

RESOLUTION AUTHORIZING CONTRACT MODIFICATION #03 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, two contract modification were approved increasing the total contract price to \$1,302,329.08; and

WHEREAS, the purpose of this request for a contract modification is to compensate the contractor for additional work performed. The work included reimbursement for labor time lost due to water leaks, additional pavement restoration, and a final reconciliation of quantities; and

WHEREAS, the Chief Financial Officer has certified that funding is available through the Authority's Fiscal Year 2024-2025 Capital Budget.

WHEREAS, the Facilities Review Board has considered this request and proposal and recommends the approval of the full Board.

NOW, THEREFORE, BE IT RESOLVED that the Authority hereby authorizes the execution and implementation of said contract modification # 03 in the amount of \$130,684.35.

DATED: MARCH 21, 2024

RECORD OF COMMISSIONERS' VOTE

	YES	NO	ABSENT
Commissioner Gardiner	x		
Commissioner Kappock	x		
Commissioner Marotta	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 21, 2024.



SECRETARY



February 27, 2024

Donald R. Conger III, P.E.
Authority Engineer
North Hudson Sewerage Authority
1600 Adams Street
Hoboken, N.J. 07030

**RE: NORTH HUDSON SEWERAGE AUTHORITY
COLLECTION SYSTEM IMPROVEMENTS PROJECT CONTRACT 1
CHANGE ORDER RECOMMENDATION – CO No. 3**

Dear Mr. Conger:

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. 3 in the amount of **\$130,684.35**. This Change Order Modification includes reimbursement for the lining work unable to be completed due to changed field conditions, the temporary pavement restoration completed and the reconciliation of the final installed quantities versus the estimated quantities included in the bid. A detailed description of the change order modification is provided below:

Reimbursement for Materials and Labor

NWMCC has requested reimbursement for the unused lining material that was ordered but could not be installed due to the continuous infiltration found on 25th Street in Union City, 54th Street in WNY and 51st Street in WNY, after initial CCTV inspection. The liner materials have since expired and cannot be used. NWMCC has requested reimbursement for the lost labor that was performed on these days when the lining was not able to be completed. Kleinfelder has negotiated the cost of reimbursement for the materials and labor lost time and recommends a total reimbursement of \$23,050.98 for the lost materials and labor.

Temporary Pavement Restoration after Excavation

The Contract Documents included a Bid Item for Permanent Pavement Restoration; however, no Bid Item was provided for Temporary Pavement Restoration. Since the final pavement restoration requirements changed from what was specified in the Contract Documents, due to the municipalities' requirements to re-pave the entire extents of the road, the sub-contractor that completed the temporary pavement restoration after the excavation work was completed was not compensated for this portion of the work. The Contractor is requesting \$15,800 for the approximately 360 SY of temporary pavement restoration work completed. Kleinfelder is of the opinion that this is a fair and reasonable request.

Reconciliation of Quantities

Final reconciliation of the completed versus estimated quantities is required for final payment of the Contractor's work to date and closeout of this Construction Contract. The bid quantities significantly underestimated the total amount of final pavement restoration required, and the lengths of excavated spot repairs were significantly longer than what was anticipated in the Bid. This work has been completed by the Contractor, as directed and approved by NHSA and Kleinfelder. The table below provides the reconciliation of quantities from the original Bid Proposal.



