

**Resolution 25-092**

**RESOLUTION ACCEPTING THE WORK AND AUTHORIZING FINAL  
PAYMENT AND THE RELEASE OF ALL RETAINAGE FOR CONTRACT  
NUMBER 43, INTERCEPTOR SEWER REHABILITATION AND  
REPLACEMENT – BOONTON SECTION**

**WHEREAS**, the Rockaway Valley Regional Sewerage Authority (hereinafter the “Authority”) entered into Contract 43 for the construction of the Interceptor Sewer Rehabilitation and Replacement – Boonton Section Project with Spiniello Companies, 354 Eisenhower Parkway, Livingston, New Jersey (hereinafter “Spiniello”); and

**WHEREAS**, the original contract value was \$3,763,300.00 and during the course of construction six change orders were issued resulting in a net increase to the contract value by \$667,385.05, resulting in a total contract value of \$4,430,685.05; and

**WHEREAS**, the Authority has retained monies in accordance with Local Public Contracts Law, N.J.S.A. 40A:11-16.3; and

**WHEREAS**, the Authority has previously paid Spiniello \$4,380,042.44 in monthly progress payments for Contract No. 43 work completed; and

**WHEREAS**, Spiniello requests that the Authority make a final payment in the amount of \$50,642.61 representing the retainage held by the Authority during the construction of the project pursuant to Spiniello’s Application and Certification for Payment No. 9 as its final application for payment; and

**WHEREAS**, by Certificate of Construction Completion by Professional Engineer, dated August 20, 2025, attached hereto and made a part of, to the State of New Jersey, Department of Environmental Protection, Division of Water Quality, Mott MacDonald certified that the described project is construction complete; and

**WHEREAS**, Mott MacDonald advises in its letter, dated August 14, 2025, concerning Payment Application No. 9, that “the Contractor is entitled to payment of

\$50,642.61, under this payment application” and “this is the final payment application for this project and includes payment (release) of all retainage”; and

WHEREAS, Spiniello has completed all work for the Interceptor Sewer Rehabilitation and Replacement – Boonton Section Project, Contract 43 to the satisfaction of RVRSA and furnished the necessary project closeout documents, including the maintenance bond and environmental maintenance bond; and

WHEREAS, this project is funded through the New Jersey Water Bank (NJWB) and the RVRSA Chief Financial Officer has certified that sufficient funds are available.

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

1. The Authority hereby determines that on the date of the adoption of this Resolution, all work to be performed by Spiniello Companies pursuant to Contract No. 43 entitled “Interceptor Sewer Rehabilitation and Replacement – Boonton Section, Contract 43” is complete and accepted.
2. The Authority hereby approves Application and Certification for Payment No. 9 in the amount of \$50,642.61 to be paid to Spiniello Companies as the full release of all retainage that was withheld in accordance with N.J.S.A. 40A:11-16.3.
3. The Executive Director is authorized to execute the Certificate of Construction Completion, dated August 22, 2025.
4. The Maintenance Bond provided by Spiniello Companies. shall remain in effect until September 11, 2027.
5. The Environmental Bond provided by Spiniello Companies shall remain in effect until August 19, 2026.
6. The Executive Director, staff and consultants are authorized to take all appropriate actions to effectuate this Resolution.
7. This Resolution shall take effect as provided by law.

**Certification of Funds**

I, Sandy Thai, CFO, do hereby certify that sufficient funds are available in the 2025 budget from line-item EIT-043.

/s/ Sandy Thai

CFO, Rockaway Valley Regional Sewerage Authority

Dated: September 5, 2025

### CERTIFICATION

I hereby certify that this Resolution was adopted at a meeting of the Rockaway Valley Regional Sewerage Authority held on September 11, 2025.

On motion of: Commissioner Andes

Second by: Commissioner Howarth

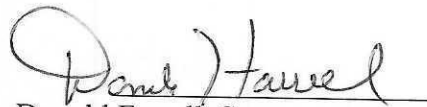
And a Roll Call Vote as Follows:

Yeas: (9) Andes, Cegelka, Chegwiddden, Farrell, Howarth, Isselin, Lavery, Schorno, and Sheehy.

Nays: (0) None

Abstain: (0) None

Absent: (1) Zuppa.

  
Donald Farrell, Secretary