



Legislation Details (With Text)

File #: 20-0089 **Version:** 1 **Name:** Close out Change Order #3 for Queen Ditch Restoration Project - Rencor Inc.

Type: Resolution **Status:** Adopted

File created: 1/15/2020 **In control:** Water Sewer Utility

On agenda: 2/5/2020 **Final action:** 2/5/2020

Title: Dept/ Agency: Water and Sewer Utilities
Action: () Ratifying (X) Authorizing () Amending
Type of Service: Close out Change Order #3/Amend Resolution 7R12-e adopted on June 21, 2017, 7R12-b adopted on March 27, 2018 and 7R12-a(S) adopted on May 30, 2018
Purpose: Execute Change Order #3 for Queen Ditch Restoration Project Contract 04-WS2013
Entity Name: Rencor, Inc.
Entity Address: 24 Tannery Road, Somerville, New Jersey 08876
Contract Amount: Not to exceed \$5,365,925.02
Funding Source: 2013 Budget/Department of Water and Sewer Utilities Capital/NW004-13S-13SAO-94710-B2013
Contract Period: 468 calendar days from the date of the Notice to Proceed to June 30, 2018
Contract Basis: (X) Bid () State Vendor () Prof. Ser. () EUS
(X) Fair & Open () No Reportable Contributions () RFP () RFQ
() Private Sale () Grant () Sub-recipient () N/A
Additional Information:
Change Order #3 will increase the contract amount by \$113,368.02 for a new contract amount not to exceed \$5,365,925.02.
Original Resolution 7R12-e adopted on June 21, 2017 awarded a contract in an amount not to exceed \$4,502,557.00 for a period of 240 days from the date of the Notice to Proceed.
Change Order #1 Resolution 7R12-b adopted on March 27, 2018 maintained a contract amount not to exceed \$4,502,557.00, yet increased the Project completion date by an additional 114 calendar days for a total period of 354 calendar days from the date of the Notice to Proceed.
Change Order #2 Resolution 7R12-a(S) adopted on May 30, 2018 awarded an increase to the contract of \$750,000.00 for a new total contract amount not to exceed \$5,252,557.00 and increasing the Project completion date by an additional 114 calendar days for a total period of 468 calendar days to June 30, 2018.

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
2/5/2020	1	Municipal Council	Adopt	Pass

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WHEREAS, Resolution 7R12-e adopted on June 21, 2017 authorized the award of Contract 04-WS2013, Queen Ditch Restoration Project, to Rencor Inc., 24 Tannery Road, Somerville, New Jersey 08876 ("Rencor"), in the amount of \$4,502,557.00, in accordance with the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, Resolution 7R12-b adopted on March 27, 2018 authorized the execution of Change Order #1 to Contract 04-WS2013 with, Rencor, increasing the contract completion time by 114 days, in accordance with the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, Resolution 7R12-a(S) adopted on May 30, 2018 authorized the execution of Change Order #2 to Contract 04-WS2013 with, Rencor, increasing contract amount by \$750,000.00, in accordance with the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, as a result of mediation proceedings, the City negotiated and settled various claims submitted by Rencor, Inc. in the amount of an additional \$113,368.02 in contract value; and

WHEREAS, Contract 04-WS2013, therefore, is to be further amended with a net amount of \$113,368.02 to be added to the total contract amount; and

WHEREAS, the Department of Water and Sewer Utilities wishes to execute Contract Close Out Change Order #3 to Contract 04-WS2013 Queen Ditch Restoration Project with Rencor Inc., 24 Tannery Road, Somerville, New Jersey 08876, increasing the contract by \$113,368.02, and bringing the final contract amount to \$5,365,925.02; 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 enter into and execute Close Out Change Order #3 to Contract 04-WS2013 Queen Ditch Restoration Project with Rencor Inc., 24 Tannery Road, Somerville, New Jersey 08876, increasing the contract by \$113,368.02, and bringing the final contract amount to \$5,365,925.02.
2. Attached hereto is a Certification of Funds from the Chief Financial Officer, which states that funds in the amount of \$113,368.02, are available in the Water and Sewer Utilities Capital Budget under Business Unit NW044, Department ID 13S, Project 13SA0, Account 94710, Budget Ref. B2013 and which shall be filed along with the original resolution in the Office of the City Clerk.
3. The Acting Director of the Department of Water and Sewer Utilities shall file a fully executed copy of the Close out Change Order #3 in the Office of the City Clerk.
4. The Acting Director of the Department of Water and Sewer Utilities shall file a fully executed copy of the Close out Change Order #3 with the New Jersey Department of Environmental Protection (NJDEP).
5. This contract was solicited and awarded pursuant to the provisions of the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq., 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 twenty (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 enter into and execute Close Out Change Order #3 to Contract 04-WS2013, Queen Ditch Restoration Project with Rencor Inc., 24 Tannery Road, Somerville, New Jersey 08876, increasing the contract by \$113,368.02, and bringing the final contract amount to \$5,365,925.02.