

**RESOLUTION**  
of the  
**BOROUGH OF NEW PROVIDENCE**  
Resolution No. 2017-158

Council Meeting Date: 06-12-2017

Date Adopted: 06-12-2017

TITLE: "RESOLUTION APPROVING CHANGE ORDER #3 FOR HUTTON CONSTRUCTION LLC, IN THE DEDUCT AMOUNT OF \$31,984.71 FOR THE PROJECT COMMONLY KNOWN AS "CLEARWATER DETENTION BASIN DIVERSION CHANNEL REPAIRS"

Councilperson Muñoz submitted the following resolution, which was duly seconded by Councilperson Galluccio.

WHEREAS, Hutton Construction, LLC's, original contract amount was \$266,264.00 for the project commonly known as "Clearwater Detention Basin Diversion Channel Repairs"; and

WHEREAS, Change Order #1 in the amount of \$29,867.00 was approved for additional repair work at the weir and channel south culvert; and

WHEREAS, Change Order #2 in the amount of \$21,791.00 was approved for additional repair work at the existing outlet control structure located north of the weir wall; and

WHEREAS, Change Order #3 in the deduction amount of \$31,984.71 is requested as less materials were required than originally anticipated; and

WHEREAS, based upon the review of Change Order #3 the Borough Engineer agrees with the request and is recommending Change Orders #3.

NOW THEREFORE BE IT RESOLVED by the Mayor and Borough Council of the Borough of New Providence, County of Union and State of New Jersey that Change Order #3 for Hutton Construction LLC, in the deduction amount of \$31,984.71, be approved for the project commonly known as "Clearwater Detention Basin Diversion Channel Repairs".

BE IT FURTHER RESOLVED Mayor and Borough Administrator be authorized to sign same.

APPROVED, this 12<sup>th</sup> day of June, 2017.

## RECORD OF VOTE

	AYE	NAY	ABSENT	NOT VOTING
GALLUCCIO	X			
GENNARO	X			
KAPNER			X	
MADDEN	X			
MUÑOZ	X			
ROBINSON	X			
MORGAN			TO BREAK COUNCIL TIE VOTE	

I hereby certify that the above resolution was adopted at a meeting of the Borough Council held on the 12<sup>th</sup> day of June, 2017.

Wendi B. Barry, Borough Clerk

Allen Morgan, Mayor

Andrew R. Hipolit, Borough Engineer

Margaret Koontz, Administrative Assistant

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## MEMORANDUM

To: Douglas R. Marvin, Borough Administrator

From: Andrew Hipolit, P.E., Borough Engineer 

CC: Wendi Barry, Borough Clerk (w/attachments)  
Keith Lynch, Director of Planning and Development  
Jim Johnston, Public Works Manager

Dated: June 2, 2017

RE: **Progress Payment No. 4 (Final) & Change Order No. 3 (Final)**  
**Clearwater Detention Basin Diversion Channel Repairs**  
**MC Project No. NPT-537**

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With reference to the above captioned project, I hereby transmit Progress Payment No. 4 for approval by Resolution of the Mayor and Council. Attached, please find the following:

- Progress Payment No. 4, dated 6/1/2017, prepared by Maser Consulting, consisting of one (1) page;
- Application and Certification for Payment, prepared by Hutton Construction, LLC, signed and sealed by Maser Consulting, dated June 2, 2017, consisting of two (2) sheets; and
- Maintenance Bond #1001024261, prepared by United States Surety Company, in the amount of \$42,890.62 consisting of nine (9) sheets.

To date, all the work has been completed in substantial conformance with the plans.

Original Contract Amount	\$ 266,264.20
Change Order #1	\$29,867.00
Change Order #2	\$21,791.00
Change Order #3	(-)31,984.71
<b>Adjusted Contract Amount</b>	<b>\$285,937.49</b>
Total Cost of Work Completed	\$285,937.49
Less 2% Retainage	(-) \$0.00
Amount Billed Previously	(-) \$280,218.74
<b>Payment Due</b>	<b>\$5,718.75</b>

Change Order No. 3 represents a **12.01 %** decrease in the contract amount. The reduction in the contract amount is due to less material being needed to complete the project.

I hereby recommend the Mayor and Council approve Progress Payment No. 4 (Final) in the amount of **\$5,718.75** to Hutton Construction, LLC.