

**RESOLUTION AUTHORIZING CONTRACT MODIFICATION #02  
FOR THE 2018 GREEN INFRASTRUCTURE PROJECT CONTRACT 1**

**MOTIONED BY:** Marotta

**SECONDED BY:** Assadourian

**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**, pursuant to the approval granted by virtue of R.20-117, the Authority has contracted with Persistent Construction, Fairview, N.J. in the amount of \$417,405.00 for the Green Infrastructure Project; and

**WHEREAS**, one previous contract modification was approved at no additional cost to the Authority; 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 MacDonald; and

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

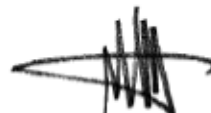
**NOW, THEREFORE, BE IT RESOLVED** that the Authority hereby authorizes the execution and implementation of said contract modification #02 in the amount not to exceed of \$32,748.10.

**DATED: FEBRUARY 7, 2022**

**RECORD OF COMMISSIONERS' VOTE**

	<b>YES</b>	<b>NO</b>	<b>ABSENT</b>
Commissioner Kappock	x		
Commissioner Marotta	x		
Commissioner Gardiner	x		
Commissioner Friedrich	x		
Commissioner Guzman	x		
Commissioner Velazquez			x
Commissioner Barrera	x		
Commissioner Zucconi	x		
Commissioner Assadourian	x		

**THIS IS TO CERTIFY THAT THIS RESOLUTION WAS DULY ADOPTED BY THE NORTH HUDSON BOARD OF COMMISSIONERS ON FEBRUARY 7, 2022.**



**SECRETARY**



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

**North Hudson Sewerage Authority  
Green Infrastructure Improvements – Contract 1  
Contract Modification No. 2**

**Your Reference**

S340952-31

**Our Reference**

507388902

February 4, 2022

Dear Mr. Pocci:

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

The purpose of this letter is to recommend Contract Modification No. 2 (CM-002) to the Green Infrastructure Improvements – Contract 1 for the Parking Lot at 63<sup>rd</sup> Street in West New York.

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

The Contract Modification consists of additional work as summarized herein:

1. Unsuitable Soil – During the excavation of the parking lot an area of soft and unsuitable material was encountered that was removed and replaced with dense graded aggregate the Contractor performed the work on a time and material basis.
2. Rock Excavation – During the removal of the existing pavement to install the porous pavement and an area of solid rock was encountered. The Contractor removed the rock with jack hammers and disposed of material. The Contractor performed the work on a time and material basis.
3. Storm Drainage – There is an existing inlet located at the east side of the parking area that drains the parking lot. When the Contractor connected the new underdrain system into inlet it was noted that the lateral that tied into Bergenline Avenue was clogged. The Contractor cleaned the pipe and found that it extended into a small building related to the parking lot. This unusual configuration was not adequate to drain the parking lot. Therefore, the Contractor was directed was to install a 12-inch lateral to the existing combined sewer in Bergenline Avenue. The work included sawcutting, excavation, disposal of excavated material, backfilling and pavement restoration.

The following is a summary of the additional costs:

1. Unsuitable Material	\$ 1,995.10
2. Rock Excavation	\$ 2,130.00
3. Storm Drainage	<u>\$28,623.00</u>
<b>Total</b>	<u><b>\$32,748.10</b></u>



This amount represents an 8.6% increase in the overall contract as summarized below:

Original Contract Amount:	\$376,743.00
CM 02 Total	\$ 32,748.10
Final Contract Amount:	\$409,491.10

The Authority's representatives have reviewed the Contractor's request for this contract modification and feel that the Contractor's request is fair and within industry standards. Therefore, we recommend that the Authority approve this Final Contract in the amount of \$32,748.10 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 Wynn'.


Kevin P. Wynn, PE, BCEE  
Vice President  
T 973-912-2537  
[kevin.wynn@mottmac.com](mailto:kevin.wynn@mottmac.com)

Attachment

## CONTRACT MODIFICATION PROPOSAL AND ACCEPTANCE

1. ISSUING OFFICE NHTSA	2. PROJECT NO. S340952-31	3. CONTRACT NO.	4. MODIFICATION NO. CM-002
5. TO (CONTRACTOR) Persistent Construction 58 Industrial Avenue Fairview, NJ 07022		6. PROJECT LOCATION AND DESCRIPTION 2018 Green Infrastructure Project, Contract 1 63rd Street Parking Lot, West New York NJ	

7. A proposal is required for making the hereinafter described change in accordance with specification and drawing revision: 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).

