

**RESOLUTION AUTHORIZING CONTRACT MODIFICATION #01
FOR THE PALISADES AVE. SEWER CLEANING & LINING PROJECTS**

MOTIONED BY: Marotta
SECONDED BY: Velazquez

WHEREAS, the North Hudson Sewerage Authority (hereinafter "Authority") is a public body, duly formed under the Sewerage Authorities law, constituting Chapter 138 of the Laws of New Jersey of 1946, as amended (Chapter 14A of Title 40 of the New Jersey Statutes Annotated) and possesses the powers set forth therein; and

WHEREAS, the Authority has contracted with En-Tech, Closter, N.J. in the amount of \$708,530 for the Palisade Ave. Sewer Cleaning & Lining Project; and

WHEREAS, no previous contract modifications have been requested or approved with respect to this Project; and

WHEREAS, this contract modification has been requested in order to efficiently advance the project as described in the report identified as "Exhibit A", with the additional work being documented as required by Mott McDonald, the project engineer; and

WHEREAS, the Facilities Review Board has reviewed the proposal and recommends the approval of the requested contract.

NOW, THEREFORE, BE IT RESOLVED that the Authority hereby authorizes the execution and implementation of said contract modification # 01 in an amount not to exceed \$84,700.

DATED: MARCH 19, 2020

RECORD OF COMMISSIONERS' VOTE

	YES	NO	ABSENT
Commissioner Soares	x		
Commissioner Kappock	x		
Commissioner Marotta	x		
Commissioner Gardiner	x		
Commissioner Friedrich	x		
Commissioner Sanchez	x		
Commissioner Velazquez	x		
Commissioner Roque	x		
Commissioner White	x		

THIS IS TO CERTIFY THAT THIS RESOLUTION WAS DULY ADOPTED BY THE NORTH HUDSON BOARD OF COMMISSIONERS ON MARCH 19, 2020.



SECRETARY



Mr. Fredric J. Pocci, PE, Authority Engineer
North Hudson Sewerage Authority
1600 Adams Street
Hoboken, New Jersey 07030

**North Hudson Sewerage Authority
Palisades Avenue Sewer Cleaning and Lining Project
Contract Modification No. 1**

Our Reference
406266TO09

111 Wood Avenue South
Iselin NJ 08830-4112
United States of America

T +1 (800) 832 3272
F +1 (973) 376 1072
mottmac.com/americas

March 9, 2020

Dear Mr. Pocci:

The purpose of this letter is to recommend Contract Modification No.1 (CM-001) as it pertains to the above referenced project. The reason for this request is that while the Authority's contractor was conducting an open cut repair near the intersection of 9th Street and Palisades Avenue additional damage to the sewer was discovered. The broken conduit was not accessible during the original video inspection. As a result, the excavation and repairs had to be extended into the intersection.

This intersection is constructed on textured colored stamped concrete and the area is located adjacent to the municipal pool. Therefore, the City has requested that the intersection be fully restored. This work was totally unforeseen and outside of the scope of the contract.

The Authority's Contractor has agreed to retain a subcontractor that has been recommended by the City, which includes the following scope of work:

1. Demolition of the intersection (2,200 square feet)
2. Preparation of the subgrade
3. Installation of colored concrete slab
4. Concrete stamping

The cost of this additional work will be \$84,700.00.

This modification represents a 11.95% increase from the original contract amount of \$708,530.00. However, we feel that the project will stay within the original contract amount once the as-built quantities are reconciled.

The following is a summary of the Contract Status to date:

Original Contract Amount:	\$708,530.00
Previous Change Orders:	\$0.00
Contract Modification No. 1:	\$84,700.00
Revised Contract Amount:	<u>\$793,230.00</u>



We feel that the Contractor's proposal is fair and within industry standards. Therefore, we recommend that the Authority approve this Contract at their next public meeting.

If you have any questions or comments, please let me know.

Very Truly Yours,

Mott MacDonald


A handwritten signature in blue ink, appearing to read 'Kevin P. Wynn'.

Kevin P. Wynn, PE, BCEE
Vice President
T 973-912-2537

kevin.wynn@mottmac.com

Cc: Stephen Fougere, En-Tech
Adamo Construction

CONTRACT MODIFICATION PROPOSAL AND ACCEPTANCE

1. ISSUING OFFICE NNSA	2. PROJECT NO.	3. CONTRACT NO.	4. MODIFICATION NO. CM-001
5. TO (CONTRACTOR) Entech Corp 91 Ruckman Road Closter, NJ 07624		6. PROJECT LOCATION AND DESCRIPTION Palisades Avenue Sewer Cleaning and Lining	
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>3/9/2020</u> Date	Kevin P. Wynn, PE Vice President, Mott MacDonald Type Name and Title	 Signature	

8. DESCRIPTION OF CHANGE: Pursuant to the clause of this contract covering changes, the contractor shall furnish all labour and material, and all work necessary to accomplish the following described work:

This Contract Modification compensates the Contractor for costs associated with the following three (3) issues:

- Restoring the stamped concrete at the intersection of 9th Street and Palisades Avenue


