

RESOLUTION
of the
BOROUGH OF NEW PROVIDENCE
Resolution No. 2017-160

Council Meeting Date: 06-12-2017

Date Adopted: 06-12-2017

TITLE: RESOLUTION APPROVING PARTIAL PAYMENT # 2 FOR CMS CONTRACTING, INC., IN THE AMOUNT OF \$53,410.00 FOR THE PROJECT COMMONLY KNOWN AS "WASTEWATER TREATMENT PLANT GARAGE PROJECT"

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 # 2 to CMS Contracting, Inc., 521 North Avenue, Plainfield, N.J. 07060, in the amounts of \$53,410.00 for the project commonly known as "Wastewater Treatment Plant Garage Project".

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

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. 2**
Wastewater Treatment Plant Garage Project
MC Project No. NPT-570

With reference to the above captioned project, I hereby transmit Progress Payment No. 2 for approval by Resolution of the Mayor and Council.

Attached, please find the following:

- Progress Payment No. 2, dated 6/2/2017, prepared by Maser Consulting, consisting of one (1) page;
- Two copies of the Application and Certification for Payment, prepared by CMS Construction and certified by Maser Consulting, dated 6/2/17, consisting of two (2) pages;
- Purchase Order No.17-00283, signed 4/18/17; and
- Two copies of Certified Payroll Certificates Weeks Ending 3/17, 3/24, 3/31, 4/7, 4/14, 4/21, 4/28, 5/5, 5/12 and 5/19, prepared by CMS Construction, consisting of 21 pages.

To date, all the work has been completed to the satisfaction of the Borough Engineer.

<u>Original Contract Amount</u>	\$ 190,500.00
Total Cost of Work Completed	\$94,900.00
Less 2% Retainage	(-) \$1,898.00
<u>Amount Previously Paid</u>	(-) \$39,592.00
Payment Amount	\$53,410.00

I hereby recommend the Mayor and Council approve Progress Payment No. 2 in the amount of **\$53,410.00** to CMS Construction.



BOROUGH OF NEW PROVIDENCE
 WWTP Garage
 CMS CONSTRUCTION
 521 NORTH AVENUE
 PLAINFIELD, NJ 07060

PROGRESS PAYMENT NO. #2
 PROJECT NO. NPT-570
 PERIOD ISSUED - 5/19/2017
 DATE ISSUED: 6/2/2017

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 'A' - Masonry Building										
1A	SPLIT FACE CMU BUILDING	1	LS	\$ 128,000.00	1	0.40	\$ 51,200.00	0.15	0.55	\$ 70,400.00
2A	GEOTECHNICAL INVESTIGATION AND FOUNDATION DESIGN (AS REQUIRED)	1	LS	\$ 18,000.00	1	0.10	\$ 1,800.00	0.90	1.00	\$ 18,000.00
3A	VARIOUS SITE IMPROVEMENTS (AS REQUIRED)	1	LS	\$ 10,000.00	1	0.15	\$ 1,500.00	0.50	0.65	\$ 6,500.00
	TOTAL			\$ 156,000.00			\$ 54,500.00			\$ 94,900.00
Alternate Bid 'A' - Concrete Slab										
1AA	6" THICK FIBER REINFORCED CONCRETE PAD (ADDITIONAL COST IN LIEU OF NO. 57 STONE PAD)	1	LS	\$ 15,000.00	1	0.00	\$ -	0.00	0.00	\$ -
	TOTAL			\$ 15,000.00			\$ -			\$ -
Alternate Bid 'B' - Insulated Roof and Heating System										
1BB	INSTALLATION OF NATURAL GAS POWERED INFRARED HEATING SYSTEM	1	LS	\$ 12,000.00	1	0.00	\$ -	0.00	0.00	\$ -
2BB	INSULATION OF ROOF	1	LS	\$ 7,500.00	1	0.00	\$ -	0.00	0.00	\$ -
	TOTAL			\$ 19,500.00			\$ -			\$ -

ORIGINAL CONTRACT AMOUNT	\$190,500.00
CHANGE ORDER NO. 1	\$0.00
ADJUSTED CONTRACT AMOUNT	\$190,500.00
TOTAL COMPLETED TO DATE	\$ 94,900.00
RETAINAGE (2% OF COMPLETED WORK)	(-) \$ (1,898.00)
SUBTOTAL	\$ 93,002.00
LESS PREVIOUS PAYMENTS:	(-) \$ (39,592.00)
TOTAL AMOUNT DUE:	\$ 53,410.00

APPLICATION AND CERTIFICATE FOR PAYMENT

AIA DOCUMENT G702/Cma

(Instructions on reverse side)

CONSTRUCTION MANAGER-ADVISOR EDITION

PAGE 1 OF 2

TO OWNER

Borough of New Providence
340 Elmwood Avenue
New Providence, NJ 07074

PROJECT:

Waste Water Treatment Plant
Gauge Pits

APPLICATION NUMBER: 1

PERIOD TO: 10/1/17

PROJECT NOS.:

CONTRACT DATE:

Distribution to:

OWNER

CONSTRUCTION

MANAGER

ARCHITECT

CONTRACTOR

FROM CONTRACTOR

CMS Construction Inc.
321 Proctor Avenue
Plainsboro, NJ 07960

VIA CONSTRUCTION MANAGER:

Maxor Consulting

VIA ARCHITECT:

CONTRACT FOR:

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in accordance with the Contract Continuation Sheet, AIA Document G703, is attached.

