

RESOLUTION # 23-088

RESOLUTION OF PASSAIC VALLEY WATER COMMISSION

**CHANGE ORDER # 1 CONTRACT NO. 20-B-25
"MAINTENANCE OF HVAC EQUIPMENT AND SYSTEMS"**

DATE OF ADOPTION: JUNE 28, 2023

Introduced by Commissioner: **RIGO SANCHEZ**

Seconded by Commissioner: **CARMEN DE PADUA**

WHEREAS, under Contract 20-B-25 entitled "MAINTENANCE OF HVAC EQUIPMENT AND SYSTEMS" (the "Contract"), was awarded to Victory Air Services, dba Powers Service Co., of Cedar Grove, New Jersey 07009 (the "Contractor") at PVWC's Commission Meeting dated June 22 2022 (PVWC Resolution No. 22-064) in accordance with the authorized scope of work, and with reimbursement to be on a time-and-materials basis, not to exceed \$264,350.00; and

WHEREAS, at PVWC's request Victory Air Services has submitted a proposal dated May 19, 2023 (the "Proposal") to provide the Commission with a replacement Chiller for the Clifton Administration Building as the old Unit is not working properly and is beyond repair and beyond its useful life; and

WHEREAS, a copy of the Proposal is attached hereto and made a part hereto as **EXHIBIT A**; and

WHEREAS, Proposed Change Order No. 1 increases the total adjusted Contract Price by an additional \$88,754.00, which brings the total adjusted Contract Price to \$341,104.00; and

WHEREAS, the Director of Engineering has reviewed Victory's Proposal and found it to be reasonable, considering the cost of the replacement chiller; and

WHEREAS, PVWC's Chief Financial Officer has certified, with respect hereto, that funds are currently available for said purpose and a copy of the said certification is attached hereto and made a part hereof as **Exhibit B**.

NOW, THEREFORE, BE IT RESOLVED, by Passaic Valley Water Commission, in the County of Passaic, New Jersey:

- 1. That PVWC hereby approves Change Order No. 1 and time extension and awards the changes to the scope of Work for the Project as set forth hereinabove; and
- 2. That the appropriate officials of PVWC, and such other officers, employees and officials of PVWC, on behalf of PVWC, are hereby authorized to execute and enter into the said Amendment to the Agreement, and to perform such other acts and execute such documents as are necessary to implement the terms and intentions of this Resolution; and
- 3. That this matter shall be advertised as required by New Jersey law, in accordance with an appropriate form of notice, and a copy of this Resolution and Agreement shall be placed on file and made available for inspection at the office of the Administrative Secretary of Passaic Valley Water Commission.

RECORD OF COMMISSION VOTE ON FINAL PASSAGE

| | AYE | NAY | ABSTAIN | ABSENT |
|--------------------------|---------------------|------------|----------------|---------------|
| SANCHEZ, R. | <u> X </u> | _____ | _____ | _____ |
| COTTON, R. | <u> X </u> | _____ | _____ | _____ |
| DEPADUA, C. | <u> X </u> | _____ | _____ | _____ |
| KOLODZIEJ, J. | <u> X </u> | _____ | _____ | _____ |
| LEVINE, J. | <u> X </u> | _____ | _____ | _____ |
| VAN RENSALIER, R. | <u> X </u> | _____ | _____ | _____ |
| FRIEND, G. | <u> X </u> | _____ | _____ | _____ |

Adopted at a meeting of Passaic Valley Water Commission.



President
GERALD FRIEND



Secretary
RUBY N. COTTON

This Resolution, when adopted, must remain in the custody of the Administrative Secretary.

CERTIFICATION

I, LOUIS AMODIO, Administrative Secretary of the Passaic Valley Water Commission in the County of Passaic, and the State of New Jersey do hereby certify that the foregoing Resolution is a true copy thereof of the foregoing Resolution duly passed and adopted by a majority of a legal quorum of the full membership of the Passaic Valley Water Commission at its duly noticed and convened meeting of the said Commission on June 28, 2023.



LOUIS AMODIO
Administrative Secretary

EXHIBIT A

PROPOSAL

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VICTORY AIR SERVICES

50 Village Park Road
Cedar Grove, New Jersey 07019
FAX (973) 239-0082
(973) 239-0087

TO:

PM/NO
ATT: MIKE MAROTTA
1625 MAIN AVE
CLIFTON NJ 07015

| | |
|--|-----------|
| DATE | DATE |
| | 5/19/2023 |
| CHILLER REPLACEMENT ADMINISTRATION BUILDING | |
| JOB NUMBER | SECTION |

We hereby submit specifications and estimates for

THIS PROPOSAL IS FOR THE REPLACEMENT OF THE CHILLER SERVING THE ADMINISTRATION BUILDING
WE WILL REMOVE AND DISPOSE OF THE EXISTING ROOF MOUNTED PACKAGED CHILLER
WE WILL SUPPLY AND INSTALL A NEW 20 TON CHILLER ON THE STEEL FRAME IS IN PLACE OF THE OLD UNIT
CHILLED WATER PIPING WILL BE RE-CONNECTED.
ELECTRICAL WIRING IS NOT INCLUDED.

RESPECTFULLY SUBMITTED,

Thomas Powers, P.E.

THOMAS POWERS, P.E.

We Propose to furnish material and labor to complete in accordance with the above specifications for the work of

Eighty Eight Thousand Seven Hundred Fifty Four and 00/100 Dollars

PRICE \$ 88,754.00

Payment to be made as follows:

40% DEPOSIT, 30% ON DELIVERY, 30% ON COMPLETION

We warrant, represent and undertake that the above is a true and correct statement of the work to be done and the price therefor, and that we are not aware of any other person or firm who is or has been engaged to do the same or similar work for the same or any other person or firm.

Accepted by

Signature

Acceptance of Proposal

The above is the work to be done and the price therefor, and the undersigned hereby accepts the same and agrees to pay the price therefor as stated above.

Accepted by

Signature

EXHIBIT B

OFFICE OF THE COMPTROLLER

CERTIFICATION OF AVAILABILITY OF FUNDS

It is hereby certified that subject to Commission approval of future Budgets, with respect to multi-budget year contracts, there are or will be sufficient available funds for expenditures to be incurred as result of any contract or commitment to be entered into by Passaic Valley Water Commission as follows:

Description of Project or Contract: **Project # 20-B-25 – Change Order No. 1
Victory Air Services dba Powers Service Co., Inc.**

Amount of Project or Contract: \$ 264,350.00 (increase of \$88,75.00) for a
New Project Amount of \$353,104.00

- 1. Acct: # 001-2002-423-45-03 Outside Contractors/HVAC

Specific Appropriation to which expenditures will be charged: Budget 2022/2023/2024

Other comments: Two Year Contract Extension Commencing: June 2022
Maintenance of HVAC Equipment
Increase of \$88,754.00

Date of Certification: June 28, 2023 Certified: \$353,104.00

Yitzchak Weiss
Comptroller and Chief Financial Officer

YW:lb