



## Legislation Details (With Text)

<b>File #:</b>	22-0929	<b>Version:</b>	1	<b>Name:</b>	Resolution: Close-out Change Order #1 Contract 26-WS2022 - Pacific Construction
<b>Type:</b>	Resolution	<b>Status:</b>			Adopted
<b>File created:</b>	6/29/2022	<b>In control:</b>			Water Sewer Utility
<b>On agenda:</b>	8/3/2022	<b>Final action:</b>			8/3/2022
<b>Title:</b>	<p>Dept/ Agency: Water and Sewer Utilities Action: (X) Ratifying (X) Authorizing (X) Amending Type of Service: Final Quantities Change Order #1/Amend Resolution 7R12-c (S/AS) adopted on March 10, 2020 Purpose: To execute Contract Close-out Change Order #1 Phase-6(A) Lead Service Line Replacement - Contract 26-WS2022. Entity Name: Pacific Construction, LLC Entity Address: 531 US Highway 22E, #240, Whitehouse Station, New Jersey 08889 Contract Amount: Not to exceed \$6,570,991.60 Funding Source: Capital Budget/Department of Water and Sewer Utilities Contract Period: 494 calendar days from the date of the written Notice to Proceed to final completion Contract Basis: (X) Bid ( ) State Vendor ( ) Prof. Ser. ( ) EUS (X) Fair &amp; Open ( ) No Reportable Contributions ( ) RFP ( ) RFQ ( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) n/a Additional Information: Resolution 7R12-c(S/AS) adopted on March 10, 2020 awarded a contract in an amount not to exceed \$6,573,250.00 for a period of 280 calendar days to final completion from the date of the written Notice to Proceed.</p> <p>Contract Close-out Change Order #1 will reduce the contract amount by \$2,258.40 for a new total contract amount not to exceed \$6,570,991.60 and increase the contract period by 214 calendar days for a new completion period of 494 calendar days from the date of the written Notice to Proceed to final completion.</p>				
<b>Sponsors:</b>	Council of the Whole				
<b>Indexes:</b>					
<b>Code sections:</b>					

Date	Ver.	Action By	Action	Result
8/3/2022	1	Municipal Council	Adopt	Pass

**Dept/ Agency:** Water and Sewer Utilities  
**Action:** (X) Ratifying (X) Authorizing (X) Amending  
**Type of Service:** Final Quantities Change Order #1/Amend Resolution 7R12-c (S/AS) adopted on March 10, 2020  
**Purpose:** To execute Contract Close-out Change Order #1 Phase-6(A) Lead Service Line Replacement - Contract 26-WS2022.  
**Entity Name:** Pacific Construction, LLC  
**Entity Address:** 531 US Highway 22E, #240, Whitehouse Station, New Jersey 08889  
**Contract Amount:** Not to exceed \$6,570,991.60  
**Funding Source:** Capital Budget/Department of Water and Sewer Utilities  
**Contract Period:** 494 calendar days from the date of the written Notice to Proceed to final completion

**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:**

Resolution 7R12-c(S/AS) adopted on March 10, 2020 awarded a contract in an amount not to exceed \$6,573,250.00 for a period of 280 calendar days to final completion from the date of the written Notice to Proceed.

Contract Close-out Change Order #1 will reduce the contract amount by \$2,258.40 for a new total contract amount not to exceed \$6,570,991.60 and increase the contract period by 214 calendar days for a new completion period of 494 calendar days from the date of the written Notice to Proceed to final completion.

**WHEREAS**, Resolution 7R12-c(S/AS) adopted on March 10, 2020, authorized the award of Contract 26-WS2022, Phase-6(A) Lead Service Line Replacement, to Pacific Construction, LLC, 531 US Highway 22E, #240, Whitehouse Station, New Jersey 08889, in the amount of \$6,573,250.00 for a period of (280) calendar days to final completion from the date of the written Notice to Proceed, in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, the Contract 26-WS2022, was completed with a net reduction of \$2,258.40 due to final quantity adjustments and an additional (214) additional calendar days to final completion from the date of the issuance of a written Notice to Proceed; and

**WHEREAS**, the Department of Water and Sewer Utilities wishes to enter into and execute a Contract Close-out Change Order #1 to Contract 26-WS2022, Phase-6(A) Lead Service Line Replacement Pacific Construction, LLC, 531 US Highway 22E, #240, Whitehouse Station, New Jersey 08889, with a reduction in the contract amount by \$2,258.40 for a total contract amount of \$6,570,991.60, and extending the contract completion time by (214) calendar days to final completion from the date of the issuance of a written Notice to Proceed.

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:**

1. The Mayor of the City of Newark and/or his designee, the Director of the Department of Water and Sewer Utilities, is authorized to enter into and execute Contract Close-out Change Order #1 to Contract 26-WS2022, Phase-6(A) Lead Service Line Replacement with Pacific Construction, LLC, 531 US Highway 22E, #240, Whitehouse Station, New Jersey 08889, reducing the contract amount by \$2,258.40 bringing the final contract amount to \$6,570,991.60, and extending the contract completion time by (214) calendar days for a new completion period of (494) calendar days to final completion from the date of the issuance of a written Notice to Proceed.
2. Funds for this contract previously certified and encumbered in support of Resolution 7R12-c (S/AS) adopted on March 10, 2020 remain available from the Water Capital Account NW041-19W-19W00-94710-B2019, until completion of the project and contract.
3. This Change Order is ratified from the date of the Contract Modification Proposal and Acceptance (Close-out Change Order #1) to the date of this authorizing Resolution.

4. A fully executed copy of the Close-out Change Order #1 shall be filed in the Office of the City Clerk by the Director of the Department of Water and Sewer Utilities.
5. A fully executed copy of the Close-out Change Order #1 shall be filed with the New Jersey Department of Environmental Protection (NJDEP) by the Director of the Department of Water and Sewer Utilities.
7. If required by State Law, the Acting 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 ratifies, amends and authorizes the Mayor of the City of Newark and/or his designee, the Director of the Department of Water and Sewer Utilities, to enter into and execute Contract Close-out Change Order #1 to Contract 26-WS2025, Phase-6(A) Lead Service Line Replacement with Pacific Construction, LLC, 531 US Highway 22E, #240, Whitehouse Station, New Jersey 08889, reducing the contract amount by \$2,258.40 for a total contract amount of \$6,570,991.60, and extending the contract completion time by (214) calendar days for a new completion period of (494) calendar days from the date of the written Notice to Proceed to the final completion.