

Resolution 17-057

RESOLUTION TO AUTHORIZE THE EXECUTION OF CHANGE ORDER 6 TO CONTRACT NUMBER 38, MONROE STREET PUMPING STATION AND FORCE MAIN AND MORRIS AVENUE GRAVITY SEWER

WHEREAS, the Rockaway Valley Regional Sewerage Authority (hereinafter the “Authority”) entered into Contract 38 for the construction of the Monroe Street Pumping Station and Force Main and Morris Avenue Gravity Sewer with Tomar Construction Services, Inc., 6 Spruce Meadows Drive, Monroe, New Jersey (hereinafter “Tomar”); and

WHEREAS, as more specifically set forth in the attached correspondence dated March 29, 2017, from Mark A. Bean, P.E., CGP LEED AP FIGP, Principal Engineer, (Kleinfelder) to the Authority’s Manager of Engineering, Carrie D. Feuer, P.E., Kleinfelder has recommended that an additional twelve (12) days be added to the Contract completion date with a corresponding payment in the amount of \$78,616.53 as compensation for the reasons set forth therein; and

WHEREAS, the original Contract Time was 300 days. Previous adjustments to the Contract Time, as implemented under Change Orders #2 (4 days) and #3 (30 days), Change Order #4 (40 days) and Change Order #5 (113 days), increase the Contract Time by 187 days from 300 days to 487 days. Including this change order, if adopted, the revised total Contract Time will be 499 days, with a new Contract Completion date of January 13, 2017. The changes referred to in the above referenced correspondence are formalized in the Contract Change Order No. 6, dated March 29, 2017, and inclusive of this Change Order, the cost of all Change Orders is a \$135,462.17; and

WHEREAS, the changes referred to in the above referenced correspondence are formalized in the Contract Change Order No. 6, dated March 29, 2017, and inclusive of this Change Order, the cost of all Change Orders is a \$135,462.17, which represents 3.11% of the original Contract cost, as follows:

CO #	Description	Cost
1	Additional Roadway and traffic signage, Excavation & Fill Quantity Adjustments, Bypass FM Construction Adjustments, Replacement of Resident Water Services, Pump Discharge Pressure Gauge Seals and Elimination of Access Manhole #1	\$193,334.00
2	Morris Ave. Steep Slope Geotechnical Design	\$3,850.00
3	Harrison Street Grinder Pump Utility Relocation and Partial Reclamation of Bid Item 5	(\$261,878.40)
4	Modifications to the Harrison Street Grinder Pump Station	\$53,966.68
5	Time Adjustment	\$67,573.36
6	Meter Chamber Bypass Plug Valve; Wet Well safety net; Comminutor Chamber Channel-Wall Reinforcing Steel;	\$78,616.53

	Generator Pad Fill; Force Main Drain & Flushing Connection; Doghouse Manhole D-1 Modifications; Wetwell Isolation Slide Gates; Generator Load Bank Supports; Compensable Adjustment to Contract Time	
	Total Change Order Cost	\$135,462.17

WHEREAS, the Authority has reviewed the Contract Change Order attached hereto and made a part hereof, and is satisfied that it meets the requirements of N.J.A.C. 5:30-11.3, and

WHEREAS, funds are available therefore from line item EIT-038.

NOW, THEREFORE, BE IT RESOLVED by the Rockaway Valley Regional Sewerage Authority as follows:

1. Subject to receipt of New Jersey Department of Environmental Protection approval, the Authority hereby approves Change Order No. 6 in the amount of \$78,616.53, and the extension of the contract completion date by twelve (12) days' time for the completion of the work, as set forth in Change Order No. 6, attached hereto and made a part hereof.
2. Upon receipt of New Jersey Department of Environmental Protection approval, the Executive Director is hereby authorized and directed to execute a Contract Change Order substantially in the form as that attached hereto, in the foregoing amount.
3. This Resolution shall take effect as provided by law.

