



Legislation Details (With Text)

**File #:** 14-1953      **Version:** 2      **Name:** Final Quantities Change Order#1 for Haynes Ave Water Main Project-Montana Construction

**Type:** Resolution      **Status:** Filed

**File created:** 11/14/2014      **In control:** Water Sewer Utility

**On agenda:** 2/4/2015      **Final action:** 2/4/2015

**Title:** Dept/ Agency: Water and Sewer Utilities  
Action:  Ratifying    Authorizing    Amending  
Type of Service: Change Order/Amend Resolution 7R12-a March 20, 2013  
Purpose: To execute Contract Close-Out and Final Quantities under Change Order #1  
Entity Name: Montana Construction Corp., Inc.  
Entity Address: 80 Contant Avenue, Lodi, New Jersey 07644  
Contract Amount: Original Contract Amount of \$1,147,500.00, to be increased by \$125,822.05 for a Final Contract Amount of \$1,273,322.05  
Funding Source: Department of Water and Sewer Utilities Capital Budget  
Contract Period: Original period: September 9, 2013 through December 8, 2013 which was extended by 91 days for an end date of March 9, 2014  
Contract Basis:  Bid    State Vendor    Prof. Ser.    EUS  
 Fair & Open    No Reportable Contributions    RFP    RFQ  
 Private Sale    Grant    Sub-recipient    n/a  
Additional Information:  
Necessary Final Quantities Change Order #1 and Contract Close-Out which increased the contract amount by \$125,822.05 and extended the contract period by 91 days)

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
2/4/2015	2	Municipal Council	Adopt	Pass

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**WHEREAS**, resolution 7R12-a March 20, 2013 authorized the award of Contract 07-WS2012 Haynes Avenue 24-inch Low Pressure Water Main Rehabilitation to Montana Construction Corporation, Inc., 80 Contant Avenue, Lodi, New Jersey 07644, (“Montana”) for an amount not to exceed \$1,147,500.00 in accordance with Local Public Contracts Law N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, Montana completed Contract 07-WS2012 with the following necessary modifications: tthe Contract amount first was reduced by \$110,998.50 for unused quantities, and then increased by \$236,820.55 for quantity overruns, additional work and modifications that had to be performed as detailed in the attached Final Quantity Change Order; and.

**WHEREAS**, these necessary modifications resulted in a net increase of \$125,822.05 to the total Contract amount and an additional 91 calendar days to the length of the contract; and

**WHEREAS**, the necessary modifications prevented additional public health and safety concerns, and were made in the best interests of the City; and

**WHEREAS**, the Department of Water and Sewer Utilities wishes to execute a Final Quantity Change Order No.1 to Contract 07-WS2012, Haynes Avenue 24-inch Low Pressure Water Main Rehabilitation, with Montana Construction which amends the Contract by increasing the contract amount by \$125,822.05, extending the completion time by 91 calendar days, and brings the final contract amount to \$1,273,322.05.

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

1. The Mayor and/or his designee, the Director of the Department of Water and Sewer Utilities, is hereby authorized, on behalf of the City of Newark, to amend Contract 07-WS2012 Haynes Avenue 24-inch Low Pressure Water Main Rehabilitation, with Montana Construction Corporation, Inc., 80 Contant Avenue, Lodi, New Jersey 07644, by executing the Final Quantities Change Order No. 1 thereby increasing the contract amount by \$125,822.05, bringing the final contract amount to \$1,273,322.05, and increasing the contract completion time by 91 calendar days.
2. The amendment is ratified back to the date that the modifications were implemented as the changes were necessary to prevent public health and safety concerns, and were made in the best interests of the City.
3. The additional funds in the amount of \$125,822.05 required for this Final Quantities Change Order No. 1 are provided as follows:  
Business Unit: NW041, Department ID: 10W, Project: 10W10, Account#: 94710.
4. A fully executed copy of the Final Quantities Change Order No. 1 shall be filed in the Office of the City Clerk by the Department of Water & Sewer Utilities.
5. 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 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 and authorizes the Mayor and/or his designee, the Director of the Department of Water and Sewer Utilities, to amend Contract 07-WS2012 Haynes Avenue 24-inch Low Pressure Water Main Rehabilitation, with Montana Construction Corporation, Inc., 80 Contant Avenue, Lodi, New Jersey, by executing the Final Quantities Change Order No. 1 which increases the contract amount by \$125,822.05, brings the final contract amount to \$1,273,322.05, and increases the contract completion time by 91 calendar days.