Item #	WORK DESCRIPTION	QTY	UN	UNIT COST	SCHEDULED VALUE	COMPLETED WORK	VALUE OF COMPLETED WORK	DIFFERENCE
1	MOBILIZATION	1	LS	\$ 35,000.00	\$ 35,000.00	1.00	\$ 35,000.00	\$ -
2	CLEANING AND LINING OF DESIGNATED PIPES							
2A	CLEANING AND PRE-INSPECTING 10-INCH PIPES	880	LF	\$ 12.80	\$ 11,264.00	383.00	\$ 4,902.40	\$ 6,361.60
2B	LINING 10-INCH PIPES	880	LF	\$ 59.60	\$ 52,448.00	115.60	\$ 6,889.76	\$ 45,558.24
2C	CLEANING AND PRE-INSPECTING 12-INCH PIPES	1590	LF	\$ 12.80	\$ 20,352.00	2,526.00	\$ 32,332.80	\$ (11,980.80)
2D	LINING 12-INCH PIPES	1590	LF	\$ 81.25	\$ 129,187.50	2,110.00	\$ 171,437.50	\$ (42,250.00)
2E	CLEANING AND PRE-INSPECTING 15-INCH PIPES	1940	LF	\$ 12.80	\$ 24,832.00	2,406.72	\$ 30,806.00	\$ (5,974.00)
2F	LINING 15-INCH PIPES	1940	LF	\$ 87.45	\$ 169,653.00	1,206.00	\$ 105,464.70	\$ 64,188.30
2G	CLEANING AND PRE-INSPECTING 18-INCH PIPES	260	LF	\$ 12.80	\$ 3,328.00	109.00	\$ 1,395.20	\$ 1,932.80
2H	LINING 18-INCH PIPES	260	LF	\$ 152.00	\$ 39,520.00	108.00	\$ 16,416.00	\$ 23,104.00
2I	DISPOSAL OF MATERIAL REMOVED FROM CLEANING	100	TON	\$ 1.00	\$ 100.00	8.86	\$ 8.86	\$ 91.14
2J	CUTTING OUT PROTRUDING LATERALS (IF & WHERE DIRECTED)	85	EA	\$ 1.00	\$ 85.00	46.00	\$ 46.00	\$ 39.00
2K	GROUTING JOINTS, LATERALS & MISC., PORTIONS OF SEWER (IF & WHERE DIRECTED)	500	GAL	\$ 1.00	\$ 500.00	714.00	\$ 714.00	\$ (214.00)
3	MANHOLE REHABILITATION AND PLACEMENT (IF & WHERE DIRECTED)							
3A	EPOXY LINING & GENERAL REHAB OF MANHOLES (IF & WHERE DIRECTED)	100	VF	\$ 95.00	\$ 9,500.00	-	\$ -	\$ 9,500.00
3B	REMOVAL & REPLACEMENT OF 48-INCH ID PRECAST MANHOLE, WITH FRAME & COVER (IF & WHERE DIRECTED)	1	EA	\$ 16,000.00	\$ 16,000.00	-	\$ -	\$ 16,000.00
4	EARTHWORK (IF & WHERE DIRECTED)							
4A	EXCAVATION OF DEPTHS 0-12 FT, INCLUDING SHEETING & DISPOSAL (IF & WHERE DIRECTED)	550	CY	\$ 100.00	\$ 55,000.00	993.83	\$ 99,383.00	\$ (44,383.00)
4B	FURNISHING & PLACING SELECT BACKFILL FOR EXCAVATION DEPTH 0-12 FT (IF & WHERE DIRECTED)	550	CY	\$ 45.00	\$ 24,750.00	753.03	\$ 33,886.35	\$ (9,136.35)
4C	PERMANENT PAVEMENT RESTORATION (IF & WHERE DIRECTED)	350	SY	\$ 150.00	\$ 52,500.00	1,146.56	\$ 171,984.00	\$ (119,484.00)
4D	FURNISHING & PLACING 3/4-INCH STONE (IF & WHERE DIRECTED)	50	CY	\$ 65.00	\$ 3,250.00	89.60	\$ 5,824.00	\$ (2,574.00)
4E	TEST PITS (IF & WHERE DIRECTED)	100	CY	\$ 300.00	\$ 30,000.00	-	\$ -	\$ 30,000.00
4F	TRANSPORTATION & DISPOSAL OF HAZARDOUS MATERIAL (IF & WHERE DIRECTED)	150	TON	\$ 95.00	\$ 14,250.00	-	\$ -	\$ 14,250.00
5	OPEN CUT PIPE REPLACEMENT (IF & WHERE DIRECTED)							
5A	OPEN CUT & INSTALL OF SEWER WITH 10-INCH PVC PIPE & ALL FITTINGS (IF & WHERE DIRECTED)	60	LF	\$ 700.00	\$ 42,000.00	16.00	\$ 11,200.00	\$ 30,800.00
5B	OPEN CUT & INSTALL OF SEWER WITH 12-INCH PVC PIPE & ALL FITTINGS (IF & WHERE DIRECTED)	100	LF	\$ 900.00	\$ 90,000.00	105.00	\$ 94,500.00	\$ (4,500.00)
5C	OPEN CUT & INSTALL OF SEWER WITH 15-INCH PVC PIPE & ALL FITTINGS (IF & WHERE DIRECTED)	100	LF	\$ 1,000.00	\$ 100,000.00	294.00	\$ 294,000.00	\$ (194,000.00)
5D	OPEN CUT & INSTALL OF SEWER WITH 18-INCH PVC PIPE & ALL FITTINGS (IF & WHERE DIRECTED)	40	LF	\$ 1,200.00	\$ 48,000.00	-	\$ -	\$ 48,000.00
5E	OPEN CUT REPLACEMENT OF ADDITIONAL LENGTH OF SEWER LATERALS & ALL FITTINGS (IF & WHERE DIRECTED)	100	LF	\$ 125.00	\$ 12,500.00	74.00	\$ 9,250.00	\$ 3,250.00
5F	OPEN CUT REPAIR OF DEFECTIVE SERVICE TAPS (EXCAVATION, SERVICE TAP PIPE, ALL FITTINGS, BACKFILL & RESTORATION (IF & WHERE DIRECTED)	1	EA	\$ 7,500.00	\$ 7,500.00	-	\$ -	\$ 7,500.00
6	ENVIRONMENTAL PROTECTION AND RESTORATION	1	LS	\$ 1,000.00	\$ 1,000.00	-	\$ -	\$ 1,000.00
7	ALLOWANCE FOR OFF-DUTY POLICE FOR TRAFFIC CONTROL	1	AL	\$ 150,000.00	\$ 150,000.00	\$ 108,912.30	\$ 108,912.30	\$ 41,087.70
TOTAL ITEM 1 TO ITEM 7					\$ 1,142,519.50		1,234,352.87	(91,833.37)



Cost

As a result of reconciliation of final quantities and the above described change orders, the contract amount of work completed has increased by \$122,666.03, as shown in the table below.