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

ITEM NO.	ITEM DESCRIPTION	UNIT PRICE	ESTIMATED QUANTITY	TOTAL COST
1	Stamped Concrete Restoration	\$84,700.00	1	\$84,700.00

TOTAL COST OF THIS MODIFICATION \$ 84,700.00

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

The foregoing modification is hereby accepted:

<u>Entech Corp</u> CONTRACTOR	<u>NNSA</u> OWNER	<u>Mott MacDonald</u> (NJPE SEAL) ENGINEER
BY: _____ DATE: _____	BY: _____ DATE: _____	BY:  DATE: <u>3/9/2020</u>

APPROVAL: NA STATE OF NEW JERSEY _____ DATE

CONTRACT MODIFICATION PROPOSAL AND ACCEPTANCE

9. ISSUING OFFICE <p style="text-align: center;">NHTSA</p>	10. PROJECT NO.	11. CONTRACT NO.	12. MODIFICATION NO. <p style="text-align: center;">CM-001</p>
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13. CONTRACTOR'S PROPOSAL - CHANGE IN CONTRACT PRICE
(Detailed breakdown, attach additional sheets as necessary)

(Proposed)

Letter Prepared by Mott MacDonald dated March 9, 2020
Attachment No. 1 - Proposal from Adamo Brothers Construction, Inc dated January 29, 2020

NET INCREASE <hr style="border: none; border-top: 1px solid black; margin-top: 5px; width: 100%;"/> \$84,700.00	NET DECREASE <hr style="border: none; border-top: 1px solid black; margin-top: 5px; width: 100%;"/>	CALENDAR DAYS INCREASE <hr style="border: none; border-top: 1px solid black; margin-top: 5px; width: 100%;"/> DAYS
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DATE:	TYPE NAME AND TITLE: Nada Camali, President Entech Corp	SIGNATURE:
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CONTRACT MODIFICATION PROPOSAL AND ACCEPTANCE

14. ISSUING OFFICE & PROJECT NO. <p style="text-align: center;">NHTSA</p>	15. CONTRACT NO. <p style="text-align: center;">0</p>	16. MODIFICATION NO. <p style="text-align: center;">CM-001</p>
17. ORIGINAL CONTRACT BID PRICE..... \$ <u>708,530.00</u>		
TOTAL OF PREVIOUS CHANGE ORDERS..... \$ <u>0.00</u>		
TOTAL CONTRACT COST INCLUDING CHANGE ORDERS..... \$ <u>793,230.00</u>		
18. NECESSITY FOR CHANGE AND REASON FOR OMISSION FROM PLANS AND SPECIFICATIONS: <p>Letter Prepared by Mott MacDonald dated March 9, 2020 Attachment No. 1 - Proposal from Adamo Brothers Construction, Inc dated January 29, 2020</p>		
19. OTHER IMPACTS RESULTANT OF THIS CHANGE: <p style="text-align: center;">NA</p>		
20. RESUME OF NEGOTIATIONS OR RECOMMENDATIONS (Loanee's Representative): <p style="text-align: center;">NA</p>		
DATE:	TYPE NAME AND TITLE OF LOANEE'S REPRESENTATIVE: Fredric J. Pocci, P.E. Authority Engineer	SIGNATURE:

Adamo Brothers Construction, Inc.

1033 Alexander Ave.

Ridgefield, New Jersey 07657

tel. 201-945-0064 / fax 201-945-0818

Attachment No. 1

January 29, 2020 PROPOSAL

Submitted to	Site Address / Work
North Hudson Sewer Authority Attn: Kevin Wynn 973-768-3349 Kevin.wynn@mottmac.com	9 th & Palisade Union City, NJ

We hereby submit specs and estimate to supply Labor and Materials for the following project:

- Remove and cart away approx. 2200 sq. ft. of existing concrete crosswalk
- Replace with stamped colored concrete approved by city of union city
- Concrete pour specs as per Maser Consulting (town engineer)

Total Labor and Material: \$77,000.00

Exclusions:

\$84,700.00 with Contractor's mark-up

Permit

Police trafficking

All material is guaranteed to be as specified all work is to be completed in workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance our workers are fully covered by workmen's compensation insurance.

The entire balance of this Contract (including any past due payment and retainage, if any) is due upon substantial completion of the project. A Final Invoice will be presented upon delivery of the jobsite, and shall be due and payable immediately upon presentation. All amounts paid after their due date shall accrue interest at the rate of 1.5% per month. In the event that Contractor is required to pursue enforcement or collection proceedings as to any amount due, Owner shall be responsible for Contractor's reasonable attorneys fees and costs. The parties consent to the Superior Court of New Jersey, in the County where this Project is located, as the sole and exclusive jurisdiction for any action arising from or relating to this Contract. The parties waive trial by jury. In the event any installment payment is not timely made, Contractor reserves the right to cease work, retrieve all tools, supplies and property from the jobsite, and cease the Project until such past due amounts are paid in full.

Acceptance of Proposal:

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do work as specified. Payment will be made as outlined above.

Signature: _____

Date: _____