

RESOLUTION AUTHORIZING CONTRACT MODIFICATION #01 FOR THE COLLECTION SYSTEM IMPROVEMENTS CONTRACT 1 PROJECT

MOTIONED BY: Friedrich
SECONDED BY: Guzman

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.23-029, the Authority has contracted with National Water Main Cleaning Company, Kearny, NJ, in the amount of \$1,142,519.50 for the Collection System Improvements - Contract 1 Project; and

WHEREAS, the purpose of this request for a contract modification is to compensate the contractor for additional work performed, as well as provide a time extension for the project. The additional cost is to reimburse the contractor for moratorium fees required to obtain road opening permits in West New York. The change order will also provide a 100 calendar day no cost time extension to the contract. Additional time is required as obtaining permits has delayed work.; and

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

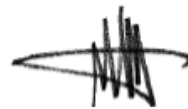
NOW, THEREFORE, BE IT RESOLVED that the Authority hereby authorizes the execution and implementation of said contract modification # 01 in the amount of \$4,709.46.

DATED: AUGUST 17, 2023

RECORD OF COMMISSIONERS' VOTE

	YES	NO	ABSENT
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 AUGUST 17, 2023.



SECRETARY



August 2, 2023

Fredric J. Pocci, P.E.
Authority Engineer
North Hudson Sewerage Authority
1600 Adams Street
Hoboken, New Jersey 02030

**RE: NORTH HUDSON SEWERAGE AUTHORITY
COLLECTION SYSTEM IMPROVEMENTS PROJECT CONTRACT 1
CHANGE ORDER RECOMMENDATION – CO No. 1**

Dear Mr. Pocci:

Pursuant to our inspections and consequent negotiations with the Contractor, National Water Main Cleaning Company (NWMCC), for the Collection System Improvements Project Contract 1, Kleinfelder is recommending that the North Hudson Sewerage Authority (NHSA) approve Change Order No. 1 in the amount of **\$4,709.46** for reimbursement of moratorium fees in West New York and a 100 calendar day time extension in order to complete the remaining work in the project. Detailed descriptions of the Change Order Requests (CORs) are included below:

COR #1 – Time Extension Request

NWMCC is requesting a 100 calendar day non-compensatory time extension due to lengthy delays in receiving permit approvals from Union City and West New York. The Contractor faced delays in receiving approvals from the police department in Union City to perform the cleaning and closed-circuit television (CCTV) work and faced additional delays in securing road opening permits in both Union City and West New York, despite their efforts to try to keep the project moving forward. The cleaning and CCTV work was able to be completed at the beginning of July, and the lining and excavation spot repair work is scheduled to begin in August. COR #1, prepared by NWMCC, is attached to this recommendation for your reference. This is a non-compensatory time extension; therefore, no additional cost is associated with this time extension. The new project completion date as a result of this time extension is September 29, 2023.

COR #2 – Reimbursement for Moratorium Fees Request

NWMCC is requesting reimbursement for moratorium fees associates with road opening permits in West New York. Upon submitting the required road opening permits to West New York for the excavated spot repairs, Underground Utilities (subcontractor) and NWMCC were notified that three (3) locations required additional fees, since the roads were under moratorium and paved within the last five years. NHSA, Kleinfelder and NWMCC requested the additional fees be waived, since the nature of the work is an improvement to West New York; however, no waiver was granted, and West New York is requiring payment of moratorium fees. Since NWMCC and Underground Utilities had no prior knowledge of the roads being under moratorium or these moratorium fees based on the Bid Documents, Kleinfelder is of the opinion that reimbursement for the fees is fair and reasonable. COR #2, prepared by NWMCC, is attached to this recommendation for your reference.

Date of Issuance:
 Owner: North Hudson Sewerage Authority
 Contractor: National Water Main Cleaning Company
 Engineer: Kleinfelder
 Project: Collection System Improvements Contract 1

Effective Date: March 14, 2023
 Owner's Contract No.:
 Contractor's Project No.: NOR049-5
 Engineer's Project No.: 6866.001A
 Contract Name:




The Contract is modified as follows upon execution of this Change Order:

Description: Time extension request for 100-calendar days to complete the lining and spot repairs work, due to delays in permit approvals from the municipalities. Reimbursement for moratorium fees associated with road opening permits in West New York, for roads paved within the last 5 years.