Potential Change Order	Amount
Reimbursement for lost material and labor due to changed field conditions	\$23,050.98
Temporary Pavement Restoration after Excavation Work	\$15,800.00
Reconciliation of Final Contract Quantities	\$91,833.37
Total Change Order No. 3	\$130,684.35

The original contract cost as well as other notable changes to the contract are summarized further below:

Item Description	Amount
Original Contract Cost	\$1,142,519.50
Cost Increase from Change Order No. 1 and No. 2	\$29,125.23
Modified Contract Amount (including Change Order No. 1 & 2)	\$1,171,644.73
Cost Increase from Change Order No. 3	\$130,684.35
Final Modified Contract Amount	\$1,302,329.08

Inclusive of this Change Order, the cost of all Change Orders is \$159,809.58, which represents **14%** of the original Contract cost.

It is our recommendation that NHTSA draft and execute a resolution formally authorizing this Change Order No. 3, adjusting the Contract Amount from its current amount of \$1,171,644.73 to a new Final Contract Amount of **\$1,302,329.08**.

It is our pleasure to be of continuous service to the 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 (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: Kevin Wynn, Mott McDonald
Neil Kulikauskas, Kleinfelder
Jordan Nappi, Kleinfelder

CONTRACT MODIFICATION PROPOSAL AND ACCEPTANCE

1. ISSUING OFFICE NHSA	2. PROJECT NO.	3. CONTRACT NO.	4. MODIFICATION NO. Change Order No. 3
5. TO (CONTRACTOR) National Water Main Cleaning Company 1806 Newark Turnpike Kearny, NJ 07032		6. PROJECT LOCATION AND DESCRIPTION Collection System Improvements Contract 1	
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).			
2/26/2023	Felipe S. Contreras, P.E., C.M.E., C.F.M. Vice President - Water Operations Manager		
Date	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:

Contract Modification No.3 includes change order for reimbursement for lost materials and time due to changed field conditions outside of the Contractor's control, change order for temporary pavement restoration completed by the Contractor and Final Quantities Reconciliation. This Contract Modification No. 3 resolves the final contract cost.



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

ITEM NO.	ITEM DESCRIPTION	UNIT PRICE	ESTIMATED QUANTITY	TOTAL COST
	Total Contract Cost Including Contract Modifications 1 & 2			\$ 1,171,644.73
	Total Contract Cost Including Contract Modifications 1, 2 & 3			\$ 1,302,329.08
	Increase in Total Contract Cost			\$130,684.35

TOTAL COST OF THIS MODIFICATION \$130,684.35


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:

		
CONTRACTOR	OWNER	(NJPE SEAL) ENGINEER
Rajesh Kadachha, NWMCC	Donald R. Conger III, P.E.	Felipe S. Contreras, P.E., C.M.E., C.F.M.
BY: Project Engineer, NWMCC	BY: Authority Engineer, NHSA	BY: Vice President, Kleinfelder
DATE: 02/26/2024	DATE:	DATE: 2/26/2023

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;">Change Order No. 3</p>
13. CONTRACTOR'S PROPOSAL - CHANGE IN CONTRACT PRICE (Detailed breakdown, attach additional sheets as necessary)			
(Proposed)			
Change Order No. 3 Recommendation prepared by Kleinfelder			
NET INCREASE \$130,684.35	NET DECREASE	CALENDAR DAYS INCREASE _____ 0 _____ DAYS	
DATE: 02/26/2024	TYPE NAME AND TITLE: Rajesh Kadachha Project Engineer, NWMCC	SIGNATURE: 	

CONTRACT MODIFICATION PROPOSAL AND ACCEPTANCE

14. ISSUING OFFICE & PROJECT NO. NHTSA	15. CONTRACT NO.	16. MODIFICATION NO. Change Order No. 3
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17. ORIGINAL CONTRACT BID PRICE.....	\$ 1,142,519.50
TOTAL OF PREVIOUS CHANGE ORDERS.....	\$ 29,125.23
TOTAL OF CURRENT CHANGE ORDER.....	\$ 130,684.35
TOTAL CONTRACT COST INCLUDING CHANGE ORDERS.....	\$ 1,302,329.08

18. NECESSITY FOR CHANGE AND REASON FOR OMISSION FROM PLANS AND SPECIFICATIONS:

Change Order No. 3 Recommendation prepared by Kleinfelder

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: Donald R. Conger III, P.E. Authority Engineer, NHTSA	SIGNATURE:
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