



Legislation Details (With Text)

**File #:** 24-0373      **Version:** 1      **Name:** Resolution Closeout Change Order# 3 - Spectraserv  
**Type:** Resolution      **Status:** Adopted  
**File created:** 3/8/2024      **In control:** Water Sewer Utility  
**On agenda:** 3/20/2024      **Final action:** 3/20/2024

**Title:** Dept/ Agency: Water and Sewer Utilities  
Action:  Ratifying    Authorizing    Amending  
Type of Service: Contract 10-WS2020, Process and Operational Upgrades at the Pequannock Water Treatment Plant: Closeout Change Order #3  
Purpose: To execute Close-out Change Order #3 Process and Operational Upgrades at the Pequannock Water Treatment Plant - Contract 10-WS2020.  
Entity Name: Spectraserv, Inc.  
Entity Address: 75 Jacobus Avenue, Kearny, New Jersey 07032  
Contract Amount: Not to exceed \$20,543,284.08  
Funding Source: 2021Capital Budget/Department of Water and Sewer Utilities Utilities/NW041-21W-21W00-94710-B2021  
Contract Period: 928 calendar days to final completion from the date of the issuance of a written Notice to Proceed  
Contract Basis:  Bid    State Vendor    Prof. Ser.    EUS  
 Fair & Open    No Reportable Contributions    RFP    RFQ  
 Private Sale    Grant    Sub-recipient    n/a  
Additional Information:  
Original Resolution 7R12-a(S) adopted on July 20, 2021, awarded a contract in an amount not to exceed \$19,789,000.00, for a period of 560 calendar days from the date of the issuance of a written Notice to Proceed.

Resolution 7R12-a(S) adopted on December 13, 2022, authorized Change Order #1, which increased the contract amount by \$357,075.07 for a total contract amount not to exceed \$20,146,075.07 and increased the contract period by 130 calendar days for new completion contract period of 690 calendar days from the date of the issuance of a written Notice to Proceed.

Resolution 7R12-a adopted on September 7, 2023, authorized Change Order #2, which increased increase the contract amount by \$397,209.01 for a new total contract amount not to exceed \$20,543,284.08, and increased the contract period by 137 calendar days for a new contract period of 827 calendar days from the date of the issuance of a written Notice to Proceed.

Contract Close-out Change Order #3 will close the Project with no change in the contract amount of \$20,543,284.08, but will increase the contract period by 101 calendar days for a new contract period of 928 calendar days from the date of the issuance of a written Notice to Proceed.

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
3/20/2024	1	Municipal Council		

**Dept/ Agency:** Water and Sewer Utilities

**Action:**  Ratifying    Authorizing    Amending

**Type of Service:** Contract 10-WS2020, Process and Operational Upgrades at the Pequannock Water Treatment Plant: Closeout Change Order #3

**Purpose:** To execute Close-out Change Order #3 Process and Operational Upgrades at the Pequannock Water Treatment Plant - Contract 10-WS2020.

**Entity Name:** Spectraserv, Inc.

**Entity Address:** 75 Jacobus Avenue, Kearny, New Jersey 07032

**Contract Amount:** Not to exceed \$20,543,284.08

**Funding Source:** 2021Capital Budget/Department of Water and Sewer Utilities Utilities/NW041-21W-21W00-94710-B2021

**Contract Period:** 928 calendar days to final completion from the date of the issuance of a written 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-a(S) adopted on July 20, 2021, awarded a contract in an amount not to exceed \$19,789,000.00, for a period of 560 calendar days from the date of the issuance of a written Notice to Proceed.

Resolution 7R12-a(S) adopted on December 13, 2022, authorized Change Order #1, which increased the contract amount by \$357,075.07 for a total contract amount not to exceed \$20,146,075.07 and increased the contract period by 130 calendar days for new completion contract period of 690 calendar days from the date of the issuance of a written Notice to Proceed.

Resolution 7R12-a adopted on September 7, 2023, authorized Change Order #2, which increased increase the contract amount by \$397,209.01 for a new total contract amount not to exceed \$20,543,284.08, and increased the contract period by 137 calendar days for a new contract period of 827 calendar days from the date of the issuance of a written Notice to Proceed.

Contract Close-out Change Order #3 will close the Project with no change in the contract amount of \$20,543,284.08, but will increase the contract period by 101 calendar days for a new contract period of 928 calendar days from the date of the issuance of a written Notice to Proceed.

**WHEREAS**, Resolution 7R12-a(S) adopted on July 20, 2021, authorized the award of Contract 10-WS2020, Process and Operational Upgrades at the Pequannock Water Treatment Plant, to Spectraserv, Inc., 75 Jacobus Avenue, Kearny, New Jersey 07032, in the amount of \$19,789,000.00 for a period of (560) calendar days to final completion from the date of the written Notice to Proceed, in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, Resolution 7R12-a (S) adopted on December 13, 2022, authorized Change Order #1 to Contract 10-WS2020 with Spectraserv, Inc., for an increased amount of \$357,075.07 for a new total contract amount not to exceed \$20,146,075.07 and an additional (130) additional calendar days for a new contract period of (690) calendar days from the date of a written Notice to Proceed; and

**WHEREAS**, Resolution 7R12-a adopted on September 7, 2023, authorized Change Order #2 to Contract 10-WS2020 with Spectraserv, Inc., for an increased amount of \$397,209.01 for a new total contract amount not to exceed \$20,543,284.08 and an additional (137) additional calendar days for a new contract period of (827) calendar days from the date of a written Notice to Proceed; and

**WHEREAS**, Contract 10-WS2020 was completed with no final quantity adjustments and 101 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 Closeout Change Order #3 to Contract 10-WS2020, Process and Operational Upgrades at the Pequannock Water Treatment Plant, with Spectraserv, Inc., 75 Jacobus Avenue, Kearny, New Jersey 07032, with no change in total contract amount of \$20,543,284.08 and extending the contract completion time by (101) calendar days to final completion from the date of the issuance of 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 #3 to Contract 10-WS2020, Process and Operational Upgrades at the Pequannock Water Treatment Plant with Spectraserv, Inc., 75 Jacobus Avenue, Kearny, New Jersey 07032, with no change in final contract amount of \$20,543,284.08, and extending the contract completion time by 101 calendar days for a new completion period of (928) calendar days to final completion from the date of the issuance of a written Notice to Proceed.
2. Funds for this contract previously certified and encumbered in support of Resolution 7R12-a (S) adopted on July 20, 2021 remain available from the Water Capital Account NW041-21W-21W00-94710-B2021, 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 #3) to the date of this authorizing Resolution. 7R12-a(S) 072021
4. A fully executed copy of the Close-out Change Order #3 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 #3 shall be filed with the New Jersey Department of Environmental Protection (NJDEP) by the Director of the Department of Water and Sewer Utilities.
6. 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 Closeout Change Order #3 to Contract 10-WS2020, Process and Operational Upgrades at the Pequannock Water Treatment Plant with Spectraserv, Inc., 75 Jacobus Avenue, Kearny, New Jersey 07032, with no change in total contract amount of \$20,543,284.08, and extending the contract completion time by (101) calendar days for a new completion period of (928) calendar days to final completion from the date of the issuance of a written Notice to Proceed.

