

RESOLUTION
of the
BOROUGH OF NEW PROVIDENCE
Resolution No. 2019-236

Council Meeting Date: 10-15-2019

Date Adopted: 10-15-2019

TITLE: RESOLUTION APPROVING PARTIAL PAYMENT # 5 FOR A A BERMS, LLC IN THE AMOUNT OF \$ 13,673.65 FOR THE PROJECT COMMONLY KNOWN AS "2018 SIDEWALK PROGRAM"

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

WHEREAS, A A Berm, LLC's original contract amount is \$194,268.00 for the project commonly known as "2018 Sidewalk Program"; and

WHEREAS, Andrew Hipolit, Borough Engineer, recommends approval of partial and final payment #5 to A A Berms, LLC, in the amount of \$13,673.65, for the project commonly known as "2018 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 partial and final payment # 5 to A A Berms, LLC, 106 Mill Street, Belleville, N.J. 01709, in the amount of \$13,673.65, be approved for the project commonly known as "2018 Sidewalk Program".

APPROVED, this 15th day of October, 2019.

RECORD OF VOTE

| | AYE | NAY | ABSENT | NOT VOTING |
|----------|-----|-----|---------------------------|------------|
| CUMISKEY | X | | | |
| DESARNO | X | | | |
| GENNARO | X | | | |
| GEOFFROY | 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 15th day of October, 2019.

Wendi B. Barry, Borough Clerk

MEMORANDUM

To: Douglas R. Marvin, Borough Administrator

From: Kevin Boyer, P.E., CFM, Borough Engineer

Cc: Wendi Barry, Borough Clerk (w/attachments)
Keith Lynch, Director of Planning and Development

Dated: October 10, 2019

RE: **2018 Sidewalk Program**
Progress Payment No. 5 (Final) - Revised
MC Project No. NPT-616

With reference to the above captioned project, I hereby transmit Progress Payment No. 5 (Final) for approval by Resolution of the Mayor and Council. Attached, please find the following:

- Progress Payment No. 5, dated 10/4/19, prepared by Maser Consulting, consisting of two (2) pages;
- Change Order No. 1, dated 10/9/19, prepared by Maser Consulting, consisting of one (1) page;
- Change Order No. 2, dated 10/9/19, prepared by Maser Consulting, consisting of one (1) page;
- Change Order No. 3, dated 10/9/19, prepared by Maser Consulting, consisting of one (1) page; and
- Police Traffic Directors Invoice #5657 from Extra Duty Solutions, dated 4/30/19, consisting of one (1) page.

Original certified payrolls will be submitted under separate cover. To date, all the work has been completed to the satisfaction of the Borough Engineer.

| | |
|-------------------------------------|-------------------------|
| Original Contract Amount | \$ 194,268.00 |
| Change Order No. 1 | \$ 19,000.00 |
| Change Order No. 2 | \$ 9,000.00 |
| <u>Change Order No. 3</u> | <u>(-) \$ 29,803.80</u> |
| Adjusted Contract Amount | \$ 192,464.20 |
| | |
| Total Cost of Work Completed | \$ 192,464.20 |
| Less 2% Retainage | (-) \$ 3,849.28 |
| Release 2% Retainage | \$ 3,849.28 |
| Less Previous Payment No. 1 | (-) \$ 19,840.49 |
| Less Previous Payment No. 2 | (-) \$ 30,742.58 |
| Less Previous Payment No. 3 | (-) \$ 74,116.40 |
| <u>Less Previous Payment No. 4</u> | <u>(-) \$ 54,091.08</u> |
| Final Progress Payment No. 5 | \$ 13,673.65 |

I hereby recommend the Mayor and Council approve Final Progress Payment No. 5 in the amount of **\$13,673.65** to AA Berms, LLC. **The Borough Clerk shall not release Final Progress Payment No. 5 until the Borough receives the original sealed Certified Payroll Certificates and maintenance bond from the contractor.**

R:\Projects\NPT\NPT-616 2018 Sidewalk Replacement Project\Project Information\Bidding And Construction\Contractor Payments\Pay #5 Final\191009_NPT616_2018Sidewalk_Progress Payment No. 5 - Revised.Doc

