

**RESOLUTION AUTHORIZING CONTRACT MODIFICATION #05
FOR THE PURAC PHASE III PROJECT**

MOTIONED BY: Gardiner

SECONDED BY: Friedrich

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.18-061, the Authority has contracted with Rapid Pump & Meter Service Co., N.J. in the amount of \$11,862,950.00 for the Purac Phase III Project; and

WHEREAS, four previous contract modifications were approved increasing the total contract price to \$11,925,605.10; 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 JACOBS, the project engineer at no additional cost to the Authority; and

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

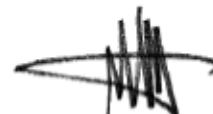
NOW, THEREFORE, BE IT RESOLVED that the Authority hereby authorizes the execution and implementation of said contract modification #04 with no increase in contract.

DATED: MARCH 17, 2022

RECORD OF COMMISSIONERS' VOTE

	YES	NO	ABSTAIN
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 MARCH 17, 2022.



SECRETARY

February 22, 2022

William P. Machotka, P.E.
Section Chief
State of New Jersey Department of Environmental Protection
Municipal Finance and Construction Element
P.O. Box 425
Trenton, NJ 08625-0425

Subject: North Hudson Sewerage Authority
Project No. S340952-30
PURAC System Improvements Phase 3 – Physical System Improvements
Contract Modification No. P-05

Dear Mr. Machotka:

We have found it necessary to issue the following Contract Modification to the PURAC System Improvements Phase 3 – Physical System Improvements Project:

No. P-05:

- No Cost Time Extension

MODs P-01, 02 and 04 approved additional costs related to modifications required to the project, however, did not include any adjustment in time. At this we are looking to modify the contract with an extension of time related to these items. Per the Contract Agreement Substantial Completion was to occur within 860 days (January 3, 2021) of the NTP date of August 27, 2018 and 920 days (March 4, 2021) to final completion. Substantial Completion was achieved on September 27, 2021 and Final Completion was achieved on December 31, 2021.

Total Amount of the Modification No. P-05: \$0

Total Time Extension of the Modification No. P-05: 305 Days

Attached are two (2) copies of the completed NJDEP “Contract Modification Proposal and Acceptance Form”, for the above-mentioned Contract Modification. The copies have been signed by the North Hudson Sewerage Authority (the Owner), Rapid Pump and Meter Service Co., Inc. (the Contractor) and signed and sealed by Jacobs (the Engineer). We would appreciate your review and approval of this modification.

Should you have any questions or require additional information, please call me at
862.242.7067

Sincerely,

CH2M HILL

A handwritten signature in black ink that reads "Shivani Patel". The signature is written in a cursive style with a large initial 'S'.

Shivani Patel, P.E.
Project Manager

Cc: Fredric J. Pocci, P.E., NHSA
Don Conger, PE NHSA
Steve Kulcsar, PE, Rapid Pump
Dejan Davidovic, Jacobs
Michael Curley, NJDEP
NJO File

CONTRACT MODIFICATION PROPOSAL AND ACCEPTANCE

1. ISSUING OFFICE North Hudson Sewerage Authority	2. PROJECT NO. S340952-30	3. CONTRACT NO. PURAC System Upgrades Phase 3-Services During Construction	4. MODIFICATION NO. Mod # P-05
5. TO (CONTRACTOR) Rapid Pump & Meter Service Co. Inc 285 Straight Street PO Box AY Paterson, NJ 07509		6. PROJECT LOCATION AND DESCRIPTION Adams Street WWTP Hoboken, New Jersey	
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 of a directive to proceed).			
_____ Shivani Patel, P.E./Project Manager			
_____ Date	_____ Type Name and Title	_____ Signature	
8. DESCRIPTION OF CHANGE: <i>Pursuant to the clause of this contract covering changes, the contractor shall furnish all labor and material, and all work necessary to accomplish the following described work:</i> MODs P-01, 02 and 04 approved additional costs related to modifications required to the project, however, did not include any adjustment in time. At this we are looking to modify the contract with an extension of time related to these items. Per the Contract Agreement Substantial Completion was to occur within 860 days (January 3, 2021) of the NTP date of August 27, 2018 and 920 days (March 4, 2021) to final completion Substantial Completion was achieved on September 27, 2021 and Final Completion was achieved on December 31, 2021. This is a zero cost time extension.			