Attachments:

Change Order No. 1 Recommendation prepared by Kleinfelder
 Change Order Request #1 – "Time Extension Request" from National Water Main Cleaning Company
 Change Order Request #2 – "Request for Reimbursement of Moratorium Fee" from National Water Main Cleaning Company

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price: \$ <u>1,142,519.50</u>	Original Contract Times: 70 days and 100 days Substantial Completion: <u>May 23, 2023</u> Ready for Final Payment: <u>June 21, 2023</u> days or dates
[Increase] [Decrease] from previously approved Change Orders No. ___ to No. __: \$ _____	[Increase] [Decrease] from previously approved Change Orders No. ___ to No. __: Substantial Completion: _____ Ready for Final Payment: _____ days
Contract Price prior to this Change Order: \$ <u>1,142,519.50</u>	Contract Times prior to this Change Order: Substantial Completion: _____ Ready for Final Payment: _____ days or dates
[Increase] [Decrease] of this Change Order: \$ <u>4,709.46</u>	[Increase] [Decrease] of this Change Order: 100 days Substantial Completion: <u>August 30, 2023</u> Ready for Final Payment: <u>September 29, 2023</u> days or dates
Contract Price incorporating this Change Order: \$ <u>1,147,228.96</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>August 30, 2023</u> Ready for Final Payment: <u>September 29, 2023</u> days or dates

RECOMMENDED:	ACCEPTED:	ACCEPTED:
		
By: <u>Felipe S. Contreras, P.E.</u> Engineer (if required)	By: <u>Frederic J. Pocci, P.E.</u> Owner (Authorized Signature)	By: <u>Rajesh Kadachha</u> Contractor (Authorized Signature)
Title: <u>Vice President, Kleinfelder</u>	Title: <u>Authority Engineer, NHSA</u>	Title: <u>Project Engineer, NWMCC</u>
Date: <u>7/31/2023</u>	Date: _____	Date: <u>08/01/2023</u>

Approved by Funding Agency (if applicable)

By: _____ Date: _____
 Title: _____

Cost

NWMCC has provided the cost for the Change Order requests, as summarized below:

COR	Description	Cost
#1	Non-Compensatory Time Extension	N/A
#2	Reimbursement for Moratorium Fees	\$ 4,709.46
	TOTAL	\$ 4,709.46

The original Contract cost for this project is \$1,142,519.50. To date, no other Change Orders have been contemplated. Inclusive of this Change Order, the cost of all Change Orders is **\$4,709.46**, which represents 0.41% of the original Contract cost.

It is our recommendation that NHTSA draft and execute a resolution formally authorizing this Change Order No. 1 and adjusting the Contract Amount from its current (and original) amount of \$1,142,519.50 to a new amount of **\$1,147,228.96**.

It is our pleasure to be of continuous service to NHTSA in the administration of this construction contract. Should you have any questions or require further information, please do not hesitate to contact me directly at (609) 454-4568 or via email at FSContreras@Kleinfelder.com.

Sincerely,



Felipe S. Contreras, P.E., C.M.E., C.F.M.
Vice President – Water Operations Manager

Enclosures

cc: Don Conger, NHTSA
Kevin Wynn, Mott McDonald



NATIONAL WATER MAIN CLEANING CO.

The Environmental Protection Specialists

An Equal Opportunity Employer

NYC BIC License #468

June 14th, 2023



Atte: Felipe S. Contreras | Vice President – Water Operations Manager

150 College Road West

Suite 100

Princeton, NJ 08540

Main Office: 609.924.882|Direct: 609.454.4568|Cell: 609.218.0516|Email: FSContreras@Kleinfelder.com

**RE: Change Order No. 1 – TIME EXTENSION REQUEST
Collection System Improvements Contract 1
North Hudson Sewerage Authority - Hudson County - NJ**

Dear Mr. Contreras,

National Water Main Cleaning Company requests a time extension to complete the Work of the above-referenced contract. The original work was allocated for 100 calendar days to complete the project Including holidays and granted weather days. The current completion date stands on June 21st, 2023, and National Water Main Cleaning Company would request an additional 100 days to be added to the contract to allow for the completion of dig work and lining work to improve the sewer system in the town(s). This would revise the current completion date to September 29th, 2023.

NWMCC has completed clean & TV work to identify the excavation, as well as lining locations but was delayed in approval for road occupancy by the police department to perform the clean & TV work, and the ongoing excavation permit delay made work almost impossible. The Contract work such as excavation and MTM lining operation requires more time to completion of the contract. National Water Main Cleaning Company has been working diligently to complete work on time, but more time will be required to finish the call-out.

