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100 Washington Street
Boonton, NJ 07005

RESOLUTION 21-128

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BOONTON, COUNTY OF MORRIS AND STATE OF NEW JERSEY, AUTHORIZING CHANGE ORDER #4 FOR THE GREEN STREET 1MG WATER STORAGE TANK REPLACEMENT CONTRACT D – FINAL SITE REMEDIATION PROJECT

WHEREAS, the Town of Boonton received Change Order #4 (Final) for the Green Street 1MG Water Storage Tank Replacement Contract D – Final Site Remediation project under the construction contract with **Tomco Construction, Inc.** This Change Order represents a contract adjustment to address the outstanding ‘Potential Change Orders’ (PCO), comprising of **\$24,571.22 increase** to the adjust contract value from the prior approved Change Order #3 (\$743,462.84) to a final contract value of **\$768,034.06**; and

WHEREAS, Change Order #4 (Final) upon approval, will reconcile all outstanding PCO’s submitted by Tomco for the completion of the above referenced project. The associated PCO’s have been reviewed, negotiated, and are recommended by SCE in the amount of \$24,571.22, and

WHEREAS, the costs associated with Change Order #4 (Final) were forecasted by SCE and the Town and were presented during the March 2, 2020 Town Council meeting. Upon presentation, the aforementioned funds were encumbered during the 2020 Budget Adoption via Bond Ordinance 11-2020 (approved during the July 6, 2020 meeting), appropriating \$120,455 in costs for the “improvement of the Green Street tank by the remediation thereof, together with all equipment, site work, work, and materials necessary therefor or incidental thereto all as shown on and in accordance with the plans and specifications therefor on file to be filed in the office of the Town Clerk and hereby approved”. The \$120,455 appropriation comprised a series of costs related to the final remediation closeout of the site, not solely the Tomco Change Order, however, the requested amount is within the SCE recommended budget to the Town directly associated with the Tomco portion of the Green Street closeout; and

WHEREAS, Tomco has satisfied all contractual obligations for the project, therefor, under a separate cover, SCE will submit Payment Recommendation #6 (Final) with Release of Retainage, to include Change Order #4 (Final).

Green Street 1MG Water Storage Tank Replacement Contract D – Final Site Remediation Contract Change Order No. 4- Final					
ITEM NO.	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL ITEM PRICE
C04-A	PCO-11 T&M for Additional Clearing and Excavation Outside Limits	T&M	1	\$ 5,809.63	\$ 5,809.63
CO4-B	PCO-14 Rock Load Out and Disposal	T&M	1	\$ 7,704.57	\$ 7,704.57
C04-C	PCO-15 Relocation Boulders on Site	T&M	1	\$ 1,593.33	\$ 1,593.33
C 04-D	PCO-16 Restore Damaged site & Storm System due to Overflow of 0.5 MG Tank	T&M	12	\$ 3,513.69	\$ 3,513.69
C04-E	Final Contract Negotiations	LS	1	\$ 5,950.00	\$ 5,905.00
TOTAL					\$ 24,571.22

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Boonton, New Jersey, as follows:

1. Change Order #4 be and is hereby authorized in the amount of \$24,571.22.
2. This award is contingent upon certification by the Chief Financial Officer that sufficient funding exists therefore.
3. Notice of this action shall be published in “The Daily Record” newspaper within ten (10) days of the passage thereof.

I hereby certify that funds are available – A/C H-06-55-582-002

John Ditinyak, CFO

I, Cynthia A. Oravits, Clerk of the Town of Boonton, County of Morris and State of New Jersey, hereby certifies this to be a true copy of a resolution adopted by the Mayor and Town Council on May 3, 2021.

Cynthia A. Oravits, RMC
Town Clerk