



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 19-1334, **Version:** 1

Dept/ Agency: Water and Sewer Utilities

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

Type of Service: Change Order #1/Amending Resolution 7R12-d adopted on July 12, 2017

Purpose: Execute Change Order #1 for Pequannock Sludge Lagoon Remediation - Contract 06-WS2017 (Re-bid)

Entity Name: Spectraserv, Inc.

Entity Address: 75 Jacobus Avenue, Kearny, New Jersey 07032

Contract Amount: Not to exceed \$1,425,000.00

Funding Source: 2019 Budget/Department of Water and Sewer Utilities

Contract Period: 730 days from the date of the Notice to Proceed

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:

The original resolution awarded the contract in an amount not to exceed \$1,175,000.00.

The Change Order #1 will increase the contract amount by \$250,000.00 for a new total contract amount not to exceed \$1,425,000.00.

WHEREAS, Resolution 7R12-d dated July 12, 2017 authorized the award of Contract 06-WS2017 (Re-bid) Pequannock Sludge Lagoon Remediation to, Spectraserv Inc., 75 Jacobus Avenue, Kearny, New Jersey 07032 ("Spectraserv"), in the amount of \$1,175,000.00, 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 and upon successfully removing 4.44 million gallons of liquid sludge from the Pequannock Sludge Lagoon, additional dredging work was found to be necessary to prevent disruptions to the Pequannock Water Treatment Plant operations. The submerged inlet pipes at the lagoon are susceptible to clogging which may cause the sludge force main to become clogged, and prevent the Pequannock Water Treatment Plant to dispose of residuals, and thereby force the Treatment Plant to be shut down; and

WHEREAS, a new sludge lagoon remediation contract is not expected to become effective until September 2019, until which time, the Department of Water and Sewer Utilities has determined that additional work to reduce sludge levels in the lagoon to keep the lagoon manageable and treatment plant operations un-interrupted until the new lagoon remediation contract is in place, is essential; and

WHEREAS, Contract 06-WS2017(Re-bid), therefore, is to be amended with a net amount of \$250,000.00 to be added to the total contract amount with no change in contract completion time; and

WHEREAS, the Department of Water and Sewer Utilities wishes to execute Change Order

No.1 to Contract 06-WS2017(Re-bid) Pequannock Sludge Lagoon Remediation with Spectraserv Inc., 75 Jacobus Avenue, Kearny, New Jersey 07032, increasing the contract by \$250,000.00, bringing the contract amount to \$1,425,000.00; 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 execute Change Order No.1 to Contract 06-WS2017(Re-bid) Pequannock Sludge Lagoon Remediation with Spectraserv Inc., 75 Jacobus Avenue, Kearny, New Jersey 07032, increasing the contract by \$250,000.00, bringing the total contract amount to \$1,425,000.00 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 \$250,000.00, are available in the Water and Sewer Utilities Budget under Business Unit NW037, Department ID 750, Division/Project 7505, Account 71960, Budget Ref. B2019 and which shall be filed along with the original Resolution in the Office of the City Clerk.
3. There shall be no amendment or change to the contract without approval by the Newark Municipal Council.
4. There shall be no advance payment on this contract in accordance with N.J.S.A. 40A:5-16.
5. The Acting Director of the Department of Water and Sewer Utilities shall file a fully executed copy of the Change Order No. 1 in the Office of the City Clerk.
6. This contract was solicited and awarded pursuant to the fair and open procedures in accordance with the State Pay-to-Play Law (N.J.S.A. 19:44A-20.5), and pursuant to the provisions of the Local Public Contracts Law N.J.S.A. 40A:11-5(1)(a)(i), and is in compliance with the City's Contractor Pay-to-Play Reform Ordinance, R.O. 2:4-22C.
7. If required by State Law, the City Clerk shall provide the appropriate Notice of 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 execute Change Order No.1 to Contract 06-WS2017(Re-bid) Pequannock Sludge Lagoon Remediation with Spectraserv Inc., 75 Jacobus Avenue, Kearny, New Jersey 07032, increasing the contract by \$250,000.00, bringing the total contract amount to \$1,425,000.00 with no change in contract completion time.