



Legislation Details (With Text)

File #: 13-1609 **Version:** 1 **Name:** Change Orders/Amendment #1 for Contract 09-2012 Renovation to Fire House, Engine No.7, 241 West Market Street, newark, New Jersey

Type: Resolution **Status:** Filed

File created: 8/10/2013 **In control:** Engineering

On agenda: 10/2/2013 **Final action:** 10/17/2013

Title: Dept/ Agency: Engineering
 Action: (X) Ratifying (X) Authorizing (X) Amending
 Type of Service: Change Orders/Contract Amendment
 Purpose: Renovation to Fire House, Engine No.7, 241 West Market Street, Newark, New Jersey 07103
 Entity Name: GMT Contracting Corp.
 Entity Address: 7706 Tonnelle Avenue, North Bergen, New Jersey 07047
 Contract Amount: \$280,000.00, with an increase of \$28,100.00 for a total amount not to exceed \$308,100.00
 Funding Source: Essex County Improvement Authority ("ECIA") through the Bank of New York Mellon
 Contract Period: January 2, 2013 through January 1, 2014
 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:
 Resolution 7R4-a, adopted on September 19, 2012
 Contract #09-2012, "Renovation to Fire House, Engine No.7, 241 West Market Street, Newark, New Jersey 07103"
 No Action Taken 7R4-d100213
 No Action Taken 7R4-c 101013

Sponsors:

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
10/17/2013	1	Municipal Council	Adopt	Pass
10/10/2013	1	Municipal Council	no action taken	
10/2/2013	1	Municipal Council	no action taken	

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No Action Taken 7R4-c 101013

WHEREAS, Resolution 7R4-a adopted September 19, 2012, authorized the Director of the Department of Engineering, to execute Contract #09-2012, "Renovation to Fire House, Engine No. 7, 241 West Market Street, Newark, New Jersey 07103", with the lowest, responsible bidder, GMT Contracting Corp., 7206 Tonnelles Avenue, North Bergen, New Jersey 07047, in the total bid amount of \$280,000.00; and

WHEREAS, a 'Notice to Proceed' was issued dated January 2, 2013, accordingly, the contract term commenced on January 2, 2013 with a termination date of January 1, 2014; and

WHEREAS, additional work and materials were required due to (i) certain unforeseen, pre-existing conditions; and (ii) the modification of the scope of work was necessary to provide for fire alarm devices inadvertently omitted from the original specifications, all of which, require the expenditure of an additional \$28,100.00; the net effect of which is to increase the contract amount from \$280,000.00 to \$308,100.00, as described in the attached Change Orders #1 through #3 ("Attachment A"); and

WHEREAS, the approval of these Change Orders #1 through #3 are certified by the Director of the Department of Engineering to be in compliance with the procedures outlined in applicable State Regulations, more specifically, N.J.A.C. 5:30-11.3 and 11.8, because, among other reasons, the original contract permits change orders; the cumulative proposed increase is less than a twenty per cent (20%) increase over the original contract amount; and certain of the problems and conditions discovered were unforeseen at the time the specifications were written; the change orders do not substantially change the quality or character of the items or work to be provided; and, a separate procurement process would unduly disrupt the basic work; and

WHEREAS, the Director of the Department of Engineering requests authority to execute Change Orders #1 through #3/Amendment #1, which increases the contract amount from an amount not to exceed \$280,000.00 to \$308,100.00.

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 to execute Change Orders #1 through #3/Amendment #1 to Contract #09-2012, "Renovation to Fire House, Engine No. 7, 241 West Market Street, Newark, New Jersey 07103", with GMT Contracting Corp. 7706 Tonnelles Avenue, North Bergen, New Jersey 07047, by amending the

original contract amount from an amount not to exceed \$280,000.00 to \$308,100.00.

2. All other terms and conditions of Contract #09-2012, "Renovation to Fire House, Engine No. 7, 241 West Market Street, Newark, New Jersey 07103", shall apply and remain in full force and effect.
3. Funds for this contract in the amount of \$28,100.00 shall be provided by the Essex County Improvement Authority ("ECIA") through the Bank of New York Mellon and payments made for this project shall be monitored by the City of Newark, Department of Finance.
4. The Municipal Council hereby ratifies this contract amendment from January 2, 2013 to the date of adoption of this authorizing resolution.
5. No further amendments or modifications to this amended contract shall be permitted without prior Municipal Council approval.
6. A fully executed copy of this Change Orders #1 through #3/Amendment #1, shall be filed in the Office of the City Clerk by the Director of Engineering or his designee.

STATEMENT

This resolution ratifies and authorizes the Mayor and/or his designee, the Director of Engineering, to enter into and execute Change Orders #1 through #3/Amendment #1 to Contract #09-2012, "Renovation to Fire House, Engine No. 7, 241 West Market Street, Newark, New Jersey 07103", by amending the contract amount with an increase of \$28,100.00, from an amount not to exceed \$280,000.00 to \$308,100.00.