



Legislation Details (With Text)

File #: 23-0001 **Version:** 1 **Name:** Resolution: Closeout Change Order #2 - Contract# 42-WS2025 - Underground Utilities Corporation
Type: Resolution **Status:** Adopted
File created: 12/31/2022 **In control:** Water Sewer Utility
On agenda: 2/15/2023 **Final action:** 2/15/2023

Title: Dept/ Agency: Water and Sewer Utilities
Action: Ratifying Authorizing Amending
Type of Service: Change Order #2/Amend Resolution 7R12-c adopted on May 19, 2021 and 7R12-b adopted on August 3, 2022
Purpose: To execute Contract Close-out Change Order #2 for Phase-10(E) Lead Service Line Replacement, Contract 42-WS2025.
Entity Name: Underground Utilities Corporation
Entity Address: 711 Commerce Road, Linden, New Jersey 07036
Contract Amount: Not to exceed \$4,977,196.44
Funding Source: 2018 Water and Sewer Utility Capital Budget/NW041-18W-18W00-94710-B2018
Contract Period: 588 calendar days to final completion from the date 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:
Resolution 7R12-c, adopted on May 19, 2021, awarded a contract in an amount not exceed \$3,996,300.00 for a period of 210 calendar days to final completion from the date of issuance of a written Notice to Proceed.

Resolution 7R12-b, adopted on August 3, 2022, authorized Change Order #1, which increased the contract amount by \$400,000.00 for a total contract amount not to exceed \$4,396,300.00 and increased the contract period by 125 calendar days for new completion contract period of 335 calendar days from the date of a written Notice to Proceed.

Contract Close-out Change Order #2 will increase the contract amount by \$580,896.44 for a contract amount not to exceed \$4,977,196.44 and increase the contract period by 253 calendar days for a new completion period of 588 calendar days from the date of the written Notice to Proceed to final completion.

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
2/15/2023	1	Municipal Council	Adopt	Pass

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Contract Basis: (X) Bid () State Vendor () Prof. Ser. () EUS

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

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

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Contract Close-out Change Order #2 will increase the contract amount by \$580,896.44 for a contract amount not to exceed \$4,977,196.44 and increase the contract period by 253 calendar days for a new completion period of 588 calendar days from the date of the written Notice to Proceed to final completion.

WHEREAS, Resolution 7R12-c adopted on May 19, 2021, authorized the award of Contract 42-WS2025 to Underground Utilities Corporation, 711 Commerce Road, Linden, New Jersey 07036, in the amount not to exceed \$3,996,300.00, for a period of (210) calendar days to final completion from the date of a 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-b adopted on August 3, 2023, authorized Change Order #1 to Contract 42-WS2025 with Underground Utilities Corporation, for an increased amount of \$400,000.00 for a new total contract amount not to exceed \$4,396,300.00 and an additional (125) additional calendar days for a new contract period of (335) calendar days from the date of a written Notice to Proceed; and

WHEREAS, during the course of the Project, it was determined that additional work is needed to accommodate the service required to complete the Lead Service Line Replacement; and

WHEREAS, Contract 42-WS2025, was completed with a need to increase the contract amount by \$580,896.44, as a result of a final quantity adjustment with a need to extend the contract period by an additional (253) calendar days to final completion from the date of a written Notice to Proceed; and

WHEREAS, the Department of Water and Sewer Utilities wishes to execute Change Order #2 to Contract 42-WS2025 Phase-10(E) Lead Service Line Replacement Project with Underground Utilities Corporation, 711 Commerce Road, Linden, New Jersey 07036, which will increase the contract by \$580,896.44, bringing the contract amount not to exceed \$4,977,196.44, and extending the contract period by an additional (253) calendar days for a total contract period of (588) calendar days.

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, are authorized to enter into and execute Change Order #2 to Contract 42-WS2025 Phase-10(E) Lead Service Line Replacement Project with Underground Utilities Corporation, 711 Commerce Road, Linden, New Jersey 07036, increasing the contract amount by \$580,896.44, with a contract amount not to exceed \$4,977,196.44 and extending the contract period by an additional (253) calendar days for a total contract period of (588) calendar days.
2. Attached hereto is a Certification of Funds from the Chief Financial Officer, which states that funds in the amount of \$580,896.44, are available in the Water and Sewer Utilities Capital Budget under Business Unit NW041, Department ID 18W, Division/Project 18W00, Account #94710, Budget Ref. B2018, 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 #2 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 #2 with the New Jersey Department of Environmental Protection (NJDEP).
5. If required by State Law, the Acting City Clerk shall provide the appropriate Notice of 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 Change Order #2 to Contract 42-WS2025 Phase-10(E) Lead Service Line Replacement Project, with Underground Utilities Corporation, 711 Commerce Road, Linden, New Jersey 07036, increasing the contract amount by \$580,896.44 with a total contract amount not to exceed \$4,977,196.44 and extending the contract period by an additional (253) calendar days for a total contract period of (588) calendar days to completion from the date of the written Notice to Proceed.