February 4, 2022                      Kevin P. Wynn, PE                        
 Date                                      Vice President, Mott MacDonald                      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 adjusts the Contract Value as described in the following documents:

1. Refer to the letter prepared by Mott MacDonald dated February 4, 2022
2. Attachment - 1: Proposal Prepared by Persistent Construction dated October 20, 2021
3. Attachment - 2: Proposal Prepared by Persistent Construction dated October 29, 2021
4. Attachment - 3: Proposal Prepared by Persistent Construction dated October 20, 2021


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

ITEM NO.	ITEM DESCRIPTION	UNIT PRICE	ESTIMATED QUANTITY	TOTAL COST
1	Unsuitable Soil	\$ 1,995.10	1	\$ 1,995.10
2	Rock Excavation	\$ 2,130.00	1	\$ 2,130.00
3	Storm Drainage	\$ 28,623.00	1	\$ 28,623.00

TOTAL COST OF THIS MODIFICATION                      \$                      32,748.10

The contract time is hereby: increase  decrease  or remains the same

The foregoing modification is hereby accepted:

Persistent Construction CONTRACTOR	NHTSA OWNER	Mott MacDonald ENGINEER
BY: _____	BY: 	BY: _____
DATE: _____	DATE: <u>February 4, 2022</u>	DATE: _____

APPROVAL: \_\_\_\_\_  
 NA                                      STATE OF NEW JERSEY                                      DATE

## CONTRACT MODIFICATION PROPOSAL AND ACCEPTANCE

9. ISSUING OFFICE <p style="text-align: center;">NHSA</p>	10. PROJECT NO. <p style="text-align: center;">S340952-31</p>	11. CONTRACT NO.	12. MODIFICATION NO. <p style="text-align: center;">CM-002</p>
13. CONTRACTOR'S PROPOSAL - CHANGE IN CONTRACT PRICE (Detailed breakdown, attach additional sheets as necessary)			
<p>(Proposed)</p> <ol style="list-style-type: none"> <li>1. Letter prepared by Mott MacDonald dated February 4, 2022</li> <li>2. Attachment - 1: Proposal Prepared by Persistent Construction dated October 20, 2021</li> <li>3. Attachment - 2: Proposal Prepared by Persistent Construction dated October 29, 2021</li> <li>4. Attachment - 3: Proposal Prepared by Persistent Construction dated October 20, 2021</li> </ol>			
NET INCREASE <hr/>	NET DECREASE <p style="text-align: center;">\$ <u>32,748.10</u></p>		CALENDAR DAYS INCREASE <p style="text-align: center;"><u>0</u> DAYS</p>
DATE:	TYPE NAME AND TITLE: Persistent Construction Anthony Grano		SIGNATURE:

**CONTRACT MODIFICATION PROPOSAL AND ACCEPTANCE**

14. ISSUING OFFICE & PROJECT NO. <p style="text-align: center;">NHSA                      S340952-31</p>	15. CONTRACT NO.	16. MODIFICATION NO. <p style="text-align: center;">CM-002</p>
17. ORIGINAL CONTRACT BID PRICE..... \$ 417,405.00 TOTAL OF PREVIOUS CHANGE ORDERS..... \$ -40,662.00 TOTAL CONTRACT COST INCLUDING CHANGE ORDERS..... \$ 409,491.10		
18. NECESSITY FOR CHANGE AND REASON FOR OMISSION FROM PLANS AND SPECIFICATIONS:  1. Refer to the letter prepared by Mott MacDonald dated February 4, 2022		
19. OTHER IMPACTS RESULTANT OF THIS CHANGE:  NA		
20. RESUME OF NEGOTIATIONS OR RECOMMENDATIONS (Loanee's Representative):  NA		
DATE:	TYPE NAME AND TITLE OF LOANEE'S REPRESENTATIVE: Fredric J. Pucci, P.E. Authority Engineer	SIGNATURE:

