



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 22-0571, Version: 1

Dept/ Agency: Water and Sewer Utilities

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

Type of Service: Change Order #1/Amending Resolution 7R12-c adopted on November 18, 2020

Purpose: To enter into and execute Change Order #1 for Pequannock Sludge Lagoon Remediation - Contract 06-WS2020.

Entity Name: Spectraserv, Inc.

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

Contract Amount: Not to exceed \$3,268,000.00

Funding Source: 2022 Budget/Department of Water and Sewer Utilities Utilities/NW037-750-7505-71960-B2022

Contract Period: 730 calendar days from the date of the issuance of a written 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:

Original Resolution, 7R12-c adopted on November 18, 2020, awarded a contract in an amount not to exceed \$2,518,000.00, for a period of 730 calendar days from the date of the issuance of a written Notice to Proceed.

Change Order #1 will increase the contract amount by \$750,000.00 for a new contract amount not to exceed \$3,268,000.00.

Deferred 7R12-a (as) 051822

WHEREAS, Resolution 7R12-c adopted on November 18, 2020 authorized the award of Contract 06-WS2020 Pequannock Sludge Lagoon Remediation to, Spectraserv Inc., 75 Jacobus Avenue, Kearny, New Jersey 07032 ("Spectraserv"), in the amount of \$2,518,000.00, in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, during the course of this project it has been determined that the amount remaining on the existing contract is insufficient to allow for continued sludge removal from the Lagoon for the remaining time and duration of the contract. By issuing a change order to Spectraserv, the City of Newark (the "City") would have sufficient time to solicit new bids for the work and would allow the remediation work on the Lagoon to continue uninterrupted; and

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

WHEREAS, Contract 06-WS2020, therefore is to be amended with a net amount of Seven

Hundred Fifty Thousand Dollars and Zero Cents (\$750,000.00) 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 enter into and execute Change Order #1 to Contract 06-WS2020 Pequannock Sludge Lagoon Remediation with Spectraserv Inc., 75 Jacobus Avenue, Kearny, New Jersey 07032, increasing the contract by Seven Hundred Fifty Thousand Dollars and Zero Cents (\$750,000.00), bringing the contract amount to \$3,268,000.00; and

WHEREAS, this Agreement is being awarded pursuant to the Fair and Open Procedures of State Pay-to-Play Law, (N.J.S.A. 19:44A-20.5) and is in compliance with the City's Ordinance on Pay-to-Play.

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 of the City of Newark and/or his designee, the Director of the Department of Water and Sewer Utilities, to enter into and execute Change Order #1 to Contract 06-WS2020 Pequannock Sludge Lagoon Remediation with Spectraserv Inc., 75 Jacobus Avenue, Kearny, New Jersey 07032, increasing the contract by Seven Hundred Fifty Thousand Dollars and Zero Cents (\$750,000.00), bringing the total contract amount to \$3,268,000.00 with no change in contract completion time.
2. Pursuant to N.J.A.C. 5:30-5.5, attached hereto is a partial Certification of Funds issued by the Director of the Department of Finance, which states that funds in the amount of Five Thousand Dollars and Zero Cents (\$5,000.00) are available under Business Unit NW037, Department ID 750, Division 7505, Account 71960, Budget B2022. The Certification shall be filed along with the original Resolution in the Office of the City Clerk. The remainder of the funding for this contract will be subject to appropriation in the 2023 Budget and funds will be certified prior to services being provided by the contractor.
3. This contract change is ratified from the date of the Notice to Proceed until the date of adoption of this authorizing Resolution by the Municipal Council.
4. There shall be no amendment or change to the contract without approval by the Municipal Council.
5. There shall be no advance payment on this contract in accordance with N.J.S.A. 40A:5-16.
6. The Director of the Department of Water and Sewer Utilities shall file a fully executed copy of the Change Order #1 in the Office of the City Clerk.
7. 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 Pay-to-Play Ordinance.
8. 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, 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 Change Order #1 to Contract 06-WS2020 Pequannock Sludge Lagoon Remediation with Spectraserv Inc., 75 Jacobus Avenue, Kearny, New Jersey 07032, increasing the contract by \$750,000.00, bringing the total contract amount not to exceed \$3,268,000.00 with no change in contract completion time.