

R E S O L U T I O N

WHEREAS, on February 17, 2011 the Township of West Orange advertised for bids for the project entitled "2010 Roadway Improvements-Phase I Various Streets", prepared by the Engineering Division for the Township; and

WHEREAS, the Township on March 15, 2011 received 19 bids for this project; and

WHEREAS, on March 29, 2011 the Township Council by Resolution No. 63-11 awarded a contract for this project to the lowest responsive bidder, A & J Contractor's Group, 105 Federal Road, Monroe Township, New Jersey in the amount of \$512,777.30 of which \$437,000 was funded by Community Development Block Grants; and

WHEREAS, the bid and contract were based on unit prices; and

WHEREAS, the streets in this project included Central Place, Glebe Street, Cary Street, Lafayette Street, portions of Chestnut Street and Cherry Street and all of Franklin Avenue; and

WHEREAS, A & J Contractor's Group, Inc. proceeded with the improvements associated with this project; and

WHEREAS, as the work neared completion the Engineering Division determined it significantly underestimated the quantities of work on a portion of Franklin Avenue between Chestnut Street and the Montclair line; and

WHEREAS, the Township Engineer by letter dated June 1, 2011 restated the estimated quantities of six major items of construction omitted from the original bid quantity estimate; and

WHEREAS, those additional bid quantities as well as a supplemental item for culvert repair on Central Place were stated in Change Order No. 1 dated June 1, 2011 for this project totaling \$90,000.00; and

WHEREAS, the Township Council by Resolution No. 139-11 dated June 14, 2011 approved Change Order No. 1; and

WHEREAS, the Township Engineer by letter dated June 1, 2011 indicated a final

Change Order reflecting as built quantities would be submitted for approval; and

WHEREAS, Change Order No. 2 and Final reflects the final as-built quantities and the final project cost of \$649,540.04 or an increase of \$46,762.74 over the previously authorized amount through Change Order No. 1 of \$602,777.30; and

WHEREAS, subsequent to the approval of Change Order No. 1 the Township received additional contingency funding of \$50,500 from the Community Development Block Grant Program bringing the total available funds to \$653,277.30 or \$3,737.26 more than the final contract amount; and

WHEREAS, the Township Engineer by letter dated August 23, 2011 recommends Change Order No. 2 and Final for this project be approved which represents a 7.7 percent increase over the amount of \$602,777.30 previously authorized and a 26.7 percent increase over original contract amount; and

WHEREAS, the Township Council concurs in the foregoing

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of West Orange that Change Order No. 2 and Final in the amount of \$46,762.74 for the project 2010 Roadway Improvements-Phase I, Various Streets with A & J Contractor's Group, Monroe Township, New Jersey be approved bringing the final contract amount to \$649,540.04 or a 7.7 percent increase in the amount previously authorized and 26.7 percent higher than the original award amount.

BE IT FURTHER RESOLVED that \$3,737.26 previously authorized under Change Order No. 1 be returned to the Capital Improvement Fund for future roadway projects.

KAREN J. CARNEVALE, MUNICIPAL CLERK

PATRICIA SPANGO, COUNCIL

PRESIDENT

I hereby certify contingency funds are available in the amount of \$50,500 from the Community Development Block Grant Program contingent upon the execution of an amended contract for this project and the issuance of a Purchase Order by the County.

CHIEF FINANCIAL OFFICER