October 20, 2021

T&M  
21-308-01Mott MacDonald  
111 Wood Avenue South  
Iselin, NJ 08830-4112

Attn.: Kevin P. Wynn

Project : Green Infrastructure Contract 1

RE: Extra Work Requested

Work Date: Tuesday, October 12, 2021

**Work Description:**

Remove unsuitable soil and replace with stone

Item No.	Description	Quantity	Unit	Unit Price	Sub-Total
<b><u>Labor</u></b>					
1	Foreman	4.00	HRS	\$ 110.00	\$ 440.00
2	Foreman Overtime	-	HRS	\$ 165.00	-
3	Laborer	-	HRS	\$ 107.00	-
4	Laborer Overtime	-	HRS	\$ 160.50	-
5	Operating Engineer	4.00	HRS	\$ 117.00	\$ 468.00
6	Operating Engineer Overtime	-	HRS	\$ 175.50	-
		8.00		Sub Total	\$ 908.00
<b><u>Equipment</u></b>					
1	CAT 315 F Excavator	4.00	HRS	\$ 80.00	\$ 320.00
2	CAT CS56 Soil Compactor	1.00	HRS	\$ 73.00	\$ 73.00
3	Tri Axle Dump	2.00	HRS	\$ 100.00	\$ 200.00
				Sub Total	\$ 593.00
<b><u>Material</u></b>					
1	1 1/2" Clean Stone	24.32	TONS	\$ 17.59	\$ 427.79
				Sub Total	\$ 427.79
				OH&P	\$ 66.31
				Sub Total	\$ 494.10
				<b>Total</b>	<b>\$ 1,995.10</b>



**Job: 308 Green Infrastructure Project Contract 1**

Work Description: Remove unsuitable soil and replace with stone

	10/12/21								
1 Foreman	4.00	-	-	4.00	HRS	\$	110.00	\$	440.00
2 Foreman Overtime	-	-	-	-	HRS	\$	165.00	\$	-
3 Operator	4.00	-	-	4.00	HRS	\$	117.00	\$	468.00
4 Operator Overtime	-	-	-	-	HRS	\$	175.50	\$	-
5 Laborer	-	-	-	-	HRS	\$	107.00	\$	-
6 Laborer Overtime	-	-	-	-	HRS	\$	160.50	\$	-
7 Project Manager	-	-	-	-	HRS	\$	125.00	\$	-
8 Project Manager Overtime	-	-	-	-	HRS	\$	187.50	\$	-
	<u>8.00</u>	-	-					Labor	<u>\$ 908.00</u>

**Equipment**

1 CAT 315 F Excavator	4.00	-	-	4.00	HRS	\$	80.00	\$	320.00
2 CAT CS56 Soil Compactor	1.00	-	-	1.00	HRS	\$	73.00	\$	73.00
3 Tri Axle Dump	2.00	-	-	2.00	HRS	\$	100.00	\$	200.00
	<u>7.00</u>	-	-					Equipment	<u>\$ 593.00</u>

**Material/Subs**

1 1 1/2" Clean Stone	24.32	-	-	24.32	Tons	\$	17.59	\$	427.86
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Subtotal	\$	427.86
OH&P		<u>66.32</u>
Material	\$	494.18

**GRAND TOTAL \$ 1,995.18**



**Persistent Construction Inc.**

58 Industrial Avenue, Fairview, NJ 07022  
Phone: 201-941-9888 Fax: 201-941-9889

**Time & Materials Work on October 12, 2021**

Superintendent: Antonio Leon

**[308] Green Infrastructure Project VE 01**

Customer: North Hudson Sewerage Authority

Job Totals	Hours
Employees	8.00
Equipment	5.00

**Remove Unsuitable Soil and Replace with Stone [TM001]**

**Employees**

Name	Type	Hours
Antonio Leon [104]	Laborer Foreman	4.00 RT
Antonio Santo [403]	Operator	4.00 RT
<b>Total</b>		<b>8.00</b>

**Equipment**

Description	Equipment Type	Hours
187 [EX315F-1 - CAT 315F - 2020]	Excavator	4.00
166 [SC56-2 - CAT CS56 Soil Compactor 84" - 2015]	Compactor	1.00
<b>Total</b>		<b>5.00</b>

