

Resolution 18-085

**RESOLUTION TO AUTHORIZE THE EXECUTION OF CHANGE ORDER 10
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 August 3, 2018, from Mark A. Bean, P.E., CGP LEED AP FIGP, Principal Engineer, (Kleinfelder) to the Authority’s Executive Director, JoAnn Mondsini, has recommended approval of Change Order #10 in the amount of (\$136,310.20) representing a credit to the Authority for said amount and adding one hundred sixty-five (165) days to the Contract Time (all 165 days are non-compensable), all for the reasons set forth herein; and

WHEREAS, the original Contract Time was 300 days. Previous adjustments to the Contract Time, as implemented under Change Order #2 (30 days), Change Order #3 (4 days), Change Order #4 (40 days), Change Order #5 (113 days), Change Order #6 (12 days), Change Order #7 (95 days), Change Order #9 (364 days) revised the total Contract Time to 958 days, with a new Contract Completion date of April 18, 2018. Including this Change Order #10, if adopted, the revised total Contract Time will be 1,123 days, with a new Contract Completion date of September 30, 2018, and, inclusive of this Change Order #10, the cost of all Change Orders is \$480,774.99; and

WHEREAS, the changes referred to in the above referenced correspondence are formalized in the Contract Change Order No. 10, dated August 3, 2018, and inclusive of this Change Order, the cost of all Change Orders is a \$480,774.99, which represents 11.03% of the original Contract cost, as follows:

CO # 10	Description	Cost
1	Revisions to Morris Avenue Gravity Sewer Route Modifications	\$30,061.28
2	Morris Ave. Bridge Hanger Relocations	\$37,233.40
3	Sewer Lateral Connections for 108 Monroe Street	\$15,408.29
4	Additional Allowance for Off-Duty Police	\$24,094.87
5	Pumping Station Controls & Communications Modifications	\$10,631.65

6	Individual Line Item Credits	(\$224,349.69)
7	Credit for Additional Engineering Fees Incurred by RVRSA	(\$29,390.00)
8	Non-Compensable Adjustment to Contract Time 165 Days	\$0.00
	Total Change Order Cost	(\$136,310.20)

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

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. 10 in the amount of (\$136,310.20), representing a credit to the Authority for said amount and the extension of the Contract Completion Date by one hundred sixty-five (165) days' time for the completion of the work, as set forth in Change Order No. 10, 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 August 9, 2018,

On motion of: Michael Guadagno
And a Roll Call Vote as Follows:


Second by: Joseph Lowell

Yeas: (7) Andes, Cegelka, Guadagno, Isselin, Lowell, Rossi, Schorno

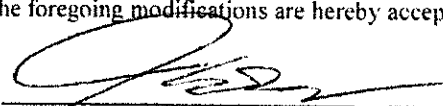

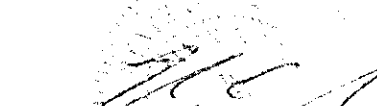
Nays: (0) None

Abstain: (1) Vincitore

Absent: (2) Corbett and Recchia

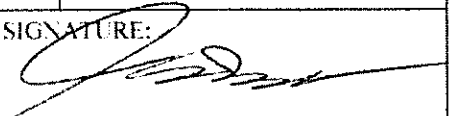

Michael Guadagno,
Board Secretary

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 10																																													
5. TO (CONTRACTOR) Tomar Construction Services, Inc. 18 Connerty Court, Suite B East Brunswick, NJ 08816		6. PROJECT LOCATION AND DESCRIPTION RVRSA Contract 38: Monroe St. Pumping Station and Force Main & Morris Ave. Gravity Sewer Boonton, NJ																																														
<p>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).</p> <p style="text-align: center;"> <u>08/09/2018</u> <u>JoAnn Mondsini, Executive Director</u> Date Type Name and Title Signature </p>																																																
<p>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:</p> <ol style="list-style-type: none"> 1. Provide and install further revisions to the Morris Avenue Gravity Sewer as required for the revised routing involving crossing Morris Ave. west of the bridge and installing the aerial crossing on the north side of the bridge. 2. Remove installed pipe hangers from the south side of the Morris Ave. bridge and reinstall on the north side of the bridge as required to comply with revised routing per Morris County. 3. Provide and install new sewer lateral connection and piping for 108 Monroe St. 4. Addition of funds to the project allowance to utilize local, off-duty police officers for traffic control. 5. Provide and install various modifications to the Monroe St. Pumping Station controls and communications systems. 6. Reclaim (credit) of unused contract quantities/costs. 7. Accept credit from Contractor for additional engineering fees incurred by RVRSA from 04/18/18 to contract completion. 8. Provide field supervision, temporary facilities, all material, labor, and equipment to perform Contract and all authorized Additional Work, and all field and general direct, indirect, and overhead costs as necessary for the completion of all Work from April 18, 2018, through the final, adjusted Date of Contract Completion of Sept. 30, 2018, at no additional cost to the Owner. <p>As a result of the above, the contract price is revised as follows:</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <thead> <tr> <th style="text-align: left;">ITEM NO.</th> <th style="text-align: left;">ITEM DESCRIPTION</th> <th style="text-align: right;">UNIT PRICE</th> <th style="text-align: right;">EST. 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Director </div> <div style="width: 30%;">  (NJPE SEAL) ENGINEER BY: Mark A. Bean, P.E. </div> </div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div>DATE: August 9, 2018</div> <div>DATE: August 9, 2018</div> <div>DATE: August 9, 2018</div> </div>				ITEM NO.	ITEM DESCRIPTION	UNIT PRICE	EST. QTY.	TOTAL COST	1	Revisions to Morris Avenue Gravity Sewer Route Modifications	\$30,061.28	Lump Sum	\$30,061.28	2	Morris Ave. Bridge Hanger Relocations	\$37,233.40	Lump Sum	\$37,233.40	3	Sewer Lateral Connection for 108 Monroe St.	\$15,408.29	Lump Sum	\$15,408.29	4	Additional Allowance for Off-Duty Police	\$24,094.87	Lump Sum	\$24,094.87	5	Pumping Station Controls & Communications Modifications	\$10,631.65	Lump Sum	\$10,631.65	6	Individual Line Item Credits	-\$224,349.69	Lump Sum	-\$224,349.69	7	Credit for Additional Engineering Fees Incurred by RVRSA	-\$29,390.00	Lump Sum	-\$29,390.00	8	Non-Compensable Adjustment to Contract Time	\$0.00	Lump Sum	\$0.00
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CCS-002

CONTRACT MODIFICATION PROPOSAL AND ACCEPTANCE

9. ISSUING OFFICE Rockaway Valley Regional Sewerage Authority	10. PROJECT NO. S340821-06	11. CONTRACT NO. 38	12. MODIFICATION NO. Number 10
13. CONTRACTOR'S PROPOSAL - CHANGE IN CONTRACT PRICE (Detailed breakdown, attach additional sheets as necessary)			
(Proposed) Please See Attached – Affixed to Change Order Recommendation by Mark A. Bean of Kleinfelder dated August 3, 2018.			
NET INCREASE \$ <u>---</u>	NET DECREASE \$ <u>-136,310.20</u>		CALENDER DAYS INCREASE <u>165</u> DAYS
DATE: August 9, 2018	TYPE NAME AND TITLE: Thomas Mottackal President Tomar Construction Services, Inc.		SIGNATURE: 

CONTRACT MODIFICATION PROPOSAL AND ACCEPTANCE

14. ISSUING OFFICE & PROJECT NO. Rockaway Valley Regional Sewerage Authority S340821-06	15. CONTRACT NO. 38	16. MODIFICATION NO. Number 10
17. ORIGINAL CONTRACT BID PRICE \$ <u>4,359,223.00</u> TOTAL OF PREVIOUS CHANGE ORDERS \$ <u>617,085.19</u> TOTAL CONTRACT COST INCLUDING CHANGE ORDERS ... \$ <u>4,839,997.99</u>		
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 August 3, 2018.		
19. OTHER IMPACTS RESULTANT OF THIS CHANGE: None.		
20. RESUME OF NEGOTIATIONS OR RECOMMENDATIONS (Loanee's Representative) : Please see attached Change Order Recommendation by Mark A. Bean of Kleinfelder dated August 3, 2018.		
DATE: August 9, 2018	TYPE NAME AND TITLE OF LOANEE'S REPRESENTATIVE: Mark A. Bean, P.E., CGP, LEED AP, FIGP Principal Engineer Kleinfelder	SIGNATURE: 