



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

File #: 20-0010, Version: 1

**Dept/ Agency:** Water and Sewer Utilities

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

**Type of Service:** Change Order #3/Amend Resolution 7R1-d(AS)010616, 7R12-c071217 and 7R12-b071118

**Purpose:** Execute Change Order #3 for Pequannock Water Treatment Plant Improvements Phase-2 Contract 06-WS2011

**Entity Name:** Allied Construction Group Inc.

**Entity Address:** 499 Washington Road, Parlin, New Jersey 08859

**Contract Amount:** Not to exceed \$6,364,518.00

**Funding Source:** 2011 Budget/Department of Water and Sewer Utilities Capital Budget/Business Unit NW041, Department ID 11W, Division/Project 11W00, Account # 94710, Budget Ref. B2011

**Contract Period:** Final Completion extended by 385 days

**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:**

Change Order #3 will increase the contract amount by \$1,111,305.00 for a new contract amount not to exceed \$6,364,518.00, and increasing the Project completion date by an additional 385 calendar days for a total period of 1,468 calendar days to final completion.

Original Resolution 7R1-d(AS) adopted on January 6, 2016 awarded a contract in an amount not to exceed \$4,877,000.00 for a period of 360 calendar days to final completion.

Change Order #1 Resolution 7R12-c adopted on July 12, 2017 awarded an increase to the contract of \$181,152.00 for a new total contract amount not to exceed \$5,058,152.00 and increasing the Project completion date by an additional 257 calendar days for a total period of 617 calendar days to final completion.

Change Order #2 Resolution 7R12-b adopted on July 11, 2018 awarded an increase to the contract of \$195,061.00 for a new total contract amount not to exceed \$5,253,213.00 and increasing the Project completion date by an additional 466 days for a total period of 1,083 calendar days to final completion.

**WHEREAS,** Resolution 7R1-d(AS) dated January 6, 2016 authorized the award of Contract 06-WS2011 to, Allied Construction Group Inc., 499 Washington Road, Parlin, New Jersey 08859 ("Allied"), in the amount of \$4,877,000.00, in accordance with the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS,** Resolution 7R12-c dated July 12, 2017 authorized the execution of Change Order #1 to Contract 06-WS2011 with Allied, increasing the contract amount by \$181,152.00 for a total contract amount of \$5,058,152.00, and increasing contract completion time by two hundred fifty-seven (257) days, in accordance with the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, Resolution 7R12-b dated July 11, 2018 authorized the execution of Change Order #2 to Contract 06-WS2011 with Allied, increasing the contract amount by \$195,061.00 for a total contract amount of \$5,253,213.00, and increasing contract completion time by four hundred sixty-six (466) days, 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, the City became aware of the inability to have adequate redundancy in the on-site hypochlorite generation system, a 15% back up system had to be implemented and constructed, and in addition, the City determined that the Lime Feed System as well as the service water chlorination provisions needed extra work; and

**WHEREAS**, the said back up Hypochlorite System, Lime Feed System work, and other related extra work was determined to be necessary for completing the Project in its entirety, and the City advised the Contractor to provide pricing for all additional work; and

**WHEREAS**, the Contractor, Allied Construction Group, Inc., was contacted for pricing for all extra work, and the proposal from Allied Construction Group, Inc., was provided with cost and schedule including the extra time necessary to get the equipment necessary and installation; and

**WHEREAS**, the Department of Water and Sewer Utilities, has reviewed the proposal and found it to be acceptable and in the best interest of the City to accept, and implement the necessary improvements by authorizing the extra work by Allied Construction Group, Inc.; and

**WHEREAS**, work is expected to be completed in 2020; and

**WHEREAS**, as a result of these unforeseen conditions, project delays were encountered which necessitated additional work in the amount of \$1,111,305.00, and additional time of three hundred eighty-five (385) calendar days were required to complete the additional work; and

**WHEREAS**, Contract 06-WS2011, therefore, is to be further amended with a net amount of \$1,111,305.00 to be added to the total contract amount and an additional three hundred eighty-five (385) calendar days to be added to the contract completion time; and

**WHEREAS**, the Department of Water and Sewer Utilities, wishes to execute Change Order #3 to Contract 06-WS2011 Pequannock Water Treatment Plant Improvements Phase-2 with Allied Construction Group Inc., 499 Washington Road, Parlin, New Jersey 08859, increasing the contract by \$1,111,305.00, bringing the contract amount to \$6,364,518.00 and extending the contract completion time by three hundred eighty-five (385) calendar days; 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 enter into and execute Change Order #3 to Contract 06-WS2011 Pequannock Water Treatment Plant Improvements Phase-2 with Allied Construction Group, Inc., 499 Washington Road, Parlin, New Jersey 08859, increasing the contract by \$1,111,305.00, bringing the total contract amount to \$6,364,518.00 and extending the contract completion time by three hundred eighty-five (385) calendar days.
2. Attached hereto is a Certification of Funds from the Chief Financial Officer, which states that funds in the amount of \$1,111,305.00, are available in the Water and Sewer Utilities Capital Budget under Business Unit NW041, Department ID 11W, Division/Project 11W00, Account # 94710, Budget Ref. B2011 and which shall be filed along with the original resolution in the Office of the City Clerk.
3. The Acting Director of the Department of Water and Sewer Utilities shall file a fully executed copy of the Change Order #3 in the Office of the City Clerk.
4. The Acting Director of the Department of Water and Sewer Utilities shall file a fully executed copy of the Change Order #3 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 Acting Director of the Department of Water and Sewer Utilities, to enter into and execute Change Order #3 to Contract 06-WS2011 Pequannock Water Treatment Plant Improvements Phase-2, with Allied Construction Group, Inc., 499 Washington Road, Parlin, New Jersey 08859, increasing the contract by \$1,111,305.00, and bringing the total contract amount to \$6,364,518.00 and extending contract completion time by three hundred eighty-five (385) calendar days.