**Materials**

Description	Quantity
Clean Stone - 1 1/2" [AGGR21]	24.32 TON
<b>Total</b>	

**Trucking**

Subcontractor	Material	Quantity
Matina & Son [330]		2.00 HR
<b>Total</b>		

**Time & Materials Work on October 12, 2021**

Superintendent: Antonio Leon

**Notes**

**Company Signature**

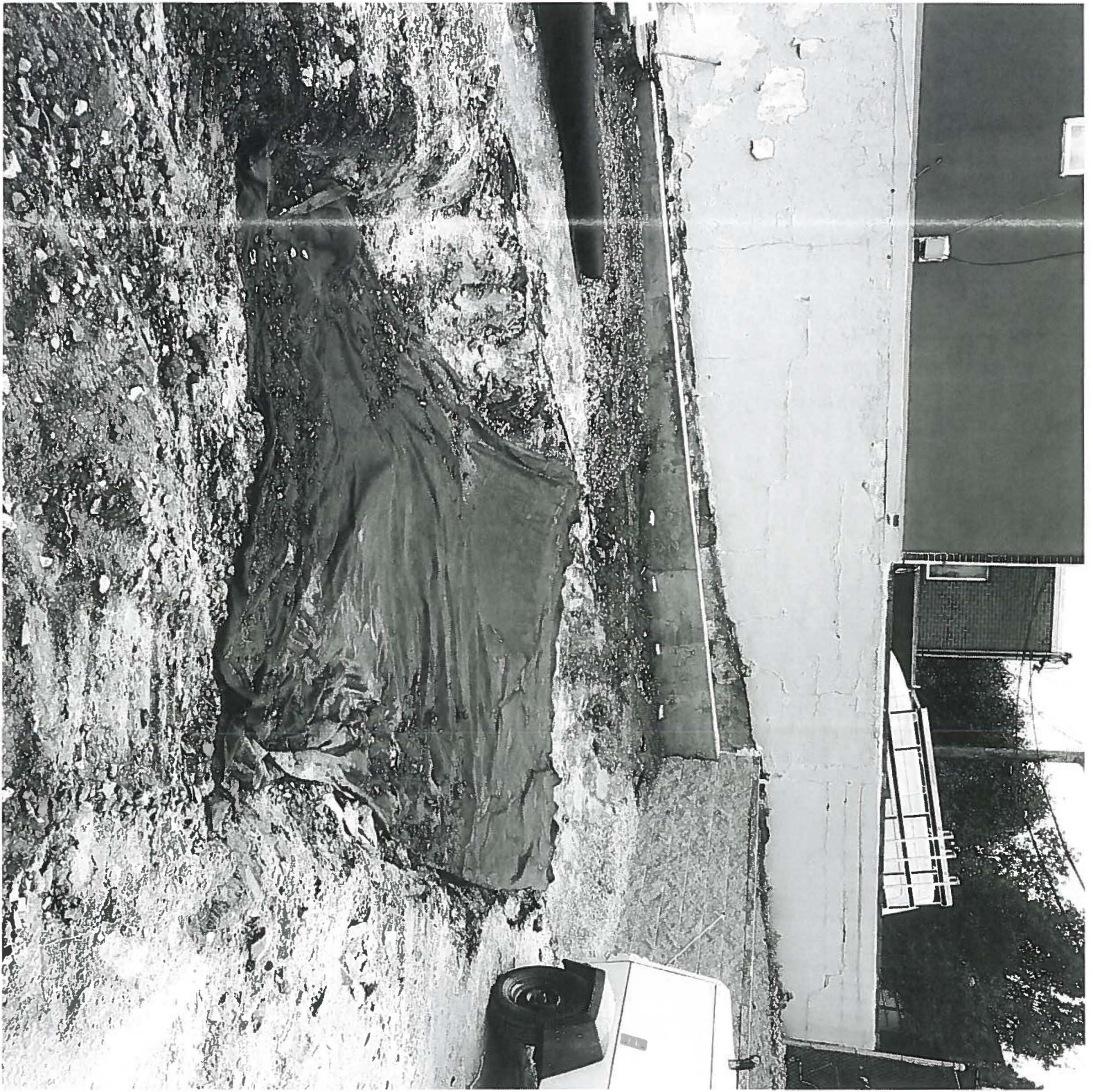


Signed by Antonio Leon on 10/14/2021 10:30 AM  
Foreman  
Persistent construction

**Customer Signature**



Signed by Bill Coleman on 10/14/2021 10:35 AM  
Resident Observer  
Mott MacDonald





BRAND: 11/10/11 W. Pat. # 7,612,874  
See BraenStone.com

Weight Scale & Input Error:      Angles Error:      Truck Queue:      Spatio Queue:  
Please Call the Dealer      For Material Error      To Inform the Dealer      To Inform the Dealer  
44-94-01-0700      44-94-01-0700      44-94-01-0700      44-94-01-0700


Plant:  
STONE INDUSTRIES INC.

