

Resolution 17- 059

RESOLUTION TO AUTHORIZE THE EXECUTION OF CHANGE ORDER 1 TO CONTRACT NUMBER 42, WEST MAIN STREET ROAD AND SIDEWALK RESTORATION PROJECT

WHEREAS, the Rockaway Valley Regional Sewerage Authority (hereinafter the “Authority”) pursuant to Resolution 16-0139 adopted December 8, 2016, entered into Contract 42 with Tomar Construction Services, Inc., 6 Spruce Meadows Drive, Monroe, New Jersey (hereinafter the “Contractor”) for road and sidewalk restoration services to repair West Main Street due to the emergency repair work that was undertaken at that site; and

WHEREAS, installation of the final surface was delay as the Contractor was not allowed to complete the work during the winter months, and additional work directed by the County Road Department was required, as more specifically set forth in the attached correspondence, dated March 23, 2017 from Mark A. Bean, P.E., CGP, LEED AP, FIGP, Principal Engineer, (Kleinfelder) to the Authority’s Manager of Engineering, Carrie D. Feuer, P.E.; and

WHEREAS, the changes referred to in the above referenced correspondence are formalized in the Contract Change Order No. 1, dated April 13 2017, and reflect a total increase in contract value of \$18,960.97, from 53,000.00 to a new amount of \$71,960.97 and implementing a non-compensatory extension of time of 158 days, extending the date of Contract Completion from January 8, 2017 to June 15, 2017, as follows:

Item #	Description	Cost
1	Mill and Surface Coat	
1.1	Remobilization to mill and install surface coast on West Main Street	\$18,960.97
	Total Change Order Cost	\$18,960.97

WHEREAS, the Authority has reviewed the Contract Change Order attached hereto and made a part hereof, and is satisfied that it meets the requirements of N.J.A.C. 5:30-11.3, and

WHEREAS, the CFO has certified that sufficient funds are available in line item EIT-042.

NOW, THEREFORE, BE IT RESOLVED by the Rockaway Valley Regional Sewerage Authority as follows:

1. Subject to receipt of New Jersey Department of Environmental Protection approval, the Authority hereby approves Change Order No. 1 in the amount of

\$18,960.97, and the extension of the contract completion date by 158 days' time for the completion of the work, as set forth in Change Order No. 1, attached hereto and made a part hereof.

2. Upon receipt of New Jersey Department of Environmental Protection approval, the Executive Director is hereby authorized and directed to execute a Contract Change Order substantially in the form as that attached hereto, in the foregoing amount.

3. This Resolution shall take effect as provided by law.

CERTIFICATION

I hereby certify that this Resolution was adopted at a meeting of the Rockaway Valley Regional Sewerage Authority held on the 13th of April, 2017.

On motion of Glenn Corbett

Second by Michael Guadagno


And a Roll Call Vote as Follows:

Yeas: (7) Andes, Cegelka, Corbett, Guadagno, Recchia, Rossi, Schorno

Nays: (0) None

Abstain: (1) Vincitore

Absent: (2) Lavery and Lowell


Michael Guadagno
Board Secretary

CONTRACT MODIFICATION PROPOSAL AND ACCEPTANCE

1. ISSUING OFFICE Rockaway Valley Regional Sewerage Authority	2. PROJECT NO. n/a	3. CONTRACT NO. C6-00048	4. MODIFICATION NO. Number 1
5. TO (CONTRACTOR) Tomar Construction Services, Inc. 18 Connerty Court, Suite B East Brunswick, NJ 08816		6. PROJECT LOCATION AND DESCRIPTION RVRSA Contract C6-00048: West Main Street Road & Sidewalk Restoration Project Boonton, NJ	

7. A proposal is required for making the hereinafter described change in accordance with specification and drawing revisions cited herein or listed in attachment hereto. Submit your proposal in space indicated on page 2, attach detailed breakdown of prime and sub-contract costs (See the clause of this contract entitled, "Changes". DO NOT start work under this proposed change until you receive a copy signed by the Contracting Officer or a directive to proceed).

