



## Legislation Details (With Text)

**File #:** 12-0911 **Version:** 1 **Name:** Change Order #1 English Paving Irvine Turner Blvd, Norfolk St and Jones St Traffic Calming Project

**Type:** Resolution **Status:** Filed

**File created:** 4/6/2012 **In control:** Engineering

**On agenda:** 5/2/2012 **Final action:** 5/2/2012

**Title:** Dept/ Agency: Engineering  
Action: ( X ) Ratifying (X) Authorizing ( X ) Amending  
Type of Service: Change Order/Amend Resolution # 7R4-D, adopted September 1, 2010  
Purpose: Modify Scope of Work, extend the period and increase capital funds for the Norfolk Street, Jones Street and Irvine Turner Boulevard Traffic Calming Project  
Entity Name: English Paving Company, Inc  
Entity Address: 650 Route 46 West, Clifton, NJ 07013  
Contract Amount: \$5,014,855.66  
Funding Source: Capital Budget  
Contract Period: Extend the time to complete this contract through November 9, 2012  
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:  
7R4-D, adopted September 1, 2010  
Change Order #1 Net Increase funding Amount: \$300,682.13

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### Code sections:

Date	Ver.	Action By	Action	Result
5/2/2012	1	Municipal Council	Adopt	Pass

**Dept/ Agency:** Engineering  
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( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) n/a  
**Additional Information:**  
7R4-D, adopted September 1, 2010  
Change Order #1 Net Increase funding Amount: \$300,682.13

**WHEREAS,** Resolution No. 7R4-D, adopted September 1, 2010, authorized the Director of the

Department of Engineering to accept the bid proposal and execute Contract #20-2009(R), Norfolk Street, Jones Street and Irvine Turner Boulevard Traffic Calming Project, with English Paving Company, Inc., 650 Route 46 West, Clifton, NJ 07013, for the amount of \$4,714,173.53; and

**WHEREAS**, due to many unforeseen field conditions and multiple construction plan revisions, including field adjustments and revisions to electrical and traffic signal plans that could not be anticipated, there was a need to deduct certain original quantities, increase other original quantities and add certain additional work to the contract, which work is not a material modification to the scope of work and could not be reasonably effectuated by a separately bid contract, all of which requires the ratification and approval of a Change Order; and

**WHEREAS**, due to difficulty in scheduling and coordinating the work items, it is necessary to extend the term of the contract, as permitted by N.J.S.A. 40A:11-15(9), for such time as is necessary to complete this public works contract; and

**WHEREAS**, the attached Change Order No. 1 to Contract #20-2009(R), Norfolk Street, Jones Street and Irvine Turner Boulevard Traffic Calming Project, provides for a net increase in the contract amount of \$300,682.13, thereby bringing the total amount of this contract to \$5,014,855.66.

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:**

1. The Mayor and/or his designee, the Director of the Department of Engineering, is hereby authorized on behalf of the City of Newark to ratify and authorize the issuance of Change Order No. 1 to Contract # 20-2009(R), Norfolk Street, Jones Street and Irvine Turner Boulevard Traffic Calming Project, consisting of an increase in capital funds for the net amount of \$300,682.13, thereby bringing the total amount of this contract to \$5,014,855.66, modify the scope of work for the traffic calming project and extend the period of the contract through November 9, 2012.
2. Attached hereto are certifications of funds issued by the Chief Financial Officer, City of Newark, which states that there are available sufficient legally appropriated funds in the amount of \$300,682.13 for the purpose set forth hereinabove. A copy of this certification of funds shall be filed in the Office of the City Clerk by the Director of the Department of Engineering together with this resolution.
3. A fully executed copy of Change Order No. 1 to Contract #20-2009(R), shall be filed in the Office of the City Clerk by the Director of Engineering.
4. No other changes to this contract are allowed without prior Municipal Council approval.
5. Consistent with the provisions of the Local Public Contracts Law, N.J.S.A. 40:A:11-15(9), the Director of the Department of Engineering is authorized to extend the time to complete this contract to November 9, 2012.
6. Funds for Change Order No. 1 to Contract #20-2009(R), Norfolk Street, Jones Street and Irvine Turner Boulevard Traffic Calming Project Contract #18-2008, in the net amount of \$300,682.13 is provided as below:

Fund 045, Department 007, Project 07B30, Account 94710, Budget Year B2007

7. Notice of this change order, in accordance with NJAC 5:30-11.9(c)(6), shall be published in the official newspaper of the municipality, which notice shall be filed in the Office of the City Clerk for inspection by the public.

#### **STATEMENT**

This Resolution authorizes the Mayor and/or his designee and the Director of the Department of Engineering, to issue Change Order No. 1 to Contract #20-2009(R), Norfolk Street, Jones Street and Irvine Turner Boulevard Traffic Calming Project, to increase capital funds for this project for the net amount of \$300,682.13, thereby bringing the total amount of this contract to \$5,014,855.66, extend the contract period through November 9, 2012, and modify the scope of work.