

RESOLUTION

WHEREAS, the Township awarded a certain project entitled Construction of an Entrance Canopy Enclosure Addition to West Orange Police Facility (the "Project") to Automatic Door Systems, LLC of North Arlington, New Jersey ("ADS") dated May 26, 2010 in the amount of \$104,850 plus \$10,000 for alternate number 1 for a total of \$114,850 (the "Contract Amount"); and

WHEREAS, by contract dated October 6, 2008, the Township entered into an agreement with Herbst-Musciano Architects/Planners of Cedar Knolls, New Jersey ("Herbst-Musciano") to perform certain construction contract administration services; and

WHEREAS, the Project's start date and progress has been delayed as a result of ADS personnel issues, fire suppression analysis issues, and weather/winter issues; and

WHEREAS, the Project's delays have increased the cost and need for architectural services; and

WHEREAS, the initial contract with Herbst-Musciano provided for a fee of \$8,000 for construction contract administration services not to exceed six (6) months which timeframe has expired; and

WHEREAS, on May 3, 2011, a Resolution was adopted by the Township Council approving a Change Order No. 1 for electrical additions in an amount not to exceed \$5,000 or an increase of 4.4 percent of the original contract amount of \$114,850, bringing the total contract sum to a maximum of \$119,850; and

WHEREAS, on May 23, 2011 a meeting was conducted with representatives of ADS and Herbst-Musciano wherein it was agreed that a change order will occur whereby the ADS contract will be reduced by \$7,500 and such monies will be paid to Herbst-Musciano for completion off all construction contract administrative services; and

WHEREAS, the result of this Change Order will be no net economic impact on the Township and will facilitate the contract being completed at the earliest possible date; and

WHEREAS, the Legal Department recommends approval of this Change Order;

NOW, BE IT HEREBY RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, that Change Order No. 3 be and is hereby approved whereby the Automatic Door Systems, LLC contract will be reduced by \$7,500 to \$112,350 and the Herbst-Musciano contract will be increased by \$7,500; and it is further

RESOLVED that notice of this resolution shall be published in accordance with applicable law.

Karen J. Carnevale
Township Clerk

Sal M. Anderton
Council President

Adopted: May 31, 2011