04/13/2017

JoAnn Mondsinì, Executive Director

Date

Type Name and Title

Signature

8. DESCRIPTION OF CHANGE: Pursuant to the clause of this contract covering changes, the contractor shall furnish all labor and material, and all work necessary to accomplish the following described work:

1. Provide labor, material, and equipment to remobilize to site to mill road surface and install final surface course.

As a result of the above, the contract price is revised as follows:

ITEM NO.	ITEM DESCRIPTION	UNIT PRICE	ESTIMATED QUANTITY	TOTAL COST
1	Final Surface Course	\$18,960.97	Lump Sum	\$18,960.97

Contractor agrees that the time extension and cost of this Contract Modification (Change Order) shall be full and complete compensation to the Contractor for the Work described herein and, as such, Contractor, its officers, employees, successors and assigns, hereby releases the Owner, its Board Members, officers, employees and consultants of any and all claims, including, but not limited to, disruption, delay, loss of productivity, idle time for persons and equipment, home office overhead, extended or disrupted performance, additional mobilizations, re-mobilizations, indirect or impact claims, loss of profit, together with any other damages, that relate in any way to the Work described in this Contract Modification (Change Order).


TOTAL COST OF THIS MODIFICATION: \$ 18,960.97

The contract time is hereby: increase decrease or remains the same by 158 calendar days as a result of this modification.

The foregoing modification is hereby accepted:


CONTRACTOR

OWNER

(NJPE SEAL) 
ENGINEER

BY: Vijay Thomas, Project Manager

BY: JoAnn Mondsinì, Exec. Director

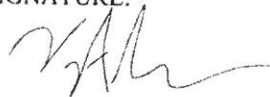
BY: Mark A. Bean, P.E.

DATE: April 13, 2017

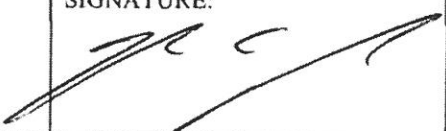
DATE: April 13, 2017

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CONTRACT MODIFICATION PROPOSAL AND ACCEPTANCE

9. ISSUING OFFICE Rockaway Valley Regional Sewerage Authority	10. PROJECT NO. n/a	11. CONTRACT NO. C6-00048	12. MODIFICATION NO. Number 1
13. CONTRACTOR'S PROPOSAL – CHANGE IN CONTRACT PRICE (Detailed breakdown, attach additional sheets as necessary)			
(Proposed) Please See Attached – Affixed to Change Order Recommendation by Mark A. Bean of Kleinfelder dated March 23, 2017.			
NET INCREASE \$ <u>18,960.97</u>	NET DECREASE \$ _____	CALENDER DAYS INCREASE <u>158</u> DAYS	
DATE: April 13, 2017	TYPE NAME AND TITLE: Vijay Thomas Project Manager Tomar Construction Services, Inc.		SIGNATURE: 

CONTRACT MODIFICATION PROPOSAL AND ACCEPTANCE

<p>14. ISSUING OFFICE & PROJECT NO. Rockaway Valley Regional Sewerage Authority S340821-06</p>	<p>15. CONTRACT NO. C6-00048</p>	<p>16. MODIFICATION NO. Number 1</p>
<p>17. ORIGINAL CONTRACT BID PRICE \$ <u>53,000.00</u> TOTAL OF PREVIOUS CHANGE ORDERS \$ <u>0.00</u> TOTAL CONTRACT COST INCLUDING CHANGE ORDERS ... \$ <u>71,960.97</u></p>		
<p>18. NECESSITY FOR CHANGE AND REASON FOR OMISSION FROM PLANS AND SPECIFICATIONS: Please see attached Change Order Recommendation by Mark A. Bean of Kleinfelder dated March 23, 2017.</p>		
<p>19. OTHER IMPACTS RESULTANT OF THIS CHANGE: None.</p>		
<p>20. RESUME OF NEGOTIATIONS OR RECOMMENDATIONS (Loanee's Representative) : Please see attached Change Order Recommendation by Mark A. Bean of Kleinfelder dated March 23, 2017.</p>		
<p>DATE: April 13, 2017</p>	<p>TYPE NAME AND TITLE OF LOANEE'S REPRESENTATIVE: Mark A. Bean, P.E., CGP, LEED AP, FIGP Principal Engineer Kleinfelder</p>	<p>SIGNATURE: </p>