

RESOLUTION
of the
BOROUGH OF NEW PROVIDENCE
Resolution No. 2017-159

Council Meeting Date: 06-12-2017

Date Adopted: 06-12-2017

TITLE: RESOLUTION APPROVING PARTIAL PAYMENT # 4 (FINAL) FOR HUTTON CONSTRUCTION, LLC, IN THE AMOUNT OF \$5,718.75 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.

BE IT RESOLVED by the Mayor and Borough Council of the Borough of New Providence, County of Union and State of New Jersey that Andrew Hipolit, Borough Engineer, recommends approval of partial payment # 4 (Final) to Hutton Construction, LLC, 41 Village Park Road, Cedar Grove, N.J. 07009, in the amounts of \$5,718.75 for the project commonly known as "Clearwater Detention Basin Diversion Channel Repairs".

APPROVED, this 12th 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 12th day of June, 2017.

Wendi B. Barry, Borough Clerk


Allen Morgan, Mayor

Andrew R. Hipolit, Borough Engineer

Margaret Koontz, Administrative Assistant

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

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
Adjusted Contract Amount	\$285,937.49
Total Cost of Work Completed	\$285,937.49
Less 2% Retainage	(-) \$0.00
Amount Billed Previously	(-) \$280,218.74
Payment Due	\$5,718.75

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.



BOROUGH OF NEW PROVIDENCE
 CLEARWATER DETENTION BASIN DIVERSION CHANNEL REPAIRS
 HUTTON CONSTRUCTION, LLC
 41 VILLAGE PARK ROAD
 CEDAR GROVE, NJ 07009

PROGRESS PAYMENT NO. #4(Final)
 PROJECT NO. NPT-537
 PERIOD ISSUED - AS OF APRIL 21, 2017
 DATE ISSUED: 6/1/2017

ITEM	DESCRIPTION	QTY	UNIT	UNIT PRICE	AMENDED QTY	QTY THIS EST.	AMOUNT THIS EST.	QTY PREV. EST.	QTY TO DATE	AMOUNT TO DATE
BASE BID										
1	SOIL EROSION AND SEDIMENT CONTROL MEASURES	1	LS	\$ 9,300.00	1	0.00	\$ -	1.00	1.00	\$ 9,300.00
2	CLEARING SITE	1	LS	\$ 21,700.00	1	0.00	\$ -	1.00	1.00	\$ 21,700.00
3	EXCAVATION AND GRADING, UNCLASSIFIED	1	LS	\$ 93,100.00	1	0.00	\$ -	1.00	1.00	\$ 93,100.00
4	GROUTED RIP-RAP FOR WEIR REPAIR (IF AND WHERE DIRECTED)	50	CY	\$ 188.00	20	(30.00)	\$ (5,640.00)	20.00	-10.00	\$ (1,880.00)
5	GROUT FOR WEIR REPAIR (IF AND WHERE DIRECTED)	50	CY	\$ 90.00	0	(50.00)	\$ (4,500.00)	0.00	-50.00	\$ (4,500.00)
6	GABION CHANNEL LINING (BASKETS)	742	CY	\$ 121.00	640	(102.00)	\$ (12,342.00)	640.00	538.00	\$ 65,098.00
7	FILTER FABRIC	2159	SY	\$ 0.80	1957	(202.00)	\$ (161.60)	1,957.00	1,755.00	\$ 1,404.00
8	GABION STONE (WASH AND REUSE ON-SITE MATERIAL) (IF AND WHERE DIRECTED)	371	CY	\$ 25.00	280	(91.00)	\$ (2,275.00)	280.00	189.00	\$ 4,725.00
9	GABION STONE (IMPORT) (IF AND WHERE DIRECTED)	520	CY	\$ 39.00	361	(159.49)	\$ (6,220.11)	360.51	201.02	\$ 7,839.78
10	TOPSOILING, 4" THICK (IF AND WHERE DIRECTED)	400	SY	\$ 6.00	353	(47.00)	\$ (282.00)	353.00	306.00	\$ 1,836.00
11	FERTILIZING AND SEEDING (IF AND WHERE DIRECTED)	400	SY	\$ 1.00	353	(47.00)	\$ (47.00)	353.00	306.00	\$ 306.00
12	EROSION CONTROL BLANKET (IF AND WHERE DIRECTED)	400	SY	\$ 11.00	353	(47.00)	\$ (517.00)	353.00	306.00	\$ 3,366.00
CO#1	RESTORE STREAM CHANNEL AT CULVERT	1	LS	\$ 29,867.00	1	0.00	\$ -	1.00	1.00	\$ 29,867.00
CO#2	REPAIR OUTLET CONTROL STRUCTURE NORTH OF CULVERT INCL. INSTALL DEBRIS RACK & REPAIR EXIST. RACK	1	LS	\$ 21,791.00	1	0.00	\$ -	1.00	1.00	\$ 21,791.00
TOTAL							\$ (31,984.71)			\$ 253,952.78

ORIGINAL CONTRACT AMOUNT	\$285,264.20
CHANGE ORDER NO. 1	\$29,867.00
CHANGE ORDER NO. 2	\$21,791.00
CHANGE ORDER NO. 3 (FINAL)	-\$31,984.71
ADJUSTED CONTRACT AMOUNT	\$285,937.49
TOTAL COMPLETED TO DATE	\$ 285,937.49
RETAINAGE (2% OF COMPLETED WORK)	(-) \$ -
SUBTOTAL:	\$ 285,937.49
LESS PREVIOUS PAYMENTS:	(-) \$ (280,218.74)
TOTAL AMOUNT DUE:	\$ 5,718.75

APPLICATION AND CERTIFICATION FOR PAYMENT

To Owner:

New Providence Borough
360 Elkwood Avenue, 3rd Floor,
New Providence NJ 07974,

PROJECT *Detention Basin Channel Repairs*

From Contractor:

HUTTON CONSTRUCTION, LLC

41 Village Park Road
Cedar Grove, NJ 07009

Application No. Four (4)
Period To: 05/25/2017

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment as shown below, in connection with the Contract, a summary is attached.

