



## Legislation Text

File #: 18-0493, Version: 2

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

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

**Type of Service:** Change Order No. 01/Amend Resolution #7R12-a, adopted October 19, 2016

**Purpose:** Execute Change Order No. 01 for Netting Facility at Delavan Avenue, Fourth Avenue and Roanoke Avenue Project, Contract 03/05/06-WS2006

**Entity Name:** Underground Utilities Corp.

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

**Contract Amount:** \$4,448,080.00

**Funding Source:** Water and Sewer Utilities Capital Budget

**Contract Period:** 603 Calendar Days till 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-a adopted on October 19, 2016.

Original contract period was 450 calendar days, increased by 153 days for a new contract period of 603 calendar days.

**WHEREAS**, Resolution 7R12-a, October 19, 2016 authorized the award of Contract 03/05/06-WS2006 to, Underground Utilities Corp., 711 Commerce Road, Linden, New Jersey 07036, in the amount of \$4,448,080.00 to commence January 25, 2017 and terminate April 20, 2018, 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, unforeseen conditions were encountered which caused a delay, and additional time of 153 calendar days were required to complete the project; and

**WHEREAS**, Contract 03/05/06-WS2006 is to be amended with no change in contract amount and 153 calendar days to be added to the contract completion time; and

**WHEREAS**, the Department of Water and Sewer Utilities wishes to execute Change Order No.01 to Contract 03/05/06-WS2006 Netting Facility at Delavan Avenue, Fourth Avenue and Roanoke Avenue Project with Underground Utilities Corp., 711 Commerce Road, Linden, New Jersey 07036, with no change in the contract amount, and extending the contract completion time by 153 calendar days; 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. 01 to Contract 03/05/06-WS2006 Netting Facility at Delavan Avenue, Fourth Avenue and Roanoke Avenue Project with Underground Utilities Corp., 711 Commerce Road, Linden, New Jersey 07036, with no change in the contract amount, and extending the contract completion time by 153 calendar days for a total contract term of 603 days.
2. No Funds are required for this Change Order No. 01.
3. A fully executed copy of the Change Order No. 01 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 No. 01 shall be filed with the New Jersey Department of Environmental Protection (NJDEP) by the Director of the Department of Water and Sewer Utilities.
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. 01 to Contract 03/05/06-WS2006 Netting Facility at Delavan Avenue, Fourth Avenue and Roanoke Avenue Project with Underground Utilities Corp., 711 Commerce Road, Linden, New Jersey 07036, with no change in the contract amount, and extending contract completion time by 153 calendar days for a total contract term of 603 days.