

RESOLUTION
of the
BOROUGH OF NEW PROVIDENCE
Resolution No. 2017-244

Council Meeting Date: 09-25-2017

Date Adopted: 09-25-2017

TITLE: RESOLUTION APPROVING PARTIAL PAYMENT # 1 FOR A A BERMS, LLC IN THE AMOUNT OF \$44,721.62 FOR THE PROJECT COMMONLY KNOWN AS "2017 SIDEWALK PROGRAM"

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

WHEREAS, A A Berm, LLC's original contract amount is \$88,005.40 for the project commonly known as "2017 Sidewalk Program"; and

WHEREAS, Andrew Hipolit, Borough Engineer, recommends approval of partial payment #1 to A A Berms, LLC, in the amount of \$44,712.62, for the project commonly known as "2017 Sidewalk Program".

NOW THEREFOR BE IT RESOLVED by the Mayor and Borough Council of the Borough of New Providence, County of Union and State of New Jersey that payment #1 to A A Berms, LLC, 106 Mill Street, Belleville, N.J. 01709, in the amount of \$44,721.62, be approved for the project commonly known as "2017 Sidewalk Program".

APPROVED, this 25th day of September, 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 25th day of September, 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: September 20, 2017

RE: **2017 Sidewalk Program**
Progress Payment No. 1
MC Project No. NPT-588

With reference to the above captioned project, I hereby transmit Progress Payment No. 1 for approval by Resolution of the Mayor and Council. Attached, please find the following:

- Progress Payment No. 1, dated 9/20/2017, prepared by Maser Consulting, consisting of one (1) page;
- Application and Certification for Payment, prepared by AA Berms, LLC, certified by Maser Consulting September 20, 2017, consisting of two (2) pages; and
- Certified Payroll Certificates weeks ending 9/3 & 9/10, prepared by AA Berms, LLC, consisting of four (4) pages.

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

Original Contract Amount	\$ 88,005.40
Total Cost of Work Completed	\$ 55,902.02
Less 20% Retainage	(-) \$ 11,180.40
<u>Amount Billed Previously</u>	<u>(-) \$0.00</u>
Progress Payment No. 1	\$ 44,721.62

I hereby recommend the Mayor and Council approve Progress Payment No. 1 in the amount of **\$44,721.62** to AA Berms, LLC.

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PROGRESS PAYMENT #1
 MASER PROJECT NUMBER: NPT588
 2017 SIDEWALK PROGRAM
 BOROUGH OF NEW PROVIDENCE, UNION COUNTY, NJ

DATE: 9/20/2017
CONTRACTOR: AA Berms LLC
 106 MILL STREET/106 Mill Street
 BELLEVILLE, NJ 07109

ITEM	DESCRIPTION	UNIT	QTY	UNIT PRICE	AMENDED QTY	QTY THIS EST.	Invoice Date 9/18/2017			
							AMOUNT THIS EST.	QTY PREV. EST.	QTY TO DATE	AMOUNT TO DATE
1	POLICE TRAFFIC DIRECTOR (IF/WHERE DIRECTED)	MAN-HOUR	60	\$ 70.00		0.00	\$ -	0.00	0.00	\$ -
2	EXCAVATION, UNCLASSIFIED (IF/WHERE DIRECTED)	CY	105	\$ 0.01		0.00	\$ -	0.00	0.00	\$ -
3	HOT MIX ASPHALT DRIVEWAY, 6" THICK	SY	90	\$ 45.00		0.00	\$ -	0.00	0.00	\$ -
4	CONCRETE SIDEWALK, 4" THICK (IF/WHERE DIRECTED)	SY	840	\$ 72.50		702.00	\$ 50,895.00	0.00	702.00	\$ 50,895.00
5	REINFORCED CONCRETE SIDEWALK OR APRON, 6" THICK (IF/WHERE DIRECTED)	SY	95	\$ 75.00		0.00	\$ -	0.00	0.00	\$ -
6	REMOVAL OF EXISTING SIDEWALK (IF/WHERE DIRECTED)	SY	935	\$ 0.01		702.00	\$ 7.02	0.00	702.00	\$ 7.02
7	NEW ADA CURB RAMP, WITH DETECTABLE WARNING SURFACE (IF/WHERE DIRECTED)	UN	1	\$ 2,500.00		1.00	\$ 2,500.00	0.00	1.00	\$ 2,500.00
8	REPLACEMENT ADA CURB RAMP, WITH DETECTABLE WARNING SURFACE (IF/WHERE DIRECTED)	UN	1	\$ 2,500.00		1.00	\$ 2,500.00	0.00	1.00	\$ 2,500.00
9	9" X 18" CONCRETE VERTICAL CURB (WITH 2' FULL DEPTH REPAIR) (IF/WHERE DIRECTED)	LF	210	\$ 32.00		0.00	\$ -	0.00	0.00	\$ -
TOTAL							\$ 55,902.02			\$ 65,902.02

