

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**Contract Basis:** (X) Bid ( ) State Vendor ( ) Prof. Ser. ( ) EUS

(X) Fair & Open ( ) No Reportable Contributions ( ) RFP ( ) RFQ

( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) n/a

**Additional Information:**

Resolution 7R12-c adopted on December 22, 2020 awarded a contract in an amount not to exceed \$10,825,580.00 for a period of 210 calendar days to final completion from the date of the written Notice to Proceed.

Contract Close-out Change Order #1 will close project with no change in contract amount of \$10,825,580.00 and no extension on final completion of 210 calendar days from the date of the written Notice to Proceed to final completion.

This Change Order is ratified from the date of the Contract Modification Proposal and Acceptance (Closeout Change Order #1) to the date of this authorizing Resolution. Funds for this contract previously certified and encumbered in support of Resolution 7R12-c adopted on December 22, 2020 remain available from the Water Capital Account NW041-18W-18W00-94710-B2018, until completion of the project and close-out of the contract.

**WHEREAS**, Resolution 7R12-c adopted on December 22, 2020, authorized the award of Contract 38-WS2025, Phase-10(A) Lead Service Line Replacement, to Pacific Construction, LLC, 531 US Highway 22E, #240, Whitehouse Station, New Jersey 08889, in the amount of \$10,825,580.00 for a period of (210) calendar days to final completion from the date of a written Notice to Proceed, in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, Contract 38-WS2025 was completed with no final quantity adjustments and no additional calendar days to final completion from the date of the issuance of a written Notice to Proceed; and

**WHEREAS**, the Department of Water and Sewer Utilities, wishes to enter into and execute a Contract Close-out Change Order #1 to Contract 38-WS2026, Phase-10(A) Lead Service Line Replacement Pacific Construction, LLC, 531 US Highway 22E, #240, Whitehouse Station, New Jersey 08889, with no change in total contract amount of \$10,825,580.00, and with no extension on final completion from a written Notice to Proceed.

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:**

1. The Mayor of the City of Newark and/or his designee, the Director of the Department of Water and Sewer Utilities, is authorized to enter into and execute Contract Close-out Change Order #1 to Contract 38-WS2025, Phase-10(A) Lead Service Line Replacement with Pacific Construction, LLC, 531 US Highway 22E, #240, Whitehouse Station, New Jersey 08889, with no change in final contract amount of \$10,825,580.00 and no extension on contract completion of (210) calendar days to final completion from the date of a written Notice to Proceed.

2. Funds for this contract previously certified and encumbered in support of Resolution 7R12-c adopted on December 22, 2020 remain available from the Water Capital Account NW041-18W-18W00-94710-B2018, until completion of the project and close-out of the contract.
3. This Change Order is ratified from the date of the Contract Modification Proposal and Acceptance (Close-out Change Order #1) to the date of this authorizing Resolution.
4. A fully executed copy of the Closeout Change Order #1 shall be filed in the Office of the City Clerk by the Director of the Department of Water and Sewer Utilities.
5. A fully executed copy of the Close-out Change Order #1 shall be filed with the New Jersey Department of Environmental Protection (NJDEP) by the Director of the Department of Water and Sewer Utilities.
7. If required by State Law, the Acting City Clerk shall provide the appropriate notice of the award of this contract to the State Comptroller no later than twenty (20) business days following such award, in accordance with N.J.S.A. 52:15C-10 and the Notice of the Office of the State Comptroller dated May 7, 2008.

### **STATEMENT**

This Resolution ratifies, amends and authorizes the Mayor of the City of Newark and/or his designee, the Director of the Department of Water and Sewer Utilities, to enter into and execute Contract Close-out Change Order #1 to Contract 38-WS2025, Phase-10(A) Lead Service Line Replacement with Pacific Construction, LLC, 531 US Highway 22E, #240, Whitehouse Station, New Jersey 08889, with no change in the final contract amount of \$10,825,580.00, and no extension on contract completion of (210) calendar days to final completion from the date of a written Notice to Proceed.