

R E S O L U T I O N

WHEREAS, by Resolution No. 128-20 dated June 23, 2020, the Township Council awarded the contract Pleasant Valley Way Parking Lot Improvement located at 492-496 Pleasant Valley Way to Zenith Construction Services, Inc., 365 Thomas Boulevard, Orange, NJ 07050 in the amount of \$274, 537.87; and

WHEREAS, the work under this contract included the complete reconstruction of the parking lot and the replacement of an 11-foot-high steel column and railroad tie retaining wall with a masonry block wall with a steel reinforced concrete parapet on top of the block; and

WHEREAS, during the demolition of the existing wall and preparing the foundation for the new wall the design engineer, Frank H. Lehr Associates, Inc., of East Orange, NJ and the contractor determined the existing soils would not be sufficient to support the new block wall and concrete parapet; and

WHEREAS, Frank H. Lehr determined approximately 5.5 feet in depth of unsuitable soils needed to be removed across the entire length of the new wall and replaced with clean stone to address this field condition; and

WHEREAS, the contractor was directed to proceed with the work pending the negotiation of a Change Order for materials, labor, profit and overhead; and

WHEREAS, Frank H. Lehr and Zenith Construction Services negotiated Change Order No. 1 for this additional work to address field conditions in the amount of \$39,764.26; and

WHEREAS, Change Order No. 1 is acceptable to the Municipal Engineer and by letter dated April 14, 2021 to the Township Council, he recommends its approval; and

WHEREAS, at the completion of the project Zenith Construction Services submitted Change order No. 2 and Final in the amount of \$8,102.52 which reflects as built quantities of bid items and not a change in scope of the project; and

WHEREAS, Change Order No. 2 is also acceptable to the Municipal Engineer and by letter dated April 14, 2021 to the Township Council, he recommends its approval; and

WHEREAS, sufficient funds exist for these Change Orders; 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. 1 and Change Order No. 2 and Final for the project Pleasant Valley Way Parking Lot Improvement with Zenith Construction Services, Inc., 365 Thomas Boulevard, Orange, NJ 07050 in the amounts of \$39,764.26 and \$8,102.52 respectively are hereby approved.

BE IT FURTHER RESOLVED that the Municipal Engineer is authorized to execute the Change Order on behalf of the Township of West Orange.

Karen J. Carnevale, RMC, Municipal Clerk

Cindy Matute - Brown, Council President

Adopted: April 20, 2021

I hereby certify funds are available

**ACCT NO. 03 2544 18 0400 040
2018 Capital Budget
Pleasant Valley Way Parking Lot**

John Gross, Chief Financial Officer