



Legislation Details (With Text)

**File #:** 19-0036      **Version:** 1      **Name:** Change Order #1 Perform Maintenance and Repairs of the Chlorine System at the Newark's Pequannock Water Treatment Plant  
**Type:** Resolution      **Status:** Adopted  
**File created:** 1/9/2019      **In control:** Water Sewer Utility  
**On agenda:** 6/6/2019      **Final action:** 6/6/2019

**Title:** Dept/ Agency: Water and Sewer Utilities  
Action: ( ) Ratifying (X) Authorizing (X) Amending  
Type of Service: Change Order/Amend Resolution 7R12-b adopted on September 7, 2017  
Purpose: Change Order #1, Perform Maintenance and Repairs of the Chlorine System at Newark's Pequannock Water Treatment Plant  
Entity Name: Ray Palmer Associates, Inc.  
Entity Address: 95 King Street, Dover, New Jersey 07801  
Contract Amount: Not to exceed \$120,000.00  
Funding Source: 2019 Budget/Department of Water and Sewer Utilities/NW037-750-7502-71770-B2019  
Contract Period: Two (2) years from the issuance of a Notice to Proceed  
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:  
Original Resolution 7R12-b adopted on September 7, 2017 with a contract amount not to exceed \$100,000.00.  
Change Order #1 will increase the contract by \$20,000.00 for a new contract amount not to exceed \$120,000.00.

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
6/6/2019	1	Municipal Council	Adopt	Pass

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Original Resolution 7R12-b adopted on September 7, 2017 with a contract amount not to exceed \$100,000.00.

Change Order #1 will increase the contract by \$20,000.00 for a new contract amount not to exceed \$120,000.00.

**WHEREAS**, Resolution # 7R12-b 090717, adopted on September 7, 2017 authorized the performance of preventative maintenance and repairs of the Chlorine System at the City of Newark's Pequannock Water Treatment Plant to Ray Palmer Associates, Inc., 95 King Street, Dover, New Jersey 07801, in an amount not to exceed \$100,000.00, in accordance with Local Public Contracts Law N.J.S.A. 40A:11-1 et. seq.; and

**WHEREAS**, as a result of unforeseen conditions which necessitated additional work due the Treatment Plant's aging chlorine infrastructure, the additional work required at the Valley Road Re-Chlorination Station and the Pequannock Water Treatment Plant are necessary to successfully complete the repairs; and

**WHEREAS**, the requested additional work for the contract increases the total contract amount by Twenty Thousand Dollars and Zero Cents (\$20,000.00), and this amount is deemed reasonable and necessary to complete the Professional Engineering services required; and

**WHEREAS**, the City of Newark wishes to enter into a Change Order No.1, with Ray Palmer, Inc. 95 King Street, Dover, New Jersey 07801 to perform maintenance and repairs of the Chlorine System at the Newark's Pequannock Water Treatment Plant; for additional amount of Twenty Thousand Dollars and Zero Cents (\$20,000.00), for a total contract amount not to exceed One Hundred Twenty Thousand Dollars and Zero Cents \$120,000.00 for two (2) years from the date issued on the Notice to Proceed; and

**WHEREAS**, the contract was awarded pursuant to the fair and open procedures of the State Pay-to-Play Law, N.J.S.A. 19:44A-20.5 and pursuant to the provisions of Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(i)); and

**WHEREAS**, the Municipal Council adopted the Contractor Pay-to-Pay Reform Ordinance R.O. 2:4-22 C, 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; candidates committees of the aforementioned candidates, and political or political party 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 Mayor and/or his designee, the Acting Director of the Department of Water and Sewer Utilities, is hereby authorized, on behalf of the City of Newark, to issue Change Order No.1 with the increase in the amount of Twenty- Thousand Dollars and Zero Cents (\$20,000.00) to perform preventative maintenance and repairs of the Chlorine System at the City of Newark's Pequannock Water Treatment Plant to Ray Palmer Associates, Inc., 95 King Street, Dover, New Jersey 07801.
2. Pursuant to N.J.A.C. 5:30-5.5, Temporary Budget, attached hereto is a Certification of Funds

issued by the Director of Finance of the City of Newark which states that funds in the amount of \$20,000.00 are available in the 2019 temporary Budget: Business Unit NW037, Department ID: 750, Division 7502, Account # 71770 Budget Year 2019. The Acting Director of Water and Sewer Utilities, shall file a copy of the Certification of Funds along with the original resolution and the executed contract in the Office of the City Clerk.

3. 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.
4. This contract is for an amount over \$17,500.00 and is being awarded as a fair and open contract pursuant to N.J.S.A.
5. A fully executed copy of Change Order No.1 contract amendment shall be filed in the Office of the City Clerk by the Director of the Department of Water and Sewer Utilities.
6. No other changes to this contract are allowed without prior Municipal Council approval.
7. All other terms and conditions of the contract shall remain the same.
8. Any further extension, as may be permitted by N.J.S.A. 40A:11-15 (9) are subject to Municipal Council approval.
9. 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 Acting Director of the Department of Water and Sewer Utilities, to amend the contract for performance, maintenance and repairs of the Chlorine System at the Newark's Pequannock Water Treatment Plant with Ray Palmer Associates, Inc., 95 King Street, Dover, New Jersey 07801 by executing Change Order No.1, for an additional amount of Twenty Thousand Dollars (\$20,000.00) for a total not to exceed One Hundred Twenty Thousand Dollars and Zero Cents (\$120,000.00), two years from the issuance of a Notice to Proceed.