

RESOLUTION NO. 2023-253

A RESOLUTION AUTHORIZING THE ISSUANCE OF AN AMENDATORY SUPPLEMENTAL CHANGE ORDER NO. 2, TO CONTRACT NO. C22-0109, ISSUED TO TERRA TECH SERVICES, LLC, DOWNINGTOWN, PA, IN THE AMOUNT OF \$73,216.00.

WHEREAS, the City Council of the City of Vineland, on June 14, 2022, adopted Resolution No. 2022-221, entitled “A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH TERRA TECH SERVICES, LLC, DOWNINGTOWN, PENNSYLVANIA FOR THE DECOMMISSIONING AND DEMOLITION OF HOWARD M. DOWN GENERATING STATION, IN THE AMOUNT OF \$6,700,000.00”; and

WHEREAS, N.J.A.C. 5:30-11.1, et seq., sets forth the requirements for the processing of change orders; and

WHEREAS, the Director of Municipal Utilities has requested that an amendment be made to contract awarded to Terra Tech Services, Downingtown, PA, for decommissioning and demolition of the Howard M. Down Generating Station as authorized by Resolution No. 2022-21; said amendment is necessary for the removal of asbestos materials present in the old boiler house that were not identified in the previous surveys. During the bidding process, access was restricted due to the presence of damaged and fallen asbestos in the area. This change order is also due to additional bulk ash present in the bulk and fly ash silos than what was assumed in the contract document; and

WHEREAS, the City of Vineland desires to comply with said requirements of N.J.A.C. 5:30-11.1, et seq., and to that end herewith files with the governing body a report stating the facts involved and indicating that the proposed change order may be allowed under these regulations; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for the amendatory supplemental change order for which authorization is requested in the amount of \$73,216.00 ; now, therefore,

BE IT RESOLVED by the Council of the City of Vineland that said amendatory supplemental change order #2 to Contract No. C22-0109, issued to Terra Tech Services, Downingtown, PA, in the amount of \$73,216.00, be and the same is hereby ratified and approved.

Adopted:

President of Council

ATTEST:

City Clerk



June 5, 2023

REPORT

TO: THE MAYOR AND COUNCIL

Amendatory Supplemental Change Order No. 2
Contract No. C22-0109
Decommissioning and demolition - Howard M. Down Generating Station
Terra Tech Services, Downingtown, PA

We are requesting that an amendatory supplemental change order be issued to Contract No. C22-0109, issued to Terra Tech Services, Downingtown, PA, for decommissioning and demolition of the Howard M. Down Generating Station. This contract was authorized by Resolution No. 2022-221, adopted by City Council on June 14, 2022.

The change order requested, in the amount of \$73,216.00, provides for the removal of asbestos materials present in the old boiler house that were not identified in the previous surveys. During the bidding process, access was restricted due to the presence of damaged and fallen asbestos in the area. This change order is also due to additional bulk ash present in the bulk and fly ash silos than what was assumed in the contract document.

This change order plus change order #1(327,000) represents an increase of approximately 5.97337% over the original contract amount of \$6,700,000.00.

The amendatory supplemental change order for which authorization is herein requested may be authorized in accordance with N.J.A.C. 5:30-11.1 et seq.

Respectfully submitted,

Robert E. Dickenson, Jr.
Business Administrator

RD/wr
Encl.



RECEIVED
MAY 23 2023
CITY OF VINELAND
BUSINESS ADMIN.

REQUEST FOR CHANGE ORDER

FOR:

Decommissioning and Demolition of Howard M Down Generating Station

PROJECT NAME

5-23-23

TO: BUSINESS ADMINISTRATION

DEPARTMENT: EU Engineering

FROM: T Dunmore

This is a request for change order # 2 to Contract # C22-0109 for:

Project Name Decommissioning and Demolition of Howard M Down Generating Station

Name/Address of

Contractor: Terra Tech Services, 600 S Brandywine Ave. Downingtown PA 19335

The change order is necessary because: (use additional pages if necessary to explain your reason and you must attach *documentation to support the necessity of this change order.
*(Documentation from contractor, engineer, etc.)

CO proposal - Unknown Asbestos - \$57,216.00

CO Proposal - Bulk Ash - \$16,000.00 (See attached)

Original Contract Amount:	\$ <u>6,700,000.00</u>
Amount of this change order:	\$ <u>73,216.00</u>
Previous Change Orders:	\$ <u>327,000.00</u>
Total Revised Amount:	\$ <u>7,100,716.00</u>

APPROVED BY: John Lillie
Print/type

John Lillie
Signature

NOTE:
CHANGE ORDERS CANNOT EXCEED 20% OF THE ORIGINAL CONTRACT AMOUNT

Please provide the account number that the change order will be charged to:

Account # 2-05-55-512-9001-52000-E306P-1

CC: Purchasing Division

RECEIVED
MAY 23 2023
CITY OF VINELAND
BUSINESS ADMIN.

MEMORANDUM

Date: May 19, 2023
To: Mohan Puri, Vineland Municipal Electric Utility
Tom Dunmore, Vinland Municipal Electric Utility
From: Andy Lewis
RE: Contract Change, Terra Technical Services
Howard Down Station Demolition Program

Terra Technical Services (Terra) has issued several change requests regarding the above-referenced project, both unsolicited and responding to a pricing request for additional scope tasks. The changes are summarized below, along with a contract scope change issued by VMEU.

- *Change Order Proposal #3, dated November 14, 2022 – Unknown Asbestos.* The change order proposal pertains to the removal of asbestos materials present in the Old Boiler House that were not identified in previous asbestos surveys. During the bidding process, access to the Old Boiler House was restricted due to the presence of damaged and fallen asbestos in the area. As such, neither Terra nor other bidders were allowed access to inspect the area and perform their pricing due diligence. Terra is requesting a total of \$57,216 for the abatement of the unanticipated asbestos materials, which has been completed. A response to Terra dated January 17, 2023 provided conditional approval with the stipulation that no further asbestos-related change requests will be allowed as part of the base scope of their contract. Terra informally agreed to this condition. Value of Addition: \$57,216.
- *Scope Change #2, issued to Terra by WSP Golder (on behalf of VMEU), dated February 8, 2023.* Scope Change #2 relates to additional bulk ash present in the bulk and fly ash silos than what was assumed in the contract document (non-fixed price task). In short, it was determined through field measurements that 64% more bulk ash was present. Terra's line item for this task was \$25,000 from their original bid. As there was 64% more ash, Terra's additional cost is \$16,000 on a fixed price basis ($\$25,000 * 0.64 = \$16,000$).

If authorized, the revised contract amount for Terra will be as follows:

Current Contract Value	\$7,027,500.00
Change Order Proposal #3.....	\$57,216.00
<u>Scope Change #2</u>	<u>\$16,000.00</u>
Revised Contract Value	\$7,100,716.00

As noted, this will result in an addition of \$73,216 to the contract value on a fixed price basis.