Please sign and return the change order if you agree. Thank you very much.



Authorized Signature

Date (Signed)



NATIONAL WATER MAIN CLEANING CO

Rajesh Kadachha

Project Engineer

New Jersey Office
1806 Newark Turnpike
Kearny, NJ 07032
P: 973.483.3200
F: 973.483.5065
Email: office@nwmcc.com

New York Office
928 Broad St
Utica, NY 13501
P: 315.624.9520
F: 315.624.9523
Email: boston@nwmcc.com

Boston Office
25 Marshall St
Canton, MA 02021
P: 781.828.0863
F: 781.828.2473
Email: boston@nwmcc.com



NATIONAL WATER MAIN CLEANING CO.

The Environmental Protection Specialists

An Equal Opportunity Employer

NYC BIC License #468

June 26th, 2023



Atte: Felipe S. Contreras | Vice President – Water Operations Manager

150 College Road West

Suite 100

Princeton, NJ 08540

Main Office: 609.924.882|Direct: 609.454.4568|Cell: 609.218.0516|Email: FSContreras@Kleinfelder.com

**RE: Change Order No. 2 – Request for reimbursement of moratorium fee associated with Permit Collection System Improvements Contract 1
North Hudson Sewerage Authority - Hudson County - NJ**

Dear Mr. Contreras,

NWMCC is submitting the following change order request for the reimbursement of Moratorium fees associated with the sewer pipe excavation permit in West New York. Fees including review and permit fees, shall be determined as per the most current City of west new York Municipal Code Fee Ordinance.

During the progress of work, NWMCC (Prime) and Underground Utilities Corporation (Sub) applied for the construction (street excavation) permit for the town of west new york and were directed to pay \$4709.46 moratorium fees which are required for streets paved within 5 years. Moratorium fees are not mentioned in the specs and to get the approval for the permit, NWMCC requests the town to reimburse the cost associated with it to completion of the work.

**TOTAL REIMBURSEMENT OF COSTS ASSOCIATED WITH MORATORIUM FEES:
\$4709.46**

Please sign and return the change order if you agree. Thank you very much.

KLEINFELDER

NATIONAL WATER MAIN CLEANING CO

Rajesh Kadachha

Project Engineer

Authorized Signature

Date (Signed)

New Jersey Office
1806 Newark Turnpike
Kearny, NJ 07032
P: 973.483.3200
F: 973.483.5065
Email: office@nwmcc.com

New York Office
928 Broad St
Utica, NY 13501
P: 315.624.9520
F: 315.624.9523
Email: boston@nwmcc.com

Boston Office
25 Marshall St
Canton, MA 02021
P: 781.828.0863
F: 781.828.2473
Email: boston@nwmcc.com



One Harmon Plaza, Suite 600
Secaucus, NJ 07094
O: (201) 624-2137
F: (201) 624-2136

May 22, 2023

Thomas O'Malley, Construction Official
Town of West New York
428 60th Street
West New York, NJ 07093

**Re: Street Opening Permit – Underground Utilities Corporation
Permit # 2023-038, 54th Street & Jackson Street
RVE File No. 0912S023-038**

Dear Mr. O'Malley:

We have reviewed the above captioned street opening permit submitted by the applicant, received by our office on May 12, 2023. The permit application is for a sewer replacement.

It is the applicant's responsibility to contact NJ ONE CALL prior to the start of construction. Call for mark-outs three (3) full business days in advance and begin excavation within ten (10) days. All contractors on-site must have their own mark-out.

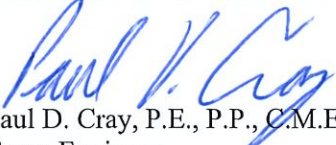
The applicant is performing work for North Hudson Sewerage Authority as part of their Collection System Improvements project.

The applicant must submit a moratorium fee in the amount of \$2,709.46 for the project which is required for streets paved within the last 5 years; please see attached moratorium fee calculations. These funds must be in place prior to the scheduling of work. Additionally, due to the recent paving of this street, all seams must be sealed using infrared technology.

The applicant is reminded to see the attached *Street Opening Permit Specifications*. All construction must be in accordance with the applicable specifications attached to this letter, including Town Ordinance Limitation of Construction Hours. Inspections shall be scheduled through Mina Eskander of this office.

Based on above, we recommend approval of this application. Should you have any questions please call our office.

Sincerely,
REMINGTON & VERNICK ENGINEERS, INC.



