



## Legislation Details (With Text)

**File #:** 19-0679      **Version:** 1      **Name:** Change Order #1 for Replacement of Water Mains - Underground Utilities Corp.  
**Type:** Resolution      **Status:** Adopted  
**File created:** 4/12/2019      **In control:** Water Sewer Utility  
**On agenda:** 5/1/2019      **Final action:** 5/1/2019

**Title:** Dept/ Agency: Water and Sewer Utilities  
Action: ☐ Ratifying ☒ Authorizing ☐ Amending  
Type of Service: Change Order No.1/Amend Resolution 7R12-b adopted August 8, 2018  
Purpose: Execute Change Order #1 for Replacement of Water Distribution Mains Project under Contract 12-WS2016  
Entity Name: Underground Utilities Corporation  
Entity Address: 711 Commerce Road, Linden, New Jersey 07036  
Contract Amount: Not to exceed \$3,826,237.80  
Funding Source: Department of Water and Sewer Utilities Capital Budget  
Contract Period: For a period of 180 calendar days from the Notice to Proceed extended by 90 calendar days for a total period of 270 calendar days  
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 Resolution 7R12-b adopted on August 8, 2018, awarded the contract in an amount not to exceed \$3,826,237.80 for a period of 180 calendar days from the Notice to Proceed.  
Change Order #1 will extend the original completion period of 180 calendar days from the Notice to Proceed by 90 calendar days for a total of 270 calendar days with no change in contract amount.

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
5/1/2019	1	Municipal Council	Adopt	Pass

**Dept/ Agency:** Water and Sewer Utilities

**Action:** ☐ Ratifying ☒ Authorizing ☐ Amending

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**Purpose:** Execute Change Order #1 for Replacement of Water Distribution Mains Project under Contract 12-WS2016

**Entity Name:** Underground Utilities Corporation

**Entity Address:** 711 Commerce Road, Linden, New Jersey 07036

**Contract Amount:** Not to exceed \$3,826,237.80

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☒ Fair & Open ☐ No Reportable Contributions ☐ RFP ☐ RFQ

☐ Private Sale ☐ Grant ☐ Sub-recipient ☐ n/a

**Additional Information:**

Original Resolution 7R12-b adopted on August 8, 2018, awarded the contract in an amount not to

exceed \$3,826,237.80 for a period of 180 calendar days from the Notice to Proceed. Change Order #1 will extend the original completion period of 180 calendar days from the Notice to Proceed by 90 calendar days for a total of 270 calendar days with no change in contract amount.

**WHEREAS**, Resolution 7R12-b August 8, 2018, authorized the award of Contract 12-WS2016 to, Underground Utilities Corporation, 711 Commerce Road, Linden, New Jersey 07036, in the amount of \$3,826,237.80, in accordance with the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, during the course of the project, unexpected delays were encountered, additional time required for the submittal and performance of preliminary general requirements and time elapsed between the date of the Notice to Proceed and the contractor's receipt of the fully executed contract which necessitated an additional time of ninety (90) calendar days required to complete the project from March 23, 2019 to June 21, 2019; and

**WHEREAS**, Contract 12-WS2016 is to be amended with no change in contract amount, and ninety (90) calendar days to be added to the contract completion time; and

**WHEREAS**, the Department of Water & Sewer Utilities wishes to execute Change Order No.01 to Contract 12-WS2016 Replacement of Water Distribution Mains Project with Underground Utilities Corporation, 711 Commerce Road, Linden, New Jersey 07036, with no change in the contract amount, and extending the contract completion time by ninety (90) calendar days; 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 of the City of Newark or County of Essex; and continuing political committees or political action 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 Acting Director of the Department of Water and Sewer Utilities, to execute Change Order No. 01 to Contract 12-WS2016 Replacement of Water Distribution Mains Project with Underground Utilities Corporation, 711 Commerce Road, Linden, New Jersey 07036, with no change in the contract amount, and extending the contract completion time by 90 calendar days.
2. No Funds are required for this Change Order No. 01.
3. A fully executed copy of the Change Order No. 01 shall be filed in the Office of the City Clerk by the Acting Director of the Department of Water & Sewer Utilities.
4. A fully executed copy of the Change Order No. 01 shall be filed with the New Jersey Department of Environmental Protection (NJDEP) by the Acting Director of the Department of Water and Sewer Utilities.

5. 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.
6. 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.

### **STATEMENT**

This resolution authorizes the Mayor and/or his designee, the Acting Director of the Department of Water and Sewer Utilities, to execute Change Order No. 01 to Contract 12-WS2016 Replacement of Water Distribution Mains Project, with Underground Utilities Corporation, 711 Commerce Road, Linden, New Jersey 07036, with no change in the contract amount, and extending contract completion time by ninety (90) calendar days.