



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 18-0582, Version: 2

Dept/ Agency: Water and Sewer Utilities

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

Type of Service: Change Order No.2/Amend Resolution 7R12-e adopted June 21, 2017 and 7R12-b adopted March 27, 2018

Purpose: Execute Change Order No. 02 for Queen Ditch Restoration Project Contract 04-WS2013

Entity Name: Rencor Inc.

Entity Address: 24 Tannery Road, Somerville, New Jersey 08876

Contract Amount: \$5,252,557.00

Funding Source: Water and Sewer Utilities Capital Budget

Contract Period: 354 calendar days from the Notice to Proceed till time of completion

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

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

() Private Sale () Grant () Sub-recipient () N/A

Additional Information:

Resolution 7R12-e adopted on June 21, 2017, was for a total contract amount of \$4,502,557.00 for a period of 240 calendar days from the Notice to Proceed.

Change Order No. 1 Resolution 7R12-b adopted on March 27, 2018 increased the contract period by 114 calendar days for an extended period of 354 calendar days to final completion.

Change Order No. 02 increases the original contract amount of \$502,557.00 by \$750,000.00 for a total contract amount of \$5,252,557.00.

WHEREAS, Resolution 7R12-e dated June 21, 2017 authorized the award of Contract 04-WS2013, Queen Ditch Restoration Project, to Rencor Inc., 24 Tannery Road, Somerville, New Jersey 08876 ("Rencor"), in the amount of \$4,502,557.00, in accordance with the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, Resolution 7R12-b dated March 27, 2018 authorized the execution of Change Order No. 01 to Contract 04-WS2013 with, Rencor, increasing contract completion time by 114 days, in accordance with the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, during the course of the project, various unforeseen conditions and project delays were encountered, which necessitated work change directives increasing estimated item quantities included in the contract, as well as additional work in the amount of \$750,000.00, to complete the project; and

WHEREAS, Contract 04-WS2013, therefore, is to be further amended with a net amount of \$750,000.00 to be added to the total contract amount; and

WHEREAS, the Department of Water and Sewer Utilities wishes to execute Change Order No.02 to Contract 04-WS2013 Queen Ditch Restoration Project with Rencor Inc., 24 Tannery Road,

Somerville, New Jersey 08876, increasing the contract by \$750,000.00, bringing the total contract amount to \$5,252,557.00; and

WHEREAS, the Municipal Council adopted the Contractor Pay-to-Play Reform Ordinance, R.O. 2:4-22C, which forbids the award of a contract of a Business Entity, as defined therein, which has made or solicited political contributions to Newark Municipal Candidates, office holders having ultimate responsibility for the award of a contract; candidate committees of the aforementioned candidates, and political or political party committees of the City of Newark or County of Essex; and continuing political committees or political action committees regularly engaged in the support of the City of Newark municipal or County of Essex elections; and certain other political party or candidate committees, in excess of certain thresholds.

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

1. The Municipal Council hereby authorizes the Mayor and/or his designee, the Director of the Department of Water and Sewer Utilities, to execute Change Order No. 02 to Contract 04-WS2013 Queen Ditch Restoration Project with Rencor Inc., 24 Tannery Road, Somerville, New Jersey 08876, increasing the contract by \$750,000.00, bringing the total contract amount to \$5,252,557.00.
2. Attached hereto is a Certification of Funds from the Chief Financial Officer, which states that funds in the amount of \$750,000.00, are available in the Water and Sewer Utilities Capital Budget under Business Unit NW044, Department ID 13S, Project 13SA0, Account 94710, Budget Ref. B2013 and 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 No. 02 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 No. 02 with the New Jersey Department of Environmental Protection (NJDEP).
5. This contract was solicited and awarded pursuant to the fair and open procedures in accordance with the State Pay-to-Play Law (N.J.S.A. 19:44A-20.5), and pursuant to the provisions of the Local Public Contracts Law N.J.S.A. 40A:11-5(1)(a)(i), and is in compliance with the City's Contractor Pay-to-Play Reform Ordinance, R.O. 2:4-22C.
6. If required by State Law, the City Clerk shall provide the appropriate notice of the award of this contract to the State Comptroller no later than 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 authorizes the Mayor and/or his designee, the Director of the Department of Water and Sewer Utilities, to execute Change Order No. 02 to Contract 04-WS2013, Queen Ditch Restoration Project with Rencor Inc., 24 Tannery Road, Somerville, New Jersey 08876, increasing the contract by \$750,000.00, bringing the total contract amount to \$5,252,557.00.