Paul D. Cray, P.E., P.P., C.M.E.
Town Engineer

Attachments:
Street Opening Permit Construction Specifications
Performance Bond/Moratorium Fee Calculations

CC: Krystle Camacho, WNY Code Enforcement (kcamacho@westnewyorknj.org)
Edward Plank, Underground Utilities (eplank@uuccorp.com)



One Harmon Plaza, Suite 600
Secaucus, NJ 07094
O: (201) 624-2137
F: (201) 624-2136

May 22, 2023

Thomas O'Malley, Construction Official
Town of West New York
428 60th Street
West New York, NJ 07093

**Re: Street Opening Permit – Underground Utilities Corporation
Permit # 2023-037, 55th Street & Madison Street
RVE File No. 0912S023-037**

Dear Mr. O'Malley:

We have reviewed the above captioned street opening permit submitted by the applicant, received by our office on May 12, 2023. The permit application is for a sewer replacement.

It is the applicant's responsibility to contact NJ ONE CALL prior to the start of construction. Call for mark-outs three (3) full business days in advance and begin excavation within ten (10) days. All contractors on-site must have their own mark-out.

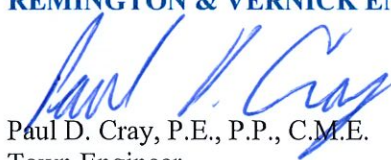
The applicant is performing work for North Hudson Sewerage Authority as part of their Collection System Improvements project.

The applicant must submit a moratorium fee in the amount of **\$1,000.00** for the project which is required for streets paved within the last 5 years; please see attached moratorium fee calculations. These funds must be in place prior to the scheduling of work. Additionally, due to the recent paving of this street, all seams must be sealed using infrared technology.

The applicant is reminded to see the attached *Street Opening Permit Specifications*. All construction must be in accordance with the applicable specifications attached to this letter, including Town Ordinance Limitation of Construction Hours. Inspections shall be scheduled through Mina Eskander of this office.

Based on above, we recommend approval of this application. Should you have any questions please call our office.

Sincerely,
REMINGTON & VERNICK ENGINEERS, INC.



Paul D. Cray, P.E., P.P., C.M.E.
Town Engineer

Attachments:
Street Opening Permit Construction Specifications
Performance Bond/Moratorium Fee Calculations

CC: Krystle Camacho, WNY Code Enforcement (kcamacho@westnewyorknj.org)
Edward Plank, Underground Utilities (eplank@uuccorp.com)

May 22, 2023

Thomas O'Malley, Construction Official
Town of West New York
428 60th Street
West New York, NJ 07093

**Re: Street Opening Permit – Underground Utilities Corporation
Permit # 2023-040, Johnson Place
RVE File No. 0912S023-040**

Dear Mr. O'Malley:

We have reviewed the above captioned street opening permit submitted by the applicant, received by our office on May 12, 2023. The permit application is for a sewer replacement.

It is the applicant's responsibility to contact NJ ONE CALL prior to the start of construction. Call for mark-outs three (3) full business days in advance and begin excavation within ten (10) days. All contractors on-site must have their own mark-out.

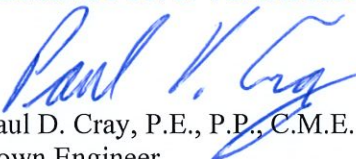
The applicant is performing work for North Hudson Sewerage Authority as part of their Collection System Improvements project.

The applicant must submit a moratorium fee in the amount of \$1,000.00 for the project which is required for streets paved within the last 5 years; please see attached moratorium fee calculations. These funds must be in place prior to the scheduling of work. Additionally, due to the recent paving of this street, all seams must be sealed using infrared technology.

The applicant is reminded to see the attached *Street Opening Permit Specifications*. All construction must be in accordance with the applicable specifications attached to this letter, including Town Ordinance Limitation of Construction Hours. Inspections shall be scheduled through Mina Eskander of this office.

Based on above, we recommend approval of this application. Should you have any questions please call our office.

Sincerely,
REMINGTON & VERNICK ENGINEERS, INC.


Paul D. Cray, P.E., P.P., C.M.E.
Town Engineer

Attachments:
Street Opening Permit Construction Specifications
Performance Bond/Moratorium Fee Calculations

CC: Krystle Camacho, WNY Code Enforcement (kcamacho@westnewyorknj.org)
Edward Plank, Underground Utilities (eplank@uucorp.com)