



Legislation Details (With Text)

File #: 22-1722 **Version:** 1 **Name:** Change Order# 1 -Contract 04-WS2020 - Montana
Type: Resolution **Status:** Adopted
File created: 11/22/2022 **In control:** Water Sewer Utility
On agenda: 12/21/2022 **Final action:** 12/21/2022

Title: Dept/ Agency: Water and Sewer Utilities
Action: (X) Ratifying (X) Authorizing (X) Amending
Type of Service: Change Order #1/Amend Resolution 7R12-b adopted on December 29, 2020
Purpose: To execute Contract Change Order #1 Repair of Water Mains and Service Leaks and Disconnection of Water Services - Contract 04-WS2020.
Entity Name: Montana Construction Corp., Inc.
Entity Address: 80 Contant Avenue, Lodi, New Jersey 07644
Contract Amount: Not to exceed \$3,876,860.00
Funding Source: Capital Budget/Department of Water and Sewer Utilities Utilities/NW037-750-7505-71960-B2022
Contract Period: 730 calendar days from the date of a 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-b adopted on December 29, 2020 awarded a contract in an amount not to exceed \$3,626,860.00 for a period of 730 calendar days from the date of the written Notice to Proceed.

Change Order #1 will increase the contract amount by \$250,000.00 for a new total contract amount not to exceed \$3,876,860.00, with no extension to the contract period of 730 calendar days from the date of the written Notice to Proceed to final completion.

Sponsors: Council of the Whole

Indexes:

Code sections:

| Date | Ver. | Action By | Action | Result |
|------------|------|-------------------|--------|--------|
| 12/21/2022 | 1 | Municipal Council | Adopt | Pass |

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Change Order #1 will increase the contract amount by \$250,000.00 for a new total contract amount not to exceed \$3,876,860.00, with no extension to the contract period of 730 calendar days from the date of the written Notice to Proceed to final completion.

WHEREAS, Resolution 7R12-b adopted on December 29, 2020, authorized the award of Contract 04-WS2020, Repair of Water Mains and Service Leaks and Disconnection of Water Services, to Montana Construction Corp., Inc. 80 Contant Avenue, Lodi, New Jersey 07644, in the amount of \$3,626,860.00 for a period of (730) 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 Repair of Water Mains and Service Leaks and Disconnections contract has been exhausted since the issuance of the Notice to Proceed and a new Repair of Water Mains and Service Leaks and Disconnection of Water Services contract is not expected to become effective until January 2023, until which time, the Department of Water and Sewer Utilities has determined that additional work to Repair of Water Mains and Service Leaks and Disconnection of Water Services is crucial to the City's everyday operations and should remain un-interrupted until the new Repair of Water Mains and Service Leaks and Disconnection of Water Services contract is in place; and

WHEREAS, Contract 04-WS2020, is to be amended with an increase net amount of \$250,000.00 and no extension on final completion of 730 calendar days from the date of the written Notice to Proceed; and

WHEREAS, the Department of Water and Sewer Utilities, wishes to enter into and execute a Contract Change Order #1 to Contract 04-WS2020, Repair of Water Mains and Service Leaks and Disconnection of Water Services, with Montana Construction Corp., Inc. 80 Contant Avenue, Lodi, New Jersey 07644, with an increase in the contract amount by \$250,000.00 for a new contract amount of \$3,876,860.00 and no extension on final completion of 730 calendar days from the date of the 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 Change Order #1 to Contract 04-WS2020, Repair of Water Mains and Service Leaks and Disconnection of Water Services with Montana Construction Corp., Inc. 80 Contant Avenue, Lodi, New Jersey 07644, by increasing the contract amount by \$250,000.00 bringing the final contract amount to \$3,876,860.00, and no extension on final completion of 730 calendar days from the date of the written Notice to Proceed.
2. Attached hereto is a Certification of Funds from the Chief Financial Officer, which states that funds in the amount of \$250,000.00, are available in the Water and Sewer Utilities Capital Budget under Business Unit NW037, Department ID 750, Division/Project 7505, Account # 71960, Budget Ref. B2022 and which shall be filed along with the original Resolution in the Office of the City Clerk.

3. This Change Order is ratified from the date of the Contract Modification Proposal and Acceptance (Change Order #1) to the date of this authorizing Resolution.
4. A fully executed copy of the 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 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.
6. 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 Change Order #1 to Contract 04-WS2020, Repair of Water Mains and Service Leaks and Disconnection of Water Services with Montana Construction Corp., Inc. 80 Contant Avenue, Lodi, New Jersey 07644, increasing the contract amount by \$250,000.00 for a total contract amount of \$3,876,860.00, and no extension on final completion of 730 calendar days from the date of the written Notice to Proceed.