1	ORIGINAL CONTRACT SUM	\$190,500.00
2	Net Change By Change Orders	\$0.00
3	CONTRACT SUM TO DATE (Line 1 +2)	\$190,500.00
4	TOTAL COMPLETED & STORED TO DATE (Column G on G703)	\$94,900.00
5	RETAINAGE:	
a.	2% % of Completed Work (Columns D & E on G703)	\$1,898.00
b.	0% % of Stored Material (Column F on G703)	\$0.00
	Total Retainage (Line 5a + 5b or Total in Column I of G703)	\$1,898.00
6	TOTAL EARNED LESS RETAINAGE (Line 4 less Line 5 Total)	\$93,002.00
7	LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)	\$18,590.00
8	CURRENT PAYMENT DUE	\$53,410.00
9	BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6)	\$ 97,498.00

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner		
Total Approved this Month		
TOTALS	\$0.00	\$0.00
NET CHANGES by Change Order		\$0.00

The undersigned Contractor certifies that to 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, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR:

Carlos Dasilva - President



CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Construction Manager certifies that to the best of his 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..... \$ 53,410.00

(Attach explanation if amount certified differs from the amount applied for. Initial all figures on this Application and on the Continuation Sheet that changed to conform to the amount certified.)

CONSTRUCTION MGR:

By: EDGINS Date: _____

ARCHITECT

By: [Signature] 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.

PROJECT NAME & NUMBER:

Waste Water Treatment Plant Garage Building

AIA Document G703, APPLICATION AND CERTIFICATION FOR PAYMENT,

Application #: 2

containing Contract's signed Certification is attached.

Application Date: 5/19/2017

Requirements, values and dates are stated to the best of ability.

Use General Contract conditions where variable language for the work items may apply.

Period From:

Period To:

ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED		MATERIAL STORED THIS PERIOD	TOTAL COMP. & STORED TO DATE (B+E+F)	%	BALANCE TO FINISH	Retention
			PREVIOUS APPLICATION	THIS PERIOD					
Base 'A' - Masonry Building									
1A	Split Face CMU Building	\$128,000.00	\$19,200.00	\$51,200.00		\$70,400.00	55.00%	\$57,600.00	
2A	Geotechnical Investigation and Foundation Design (As Required)	\$18,000.00	\$16,200.00	\$1,800.00		\$18,000.00	100.00%		
3A	Various Site Improvements (As Required)	\$10,000.00	\$5,000.00	\$1,500.00		\$6,500.00	65.00%	\$3,500.00	
Alternate 'A' - Concrete Slab									
1A A	6" Thick Fiber Reinforced Concrete Pad (Additional Cost in Liew of No. 57 Stone Pad)	\$15,000.00						\$15,000.00	
Alternate 'B' - Insulated Roof and Heating System									
1BB	Installation of Natural Gas Powered Infrared Heating System	\$12,000.00						\$12,000.00	
2BB	Insulation of Roof	\$7,500.00						\$7,500.00	
	TOTALS	\$190,500.00	\$40,400.00	\$54,500.00	\$0.00	\$94,900.00	49.82%	\$95,600.00	\$1,898.00

Payment Estimation No. 2

CMS CONSTRUCTION INC
 521 North Avenue
 Plainfield, NJ 07060
 PHONE 973-277-2399 973-297-0045
 FAX 973-718-4005



CONTACT CARLOS DASILVA
 EMAIL carlosrlos5@aol.com

[Work performed and Material Furnished Through](#)

TO: Union County

Date Submitted: 5/19/2017

RE: New Providence Garage

Open as of: 5/19/2017

Version: 1

Item	Description	UNIT	Qty	UNIT PRICE	Amount	Prev. Billed	Invoice #2	Complete	Amount	Payable	Amount Due	Amt Complete
Base 'A' - Masonry Building												
1A	Split Face CMU Building	LS	1	\$ 128,000.00	\$ 128,000.00	15%	40%	55%	\$ 51,200.00	100%	\$ 51,200.00	\$ 70,400.00
2A	Geotechnical Investigation and Foundation Design (As Required)	LS	1	\$ 18,000.00	\$ 18,000.00	90%	10%	100%	\$ 1,800.00	100%	\$ 1,800.00	\$ 18,000.00
3A	Various Site Improvements (As Required)	LS	1	\$ 10,000.00	\$ 10,000.00	50%	15%	65%	\$ 1,500.00	100%	\$ 1,500.00	\$ 6,500.00
Alternate 'A' - Concrete Slab												
1AA	6" Thick Fiber Reinforced Concrete Pad (Additional Cost in Liew of No. 57 Stone Pad)	LS	1	\$ 15,000.00	\$ 15,000.00							
Alternate 'B' - Insulated Roof and Heating System												
1BB	Installation of Natural Gas Powered Infrared Heating System	LS	1	\$ 12,000.00	\$ 12,000.00							
2BB	Insulation of Roof	LS	1	\$ 7,500.00	\$ 7,500.00							

TOTAL CONTRACT AMOUNT		\$	190,500.00
Total Work Completed		\$	94,900.00
Total Work Completed This Period		\$	54,500.00
2% Retainage To Date		\$	1,898.00
Previous Payments			\$39,592.00
Total Payment Due This Period		\$	53,410.00