

RESOLUTION

WHEREAS, by Resolution No. 66-21 dated April 20, 2021, the Township Council awarded the Contract Street Improvements 2020 Phase II to Cifelli & Son General Contracting, 81 Franklin Avenue, Nutley, NJ 07110 in the amount of \$2,091,766.75; and

WHEREAS, the work under this contract included street improvements consisting predominantly of curb, sidewalk, driveway aprons and pavement milling and resurfacing to thirteen (13) Municipal Streets or parts thereof; and

WHEREAS, the Municipal Engineer desired to extend the limits of this project to include Redwood Avenue, Woodland Avenue to Ellis Street, and Ellis Street; and

WHEREAS, by Resolution No. 183-21 dated July 13, 2021 the Township Council approved Change Order No. 1 for this contract with Cifelli & Son General Contracting, in the amount of \$216,000.00; and

WHEREAS, the total funds appropriated through Change Order No. 1 is \$2,307,766.75; and

WHEREAS, the Municipal Engineer desired to extend the limits of this project to include Skyline Drive; and

WHEREAS, by Resolution No. 263-21 dated October 12, 2021 the Township Council approved Change Order No. 2 for this contract with Cifelli and Son General Contracting in the amount of \$162,000.00; and

WHEREAS, the total funds appropriated through Change Order No. 2. Is \$2,469,766.75 or an 18.07 percent increase in the original contract amount; and

WHEREAS, the Municipal Engineer desires to extend the limits of this contract a third and final time to include improvement of Edgewood Avenue from Rock Spring Road to Arverne Road; and

WHEREAS, the New Jersey American Water Company recently installed a new water main and services on this section of Edgewood Avenue where as the Municipal Engineer recommends to avoid further deterioration of the roadway disturbed by NJAWC that the roadway be improved before onset of winter; and

WHEREAS, the Municipal Engineer estimated the cost to improve this section of Edgewood Avenue is \$330,750.00 which along with the estimate of \$15,000.00 to complete three other streets will bring the total project cost to \$2,815,516.75 or a 34.60 percent increase in the total contract amount including Change Orders No. 1 and No. 2; and

WHEREAS, the Local Public Contracts Law and the New Jersey Administrative Code allow for Change Orders in excess of twenty (20) percent provided a written certification is filed by the Contractor an Engineer, a request is made to the Township Council by the Mayor's designee, the Municipal Engineer and a Notice be placed in the official newspaper; and

WHEREAS, the certification reads as follows; The New Jersey American Water Company (NJAWC) recently constructed a new water main and house services on Edgewood Avenue between Rock Spring Avenue and Arverne Road. The trench and road alongside the trench is deteriorating. The street needs to be improved before the onset of winter to avoid further deterioration which may make the roadway hazardous. Originally when the work was performed by NJAWC it appeared the road was in reasonably good condition to allow for its improvement in 2022. But recent weather events including the heavy rains from Hurricane Ida have led to the poor condition of the roadway. The improvements will be made as an extension of quantities to the unit price contract, Street Improvements 2020 Phase II. If this project were bid on its own prices will be higher due to remobilization and smaller quantities. Furthermore, it would not be completed until 2022. Thus, the certification to proceed with these improvements at this time as outlined in Change Order No. 3 for this project is submitted; and

WHEREAS, the letter of the Municipal Engineer dated October 26, 2021 is the request to the Governing Body; and

WHEREAS, this Resolution will be published in the West Orange Chronicle as notice of this Change Order; and

WHEREAS, New Jersey American Water Company contributed \$87,000.00 toward the milling and paving of Edgewood Avenue; and

WHEREAS, sufficient funds exist for this additional work; and

WHEREAS, the Township Council concurs in the foregoing that the provisions of the New Jersey Local and Public Contracts Law and New Jersey Administrative Code are met.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of West Orange that Change Order No. 3 for the project Street Improvements, 2020 Phase II with Cifelli & Son General Contracting, 81 Franklin Avenue, Nutley, NJ 07110 in the amount of \$345,750.00 or a 34.6 percent increase in the original contract amount is hereby approved bringing the adjusted contract amount to \$2,815,516.75.

BE IT FURTHER RESOLVED that this Resolution be published in the West Orange Chronicle within in 10 days of adoption to satisfy the requirements of the New Jersey Administrative Code for Change Orders over 20 percent.

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

Adopted: November 9, 2021

I hereby certify funds are available

John Gross, Chief Financial Officer

Cindy Matute – Brown, Council President

ACCT NO. 03 2610 20 0500 110
2020 Capital Budget
Road Improvements
\$258,750.00
Escrow Fund
\$87,000.00