



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 21-0448, Version: 1

Dept/ Agency: Water and Sewer Utilities

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

Type of Service: Change Order #4/Amend Resolution 7R1-d(AS) adopted on January 6, 2016, 7R12-c adopted on July 12, 2017, 7R12-b adopted on July 11, 2018 and 7R12-d (AS) adopted on February 5, 2020

Purpose: To execute Change Order #4 for Pequannock Water Treatment Plant Improvements Phase -2 Contract 06-WS2011.

Entity Name: Allied Construction Group, Inc.

Entity Address: Parlin, New Jersey 08859

Contract Amount: Not to exceed \$6,500,487.00

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: Extended by 419 calendar days for a total of 1,887 calendar days from the date of the issuance of a 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:

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 days from the date of the issuance of a Notice to Proceed.

Resolution 7R12-c adopted on July 12, 2017 authorized Change Order #1 to increase the contract amount by \$181,152.00 for a total contract amount not to exceed \$5,058,152.00, which extended the contract period by 257 calendar days for a total contract period of 617 calendar days.

Resolution 7R12-b adopted on July 11, 2018 authorized Change Order #2 to increase the contract amount by \$195,061.00 for a total contract amount not to exceed \$5,253,213.00, which extended the contract period by 466 calendar days for a total contract period of 1,083 calendar days.

Resolution 7R12-d(AS) adopted on February 5, 2020 authorized Change Order #3 to increase the contract amount by \$1,111,305.00 for a total contract amount not to exceed \$6,364,518.00, which extended the contract period by 385 calendar days, for a total contract period of 1,468 calendar days.

Change Order #4 will increase the contract amount by \$135,969.00 for a total contract amount not to exceed \$6,500,487.00, which will extend the contract period by 419 calendar days for a total contract period of 1,887 calendar days.

WHEREAS, Resolution 7R1-d(AS) adopted January 6, 2016 awarded the contract 06-WS2011, to Allied Construction Group Inc., of 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 adopted July 12, 2017 authorized the execution of Change Order #1 to Contract 06-WS2011 with Allied Construction Group Inc., increasing the contract amount by \$181,152.00 for a total contract amount not to exceed \$5,058,152.00, which extended contract completion Period by 257 days, for a total contract period of 617 calendar days; and

WHEREAS, Resolution 7R12-b adopted July 11, 2018 authorized the execution of Change Order #2 to Contract 06-WS2011 with Allied Construction Group Inc. increasing the contract amount by \$195,061.00 for a total contract amount not to exceed \$5,253,213.00, which extended contract completion period by 466 days, for a total contracted period of 723 calendar days; and

WHEREAS, Resolution 7R12-d(AS) adopted February 5, 2020 authorized the execution of Change Order #3 to Contract 06-WS2011 with Allied Construction Group Inc., increasing the contract amount by \$1,111,305.00 for a total contract amount not to exceed \$6,364,518.00, which extended contract period by 385 calendar days, for a total contract period of 1,108 calendar days; and

WHEREAS, during the course of the Project, it was determined that additional work is needed to permanently wire additional equipment at the Pre-Treatment Facility into the generator, providing a 15% sodium hypochlorite feed pump and providing additional redundant chemical piping, performing SCADA programming to allow the OSHG systems at the Main Plant and Pre-Treatment Facility to alternate and provide additional piping in order to inject regen waste at the Pre-Treatment Facility, and

WHEREAS, this additional work will improve redundancy and resiliency for several components of the new chlorine system at the plant; and

WHEREAS, Allied Construction Group, Inc. submitted a proposal for work in the amount of \$136,969.00 and an extension of 419 calendar days to the contract period; 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 proposal by Allied Construction Group, Inc.; and

WHEREAS, Contract 06-WS2011, therefore, is to be further amended with a net amount of \$136,969.00 to be added to the total contract amount not to exceed \$6,500,487.00 and extending the contract completion period by 419 days for a total contract period of 1,887 calendar days; and

WHEREAS, the special reasons for the change modification falls under the need to meet regulatory requirements under the Safe Water Drinking Act (SDWA) and to not expedite the project modifications would subject the City to a high risk of violations of the SWDA and endanger the health and safety of the residents of the City of Newark; and

WHEREAS, the Department of Water and Sewer Utilities, wishes to execute Change Order #4 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 \$135,969.00, bringing the contract amount not to exceed \$6,500,487.00 and extending the contract completion period by 419 additional days for a total contract period of 1,887 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 Director of the Department of Water and Sewer Utilities, to enter into and execute Change Order #4 to Contract 06-WS2011 Pequannock Water Treatment Plant Improvements Phase-2 with Allied Construction Group, Inc., of Parlin, New Jersey 08859, increasing the contract by \$135,969.00, bringing the total contract amount not to exceed to \$6,500,487.00 and extending the contract completion period by 419 days for a total contract period of 1,887 calendar days.
2. Attached hereto is a Certification of Funds from the Chief Financial Officer, which states that funds in the amount of \$135,969.00, 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 Director of the Department of Water and Sewer Utilities shall file a fully executed copy of the Change Order #4 in the Office of the City Clerk.
4. The Director of the Department of Water and Sewer Utilities shall file a fully executed copy of the Change Order #4 with the New Jersey Department of Environmental Protection (NJDEP).
5. This contract is ratified from January 6, 2016 to the date of adoption of this authorizing resolution, which implements this change in both the total contract amount and contract period.
6. 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.
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 ratifies and authorizes the Mayor and/or his designee, the Director of the Department of Water and Sewer Utilities, to enter into and execute Change Order #4 to Contract 06-WS2011 Pequannock Water Treatment Plant Improvements Phase-2, with Allied Construction Group, Inc., of Parlin, New Jersey 08859, which will Increasing the contract amount by \$135,969.00 bringing the total contract amount to \$6,500,487.00 and extending the contract period by 419 calendar days total contract period of 1,887 calendar days.