Ticket #  
925213

Date: 10/13/21      Truck: 744065  
Time: 18:35      F&J 7  
Customer: 001550      FOB  
Persistent Construction Co      508 51st The Grand &  
P.O.#:      508 51st The Grand & Parking Garag  
Product: 303      (these)  
1/2" CRUSHED STONE #4  
DEFAULT

JM:  
(Daily) Loads: 1      Amount: 24.32 Tn      22.06 Mg

Gross: 38.94 TN      77888 lb      35.33 Mg  
Tare: 14.62 TN      29240 lb      13.26 Mg  
Net: 24.32 TN      48648 lb      22.06 Mg

Received By:   
Signing above confirms I have read rules on back

weighmaster: JOE CRUZ



9 2 5 2 1 3

October 29, 2021

T&M  
21-308-02Mott MacDonald  
111 Wood Avenue South  
Iselin, NJ 08830-4112

Attn.: Kevin P. Wynn

Project : Green Infrastructure Contract 1

RE: Extra Work Requested

Work Date: Tuesday, October 12, 2021

**Work Description:**

Removal and disposal of rock

Item No.	Description	Quantity	Unit	Unit Price	Sub-Total
<b><u>Labor</u></b>					
1	Foreman	-	HRS	\$ 110.00	\$ -
2	Foreman Overtime	-	HRS	\$ 165.00	\$ -
3	Laborer	15.00	HRS	\$ 107.00	\$ 1,605.00
4	Laborer Overtime	-	HRS	\$ 160.50	\$ -
5	Operating Engineer	-	HRS	\$ 117.00	\$ -
6	Operating Engineer Overtime	-	HRS	\$ 175.50	\$ -
		15.00		Sub Total	\$ 1,605.00
<b><u>Equipment</u></b>					
1	Air Compressor	5.00	HRS	\$ 25.00	\$ 125.00
2	Box Truck w/Tools	5.00	HRS	\$ 50.00	\$ 250.00
3	Rock Drill and Splitter/Air Compressor	5.00	HRS	\$ 30.00	\$ 150.00
				Sub Total	\$ 525.00
				<b>Total</b>	<b>\$ 2,130.00</b>



**Job: 308 Green Infrastructure Project Contract 1**

Work Description: Remove and dispose of rock.

10/12/21

1	Foreman	-	-	-	-	HRS	\$	110.00	\$	-
2	Foreman Overtime	-	-	-	-	HRS	\$	165.00	\$	-
3	Operator	-	-	-	-	HRS	\$	117.00	\$	-
4	Operator Overtime	-	-	-	-	HRS	\$	175.50	\$	-
5	Laborer	15.00	-	-	15.00	HRS	\$	107.00	\$	1,605.00
6	Laborer Overtime	-	-	-	-	HRS	\$	160.50	\$	-
7	Project Manager	-	-	-	-	HRS	\$	125.00	\$	-
8	Project Manager Overtime	-	-	-	-	HRS	\$	187.50	\$	-
		<u>15.00</u>	-	-					Labor	<u>\$ 1,605.00</u>

**Equipment**

1	Air Compressor	5.00	-	-	5.00	HRS	\$	25.00	\$	125.00
2	Box Truck w/Tools	5.00	-	-	5.00	HRS	\$	50.00	\$	250.00
3	Rock Drill and Splitter/Air Compressor	5.00	-	-	5.00	HRS	\$	30.00	\$	150.00
		<u>15.00</u>	-	-					Equipment	<u>\$ 525.00</u>

**Material/Subs**

1		-	-	-	-	Tons	\$	17.59	\$	-
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Subtotal	\$	-
OH&P		-
Material	\$	-

**GRAND TOTAL \$ 2,130.00**

**Persistent Construction Inc.**

58 Industrial Avenue, Fairview, NJ 07022

Phone: 201-941-9888 Fax: 201-941-9889

Time & Materials Work on October 12, 2021

Superintendent: Antonio Leon, Field Log ID: 1348

**[308] Green Infrastructure Project VE 01**

Customer: North Hudson Sewerage Authority

Job Totals	Hours
Employees	15.00
Equipment	15.00

**Remove and Dispose of Rock [TM002]**

**Employees**

Name	Type	Hours
Alberto Garcia Alcala [366]	Laborer	5.00 RT
Andre Garcia [343]	Laborer	5.00 RT
Raul Flores [417]	Laborer	5.00 RT
<b>Total</b>		<b>15.00</b>