BASE BID AMOUNT = \$ 88,005.40

ORIGINAL CONTRACT AMOUNT	\$88,005.40
CHANGE ORDER	\$0.00
ADJUSTED CONTRACT AMOUNT	\$88,005.40
TOTAL COMPLETED TO DATE	\$ 55,902.02
RETAINAGE (20% COMPLETED WORK)	(-) \$ (11,180.40)
SUBTOTAL:	\$ 44,721.62
LESS PREVIOUS PAYMENTS:	(-) \$ -
TOTAL AMOUNT DUE:	\$ 44,721.62

APPLICATION AND CERTIFICATE FOR PAYMENT

TO OWNER:
 Borough of New Providence
 360 Elkwood Avenue
 New Providence, NJ 07974
 FROM CONTRACTOR:
 AA BERMS, LLC
 106 MILL STREET
 BELLEVILLE, NJ 07109
 CONTRACT FOR: 2017 SIDEWALK PROGRAM

PROJECT: 2017 SIDEWALK PROGRAM

 VIA ARCHITECT/ENGINEER:
 Maser Consulting PA
 400 Valley Road
 Suite 304
 Mount Arlington, NJ (

APPLICATION #: 1
 PERIOD TO: 09/19/17
 PROJECT NOS: NPT588

 CONTRACT DATE:
 August 3, 2017

Distribution to:
 Owner
 Const. Mgr
 Architect
 Contractor
 Engineer

CONTRACTOR'S APPLICATION FOR PAYMENT

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

1. ORIGINAL CONTRACT SUM-----	\$	88,005.40
2. Net change by Change Orders-----	\$	
3. CONTRACT SUM TO DATE (Line 1 +/- 2)	\$	88,005.40
4. TOTAL COMPLETED & STORED TO DATE-\$ (Column G on Continuation Sheet)		55,902.02
5. RETAINAGE:		
a. 20.0% of Completed Work (Columns D+E on Continuation Sheet)	\$	11,180.40
b. _____ of Stored Material (Column F on Continuation Sheet)	\$	
Total Retainage (Line 5a + 5b or Total in Column 1 of Continuation Sheet)	\$	11,180.40
6. TOTAL EARNED LESS RETAINAGE----- (Line 4 less Line 5 Total)	\$	44,721.62
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)-----		
	\$	
8. CURRENT PAYMENT DUE-----	\$	44,721.62
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 4)	\$	32,103.38

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

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 therein is now due.

CONTRACTOR: AA Berms LLC

By: Juan Alvarado Date: 9-19-17

State of: New Jersey
 County of: Essex

Subscribed and sworn to before me this 19th day of September, 2017
 KOTHY ALVARADO
 NOTARY PUBLIC OF NEW JERSEY
 Comm. # 50057410
 My Commission Expires 3/24/2022

Notary Public: Kothy E. Alvarado
 My Commission expires: 3-24-2022

CERTIFICATE FOR PAYMENT

In accordance with Contract Documents, based on on-site observations and the data comprising application, the Architect certifies to the Owner that to the best of the Architect'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 \$ 44,721.62

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

ENGINEER:

By: [Signature] Date: 9/20/17

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 of Contractor under this Contract.

CONTINUATION SHEET

ATTACHMENT TO PAY APPLICATION

Page 2 of 2 Pages

PROJECT:
2017 SIDEWALK PROGRAM

APPLICATION NUMBER: 1

APPLICATION DATE: 19-Sep-17

PERIOD TO: 15-Sep-17

ARCHITECT'S PROJECT NO: NPT569

A Item No.	B Description of Work All Work is "If/Where Directed to"	C Scheduled Value	D Work Completed		F Materials Presently Stored (Not in D or E)	G Total Completed And Stored To Date (D + E + F)	H % (G/C)	I Balance To Finish (C - G)	J Retainage
			From Previous Application (D + E)	This Period					
1	Police Traffic Director (If & Where)	\$ 4,200.00				\$ -		\$ 4,200.00	\$ -
2	Excavation, Unclassified (If & Where)	\$ 1.05				\$ -		\$ 1.05	\$ -
3	Hot Mix Asphalt Driveway 6" Thick	\$ 4,050.00				\$ -		\$ 4,050.00	\$ -
4	Concrete Sidewalk, 4" Thick	\$ 60,900.00		50,895.00		\$ 50,895	84%	\$ 10,005.00	\$ 10,179
5	Reinforced Concrete Sidewalk or Apron 6" Thick	\$ 7,125.00		-		\$ -		\$ 7,125.00	\$ -
6	Removal of Existing Sidewalk	\$ 9.35		7.02		\$ 7	75%	\$ 2.33	\$ 1
7	New ADA Curb Ramp, with Detectable Warning	\$ 2,500.00		2,500.00		\$ 2,500	100%	\$ -	\$ 500
8	Replace if ADA Curb Ramp, with Detectable Warning	\$ 2,500.00		2,500.00		\$ 2,500	100%	\$ -	\$ 500
9	9" x 18" Concrete Vertical Curb (With 2' Full Depth)	\$ 6,720.00				\$ -		\$ 6,720.00	\$ -
10						\$ -		\$ -	\$ -
11						\$ -		\$ -	\$ -
12						\$ -		\$ -	\$ -
13						\$ -		\$ -	\$ -
14						\$ -		\$ -	\$ -
	SUBTOTALS PAGE 2	\$88,005.40		\$55,902.02		\$55,902.02	63.52%	\$32,103.38	\$11,180.40