



## Legislation Details (With Text)

**File #:** 20-0700      **Version:** 1      **Name:** Change Order #1 Phase-2(B) Lead Service Line Replacement Contract 15-WS2019 - Underground Utilities Corp.

**Type:** Resolution      **Status:** Adopted

**File created:** 6/15/2020      **In control:** Water Sewer Utility

**On agenda:** 6/24/2020      **Final action:** 6/24/2020

**Title:** Dept/ Agency: Water and Sewer Utilities  
Action: ☐ Ratifying ☒ Authorizing ☒ Amending  
Type of Service: Change Order #1/Amend Resolution 7R12-a(S) adopted on October 29, 2019  
Purpose: To execute Change Order #1 for Phase-2(B) Lead Service Line Replacement Contract 15-WS2019.  
Entity Name: Underground Utilities Corporation  
Entity Address: 711 Commerce Road, Linden, New Jersey 07036  
Contract Amount: Not to exceed \$4,774,670.00  
Funding Source: Water and Sewer Utilities Capital Budget/NW041-18W-18W00-94710-B2018  
Contract Period: 270 days from a Notice to Proceed  
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-a(S) adopted on October 29, 2019 awarded a contract in an amount not to exceed \$3,979,670.00.  
Change Order #1 will increase the original contract amount by \$795,000.00 for a total contract amount not to exceed \$4,774,670.00.

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
6/24/2020	1	Municipal Council	Adopt	Pass

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Change Order #1 will increase the original contract amount by \$795,000.00 for a total contract amount not to exceed \$4,774,670.00.

**WHEREAS**, Resolution 7R12-a(S) adopted on October 29, 2019, authorized the award of Contract 15-WS2019, Phase-2(B) Lead Service Line Replacement, to Underground Utilities Corporation, 711 Commerce Road, Linden, New Jersey 07036, in the amount of \$3,979,670.00, 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, additional lead services were identified by the Department of Water and Sewer Utilities as candidates for replacements, and determined as prudent to be undertaken under Contract 15-WS2019 which necessitated increasing estimated item quantities included in the contract for the net amount of \$795,000.00 to complete the Project; and

**WHEREAS**, Contract 15-WS2019, therefore, is to be amended with a net amount of \$795,000.00 to be added to the total contract amount; and

**WHEREAS**, the Department of Water and Sewer Utilities, wishes to execute Change Order #1 to Contract 15-WS2019 Phase-2(B) Lead Service Line Replacement, with Underground Utilities Corporation, 711 Commerce Road, Linden, New Jersey 07036, increasing the contract by \$795,000.00, bringing the total contract amount to \$4,774,670.00 and with no change in contract completion time; 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 Director of the Department of Water and Sewer Utilities, to execute Change Order #1 to Contract 15-WS2019 Phase -2(B) Lead Service Line Replacement, with Underground Utilities Corporation, 711 Commerce Road, Linden, New Jersey 07036, increasing the contract by \$795,000.00, bringing the total contract amount to \$4,774,670.00 and with no change in contract completion time.
2. Attached hereto is a Certification of Funds from the Chief Financial Officer, which states that funds in the amount of \$795,000.00, are available in the Water and Sewer Utilities Capital Budget under: Business Unit NW041, Department ID 18W, Project 18W00, Account 94710, Budget Ref. B2018 and which shall be filed along with the original resolution in the Office of the City Clerk.
3. The Director of the Department of Water and Sewer Utilities shall file a fully executed copy of the Change Order #1 in the Office of the City Clerk.

4. The Director of the Department of Water and Sewer Utilities shall file a fully executed copy of the Change Order #1 with the New Jersey Department of Environmental Protection (NJDEP).
5. This contract was solicited and awarded pursuant to 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 Director of the Department of Water and Sewer Utilities, to execute Change Order #1 to Contract 15-WS2019 Phase-2(B) Lead Service Line Replacement, with Underground Utilities Corporation, 711 Commerce Road, Linden, New Jersey 07036, increasing the contract by \$795,000.00, bringing the total contract amount to \$4,774,670.00 and with no change in contract completion time.