Project: 2018 CURB AND SIDEWALK PROJECT
Date: 10/9/2019
Municipality: BOROUGH OF NEW PROVIDENCE
County: UNION COUNTY
Contractor: AA BERMS LLC

In accordance with the project Supplementary Specification, the following are changes in the contract. Change order reflects the Base Bid as-built quantities, except as listed on the attached:

| <u>EXTRAS</u> | | | | | |
|-----------------|--------------------|-----------------|-------------|-------------------|---------------|
| <u>ITEM</u> | <u>DESCRIPTION</u> | <u>QUANTITY</u> | <u>UNIT</u> | <u>UNIT PRICE</u> | <u>AMOUNT</u> |
| TOTAL EXTRAS \$ | | | | | - |

| <u>REDUCTIONS</u> | | | | | |
|---------------------|--------------------|-----------------|-------------|-------------------|---------------|
| <u>ITEM</u> | <u>DESCRIPTION</u> | <u>QUANTITY</u> | <u>UNIT</u> | <u>UNIT PRICE</u> | <u>AMOUNT</u> |
| TOTAL REDUCTIONS \$ | | | | | - |

| <u>SUPPLEMENTAL</u> | | | | | |
|-----------------------|-------------------------------------------------------|-----------------|-------------|-------------------|---------------|
| <u>ITEM</u> | <u>DESCRIPTION</u> | <u>QUANTITY</u> | <u>UNIT</u> | <u>UNIT PRICE</u> | <u>AMOUNT</u> |
| S1 | DRAINAGE IMPROVEMENTS ON SOUTH STREET AND ETHAN DRIVE | 1.00 | LS | \$ 19,000.00 | \$ 19,000.00 |
| TOTAL SUPPLEMENTAL \$ | | | | | 19,000.00 |

| | |
|-------------------|------------------|
| EXTRAS = \$ | - |
| REDUCTIONS = \$ | - |
| SUPPLEMENTAL = \$ | <u>19,000.00</u> |
| TOTAL CHANGE = \$ | <u>19,000.00</u> |

| | |
|------------------------------------------------|-------------------|
| Amount of Original Contract \$ | 194,268.00 |
| Change Order No. 1 \$ | <u>19,000.00</u> |
| Adjusted Amount Based on Change Order No. 1 \$ | <u>213,268.00</u> |

% Change in Contract 9.78%

Project: 2018 CURB AND SIDEWALK PROJECT
Date: 10/9/2019
Municipality: BOROUGH OF NEW PROVIDENCE
County: UNION COUNTY
Contractor: AA BERMS LLC

In accordance with the project Supplementary Specification, the following are changes in the contract. Change order reflects the Base Bid as-built quantities, except as listed on the attached:

| <u>EXTRAS</u> | | | | | | |
|---------------|--------------------|-----------------|-------------|-------------------|-----------------|---|
| <u>ITEM</u> | <u>DESCRIPTION</u> | <u>QUANTITY</u> | <u>UNIT</u> | <u>UNIT PRICE</u> | <u>AMOUNT</u> | |
| | | | | | TOTAL EXTRAS \$ | - |

| <u>REDUCTIONS</u> | | | | | | |
|-------------------|--------------------|-----------------|-------------|-------------------|---------------------|---|
| <u>ITEM</u> | <u>DESCRIPTION</u> | <u>QUANTITY</u> | <u>UNIT</u> | <u>UNIT PRICE</u> | <u>AMOUNT</u> | |
| | | | | | TOTAL REDUCTIONS \$ | - |

| <u>SUPPLEMENTAL</u> | | | | | | |
|---------------------|-----------------------------------------------------------|-----------------|-------------|-------------------|-----------------------|----------|
| <u>ITEM</u> | <u>DESCRIPTION</u> | <u>QUANTITY</u> | <u>UNIT</u> | <u>UNIT PRICE</u> | <u>AMOUNT</u> | |
| S2 | DRAINAGE IMPROVEMENTS ON MAPLE STREET AND WOODCREST DRIVE | 1.00 | LS | \$ 9,000.00 | \$ 9,000.00 | |
| | | | | | TOTAL SUPPLEMENTAL \$ | 9,000.00 |