	To Date
ORIGINAL CONTRACT SUM	\$266,264.00
NET CHANGES	\$51,658.00
CONTRACT SUM TO DATE (Line 1 & 2)	\$317,922.00
TOTAL COMPLETED & STORED TO DATE	\$285,937.49
RETAINAGE	
2.00% Retainages	(\$5,718.75)
-2.00% Retainage Reduction	\$5,718.75
TOTAL RETAINAGE	\$0.00
TOTAL EARNED LESS RETAINAGE	\$285,937.49
LESS PREVIOUS NET BILLINGS	-\$280,218.74
CURRENT PAYMENT DUE	\$5,718.75
BALANCE TO FINISH EXCLUDING RETAINAGES	\$31,984.51

	AMOUNTS
CONTRACT CHANGE ORDERS	
Total Changes Recorded	\$51,658.00
TOTALS	\$51,658.00

The undersigned Contractor entitles that in the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents.

CONTRACTOR:

ESTHER RUIZ
Notary Public
State of New Jersey
My Commission Expires Oct. 26, 2020

By:  _____
Stephen Recchia Member

Thursday, May 25, 2017

ENGINEER'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on site observations and the data comprising the application, the Engineer certifies to the Owner that to the best of the Engineer's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED:..... \$5,718.75

ENGINEER:

By:  _____ Date: 6/2/17

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this contract.

PAYMENT APPLICATION SUMMARY

APPLICATION #

Four (4)

Thursday, May 25, 2017

To Be Attached to Application For Payment

HUTTON CONSTRUCTION, LLC

41 Village Park Road
Cedar Grove, NJ 07009

(973) 857-2501
Project No. 16-177

APPLICATION PERIOD/PERFORMANCE

From 21-Apr-17
To: 25-May-17

Days Expired; 175
Pct Expired 194%

New Providence Borough
360 Elkwood Avenue, 3rd Floor,
New Providence NJ 07974,

DETENTION BASIN CHANNEL REPAIRS

Item No.	Description	Item Unit	Unit Quant.	Unit Sched. Value	Scheduled Value Extension	UNITS OF WORK COMPLETED			VALUE OF WORK COMPLETED		
						THIS PERIOD	PREVIOUS PERIOD	TO DATE	THIS PERIOD	PREVIOUS PERIOD	TO DATE

Detention Basin Channel Repairs

1	Soil Erosion And Sediment Control Measures	LS	1.0	\$9,300.00	\$9,300.00	-	1.00	1.00	\$0.00	\$9,300.00	\$9,300.00
2	Clearing Site	LS	1.0	\$21,700.00	\$21,700.00	-	1.00	1.00	\$0.00	\$21,700.00	\$21,700.00
3	Excavation And Grading, Unclassified	LS	1.0	\$93,100.00	\$93,100.00	-	1.00	1.00	\$0.00	\$93,100.00	\$93,100.00
4	Grouted Rip-Rap For Weir Repair (If And Where Directed)	CY	50.0	\$188.00	\$9,400.00	-	20.00	20.00	\$0.00	\$3,760.00	\$3,760.00
5	Grout For Weir Repair (If And Where Directed)	CY	50.0	\$90.00	\$4,500.00	-	-	-	\$0.00	\$0.00	\$0.00
6	Gabion Channel Lining (Baskets)	CY	742.0	\$121.00	\$89,782.00	-	640.00	640.00	\$0.00	\$77,440.00	\$77,440.00
7	Filter Fabric	SY	2159.0	\$0.80	\$1,727.20	-	1,957.00	1,957.00	\$0.00	\$1,565.60	\$1,565.60
8	Gabion Stone (Wash And Reuse On-Site Material) (If And Where Directed)	CY	371.0	\$25.00	\$9,275.00	-	280.00	280.00	\$0.00	\$7,000.00	\$7,000.00
9	Gabion Stone (Import) (If And Where Directed)	CY	520.0	\$39.00	\$20,280.00	-	360.51	360.51	\$0.00	\$14,059.89	\$14,059.89
10	Top Soiling, 4" Thick (If And Where Directed)	SY	400.0	\$6.00	\$2,400.00	-	353.00	353.00	\$0.00	\$2,118.00	\$2,118.00
11	Fertilizing And Seeding (If And Where Directed)	SY	400.0	\$1.00	\$400.00	-	353.00	353.00	\$0.00	\$353.00	\$353.00
12	Erosion Control Blanket (If And Where Directed)	SY	400.0	\$11.00	\$4,400.00	-	353.00	353.00	\$0.00	\$3,883.00	\$3,883.00
TOTALS					\$266,264.20	0%	88%	88%	\$0.00	\$234,279.49	\$234,279.49

ADDITIONAL WORK

CO 1	Restoration to downstream channel and headwall, installation of gabion baskets, removal of one (1) tree and grading as required.	LS	1.0	\$29,867.00	\$29,867.00	0%	100%	100%	\$0.00	\$29,867.00	\$29,867.00
CO 2	Install two (2) new grating sections and repair existing grating.	LS	1.0	\$21,791.00	\$21,791.00	0%	100%	100%	\$0.00	\$21,791.00	\$21,791.00
CONTRACT CHANGE TOTALS					\$51,658.00	0%	100%	100%	\$0.00	\$51,658.00	\$51,658.00
GRAND TOTALS					\$317,922.20	0%	100%	100%	\$0.00	\$285,937.49	\$285,937.49