



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 21-1799, Version: 1

Dept/ Agency: Water and Sewer Utilities

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

Type of Service: Final Quantities Change Order #2/Amend Resolution #7R12-a(S) adopted on December 10, 2019 and 7R12-e adopted on June 24, 2020

Purpose: To execute Contract Close out Change Order #2 for Phase-3(A) Lead Service Line Replacement Contract 17-WS2020.

Entity Name: Roman E&G Corporation

Entity Address: 14 Ogden Street, Newark, New Jersey 07104

Contract Amount: Not to exceed \$39,998,118.10

Funding Source: 2019 Budget/Water and Sewer Utilities Capital Budget/NW041-19W-19W00-94710-B2019

Contract Period: 779 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-a(S) adopted on December 10, 2019 authorized a contract in the amount of \$38,984,900.00 for a period of 280 calendar days from the date of the written Notice to Proceed.

Resolution 7R12-e adopted on June 24, 2020 authorized a Change Order #1, which increased the contract amount by \$1,015,100.00 for a total contract amount not to exceed \$40,000,000.00.

Contract Close out Change Order #2 will reduce the contract amount by \$1,881.90 for a new total contract amount not to exceed \$39,998,118.10 and increase the contract period by 499 calendar days for a new completion period of 779 calendar days from the date of the written Notice to Proceed to final completion.

WHEREAS, Resolution 7R12-a(S) adopted on December 10, 2019, authorized the extension of an emergency contract award of Contract 17-WS2020 to, Roman E&G Corporation, 14 Ogden Street, Newark, New Jersey 07104, in the amount of Thirty-Eight Million Nine Hundred Eighty-Four Thousand Nine Hundred Dollars and Zero Cents (\$38,984,900.00), in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, Resolution 7R12-e adopted on June 24, 2020, authorized Change Order #1 to Contract 17-WS2020 with Roman E&G Corporation, increasing the contract amount by One Million Fifteen Thousand One Hundred Dollars and Zero Cents (\$1,015,100.00) for a total contract amount not to exceed Forty Million Dollars and Zero Cents (\$40,000,000.00), with no extension on final completion; and

WHEREAS, the Contract 17-WS2020, was completed with a net reduction of One Thousand

Eight Hundred Eighty-One Dollars and Ninety cents (\$1,881.90) due to final quantity adjustments and an additional (499) calendar days; and

WHEREAS, the Contract 17-WS2020, is to be amended with a net reduction in contract amount by One Thousand Eight Hundred Eighty-One Dollars and Ninety cents (\$1,881.90), and (499) additional calendar days in contract completion time; and

WHEREAS, the Department of Water and Sewer Utilities, wishes to enter into and execute a Contract Closeout Change Order #2 to Contract 17-WS2020, Phase-3(A) Lead Service Line Replacement with Roman E&G Corporation, 14 Ogden Street, Newark, New Jersey 07104, with a reduction in the contract amount by One Thousand Eight Hundred Eighty-One Dollars and Ninety cents (\$1,881.90) bringing the final contract amount to Thirty-Nine Million Nine Hundred Ninety-Nine Thousand One Hundred Eighteen Dollars and Ten Cents (\$39,998,118.10), and extending the contract completion time by (499) 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 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 Closeout Change Order #2 to Contract 17-WS2020, Phase-3(A) Lead Service Line Replacement with Roman E&G Corporation, 14 Ogden Street, Newark, New Jersey 07104, reducing the contract amount by One Thousand Eight Hundred Eighty-One Dollars and Ninety cents (\$1,881.90) bringing the final contract amount to Thirty-Nine Million Nine Hundred Ninety-Nine Thousand One Hundred Eighteen Dollars and Ten Cents (\$39,998,118.10), and extending the contract completion time by (499) calendar days for a new completion period of (779) calendar days from the date of the written Notice to Proceed.
2. No funds are required for this Contract Closeout Change Order #2.
3. This Change Order is ratified from the date of the Notice to Proceed to the date of this authorizing Resolution.
4. A fully executed copy of the Closeout 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 Closeout 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. This contract was solicited and awarded pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.
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 authorizes the Mayor of the City of Newark and/or his designee, the Director of the Department of Water and Sewer Utilities, to ratify, amend and execute Contract Closeout Change Order #2 to Contract 17-WS2020, Phase-3(A) Lead Service Line Replacement with Roman E&G Corporation, 14 Ogden Street, Newark, New Jersey 07104, reducing the contract amount by \$1,881.90 bringing the total contract amount to \$39,998,118.10, and extending the contract completion time by (499) calendar days for a new completion period of (779) calendar days from the date of the written Notice to Proceed to the final completion.