



## Legislation Details (With Text)

**File #:** 13-0154      **Version:** 2      **Name:** Contract #21-2010 Renovation to Chestnut Street Fire House, Bismark Construction Contract Extension

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

**File created:** 1/18/2013      **In control:** Engineering

**On agenda:** 2/20/2013      **Final action:** 3/6/2013

**Title:** Dept/ Agency: Engineering  
Action: ( X ) Ratifying ( x ) Authorizing ( X ) Amending  
Type of Service: Contract Amendment to Extend Time  
Purpose: Renovation of Chestnut Street Fire House, Engine 27/Ladder 4, located at 87-89 Elm Road, Newark, New Jersey 07105  
Entity Name: Bismark Construction Corporation  
Entity Address: 207-209 Berkeley Avenue, Newark, New Jersey 07107  
Contract Amount: \$3,188,600.00  
Funding Source: City of Newark Budget/Engineering  
Contract Period: January 30, 2012 to July 27, 2013  
Contract Basis: (X) Bid ( ) State Vendor ( ) Prof. Ser. ( ) EUS  
( ) Fair & Open ( ) No Reportable Contributions ( ) RFP ( ) RFQ  
( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) n/a  
Additional Information:  
Amendment #1 to Contract #21-2010  
Deferred 7R4-a 022013

**Sponsors:**

**Indexes:**

**Code sections:**

| Date      | Ver. | Action By         | Action | Result |
|-----------|------|-------------------|--------|--------|
| 3/6/2013  | 2    | Municipal Council | Adopt  | Pass   |
| 2/20/2013 | 1    | Municipal Council | Defer  | Pass   |

**Dept/ Agency:** Engineering

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

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

**Additional Information:**

Amendment #1 to Contract #21-2010

Deferred 7R4-a 022013

WHEREAS, Resolution 7R4-c 051811, authorized the Director of the Department of Engineering to execute Contract #21-2010, Renovation of Chestnut Street Fire House, Engine 27/Ladder 4, located at 87-89 Elm Road, Newark, New Jersey 07105, with Bismark Construction Corporation, 207-209 Berkeley Avenue, Newark, New Jersey 07107, in the total bid amount of \$3,188,600.00; and

WHEREAS, a 'Notice to Proceed' was issued dated February 1, 2012, specifying February 1, 2012 as the effective date of the contract and terminating on January 30, 2013; and

WHEREAS, due to a variety of reasons, including contractor delay, the project has not moved forward on schedule; and

WHEREAS, the Director of the Department of Engineering and the contractor, Bismark Construction Corporation, agree that a time extension is necessary, although the parties disagree as to the time to complete the project; and

WHEREAS, the City of Newark's architect has concluded that a reasonable date for project completion is July 27, 2013, and the Director of Engineering concurs to that time schedule; and

WHEREAS, the Director of the Department of Engineering desires to amend Contract #21-2010, Renovation of Chestnut Street Fire House, Engine 27/Ladder 4, located at 87-89 Elm Road, Newark, New Jersey 07105, to extend the time period to account for project completion and contract close out, to July 27, 2013, at no additional cost to the City of Newark, consistent with N.J.S.A. 40A:11-15 (9).

**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 Engineering, is hereby authorized to execute Amendment #1 to Contract #21-2010, Renovation of Chestnut Street Fire House, Engine 27/Ladder 4, located at 87-89 Elm Road, Newark, New Jersey 07105, with Bismark Construction Corporation, 207-209 Berkeley Avenue, Newark, New Jersey 07107, to extend the time period to complete this contract to July 27, 2013, with no additional cost to the City.
2. The Municipal Council ratifies the actions taken to extend the contract term from January 30, 2013 to the date of adoption of this resolution.
3. All other terms and conditions of Contract #21-2010, Renovation of Chestnut Street Fire House, Engine 27/Ladder 4, located at 87-89 Elm Road, Newark, New Jersey 07105, project shall remain the same.
4. There shall be no additional expenditure of municipal funds for the amendment of the project time period.
5. A fully executed copy of Amendment #1 to Contract #21-2010, Renovation of Chestnut Street Fire House, Engine 27/Ladder 4, located at 87-89 Elm Road, Newark, New Jersey 07105, shall be filed in the Office of the City Clerk by the Director of the Department of Engineering and/or his designee.

**STATEMENT**

This resolution authorizes and ratifies the Mayor and/or his designee the Director of Engineering, to amend Contract #21-2010, Renovation of Chestnut Street Fire House, Engine 27/Ladder 4, located at 87-89 Elm Road, Newark, New Jersey 07105, to extend the time period to complete all work and close down this project to July 27, 2013.