CONTRACT MODIFICATION PROPOSAL AND ACCEPTANCE

As a result of the above, the contract times are revised as follows:

<u>ITEM NO.</u>	<u>ITEM DESCRIPTION</u>	<u>TOTAL COST</u>
1	Contract Time Extension - Zero Cost	\$0.00

TOTAL COST THIS MODIFICATION \$0

The contract time is hereby: *increased* *decreased* or *remaining the same* by **305** calendar days as a result of this modification.

The foregoing modification is hereby accepted:

_____	_____	_____
Rapid Pump & Meter Service Co, Inc.	North Hudson Sewerage Authority	Jacobs
CONTRACTOR	OWNER	(NJPE SEAL) ENGINEER
BY: _____	BY: <u>Fredric J. Pocci, P.E.</u>	BY: <u>Shivani Patel, PE</u>
DATE: _____	DATE: _____	DATE: _____

APPROVAL: _____

STATE OF NEW JERSEY

DATE

CONTRACT MODIFICATION PROPOSAL AND ACCEPTANCE

9. ISSUING OFFICE North Hudson Sewerage Authority	10. PROJECT NO. S340952-30	11. CONTRACT NO. PURAC System Upgrades Phase 3 Services During Construction	12. MODIFICATION NO. Mod # P-05
13. CONTRACTOR'S PROPOSAL – CHANGE IN CONTRACT PRICE (Detailed breakdown, attach additional sheets as necessary)			
(Proposed) No change in contract price associated to this change order.			
By executing this Change Order No. P-05 for the PURAC System Upgrades Phase 3 Services During Construction Project the Contractor acknowledges that its terms provide full and final settlement of any and all claims against Owner arising from or relating to the changed work. Contractor hereby releases Owner from and waives all claims, demands, suits or actions, whether legal or equitable, known or unknown relating to the changed work including, without limitation, claims for damages arising from delays, suspensions, standby costs, home and field office overhead costs, lost profits, breach of contract, cardinal change or abandonment.			
NET INCREASE \$ <u>0</u>		NET DECREASE \$ <u>0</u>	
		CALENDER DAYS INCREASE <u>305</u> DAYS	
DATE:	TYPE NAME AND TITLE:	SIGNATURE:	

CONTRACT MODIFICATION PROPOSAL AND ACCEPTANCE

14. ISSUING OFFICE & PROJECT NO. North Hudson Sewerage Authority, S340952-04	15. CONTRACT NO. PURAC System Upgrades Phase 3 Services During Construction	16. MODIFICATION NO. Mod # P-05
17. ORIGINAL CONTRACT BID PRICE \$ 11,862,950.00 TOTAL OF PREVIOUS CHANGE ORDERS \$ 214,297.23 TOTAL CONTRACT COST INCLUDING CHANGE \$ 12,077,247.23		
18. NECESSITY FOR CHANGE AND REASON FOR OMISSION FROM PLANS AND SPECIFICATIONS: MODs P-01, 02 and 04 approved additional costs related to modifications required to the project, however, did not include any adjustment in time. At this we are looking to modify the contract with an extension of time related to these items. Per the Contract Agreement Substantial Completion was to occur within 860 days (January 3, 2021) of the NTP date of August 27, 2018 and 920 days (March 4, 2021) to final completion Substantial Completion was achieved on September 27, 2021 and Final Completion was achieved on December 31, 2021. This is a zero cost time extension.		
19. OTHER IMPACTS RESULTANT OF THIS CHANGE:		
20. RESUME OF NEGOTIATIONS OR RECOMMENDATIONS (Loanee's Representative):		
DATE:	TYPE NAME AND TITLE OF LOANEE'S REPRESENTATIVE: Shivani Patel, PE Project Manager	SIGNATURE: