



# City of Newark

City Hall  
920 Mayor Kenneth A.  
Gibson Boulevard  
Newark, New Jersey 07102

## Legislation Text

File #: 24-0165, Version: 1

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

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

**Type of Service:** Change Order/Amend Resolution 7R12-a adopted on April 5, 2023 and 7R12-a (AS) adopted on December 15, 2021

**Purpose:** To execute Contract Change Order #2 for Valley Road Corrosion Control Chemical Feed System - Phase II Improvements - Contract 10-WS2021 (Re-bid).

**Entity Name:** Underground Utilities Corporation

**Entity Address:** 711 Commerce Road, Linden, New Jersey 07036

**Contract Amount:** Not to exceed \$1,344,123.00

**Funding Source:** 2021 Budget/Department of Water and Sewer Utilities/Capital Budget/NW037-750-7505-71960-B2021

**Contract Period:** 759 calendar days from the date of a written Notice to Proceed to final completion on February 29, 2024

**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 December 15, 2021 awarded a contract in an amount not to exceed \$1,344,123.00, for a period of (260) calendar days to substantial and final completion from the date of a written Notice to Proceed.

Resolution 7R12-a adopted on April 5, 2023 - Change Order #1 extended the completion time by (180) for a new completion period of (440) calendar days from the date of a written Notice to Proceed to final completion on June 25, 2023.

Change Order #2 will extend the completion time by (319) for a new completion period of (759) calendar days from the date of a written Notice to Proceed to final completion on February 29, 2024.

**WHEREAS**, Resolution 7R12-a adopted on December 15, 2021, authorized the award of Contract 10-WS2021 (Re-bid) to Underground Utilities Corporation, Inc., 711 Commerce Road, Linden New Jersey 07036, in the amount of \$1,344,123.00 for a period of 260 calendar days to final completion from the date of written Notice to Proceed, in accordance with the Local Public Contracts Law, N.J.S.A. 40A: 11-1 et seq.; and

**WHEREAS**, Change Order #1, by Resolution 7R12-a dated April 5, 2023, extended the completion of the contract to (440) calendar days from the date of issuance of Notice to Proceed; and

**WHEREAS**, delays have occurred due to various factors that have arisen in connection with the final construction and system start as documented in the Attachment No.1 Letter dated December 28, 2023 by Underground Utilities Corporation; and

**WHEREAS**, Contract 10-WS2021(Re-bid) is to be amended with no change in contract amount, and changing the contract completion time to seven hundred fifty-nine (759) calendar days; and

**WHEREAS**, the Department of Water and Sewer Utilities wishes to execute Change Order #2 to Contract 10-WS2020 for Valley Road Corrosion Control Chemical Feed System - Phase II Improvements, Underground Utilities Corporation, 711 Commerce Road, Linden New Jersey 07036 with no change in the contract amount, and extending the contract completion time to seven hundred fifty-nine (759) calendar days.

**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 #2 to Contract 10-WS2021 (Re-Bid), Valley Road Corrosion Control Chemical Feed System - II Improvements with Underground Utilities Corporation, 711 Commerce Road, Linden, New Jersey 07036, with no change in the contract amount of \$1,344,123.00, extending the contract completion period by 249 calendar for a new completion period of 759 calendar days to final completion from the date of written Notice to Proceed.
2. 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.
3. 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.
4. 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.
5. 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 Change Order #2 to Contract 10-WS2021 (Re-bid), Valley road Corrosion Control Chemical Feed System - Phase II with Underground Utilities Corporation, 711 Commerce Road, Linden New Jersey 07036, with no change in the contract amount and amends the term by extending the contract completion time to seven hundred fifty-nine (759) calendar days from the issuance of the Notice to Proceed.