

RESOLUTION

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

WHEREAS, this contract was bid as a unit price contract with 43 different items with an estimated quantity for each item; and

WHEREAS, the work under this contract included street improvements consisting predominately of curb, sidewalk, driveway aprons, drainage and pavement milling and pavement resurfacing to Municipal Streets; and

WHEREAS, the Municipal Engineer desired to extend the limits of this project to include four additional streets including Edgewood Avenue which was damaged by Hurricane Ida in three Change Orders of which the latter for Edgewood Avenue was an Emergency Change Order and authorized by Resolutions of the Township Council as follows:

Change Order No 1; 216,000.00;
Ellis Street and Redwood Avenue
Resolution No. 183.21 dated July 13, 2021.

Change Order No. 2; \$162,000.00
Skyline Drive
Resolution No. 263-21 dated October 12, 2021

Emergency Change Order No. 3; \$345,750.00
Edgewood Avenue (Damaged by Hurricane Ida)
Resolution No. 277-21 dated November 9, 2021

WHEREAS, the three Change Orders total \$723,750.00 bringing the adjusted contract price to \$2,815,516.75 or a 34.60 percent increase in the original contract amount; and

WHEREAS, unit price-based contracts are awarded on estimated quantities that require a “true-up” calculation to actual quantities as part of an as-built reconciliation; and

WHEREAS, the contract was completed in December 2021 and an accounting of all the quantities for all the various items of construction including fuel price and asphalt price adjustments brought the final as built contract construction cost to \$2,943,550.20 or an increase of \$128,033.45 and

WHEREAS, this final contract cost does not represent an increase in the scope of the project authorized by the original contract award and Change Orders No. 1, No. 2 and No. 3, but the final as built quantities for each of street in the original contract and those added by each of the three Change Orders; and

WHEREAS, the Contractor, Cifelli and Son General Contracting is entitled to payment for the final contract cost of \$2,943,550.20 which represents the quantity of work performed by them on the streets in the original contract and those added by Change Orders; and

WHEREAS, the Municipal Engineer reviewed all the work performed by Cifelli and Son General Contracting and he has confirmed the final cost of \$2,943,550.20; and

WHEREAS, the Municipal Engineer desires to pay the contractor for the final cost less all previous payments; and

WHEREAS, to finalize and close this contract which reflects final as built quantities, additional funds in the amount of \$128,033.45 must be authorized by the Township Council; and

WHEREAS, sufficient funds exist to allow for payment based on the final As Built quantities; and

WHEREAS, the Township Council concur is the foregoing

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of West Orange that an additional appropriation of \$128,033.45 be authorized for the contract Street Improvements 2020 Phase II with Cifelli and Son General Contracting bringing the final contract cost to \$2,943,550.20

which reflects as built quantities to all the bid items of work authorized in the original contract and Change Order No. 1, Change Order No. 2 and Change Order No. 3.

Karen J. Carnevale, R.M.C.
Municipal Clerk

Susan McCartney, Council President

Adopted: February 15, 2022

I certify funds available in Account No.:

\$128,033.45

John O. Gross, Chief Financial Officer