



## Legislation Text

File #: 24-0168, Version: 1

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

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

**Type of Service:** Final Quantities Change Order #1/Amend Resolution 7R12-b (AS) adopted on October 19, 2022

**Purpose:** To execute Contract Close-out Change Order #1 Phase-3(A) Sewer Cleaning and Rehabilitation- Contract 16-WS2017.

**Entity Name:** Montana Construction Corporation, Inc.

**Entity Address:** 80 Contant Avenue, Lodi, New Jersey 07644

**Contract Amount:** Not to exceed \$4,376,631.21

**Funding Source:** Capital Budget/Department of Water and Sewer Utilities

**Contract Period:** 375 calendar days from the date of the written Notice to Proceed to final completion

**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-b(AS) adopted on October 19, 2022 awarded a contract in an amount not to exceed \$4,329,230.00 for a period of (320) calendar days to final completion from the date of the written Notice to Proceed.

Contract Close-out Change Order #1 will increase the contract amount by \$47,401.21 for a new total contract amount not to exceed \$4,376,631.21 and increase the contract period by (55) calendar days for a new completion period of (375) calendar days from the date of the written Notice to Proceed to final completion.

**WHEREAS**, Resolution 7R12-b (as) adopted on October 19, 2022, authorized the award of Contract 16-WS2017, Phase-3 (A) Sewer Cleaning and Rehabilitation to Montana Construction Corporation, Inc., 80 Contant Avenue, Lodi, New Jersey 07644, in the amount of \$4,329,230.00 for a period of (320) 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**, the Contract 16-WS2017, was completed with an increase of \$47,401.21 due to final quantity adjustments and an additional (55) additional calendar days to final completion from the date of the issuance of a written Notice to Proceed; and

**WHEREAS**, the Department of Water and Sewer Utilities wishes to enter into and execute a Contract Close-out Change Order #1 to Contract 16-WS2017, Phase-3 (A) Sewer Cleaning and Rehabilitation, with Montana Construction Corporation, Inc., 80 Contant Avenue, Lodi, New Jersey 07644, with an increase in the contract amount by \$47,401.21 for a total contract amount of \$4,376,631.21, and extending the contract completion time by (55) 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 Close-out Change Order #1 to Contract 16-WS2017, Phase-3 (A) Sewer Cleaning and Rehabilitation with Montana Construction Corporation, Inc., 80 Contant Avenue, Lodi, New Jersey 07644, Increasing the contract amount by \$47,401.21 bringing the final contract amount to \$4,376,631.21, and extending the contract completion time by (55) calendar days for a new completion period of (375) calendar days to final completion from the date of the issuance of a written Notice to Proceed.
2. Funds for this contract previously certified and encumbered in support of Resolution 7R12-b (as) adopted on October 19, 2022 remain available from the Water Capital Account NW044-11G-11SA0-94710-B2011, until completion of the project and contract.
3. This Change Order is ratified from the date of the Contract Modification Proposal and Acceptance (Close-out Change Order #1) to the date of this authorizing Resolution.
4. A fully executed copy of the Close-out Change Order #1 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 Close-out Change Order #1 shall be filed with the New Jersey Department of Environmental Protection (NJDEP) by the Director of the Department of Water and Sewer Utilities.
7. 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 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 Close-out Change Order #1 to Contract 16-WS2017, Phase-3 (A) Sewer Cleaning and Rehabilitation with Montana Construction Corporation, Inc., 80 Contant Avenue, Lodi, New Jersey 07644, increasing the contract amount by \$47,401.21 for a total contract amount of \$4,376,631.21, and extending the contract completion time by (55) calendar days for a new completion period of (375) calendar days from the date of the written Notice to Proceed to the final completion.