



## Legislation Text

File #: 23-1293, Version: 1

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

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

**Type of Service:** Change Order #2/Amend Resolution 7R12-a(S)072021 and Resolution 7R12-a(S)121322

**Purpose:** To execute Change Order #2 Process and Operational Upgrades at the Pequannock Water Treatment Plant - Contract 10-WS2020.

**Entity Name:** Spectraserv, Inc.

**Entity Address:** 75 Jacobus Avenue, Kearny, New Jersey 07032

**Contract Amount:** Not to exceed \$20,543,284.08

**Funding Source:** 2021Capital Budget/Department of Water and Sewer Utilities Utilities/NW041-21W-21W00-94710-B2021

**Contract Period:** 827 calendar days to final completion from the date of the issuance of a written Notice to Proceed

**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 7R12-a(S)072021, awarded a contract in an amount not to exceed \$19,789,000.00 for a period of 560 calendar days from the date of the issuance of a written Notice to Proceed.

Resolution 7R12-a(S)121322, authorized Change Order #1, which increased the contract amount by \$357,075.07 for a total contract amount not to exceed \$20,146,075.07 and increased the contract period by 130 calendar days for new completion contract period of 690 calendar days from the date of the issuance of a written Notice to Proceed.

Change Order #2 will increase the contract amount by \$397,209.01 for a new total contract amount not to exceed \$20,543,284.08, and increase the contract period by 137 calendar days for a new contract period of 827 calendar days from the date of the issuance of a written Notice to Proceed.

**WHEREAS**, Resolution 7R12-a(S) adopted on July 20, 2021, authorized the award of Contract 10-WS2020, Process and Operational Upgrades at the Pequannock Water Treatment Plant, to Spectraserv, Inc 75 Jacobus Avenue, Kearny, New Jersey 07032, in the amount of \$19,789,000.00 for a period of (560) calendar days to final completion from the date of the 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-a (S) adopted on December 13, 2022, authorized Change Order #1 to Contract 10-WS2020 with Spectraserv, Inc., for an increased amount of \$357,075.07 for a new total contract amount not to exceed \$20,146,075.07 and an additional (130) additional calendar days for a new contract period of (690) calendar days from the date of a written Notice to Proceed; and

**WHEREAS**, during the course of the Project, the City of Newark (the "City") and Pequannock

Water Treatment Plant personnel and operators identified additional work that included additional quantities of sediment removal from the clearwells, air gap installation on the backwash relief piping, and acknowledged that a non-compensatory time extension was necessary due to manufacturing delays of critical components, Scope of work was then amended based on consultant, Kleinfelder letter dated August 2, 203; and

**WHEREAS**, pursuant to NJAC 5:30-11 et seq. Contract 10-WS2020, is to be amended with an increase net amount of Three Hundred Ninety-Seven Thousand Two Hundred and Nine Dollars and One Cent (\$397,209.01) and an additional (137) additional calendar days to final completion from the date of the issuance of a written Notice to Proceed;

**WHEREAS**, the Department of Water and Sewer Utilities wishes to enter into and execute a Contract Change Order #2 to Contract 10-WS2020, Process and Operational Upgrades at the Pequannock Water Treatment Plant, with Spectraserv, Inc., 75 Jacobus Avenue, Kearny, New Jersey 07032, with an increase in the contract amount by Three Hundred Ninety-Seven Thousand Two hundred and nine Dollars and One Cent (\$397,209.01) for a new contract amount of Twenty Million Five Hundred Forty-three Thousand Two hundred eighty four Dollars and Eight Cents (\$20,543,284.08) and extending the contract completion time by (137) calendar days to final completion from the date of the issuance of a written Notice to Proceed.

**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, is authorized to enter into and execute Contract Change Order #2 to Contract 10-WS2020, Process and Operational Upgrades at the Pequannock Water Treatment Plant with Spectraserv, Inc., 75 Jacobus Avenue, Kearny, New Jersey 07032, by increasing the contract amount by Three Hundred Ninety-Seven Thousand Two hundred and nine Dollars and One Cent (\$397,209.01) bringing the final contract amount to Twenty Million Five Hundred Forty-three Thousand Two hundred eighty four Dollars and Eight Cents (\$20,543,284.08), and extending the contract completion time by (137) calendar days for a new completion period of (827) calendar days to final completion from the date of the issuance of a written Notice to Proceed.
2. Attached hereto is a Certification of Funds from the Chief Financial Officer, which states that funds in the amount of Three Hundred Ninety-Seven Thousand Two hundred and nine Dollars and One Cent (\$397,209.01), are available in the Water and Sewer Utilities Capital Budget under Business Unit NW041, Department ID 21W, Division/Project 21W00, Account # 94710, Budget Ref. B2021 and which shall be filed along with the original Resolution in the Office of the City Clerk.
3. This Change Order is ratified from the date of the Contract Modification Proposal and Acceptance (Change Order #2) to the date of this authorizing Resolution.
4. A fully executed copy of the Change Order #2 shall be filed in the Office of the City Clerk by the Director of the Department of Water and Sewer Utilities.

5. A fully executed copy of the Change Order #2 shall be filed with the New Jersey Department of Environmental Protection (NJDEP) by the Director of the Department of Water and Sewer Utilities.
6. If required by State Law, the Acting City Clerk shall provide the appropriate notice of the 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 #2 to Contract 10-WS2020, Process and Operational Upgrades at the Pequannock Water Treatment Plant with Spectraserv, Inc., 75 Jacobus Avenue, Kearny, New Jersey 07032, increasing the contract amount by \$397,209.01 for a total contract amount of \$20,543,284.08, and extending the contract completion time by (137) calendar days for a new completion period of (827) calendar days to final completion from the date of the issuance of a written Notice to Proceed.