



## Legislation Details (With Text)

**File #:** 17-1423      **Version:** 1      **Name:** Contract #07-2014 Amendment #2 Hayes Park East Improvements  
**Type:** Resolution      **Status:** Adopted  
**File created:** 7/24/2017      **In control:** Engineering  
**On agenda:** 10/4/2017      **Final action:** 10/4/2017

**Title:** Dept/ Agency: Engineering  
Action: ☐ Ratifying ☒ Authorizing ☒ Amending  
Type of Service: Change Order/Amend Resolution  
Purpose: Amendment #2 to Contract #07-2014 to extend the time period to complete this contract through May 18, 2018, at no additional cost to the City  
Entity Name: Z-Tech Contracting, LLC.  
Entity Address: 114 Baltusrol Road, Summit, New Jersey 07901  
Contract Amount: Amount not to exceed \$4,552,149.60  
Funding Source: 2007 Budget, Department of Engineering  
Contract Period: Extend the term of the contract through May 18, 2018  
Contract Basis: ☒ Bid ☐ State Vendor ☐ Prof. Ser. ☐ EUS  
☐ Fair & Open ☐ No Reportable Contributions ☐ RFP ☐ RFQ  
☐ Private Sale ☐ Grant ☐ Sub-recipient ☐ n/a  
Additional Information:  
- Resolution 7R4-C, adopted on April 1, 2015, authorized execution of Contract #07-2014 Hayes Park East Improvements, 608-630 Ferry Street, Newark, New Jersey 07105  
- Resolution 7R3-A (A.S.) adopted on March, 1, 2017, authorized extension of Contract #07-2014 Hayes Park East Improvements, 608-630 Ferry Street, Newark, New Jersey 07105 through May 19, 2017

**Sponsors:** Augusto Amador, Carlos M. Gonzalez

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
10/4/2017	1	Municipal Council	Adopt	Pass

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- Resolution 7R3-A (A.S.) adopted on March, 1, 2017, authorized extension of Contract #07-2014 Hayes Park East Improvements, 608-630 Ferry Street, Newark, New Jersey 07105 through May 19, 2017

**WHEREAS**, on April 1, 2015 the Municipal Council adopted Resolution 7R4-C authorizing the Director of the Department of Engineering to enter into and execute Contract #07-2014 Hayes Park East Improvements, 608-630 Ferry Street, Newark, New Jersey, 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 ("Contract #07-2014"); and

**WHEREAS**, the Department of Engineering issued a 'Notice to Proceed' dated May 20, 2015 as the Effective Date of the contract and terminating on May 20, 2016; and

**WHEREAS**, on March 1, 2017, the Municipal Council adopted Resolution 7R3-A (A.S.), authorizing the Director of the Department of Engineering to enter into Amendment #1 of Contract #07-2014 to extend its term for an additional year through May 19, 2017, pursuant to N.J.S.A. 40A:11-15(9); and

**WHEREAS**, due to a variety of unforeseen reasons, including manufacturing and weather delays as well as 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 an additional time extension is necessary to complete the project, at no additional cost to the City; and

**WHEREAS**, the Director of the Department of Engineering recommends the time extension of the contract through May 18, 2018, 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 the contract for the reconstruction or rehabilitation of any public building, including the retention of the services of any architect or engineer in connection therewith, for the length of time authorized and 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 is hereby authorized to execute Amendment #2 to Contract #07-2014 Hayes Park East Improvements, 608-630 Ferry Street, Newark, New Jersey, Z-Tech Contracting, LLC, 114 Baltusrol Road, Summit, New Jersey 07901, to extend the time period to complete this contract through May 18, 2018, with no additional cost to the City
2. The Municipal Council hereby ratifies the contract amendment from May 19, 2017 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, project shall remain in force and effect until the contract is completed.

4. A fully executed copy of Amendment #2 Contract #07-2014 Hayes Park East Improvements, 608-630 Ferry Street, Newark, New Jersey, 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 #2 is in compliance with N.J.A.C. 5:30-1.

### **STATEMENT**

This resolution ratifies and authorizes the Mayor and/or his designee, the Director of the Department of Engineering, to enter into and execute Amendment #2 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 extend the time period to complete this contract through May 18, 2018, at no additional cost to the City, pursuant to N.J.S.A. 40A:11-15(9).