| | |
|-------------------|-----------------|
| EXTRAS = \$ | - |
| REDUCTIONS = \$ | - |
| SUPPLEMENTAL = \$ | <u>9,000.00</u> |
| TOTAL CHANGE = \$ | <u>9,000.00</u> |

| | |
|----------------------------------------|----------------------|
| Amount of Original Contract | \$ 194,268.00 |
| Change Order No. 1 | \$ 19,000.00 |
| Change Order No. 2 | <u>\$ 9,000.00</u> |
| Adjusted Amount Based on Change Orders | <u>\$ 222,268.00</u> |

| | |
|----------------------|--------|
| % Change in Contract | 14.41% |
|----------------------|--------|

Project: 2018 CURB AND SIDEWALK PROJECT
Date: 10/9/2019
Municipality: BOROUGH OF NEW PROVIDENCE
County: UNION COUNTY
Contractor: AA BERMS LLC

In accordance with the project Supplementary Specification, the following are changes in the contract. Change order reflects the Base Bid as-built quantities, except as listed listed on the attached:

EXTRAS

| <u>ITEM</u> | <u>DESCRIPTION</u> | <u>QUANTITY</u> | <u>UNIT</u> | <u>UNIT PRICE</u> | <u>AMOUNT</u> |
|---------------------|--------------------------------------------------|-----------------|-------------|-------------------|---------------------|
| 6 | CONCRETE SIDEWALK, 4" THICK | 8.62 | SY | \$ 74.00 | \$ 637.88 |
| 8 | DETECTABLE WARNING SURFACE | 1.00 | SY | \$ 150.00 | \$ 150.00 |
| 10 | REMOVAL OF EXISTING SIDEWALK (IF/WHERE DIRECTED) | 415.62 | SY | \$ 5.00 | \$ 2,078.10 |
| 2A | POLICE TRAFFIC DIRECTORS | 116.07 | 32 | \$ 95.00 | \$ 11,027.02 |
| TOTAL EXTRAS | | | | | \$ 13,893.00 |

REDUCTIONS

| <u>ITEM</u> | <u>DESCRIPTION</u> | <u>QUANTITY</u> | <u>UNIT</u> | <u>UNIT PRICE</u> | <u>AMOUNT</u> |
|-------------------------|-------------------------------------------------------|-----------------|-------------|-------------------|---------------------|
| 5 | HOT MIX ASPHALT PAVEMENT REPAIR | 127.00 | SY | \$ 45.00 | \$ 5,715.00 |
| 7 | CONCRETE SIDEWALK, REINFORCED 6" THICK | 67.00 | SY | \$ 80.00 | \$ 5,360.00 |
| 9 | RESET PAVER SIDEWALK | 2.00 | SY | \$ 100.00 | \$ 200.00 |
| 11 | 9" X 18" CONCRETE VERTICAL CURB | 46 | LF | \$ 32.00 | \$ 1,472.00 |
| 12 | GRANITE BLOCK CURB | 55 | LF | \$ 33.00 | \$ 1,815.00 |
| 13 | TRAFFIC STRIPES, 12" THICK | 315 | LF | \$ 6.00 | \$ 1,890.00 |
| 14 | REMOVAL OF TRAFFIC STRIPES | 29 | LF | \$ 5.00 | \$ 145.00 |
| 15 | RESET MANHOLE, SANITARY SEWER, USING EXISTING CASTING | 4 | UNIT | \$ 1,100.00 | \$ 4,400.00 |
| 5A | HOT MIX ASPHALT PAVEMENT REPAIR | 37.00 | SY | \$ 45.00 | \$ 1,665.00 |
| 6A | CONCRETE SIDEWALK, 4" THICK | 212.20 | SY | \$ 74.00 | \$ 15,702.80 |
| 7A | CONCRETE SIDEWALK, REINFORCED 6" THICK | 49.20 | SY | \$ 80.00 | \$ 3,936.00 |
| 9A | REMOVAL OF EXISTING SIDEWALK (IF/WHERE DIRECTED) | 279.20 | SY | \$ 5.00 | \$ 1,396.00 |
| TOTAL REDUCTIONS | | | | | \$ 43,696.80 |

