



Legislation Details (With Text)

File #: 16-1260 **Version:** 1 **Name:** Execute Contract Close Out & Final Quantities Change Order No 1 for Contract 08-WS2009 Brick Sewer Rehabilitation Program Phase VI (H)
Type: Resolution **Status:** Adopted
File created: 7/22/2016 **In control:** Water Sewer Utility
On agenda: 10/5/2016 **Final action:** 10/5/2016

Title: Dept/ Agency: Water and Sewer Utilities
Action: ☐ Ratifying ☒ Authorizing ☐ Amending
Type of Service: Change Order/Amend Resolution 7R12-c adopted on February 6, 2014
Purpose: Execute Contract Close Out and Final Quantities Change Order No. 01
Entity Name: Spiniello Companies
Entity Address: 354 Eisenhower Parkway, Livingston, New Jersey 07039
Contract Amount: \$7,726,500.00 (Original Contract Amount) - \$686,605.70 (Contract Amount Reduced) = \$7,039,894.30.
Funding Source: Water and Sewer Utility Capital Budget
Contract Period: 320 Calendar Days until Final Completion
Contract Basis: ☒ Bid ☐ State Vendor ☐ Prof. Ser. ☐ EUS
☐ Fair & Open ☐ No Reportable Contributions ☐ RFP ☐ RFQ
☐ Private Sale ☐ Grant ☐ Sub-recipient ☐ n/a
Additional Information:
Original Contract Amount: \$7,726,500.00, Reduced for Unused Quantities: \$695,746.50, Credit in the amount of: \$600.00, Increase for additional work: \$1,935.00, Increase for Settlement: \$7,805.80, Net Amount of \$686,605.70 To Be Reduced from the Contract Amount, Resulting Final Contract Amount: \$7,039,894.30
Final Quantities Change Order and Contract Close-Out reducing the total contract amount by \$686,605.70.

Sponsors: Council of the Whole

Indexes:

Code sections:

| Date | Ver. | Action By | Action | Result |
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| 10/5/2016 | 1 | Municipal Council | Adopt | Pass |

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Final Quantities Change Order and Contract Close-Out reducing the total contract amount by \$686,605.70.

WHEREAS, Resolution 7R12-c dated February 2, 2016, authorized the award of Contract 08-WS2009 Brick Sewer Rehabilitation Program Phase VI (H) Sewer Rehabilitation, Spiniello Companies, 354 Eisenhower Parkway, Livingston, New Jersey 07039, in the amount of \$7,726,500.00, in accordance with the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, Contract 08-WS2009 was completed with a total of \$695,746.50 to be reduced for unused quantities, a credit of \$600.00, an increase for additional work of \$1,935.00 and an increase for a settlement of \$7,805.80 with a net amount of \$686,605.70 to be reduced from the total contract amount; and

WHEREAS, Contract 08-WS2009 is to be closed out with a net decrease in contract amount of \$686,605.70; and

WHEREAS, the Department of Water and Sewer Utilities wishes to execute Final Quantities Change Order No.01 to Contract 08-WS2009 Brick Sewer Rehabilitation Program Phase VI (H) Sewer Rehabilitation, with Spiniello Companies, 354 Eisenhower Parkway, Livingston, New Jersey 07039, reducing the contract by \$686,605.70, bringing the final contract amount to \$7,039,894.30; 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 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 Final Quantities Change Order No. 01 to Contract 08-WS2009 Brick Sewer Rehabilitation Program Phase VI (H) Sewer Rehabilitation with Spiniello Companies, 354 Eisenhower Parkway, Livingston, New Jersey 07039, reducing the contract by \$686,605.70, bringing the final contract amount to \$7,039,894.30.
2. No additional funds are required for these Final Quantities Change Order No. 01 since this is a reduction change order.
3. A fully executed copy of the Final Quantities 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 Final Quantities 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. 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.

6. 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.

STATEMENT

This resolution authorizes the Mayor and/or his designee, the Director of the Department of Water and Sewer Utilities, to execute Final Quantities Change Order No. 01 to Contract 08-WS2009 Brick Sewer Rehabilitation Program Phase VI (H) Sewer Rehabilitation, with Spiniello Companies, 354 Eisenhower Parkway, Livingston, New Jersey 07039, reducing the contract by \$686,605.70, bringing the final contract amount to \$7,039,894.30.