



Legislation Details (With Text)

**File #:** 18-0581      **Version:** 1      **Name:** Pequannock Water Treatment Plant Improvements Phase 2 - Change Order No. 2 - Allied Construction Group  
**Type:** Resolution      **Status:** Adopted  
**File created:** 4/17/2018      **In control:** Water Sewer Utility  
**On agenda:** 7/11/2018      **Final action:** 7/11/2018

**Title:** Dept/ Agency: Water and Sewer Utilities  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Type of Service: Change Order No. 2/Amend Resolution 7R1-d(AS)010616 and 7R12-c071217  
Purpose: Execute Change Order No. 2 for Pequannock Water Treatment Plant Improvements Phase-2 Contract 06-WS2011  
Entity Name: Allied Construction Group Inc.  
Entity Address: 499 Washington Road, Parlin, New Jersey 08859  
Contract Amount: \$5,253,213.00  
Funding Source: Water and Sewer Utilities Capital Budget  
Contract Period: Final Completion extended by 466 days  
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:  
Change Order No. 2 will increase the original contract amount of \$5,058,152.00, by \$195,061.00, with a new contract total of \$5,253,213.00, and extending the completion time by four hundred sixty-six (466) calendar days.  
Original Resolution 7R1-d(AS) adopted on January 6, 2016  
Change Order No. 1 Resolution 7R12-c adopted on July 12, 2017

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
7/11/2018	1	Municipal Council	Adopt	Pass

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Original Resolution 7R1-d(AS) adopted on January 6, 2016

Change Order No. 1 Resolution 7R12-c adopted on July 12, 2017

**WHEREAS**, Resolution 7R1-d(AS) dated January 6, 2016 authorized the award of Contract 06-WS2011 to, Allied Construction Group Inc., 499 Washington Road, Parlin, New Jersey 08859 ("Allied"), in the amount of \$4,877,000.00, in accordance with the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, Resolution 7R12-c dated July 12, 2017 authorized the execution of Change Order No. 01 to Contract 06-WS2011 with Allied, increasing the Contract amount by \$181,152.00 to a total resulting Contract amount of \$5,058,152.00, and increasing contract completion time by two hundred fifty-seven (257) days, in accordance with the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, the Department's SCADA integration was specified in the contract to be performed by the specified instrumentation integration subcontractor ABB Inc. and the existing control system at the Pequannock Water Treatment Plant is ABB system which only ABB Inc., can modify to integrate the new chlorination facility; and

**WHEREAS**, during the course of the project, the City became aware of the inability of ABB to get the work done, as ABB was nonresponsive and unreasonable; and

**WHEREAS**, the City advised the contractor to get pricing from another sub-contractor other than ABB, to complete this work by installing a stand-alone SCADA system for the chlorination facilities without combining with the ABB system; and

**WHEREAS**, the sub-contractor, Innovative Mission Systems (IMS) was contacted by our contractor, Allied Construction Group, Inc., and the proposal from IMS was provided with cost and schedule including the extra time necessary to get the equipment necessary and installation; and

**WHEREAS**, Water and Sewer Utilities has reviewed the proposal and found it to be acceptable and in the best interest of the city to accept, and implement the necessary SCADA integration work by IMS; and

**WHEREAS**, work is expected to be completed in 2018; and

**WHEREAS**, as a result of these unforeseen conditions, project delays were encountered which necessitated additional work in the amount of \$195,061.00, and additional time of four hundred sixty-six (466) calendar days were required to complete the additional work; and

**WHEREAS**, Contract 06-WS2011, therefore, is to be further amended with a net amount of \$195,061.00 to be added to the total contract amount and an additional four hundred sixty-six (466) calendar days to be added to the contract completion time; and

**WHEREAS**, the Department of Water and Sewer Utilities wishes to execute Change Order No.02 to Contract 06-WS2011 Pequannock Water Treatment Plant Improvements Phase-2 with Allied Construction Group Inc., 499 Washington Road, Parlin, New Jersey 08859, increasing the contract

by \$195,061.00, bringing the contract amount to \$5,253,213.00 and extending the contract completion time by four hundred sixty-six (466) calendar days; and

**WHEREAS**, the Municipal Council adopted the Contractor Pay-to-Play Reform Ordinance, R.O. 2:4-22C, which forbids the award of a contract of a Business Entity, as defined therein, which has made or solicited political contributions to Newark Municipal Candidates, office holders having ultimate responsibility for the award of a contract; candidate committees of the aforementioned candidates, and political or political party committees of the City of Newark or County of Essex; and continuing political committees or political action committees regularly engaged in the support of the City of Newark Municipal or County of Essex elections; and certain other political party or candidate committees, in excess of certain thresholds.

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

1. The Municipal Council hereby authorizes the Mayor and/or his designee, the Director of the Department of Water and Sewer Utilities, to execute Change Order No. 02 to Contract 06-WS2011 Pequannock Water Treatment Plant Improvements Phase-2 with Allied Construction Group, Inc., 499 Washington Road, Parlin, New Jersey 08859, increasing the contract by \$195,061.00, bringing the total contract amount to \$5,253,213.00 and extending the contract completion time by four hundred sixty-six (466) calendar days.
2. Attached hereto is a Certification of Funds from the Chief Financial Officer, which states that funds in the amount of \$195,061.00, are available in the Water and Sewer Utilities Capital Budget under Business Unit NW041, Department ID 11W, Division/Project 11W00, Account # 94710, Budget Ref. B2011 and which shall be filed along with the original Resolution in the Office of the City Clerk.
3. The Director of the Department of Water and Sewer Utilities shall file a fully executed copy of the Change Order No. 02 in the Office of the City Clerk.
4. The Director of the Department of Water and Sewer Utilities shall file a fully executed copy of the Change Order No. 02 with the New Jersey Department of Environmental Protection (NJDEP).
5. This contract was solicited and awarded pursuant to the fair and open procedures in accordance with the State Pay-to-Play Law (N.J.S.A. 19:44A-20.5), and pursuant to the provisions of the Local Public Contracts Law N.J.S.A. 40A:11-5(1)(a)(i), and is in compliance with the City's Contractor Pay-to-Play Reform Ordinance, R.O. 2:4-22C.
6. If required by State Law, the 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 authorizes the Mayor and/or his designee, the Director of the Department of Water and Sewer Utilities, to execute Change Order No. 02 to Contract 06-WS2011 Pequannock Water Treatment Plant Improvements Phase-2, with Allied Construction Group, Inc., 499 Washington Road, Parlin, New Jersey 08859, increasing the contract by \$195,061.00, bringing the total contract amount

to \$5,253,213.00 and extending contract completion time by four hundred sixty-six (466) calendar days.