CERTIFICATION

I hereby certify that this Resolution was adopted at a meeting of the Rockaway Valley Regional Sewerage Authority held on April 13, 2017,

On motion of: Glenn Corbett

Seconded by: Michael Guadagno

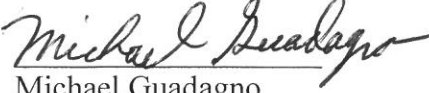
And a Roll Call Vote as Follows:

Yeas: (7) Andes, Cegelka, Corbett, Guadagno, Recchia, Rossi, Schorno

Nays: (0) None

Abstain: (1) Vincitore

Absent: (2) Lavery and Lowell


Michael Guadagno
Board Secretary

CONTRACT MODIFICATION PROPOSAL AND ACCEPTANCE

1. ISSUING OFFICE Rockaway Valley Regional Sewerage Authority	2. PROJECT NO. S340821-06	3. CONTRACT NO. 38	4. MODIFICATION NO. Number 6
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5. TO (CONTRACTOR) Tomar Construction Services, Inc. 18 Connerty Court, Suite B East Brunswick, NJ 08816	6. PROJECT LOCATION AND DESCRIPTION RVRS Contract 38: Monroe St. Pumping Station and Force Main & Morris Ave. Gravity Sewer Boonton, NJ
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7. A proposal is required for making the hereinafter described change in accordance with specification and drawing revisions cited herein or listed in attachment hereto. Submit your proposal in space indicated on page 2, attach detailed breakdown of prime and sub-contract costs (See the clause of this contract entitled, "Changes". DO NOT start work under this proposed change until you receive a copy signed by the Contracting Officer or a directive to proceed).

<u>04/13/2017</u> Date	<u>JoAnn Mondini, Executive Director</u> Type Name and Title	 Signature
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8. DESCRIPTION OF CHANGE: Pursuant to the clause of this contract covering changes, the contractor shall furnish all labor and material, and all work and equipment necessary to accomplish the following described work:

1. Provide and install a new, buried, 12" plug valve in the meter chamber bypass piping.
2. Provide and install fall-protection safety nets within the wetwell hatch openings.
3. Provide and install reinforcing steel in the comminutor chamber cast-in-place concrete channel walls.
4. Remove unsuitable fill and install clean 3/4" stone to replace unsuitable fill and effect proper grade in the area beneath the generator pad.
5. Provide and install piping, valves, and appurtenances for a drain and a flushing connection on the force main.
6. Provide and install a revised MH D-1 doghouse manhole structure and effect installation as a result of changed field conditions.
7. Provide and install stainless steel isolation slide gates on the 8" and 24" influent openings of the wetwell.
8. Provide and install stainless steel supports under the generator load bank to raise it higher off of the concrete pad.
9. Provide field supervision and temporary facilities as the compensable costs associated with the total extension of Contract Time pursuant to all items 1-7 above.

As a result of the above, the contract price is revised as follows:

<u>ITEM NO.</u>	<u>ITEM DESCRIPTION</u>	<u>UNIT PRICE</u>	<u>EST. QTY.</u>	<u>TOTAL COST</u>
1	Meter Chamber Bypass Plug Valve	\$5,695.52	Lump Sum	\$5,695.52
2	Wetwell Safety Nets	\$2,728.92	Lump Sum	\$2,728.92
3	Comminutor Chamber Channel-Wall Reinforcing Steel	\$3,960.00	Lump Sum	\$3,960.00
4	Generator Pad Fill	\$2,470.00	Lump Sum	\$2,470.00
5	Force Main Drain & Flushing Connection	\$22,973.31	Lump Sum	\$22,973.31
6	Doghouse Manhole D-1 Modifications	\$7,648.70	Lump Sum	\$7,648.70
7	Wetwell Isolation Slide Gates	\$22,690.78	Lump Sum	\$22,690.78
8	Generator Load Bank Supports	\$5,849.30	Lump Sum	\$5,849.30
9	Compensable Adjustment to Contract Time	\$4,600.00	Lump Sum	\$4,600.00

Contractor agrees that the time extension and cost of this Contract Modification (Change Order) shall be full and complete compensation to the Contractor for the Work described herein and, as such, Contractor, its officers, employees, successors and assigns, hereby releases the Owner, its Board Members, officers, employees and consultants of any and all claims, including, but not limited to, disruption, delay, loss of productivity, idle time for persons and equipment, home office overhead, extended or disrupted performance, additional mobilizations, re-mobilizations, indirect or impact claims, loss of profit, together with any other damages, that relate in any way to the Work described in this Contract Modification (Change Order).

