

RESOLUTION

WHEREAS, on April 30th, 2024, the Municipal Engineer received a letter from Engineering Consultant Mott Macdonald that conducted stormwater outfall inspections within the Township indicating that a corrugated metal pipe (CMP) storm sewer outfall warranted immediate repair; and

WHEREAS, on May 3rd, 2024, the Municipal Engineer notified via a letter to Hutton Lafayette Apartments to repair the outfall; and

WHEREAS, on June 3rd, 2024, evidence was provided to the Municipal Engineer from Hutton's Lafayette Apartments Engineer of an Essex County filed map from 1949 that shows outfalls within a 10 ft.

Right-of-Way to the Township; and

WHEREAS, pursuant to the Local Public Contracts Law, Emergency Contracts, N.J.S.A. 40A:11.6a the Municipal Engineer on June 3, 2024 notified the Administration, Legal Department and Purchasing Agent of the need to perform an emergency contract for this work which is above the bid threshold; and

WHEREAS, on June 6th, 2024, Contractor conducts a CCTV inspection for the two (2) outfalls at Hutton Lafayette Apartments which revealed both outfalls to be in poor condition one at McClellan Terrace

(Outfall Structure #1) and the other at Randolph Place (Outfall Structure #2); and

WHEREAS, it was concluded that to expedite the work and to perform the emergency replacement

of the storm sewer outfalls to protect public health and safety, an emergency contract was issued to Colonnelli Bros., Inc. who was readily available to mobilize and perform the work; and

WHEREAS, the Municipal Engineer authorized Colonnelli Bros., Inc. to subcontract Colliers Engineering and Design from Mt. Arlington to conduct a partial boundary and topographic survey, preliminary constructions plan for submission to NJDEP;

WHEREAS, an Emergency Authorization to conduct the repairs was obtained on August 7th, 2024 via email; and

WHEREAS, the Municipal Engineer by letter dated November 18th, 2024 recommends paying the costs of this emergency work; and

WHEREAS, Colonnelli Bros., Inc. submitted an invoice dated October 2024 for the emergency storm sewer outfalls repair at Hutton Lafayette Apartments and its associated improvements in the amount of \$247,675.15; and

WHEREAS, the Township is required to submit a formal application to NJDEP for permits and for which a contract allowance in the amount of \$52,324.85 as a contingency plan for professional engineering services related to the application and permitting process is supplemental; and

WHEREAS, sufficient funds exist for this work; 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 an emergency appropriation in the amount not to exceed \$300,000.00 is authorized to Colonelli Bros., Inc. for emergency storm sewer two (2) outfall replacements to the Township's storm sewer main at McClellan Terrace and Randolph Place by Hutton Lafayette Apartments.

BE IT FURTHER RESOLVED that this work was performed pursuant to the provisions of the Local Public Contracts Law, Emergency Contracts, N.J.S.A. 40A:11-6 as the work was required to protect public health and welfare.

Karen J. Carnevale, RMC, Municipal Clerk

Bill Rutherford, Council President

Adopted: November 24, 2024

I certify funds are available for this work

**Account No. 03-2830-23-0500-010
\$300,000.00
Capital Budget, Sewer Improvements**

John C. Ditinyak, Chief Financial Officer