



## Legislation Details (With Text)

**File #:** 17-0290 **Version:** 1 **Name:** Contract# 07-2014 Amendment #1 Hayes Park East Improvements  
**Type:** Resolution **Status:** Adopted  
**File created:** 2/15/2017 **In control:** Engineering  
**On agenda:** 3/1/2017 **Final action:** 3/1/2017

**Title:** Dept/ Agency: Engineering  
Action: (X ) Ratifying (X) Authorizing (X) Amending  
Type of Service: Change Order/Amend Resolution  
Purpose: Amend the term of Contract  
Entity Name: Z-Tech Contracting, LLC  
Entity Address: 114 Baltusrol Road, Summit, New Jersey 07901  
Contract Amount: \$4,552,149.60  
Funding Source: City of Newark, Department of Engineering  
Contract Period: Amend the term of the contract from May 20, 2016 through May 19, 2017  
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:  
Amending Contract #07-2014 Hayes Park East Improvements, 608-630 Ferry Street, Newark, New Jersey 07105, to extend the term of the contract from May 20, 2016 through May 19, 2017. There is no additional cost to the City.  
Resolution 7R4-C adopted April 1, 2015

**Sponsors:** Augusto Amador, John Sharpe James

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
3/1/2017	1	Municipal Council	Adopt	Pass

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**WHEREAS**, Resolution 7R4-C adopted April 1, 2015, authorized the Director of the Department of Engineering to execute Contract #07-2014 Hayes Park East Improvements, 608-630 Ferry Street, Newark, New Jersey 07105, with Z-Tech Contracting, LLC, 114 Baltusrol Road, Summit, New Jersey 07901, in the total bid amount of \$4,552,149.60; and

**WHEREAS**, a 'Notice to Proceed' was issued dated May 20, 2015, as the effective date of the contract and terminating on May 20, 2016; and

**WHEREAS**, due to a variety of unforeseen reasons, including manufacturing delays and environmental concerns, the project has not moved forward on schedule; and

**WHEREAS**, the Director of the Department of Engineering and the contractor, Z-Tech Contracting, LLC, agree that a time extension is necessary to complete the project at no additional cost to the City; and

**WHEREAS**, the Director of the Department of Engineering desires to amend Contract #07-2014 to extend the contract term from May 20, 2015 through May 19, 2016 to May 20, 2015 through May 19, 2017, to account for project completion and contract close out at no additional cost to the City of Newark; and

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

**WHEREAS**, pursuant to N.J.S.A. 40A:11-15(9), the term of a contract for the reconstruction or rehabilitation of any public building, including the retention of services of any architect in connection therewith, may be for a length of time necessary for the completion of the actual construction.

**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 Engineering, are hereby authorized to execute Amendment #1 to Contract #07-2014 Hayes Park East Improvements, 608-630 Ferry Street, Newark, New Jersey 07105, with Z-Tech Contracting, LLC, 114 Baltusrol Road, Summit, New Jersey 07901, to amend the term of the contract from May 20, 2015 through May 19, 2016 to May 20, 2015 through May 19, 2017.
2. The Municipal Council hereby ratifies the contract amendment from May 19, 2016, to the date of adoption of this authorizing resolution.
3. All other terms and conditions of Contract #07-2014 Hayes Park East Improvements, 608-630 Ferry Street, Newark, New Jersey 07105, project shall remain in force and effect until the contract is completed.
4. A fully executed copy of Amendment #1 Contract #07-2014 Hayes Park East Improvements, 608-630 Ferry Street, Newark, New Jersey 07105, shall be filed in the Office of the City Clerk by the Director of the Department of Engineering and/or his designee.
5. No further amendments or modifications to this amended contract shall be permitted without prior Municipal Council approval.

6. There shall be no advance payments made against this contract in accordance with N.J.A.C. 40A:5-16.
7. No additional funds are required for this amendment.
8. The public bidding process under which this contract was awarded pursuant to the Local Public Contracts Law, N.J.S.A. 40A: 11-1, et seq.; which complied with the requirements of the New Jersey Local Unit Pay-to-Play, N.J.S.A. 19:44A-20.5 et seq.; and the processing of the Change Order/Amendment #1 is in compliance with N.J.A.C. 5:30-11.8.

### **STATEMENT**

This resolution authorizes the Mayor and/or his designee, the Director of Engineering, to amend Contract #07-2014 Hayes Park East Improvements, 608-630 Ferry Street, Newark, New Jersey 07105, to extend and ratify the contract term from May 20, 2015 through May 19, 2016 to May 20, 2015 through May 19, 2017, at no additional cost to the City.