



Legislation Details (With Text)

**File #:** 12-1397      **Version:** 1      **Name:** Change Order#1 Clinton PI Firehouse-Fine Wall  
**Type:** Resolution      **Status:** Filed  
**File created:** 6/20/2012      **In control:** Engineering  
**On agenda:** 9/6/2012      **Final action:** 9/6/2012

**Title:** Dept/ Agency: Engineering  
Action:  Ratifying  Authorizing  Amending  
Type of Service: Construction Contract Change Order#7R4-f 090811  
Purpose: Change Order/Amendment #1Renovations of the Engine No. 17 Non-Profit Office (84-86 Clinton Place, Newark, New Jersey)  
Entity Name: Fine Wall Corporation  
Entity Address: 1404 Oak Tree Road, Iselin, New Jersey 08830  
Contract Amount: \$14,054.85, an increase in the contract amount from \$780,000.00 to \$794,054.85  
Funding Source: City of Newark/Engineering Budget  
Contract Period: Extend time to complete project to to December 31, 2012  
Contract Basis:  Bid  State Vendor  Prof. Ser.  EUS  
 Fair & Open  No Reportable Contributions  RFP  RFQ  
 Private Sale  Grant  Sub-recipient  n/a  
Additional Information:  
Contract #08-2011/Resolution #7R4-f 090811

**Sponsors:**

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
9/6/2012	1	Municipal Council	Adopt	Pass

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**WHEREAS**, Resolution 7R4-f 090811 adopted September 8, 2011, authorized the Director of the Department of Engineering to execute Contract #08-2011 Renovations of the Engine No. 17 Non-Profit Office (84-86 Clinton Place, Newark, New Jersey), with Fine Wall Corporation, 1404 Oak Tree Road, Iselin, New Jersey 08830, for a period of seven (7) months from the date after issuance of a

Notice to Proceed by the Director of the Department of Engineering, for the total amount not to exceed \$780,000.00; and

**WHEREAS**, a 'Notice to Proceed' was issued dated January 3, 2012, Accordingly the contract term commenced on January 3, 2012 with a termination date of July 2, 2012; and

**WHEREAS**, additional time is needed to complete the construction work for boiler replacement, carpentry (woodwork) in the stairwells, and asbestos abatement for some old insulated piping, and the net effect of which is to increase the contract amount from \$780,000.00 to \$794,054.85, described in the attached, proposed Change Order/Amendment #1 ("Attachment A") is certified by the Director of the Department of Engineering to be in compliance with the procedures outlined in State Regulations, more specifically, N.J.A.C. 5:30-11.3, because, among other reasons, the changes do not substantially change the quality or character of the items or work in the original contract; the original contract permits change orders; the proposed increase is less than a twenty (20%) increase over the original contract amount; and there were conditions and problems discovered which were unforeseen at the time the specifications were written; and, a separate procurement process would disrupt the basic work ; and

**WHEREAS**, the Director of the Department of Engineering requests authority to execute Change Order/ Amendment #1 which (a) amends the contract termination date from July 2, 2012 to December 31, 2012, for the purpose of completing construction for Contract #08-2011 Renovations of the Engine No. 17 Non-Profit Office (84-86 Clinton Place, Newark, New Jersey); and (b) increases the contract amount from an amount not to exceed \$780,000.00 to \$794,054.85.

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

1. The Mayor and/or his designee and the Director of Engineering, are hereby authorized on behalf of the City of Newark to execute Change Order/Amendment #1 to Contract #08-2011 Renovations of the Engine No. 17 Non-Profit Office (84-86 Clinton Place, Newark, New Jersey), to amend the contract as follows: (a) amending the term of the contract from January 3, 2012 to July 2, 2012 to January 3, 2012 to December 31, 2012, for the purpose of completing construction, and (b) amending the contract amount from an amount to exceed \$780,000.00 to \$794,054.85. The contract amendment is hereby ratified from July 2, 2012 to the date of the adoption of this resolution.
2. All other terms and conditions of Contract #08-2011 Renovations of the Engine No. 17 Non-Profit Office (84-86 Clinton Place, Newark, New Jersey) shall apply and remain in full force and effect.
3. Attached hereto is the certification of funds with available balances issued by the Chief Financial Officer, City of Newark, which states that there are available sufficient legally appropriated funds for the purpose set forth hereinabove, in the amount of \$14,054.85. Funds for this project shall be from Fund: 045, Department 007, Project 07CV0, Account 94710, Budget Year 2007.

4. No additional modifications or amendments to this contract will be allowed without prior Municipal Council approval.
5. A fully executed copy of Change Order/Amendment #1 to Contract #08-2011 Renovations of the Engine No. 17 Non-Profit Office (84-86 Clinton Place Newark, New Jersey) shall be filed in the Office of the City Clerk by the Director of the Department of Engineering.

### **STATEMENT**

This resolution authorizes the Mayor and/or his designee and the Director of Engineering, are hereby authorized on behalf of the City of Newark to execute Change Order/Amendment #1 to Contract #08-2011 Renovations of the Engine No. 17 Non-Profit Office (84-86 Clinton Place, Newark, New Jersey), to (a) amending the term of the contract from January 3, 2012 to July 2, 2012 to January 3, 2012 to December 31, 2012, for the purpose of completing construction, and (b) amending the contract amount from an amount to exceed \$780,000.00 to \$794,054.85.