TOTAL COST OF THIS MODIFICATION: \$ 78,616.53

The contract time is hereby: increase decrease or remains the same by 12 calendar days as a result of this modification.


The foregoing modifications are hereby accepted:

CONTRACTOR	OWNER	(NJPE SEAL) ENGINEER
BY: Thomas Mottackal, President	BY: JoAnn Mondini, Exec. Director	BY: Mark A. Bean, P.E.
DATE: April 13, 2017	DATE: April 13, 2017	DATE: April 13, 2017

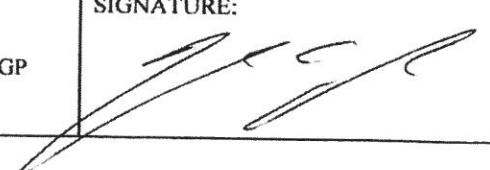
APPROVAL: _____

STATE OF NEW JERSEY DATE

CONTRACT MODIFICATION PROPOSAL AND ACCEPTANCE

<p>9. ISSUING OFFICE Rockaway Valley Regional Sewerage Authority</p>	<p>10. PROJECT NO. S340821-06</p>	<p>11. CONTRACT NO. 38</p>	<p>12. MODIFICATION NO. Number 6</p>
<p>13. CONTRACTOR'S PROPOSAL – CHANGE IN CONTRACT PRICE (Detailed breakdown, attach additional sheets as necessary)</p>			
<p>(Proposed)</p> <p>Please See Attached – Affixed to Change Order Recommendation by Mark A. Bean of Kleinfelder dated March 29, 2017.</p>			
<p>NET INCREASE \$ <u>78,616.53</u></p>	<p>NET DECREASE \$ _____</p>	<p>CALENDER DAYS INCREASE <u>12</u> DAYS</p>	
<p>DATE: April 13, 2017</p>	<p>TYPE NAME AND TITLE: Thomas Mottackal President Tomar Construction Services, Inc.</p>	<p>SIGNATURE: </p>	

CONTRACT MODIFICATION PROPOSAL AND ACCEPTANCE

<p>14. ISSUING OFFICE & PROJECT NO. Rockaway Valley Regional Sewerage Authority S340821-06</p>	<p>15. CONTRACT NO. 38</p>	<p>16. MODIFICATION NO. Number 6</p>
<p>17. ORIGINAL CONTRACT BID PRICE \$ <u>4,359,223.00</u> TOTAL OF PREVIOUS CHANGE ORDERS \$ <u>56,845.64</u> TOTAL CONTRACT COST INCLUDING CHANGE ORDERS ... \$ <u>4,494,685.17</u></p>		
<p>18. NECESSITY FOR CHANGE AND REASON FOR OMISSION FROM PLANS AND SPECIFICATIONS: Please see attached Change Order Recommendation by Mark A. Bean of Kleinfelder dated March 29, 2017.</p>		
<p>19. OTHER IMPACTS RESULTANT OF THIS CHANGE: None.</p>		
<p>20. RESUME OF NEGOTIATIONS OR RECOMMENDATIONS (Loanee's Representative) : Please see attached Change Order Recommendation by Mark A. Bean of Kleinfelder dated March 29, 2017.</p>		
<p>DATE: April 13, 2017</p>	<p>TYPE NAME AND TITLE OF LOANEE'S REPRESENTATIVE: Mark A. Bean, P.E., CGP, LEED AP, FIGP Principal Engineer Kleinfelder</p>	<p>SIGNATURE: </p>