**Equipment**


Description	Equipment Type	Hours
114 [AC-4 - Ingersoll Rand Air Compressor - 2007]	Air Compressor	5.00
1001 [BT-3 - International 4300 Box Truck - 2006]	Box Truck	5.00
208 [Rock Drill and Splitter]	Air Compressor	5.00
<b>Total</b>		<b>15.00</b>

**Notes**

Time & Materials Work on October 12, 2021

Superintendent: Antonio Leon, Field Log ID: 1348

**Company Signature**



Signed by Antonio Leon on 10/27/2021 9:32 AM  
Foreman  
Persistent construction

**Customer Signature**



Signed by Bill Coleman on 10/27/2021 9:38 AM  
Inspector  
Mott MacDonald





# Persistent Construction Company

58 Industrial Avenue  
Fairview, NJ 07022

Phone: 201-941-9888  
Fax: 201-941-9889

<b>To:</b>	North Hudson Sewerage Authority	<b>Contact:</b>	Kevin P. Wynn
<b>Address:</b>	1600 Adams Street Hoboken, NJ 07030 USA	<b>Phone:</b>	
<b>Project Name:</b>	Green Infrastructure Project VE 01	<b>Bid Number:</b>	2021-300-AG
<b>Project Location:</b>	6219 Bergenline Ave Parking, West New York, NJ	<b>Bid Date:</b>	1/6/2021

Line #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
25	Furnish & Install 8" PVC	50.00	LF	\$424.00	\$21,200.00
26	Furnish & Install Blind Connection And Clean Out	1.00	UNIT	\$3,900.00	\$3,900.00
27	Asphalt Trench Repair	26.00	SY	\$135.50	\$3,523.00

**Total Bid Price: \$28,623.00**

#### Notes:

- The above prices do not include performance and payment bond.
- The above prices do not include cost for permits.
- The above prices do not include removal and disposal of hazardous or contaminated soil.
- The above prices do not include over excavation of unsuitable soil. Geotech to advise once unsuitable soil is encountered.
- We are not responsible for any subsurface or latent conditions at the site differing materially from those indicated in the plans provided or contract documents. Unmarked utilities, conflicting utilities, obstructions, and debris segregation will be billed on a time and material basis; cost plus 15% OH & Profit.
- The above prices do not include foundation excavation and backfill or spoils generated from such. We will require a quantity of spoils from foundation contractor.
- The above prices do not include rock excavation.
- The above prices does not include material testing
- The above prices include dewatering utilizing one 3" pump only.
- All export material must meet NJ residential clean reuse standards, 4" minus, and free of debris. Owner is responsible for waste classification.
- All asphalt paving prices quoted are based on the NJDOT Asphalt Cement Index for the month of April 2021. Price of material is subject to change based on value of index at the time of project commencement. If asphalt cement index escalates then a revised unit price based on the escalated amount difference will be provided. Please see below link for NJDOT Asphalt Price Index <https://www.state.nj.us/transportation/business/aashtoware/PriceIndex.shtm>
- Nighttime, weekend or premium work is not included.
- Clear and adequate access shall be provided for our equipment to work areas by the general contractor.
- Persistent Construction expects work schedule to be continuous and free from disruptions. Any required changes must be made 48 hrs in advance.
- Any work not mentioned in the above scope of work is not included in this proposal.
- All work to be performed on weekdays between the hours of 7AM - 3:30PM

#### Payment Terms:

Payment Terms Are NET 30 Days

<p><b>ACCEPTED:</b></p> <p>The above prices, specifications and conditions are satisfactory and are hereby accepted.</p> <p><b>Buyer:</b> _____</p> <p><b>Signature:</b> _____</p> <p><b>Date of Acceptance:</b> _____</p>	<p><b>CONFIRMED:</b></p> <p><b>Persistent Construction Company</b></p> <p><b>Authorized Signature:</b> _____</p> <p><b>Estimator:</b> Anthony Grano (201) 941-9888 agrano@persistentconstruction.com</p>
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