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Resolution #2016 - 164

**RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL
OF THE BOROUGH OF MOUNT ARLINGTON, IN THE COUNTY OF
MORRIS, NEW JERSEY, APPROVING CHANGE ORDER #2 FOR THE
HOWARD BOULEVARD AT ONEIDA AVENUE PROJECT**

WHEREAS, the Borough Engineer has recommended the execution of a change order increasing in the aggregate the amount of the contract by \$15,569.23; and

WHEREAS, the Local Public Contracts law permits change orders which do not exceed 20% of the original contract amount, which was \$778,587.67 (\$770,817.72 original plus \$7,769.95 from Change Order); and

WHEREAS, the Chief Financial Officer has certified that funds are available.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Mount Arlington, County of Morris, State of New Jersey, that the annexed Change Order #2 for the Howard Boulevard at Oneida Avenue Project contract with Tomco Construction, Inc. is approved and that the Mayor is authorized to execute the same.

This Resolution shall take effect immediately.

I HEREBY CERTIFY this to be a true and correct Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, and adopted on November 1, 2016.


Linda DeSantis, RMC
Borough Clerk



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Sparta, New Jersey 07871
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October 21, 2016

Carolyn Rinaldi
Borough Administrator
Borough of Mount Arlington
419 Howard Boulevard
Mt. Arlington, New Jersey 07856

Re: Howard Boulevard Realignment Project
Recommendation for Approval of Change Order #2
Mt. Arlington, Morris County, New Jersey

CP Project No: 576.013

Dear Ms. Rinaldi:

CP Engineers, LLC (CP) has received and reviewed the request from Tomco Construction, Inc. for Change Order #2. This request relates to the cost for delays and other construction impacts associated with the conflict with the New Jersey Natural Gas (NJNG) main in Howard Boulevard.

In July 2015, CP received a layout from NJNG indicating the approximate location and path of their existing main within the Howard Boulevard right-of-way. Based on the supplied layout, the gas main would not conflict with any proposed construction activities related to the project. While excavating the area for the installation of the first stormwater inlet, Tomco discovered the gas main to be located directly in the path of the new inlet. Further investigation revealed that the gas main was directly in conflict with almost every proposed inlet and light foundation. CP immediately contacted NJNG and requested that gas main be relocated at each identified conflict along the length of the project. After extensive discussions and coordination with NJNG, the County of Morris and CP, NJNG agreed to expedite their typical timeframe to perform the relocations, but only for the conflicts relating to the stormwater inlets.

The conflict with the gas mains was identified on the morning of August 15, 2016. NJNG began the relocation process to accommodate the proposed stormwater infrastructure on September 7, 2016. Tomco in coordination with CP made in field adjustments for the placement of the light foundations and the alignment of the new sidewalk where conflicts with NJNG's gas main were identified.

We believe the cost is consistent with the work performed and was beyond the original scope of the project. Based upon the information summary provided and our oversight of the construction activities, we recommend approval of the request for Change Order #2 in the amount of \$15,569.23 including an increase of 21 days to the time provided for completion of the project. Upon approval, the contract will increase from \$778,587.67 (\$770,817.72 original contract plus \$7,769.95 change order #1) to \$794,156.90.



Please find enclosed the contract change order and the request for Change Order #2 from Tomco Construction, Inc.

Please advise if additional information is required.

Sincerely,

CP ENGINEERS, LLC

A handwritten signature in black ink, appearing to read 'James Landry'.

James Landry, P.E.
Senior Project Manager

CC: Stan Puszczyk, P.E., CP Engineers, via email
Matthew O'Donnell, Esq., O'Donnell McCord, PC, via email
Elizabeth Valandingham, Esq., O'Donnell McCord, PC, via email

Encl:

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