



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 13-1731, Version: 1

Dept/ Agency: Economic & Housing Development

Action: () Ratifying (X) Authorizing () Amending

Type of Service: Amend Resolution 7R3-g 070312

Purpose: Second Amendment of Contract 07-2012 (Demolition and Asbestos Contract with Tricon Enterprises) to extend contract period an additional five (5) months from October 15, 2013 to March 15, 2014, in order to complete demolition project - no additional funds are being utilized

Entity Name: Tricon Enterprises, Inc.

Entity Address: 322 Beers Street, Keyport, New Jersey 07735-1418

Contract Amount: Original contract amount \$505,150.00

Funding Source: City of Newark Budget, Department of Economic and Housing Development

Contract Period: Amended to August 15, 2012 through March 14, 2014

Contract Basis: (X) Bid () State Vendor () Prof. Ser. () EUS

() Fair & Open () No Reportable Contributions () RFP () RFQ

() Private Sale () Grant () Sub-recipient (x) n/a

Additional Information:

Resolution 7R3-g 070312, approved demolition contract with Tricon Enterprises

Resolution 7R3-A(S) 072313, approved first amendment to demolition contract

WHEREAS, pursuant to Resolution 7R3-G, adopted on July 3, 2012, the Municipal Council authorized the Mayor and/or his designee, the Deputy Mayor/Director of the Department of Economic and Housing Development to accept the bid submitted by the lowest responsible bidder, Tricon Enterprises Inc., 322 Beers Street, Keyport, New Jersey 07735, and to execute Contract# 07-2012 for the Demolition of the former Orbis Site buildings J and K located at 55 Virginia Street, Newark, New Jersey (the "Site") for the period of seven (7) months from the date a notice to proceed is issued, in an amount not to exceed \$505,150.00; and

WHEREAS, a Notice o Proceed was issued by the Department of Economic and Housing Development on August 15, 2012; and

WHEREAS, the initial term of the contract authorized by Resolution 7R3-G, adopted on July 3, 2012, was from August 15, 2012 to March 14, 2013; and

WHEREAS, Tricon Enterprises, Inc. began work at the Site including, but not limited to site preparation and site clearing work as required by the contract. During that process certain issues arose with regard to the water lines that were located at the property which caused significant delays in completing the demolition within the 7 month period originally contemplated by the contract; and

WHEREAS, as a result of the unanticipated delays due to the capping of the water lines, there was a need to extend the contract for an additional seven (7) month period in order for Tricon to complete the demolition work at the Site; and

WHEREAS, as a result of the need for a contract extension, the Municipal Council authorized the First Amendment to Contract# 07-2012 on July 23, 2013 through Resolution 7R3-A(S), which extended the contract term for an additional seven (7) month period from August 15, 2012 to October 14, 2013; and

WHEREAS, as a result of further unanticipated delays, there is a need to extend the contract for an additional five (5) month period from October 15, 2013 to March 14, 2014 in order for Tricon to complete the demolition work at the Site.

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 Deputy Mayor/Director of the Department of Economic and Housing Development to enter into a Second Amendment to Contract 07-2012 (Demolition of the former Orbis Site, 55 Virginia Street, Newark, New Jersey) with Tricon Enterprises, Inc., 322 Beers Street, Keyport, New Jersey 07735-1418, to extend the contract term for an additional five (5) month period from August 15, 2012 through October 14, 2013 to August 15, 2012 through March 14, 2014.
2. The Municipal Council hereby ratifies this Second Amendment to Contract 07-2012 from October 15, 2013 until the date of adoption of this authorizing resolution.
3. The Local Public Contracts Law, N.J.S.A. 40A:11-15 (9) provides that a time extension may be granted to any single project for the construction, reconstruction or rehabilitation of any public building, structure or facility, or any public works project, including the retention of the services of any architect or engineer in connection herewith, for the length of time authorized and necessary for the completion of the actual construction.
4. There shall be no additional work given to Tricon Enterprises, Inc. other than that which is set forth in the specifications published for Contract 07-2012

There are no additional funds required for this Second Amendment.

5. This Second Amendment to Contract 07-2012 is in compliance with the provisions of the Local Public Contracts Law, N.J.S.A.40A:11-1 et seq., and the State Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.5 et seq., under the "fair and open" process and is exempt from Executive Order #ME-007-0001, issued March 31, 2007, because it is a publicly bid contract.
6. The fully executed Second Amendment to Contract 07-2012 shall be filed in the Office of the City Clerk by the Deputy Mayor/Director of the Department of Economic and Housing Development.
7. No other changes to this contract are allowed without prior Municipal Council approval.
8. There shall be no advance payments made against this contract in accordance with N.J.A.C. 40A:5-16.

9. Except as amended herein all other terms of Contract 07-2012 approved and authorized by resolution 7R3-G, adopted on July 3, 2013, shall remain in full force and effect.

STATEMENT

This resolution ratifies and authorizes the Mayor and/or his designee, the Deputy Mayor/Director of the Department of Economic and Housing Development to enter into and execute the Second Amendment to Contract # 07-2012 (Demolition of the former Orbis Site, 55 Virginia Street, Newark, New Jersey) with Tricon Enterprises, Inc., 322 Beers Street, Keyport, New Jersey 07735-1418 to extend the contract period for an additional five (5) month period from August 15, 2012 through October 14, 2013 to August 15, 2012 through March 14, 2014. There are no additional funds required for this Second Amendment.