



## Legislation Details (With Text)

**File #:** 15-0250      **Version:** 1      **Name:** Change Order/Amend Resolution #7R4-a 080713 - Renovation to Firehouse, Engines 10 and 12, 360 Clinton Avenue  
**Type:** Resolution      **Status:** Filed  
**File created:** 1/30/2015      **In control:** Engineering  
**On agenda:** 3/4/2015      **Final action:** 3/4/2015

**Title:** Dept/ Agency: Engineering  
Action: (X) Ratifying (X) Authorizing (X) Amending  
Type of Service: Change Order/Amend Resolution  
Purpose: Renovation to Firehouse, Engines 10 and 12, 360 Clinton Avenue, Newark, New Jersey  
Entity Name: Bismark Construction Corporation  
Entity Address: 207-209 Berkeley Avenue, Newark, New Jersey 07107  
Contract Amount: Change Order #1 for an additional \$7,100.60 for amended total not to exceed \$286,850.60  
Funding Source: Essex County Improvement Authority ("ECIA") through the Bank of New York Mellon  
Contract Period: Amended to October 18, 2013 through October 17, 2015  
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:  
Resolution 7R4-1 080713 authorizing Contract #19-2012, Renovation to Firehouse, Engines 10 and 12, 360 Clinton Avenue, Newark, New Jersey  
Original Bid contract-\$279,750.00 + C.O.#1- \$7,100.60-Total new cost-\$286,850.60

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
3/4/2015	1	Municipal Council	Adopt	Pass

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12, 360 Clinton Avenue, Newark, New Jersey

Original Bid contract-\$279,750.00 + C.O.#1- \$7,100.60-Total new cost-\$286,850.60

**WHEREAS**, Resolution 7R4-a, adopted August 7, 2013, authorized the Director of the Department of Engineering to accept the bid proposal and execute Contract #19-2012 Renovation to Firehouse, Engines 10 and 12, 360 Clinton Avenue, Newark, New Jersey, with Bismark Construction Corporation, 207-209 Berkeley Avenue, Newark, New Jersey 07107, in the total bid amount of \$279,750.00; and

**WHEREAS**, a 'Notice to Proceed' was issued dated October 18, 2013, specifying October 18, 2013 as the effective date of the contract, terminating on October 17, 2014; and

**WHEREAS**, due to unforeseen circumstances discovered after the contract was awarded and some of the interior demolition work had begun, certain minor changes to the scope of work were needed to address field conditions; more specifically (a) the air conditioning units malfunctioned and needed repair (b) the existing fire alarm system ceased working and needed to be repaired [See Attachment A, Change Order #1]; and

**WHEREAS**, the Director of the Department of Engineering desires to amend Contract #19-2012 as follows: (1) increase of \$7,100.60 in the total amount of the contract, thereby amending it from an amount not to exceed \$279,750.00 to \$286,850.60; and (2) extend the termination date of the contract from October 18, 2014 to October 17, 2015; and

**WHEREAS**, the Director of the Department of Engineering recommends the increase and time extension of the contract and certifies that the work is being performed in an efficient and effective manner; and

**WHEREAS**, the term of Contract #19-2012 may be extended for such time as necessary for the completion of actual construction, pursuant to the Local Public Contracts Law, *N.J.S.A. 40A:11-15(9)*.

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

1. The Mayor and/or his designee and the Director of the Department of Engineering, are hereby authorized to execute Change Order/Amendment #1 to Contract #19-2012, Renovations to Firehouse, Engines 10 and 12, 360 Clinton Avenue, Newark, New Jersey 07108 project with Bismark Construction Corporation, 207-209 Berkeley Avenue, Newark, New Jersey 07107, to amend the contract as follows: (1) an increase of \$7,100.60 in the total amount of the contract, thereby amending it from an amount not to exceed \$279,750.00 to \$286,850.60; and (2) extend the termination date of the contract from October 18, 2014 to October 17, 2015.
2. The Municipal Council hereby ratifies this contract amendment from October 17, 2014 to the date of the adoption of this resolution.
3. All other terms and conditions of Contract #19-2012 Renovations to Firehouse, Engines 10 and 12, 360 Clinton Avenue, Newark, New Jersey 07108, project shall apply and remain in force until the contract is completed.

4. A fully executed copy of Change Order/Amendment #1 to Contract #19-2012 Renovations to Firehouse, Engines 10 and 12, 360 Clinton Avenue, Newark, New Jersey 07108, project shall be filed in the Office of the City Clerk by the Director of the Department of Engineering.
5. Funds for this contract in the amount of \$286,850.60 shall be provided by the Essex County Improvement Authority ("ECIA") through the Bank of New York Mellon and payments made for this project shall be monitored by the City of Newark, Department of Finance.
6. No further amendments or modifications to this amended contract shall be permitted without prior Municipal Council approval.
7. This contract amendment is in compliance with the provisions of the Local Public Contracts Law N.J.S.A. 40A:11-15(9) and pursuant to the New Jersey Local Unit Pay-to-Play Law, N.J.S.A. 19:44-20, and in compliance with Executive Order (MEO-07-0001) effective March 31, 2007.

### **STATEMENT**

This resolution ratifies and authorizes the Mayor and/or his designee, the Director of Engineering, to execute Change Order/Amendment #1 to Contract #19-2012 Renovations to Firehouse, Engines 10 and 12, 360 Clinton Avenue, Newark, New Jersey 07108, project with Bismark Construction Corp., 207-209 Berkeley Avenue, Newark, New Jersey 07107, to amend the contract as follows: (1) an increase of \$7,100.60 in the total amount of the contract, thereby amending it from an amount not to exceed \$279,750.00 to \$286,850.60 and (2) to extend the termination date of the contract from October 17, 2014 through October 16, 2015.