



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

File #: 23-0573, Version: 1

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

**Action:** (X) Ratifying (X) Authorizing (X) Amending

**Type of Service:** Contract Change Order #1/Amend Resolution 7R12-a(AS) adopted on October 6, 2021

**Purpose:** To authorize a Contract Change Order #1 Soil Removal and Disposal Services Removal from Storage Yard: 63 Newark Street, Newark, New Jersey 07103 Contract 08-WS2021.

**Entity Name:** ADG Contracting Corp., trade name Crossroads Paving

**Entity Address:** Kearny, New Jersey 07032

**Contract Amount:** Not to exceed \$1,342,930.50

**Funding Source:** 2021 Budget/Department of Water and Sewer Utilities/NW038-800-8007-71970-B2023

**Contract Period:** 730 consecutive calendar days to final completion from the date 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:**

Resolution 7R12-a(AS) adopted on October 6, 2021 awarded a contract in an amount not to exceed \$1,124,900.00 for a period of 730 consecutive calendar days to final completion from the date of the written Notice to Proceed.

Contract Change Order #1 will increase the contract amount by \$218,030.50 for a total contract amount not to exceed \$1,342,930.50 with no extension to the completion period of 730 consecutive calendar days to final completion from the date of the written Notice to Proceed.

**WHEREAS**, Resolution 7R12-a(AS) adopted on October 6, 2021, authorized the award of Contract 08-WS2021, Soil Removal and Disposal Services Removal from Storage Yard: 63 Newark Street, Newark, New Jersey 07103, to Crossroads Paving, in the amount of One Million One Hundred Twenty Four Thousand Nine Hundred Dollars and Zero Cents (\$1,124,900.00) for a period of (730) 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**, Contract 08-WS2021 was completed with an additional cost of Two Hundred Eighteen Thousand Thirty Dollars and Fifty Cents (\$218,030.50) due to removal of contaminated soil quantity adjustments and no additional calendar days to final completion from the date of the written Notice to Proceed; and

**WHEREAS**, the Department of Water and Sewer Utilities wishes to enter into and execute a Contract Change Order #1 to Contract 08-WS2021, Soil Removal and Disposal Services Removal from Storage Yard: 63 Newark Street, Newark, New Jersey 07103 with ADG Contracting Corp., trade name Crossroads Paving, of Kearny, New Jersey 07032, which will increase the contract by Two

Hundred Eighteen Thousand Thirty Dollars and Fifty Cents (\$218,030.50), bringing the contract amount not to exceed One Million Three Hundred Forty-Two Thousand Nine Hundred Thirty Dollars and Fifty Cents (\$1,342,930.50), and no extension to the contract completion period for a total calendar period of (730) calendar days; and

**WHEREAS**, the official legal name for the awarded contractor is not Crossroads Paving it is ADG Contracting Corp. with a trade name of Crossroads Paving, therefore, Resolution 7R12-a(AS) adopted on October 6, 2021, and the executed contract must be changed to reflect the entity's official legal business name, ADG Contracting Corp. with a trade name Crossroads Paving.

**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 Contract Change Order #1 to Contract 08-WS2021, Soil Removal and Disposal Services Removal from Storage Yard: 63 Newark Street, Newark, New Jersey 07103 with ADG Contracting Corp. trade name Crossroads Paving, Kearny, New Jersey 07032, increasing the contract by Two Hundred Two Hundred Eighteen Thousand Thirty Dollars and Fifty Cents (\$218,030.50), bringing the contract amount not to exceed One Million Three Hundred Forty-Two Thousand Nine Hundred Thirty Dollars and Fifty Cents (\$1,342,930.50) and no extension to the completion period for a total contract period of (730) calendar days.
2. Attached hereto is a Certification of Funds from the Chief Financial Officer, which states that funds in the amount of Two Hundred Two Hundred Eighteen Thousand Thirty Dollars and Fifty Cents (\$218,030.50), are available in the Water and Sewer Utilities Capital Budget under Business Unit NW038, Department ID 800, Division/Project 8007, Account # 71970, Budget Ref. B2023 and which shall be filed along with the original Resolution in the Office of the City Clerk.
3. Resolution 7R12-a(AS) adopted on October 6, 2021, is amended to correct the name of the awarded business entity from Crossroad Paving to ADG Contracting Corp., trade name Crossroads Paving.
4. The Contract is amended to correct the business entity name and change the name of the "Contractor" as that term is defined in the contract from Crossroad Paving to ADG Contracting Corp., trade name Crossroads Paving. The Mayor of the City of Newark and/or the Director of the Department of Water and Sewer Utilities are authorized to execute the amended contract.
5. The amendments to the Resolution and Contract are ratified from October 6, 2021, to the date of this authorizing Resolution.
6. The Director of the Department of Water and Sewer Utilities shall file a fully executed copy of Change Order #1 in the Office of the City Clerk.
7. The Director of the Department of Water and Sewer Utilities shall file a fully executed copy of the Contract Change Order #1 with the New Jersey Department of Environmental Protection (NJDEP).

8. 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 Contract Change Order #1 to Contract 08-WS2021 Soil Removal and Disposal Services Removal from Storage Yard: 63 Newark Street, Newark, New Jersey 07103, with ADG Contracting Corp., trade name Crossroads Paving, of Kearny, New Jersey 07032, increasing the contract amount by \$218,030.50 bringing the total contract amount not to exceed \$1,342,930.50 and no extension to the contract completion period for a total calendar period of (730) calendar days and correct the business entity name from Crossroads Paving to ADG Contracting Corp., trade name Crossroad Paving.