SUPPLEMENTAL

| <u>ITEM</u> | <u>DESCRIPTION</u> | <u>QUANTITY</u> | <u>UNIT</u> | <u>UNIT PRICE</u> | <u>AMOUNT</u> |
|---------------------------|--------------------|-----------------|-------------|-------------------|---------------|
| TOTAL SUPPLEMENTAL | | | | | \$ - |

EXTRAS = \$ 13,893.00
 REDUCTIONS = \$ (43,696.80)
 SUPPLEMENTAL = \$ -
TOTAL CHANGE = \$ (29,803.80)

Amount of Original Contract \$ 194,268.00
 Change Order No. 1 \$ 19,000.00
 Change Order No. 2 \$ 9,000.00
 Change Order No. 3 \$ (29,803.80)
Adjusted Amount Based on Change Order No. 1 \$ 192,464.20 \$ (156,317.77)

% Change in Contract -0.93%



PAY NO. 5
 MASER PROJECT NUMBER: NPT616
 2018 CURB AND SIDEWALK PROJECT
 BOROUGH OF NEW PROVIDENCE, UNION COUNTY, NJ

DATE: 10/4/2019
CONTRACTOR: AA BERMS LLC
 106 MILL STREET
 BELLEVILLE, NJ 07109

| ITEM | DESCRIPTION | UNIT | QTY | UNIT PRICE | QTY THIS EST. | AMOUNT THIS EST. | QTY PREV. EST. | QTY TO DATE | AMOUNT TO DATE |
|------------------------------------------------------------------------|------------------------------------------------------------|-------|-------|-------------|---------------|------------------|----------------|-------------|----------------|
| BASE BID - FLORAL AVE, CENTRAL AVE, & MISCELLANEOUS REPAIRS | | | | | | | | | |
| 1 | SOIL EROSION & SEDIMENT CONTROL | LS | 1 | \$ 3,000.00 | 0.00 | \$ - | 1.00 | 1.00 | \$ 3,000.00 |
| 2 | POLICE TRAFFIC DIRECTORS | HOURL | 60 | \$ 95.00 | 0.00 | \$ - | 60.00 | 60.00 | \$ 5,700.00 |
| 3 | TRAFFIC CONTROL MEASURES AND DEVICES | LS | 1 | \$ 2,000.00 | 0.00 | \$ - | 1.00 | 1.00 | \$ 2,000.00 |
| 4 | CLEARING SITE | LS | 1 | \$ 2,000.00 | 0.00 | \$ - | 1.00 | 1.00 | \$ 2,000.00 |
| 5 | HOT MIX ASPHALT PAVEMENT REPAIR | SY | 127 | \$ 45.00 | 0.00 | \$ - | 0.00 | 0.00 | \$ - |
| 6 | CONCRETE SIDEWALK, 4" THICK | SY | 1,098 | \$ 74.00 | 0.00 | \$ - | 1106.62 | 1106.62 | \$ 81,889.88 |
| 7 | CONCRETE SIDEWALK, REINFORCED 6" THICK | SY | 67 | \$ 80.00 | 0.00 | \$ - | 0.00 | 0.00 | \$ - |
| 8 | DETECTABLE WARNING SURFACE | SY | 6 | \$ 150.00 | 0.00 | \$ - | 7.00 | 7.00 | \$ 1,050.00 |
| 9 | RESET PAVER SIDEWALK | SY | 2 | \$ 100.00 | 0.00 | \$ - | 0.00 | 0.00 | \$ - |
| 10 | REMOVAL OF EXISTING SIDEWALK (IF/WHERE DIRECTED) | SY | 691 | \$ 5.00 | 0.00 | \$ - | 1106.62 | 1106.62 | \$ 5,533.10 |
| 11 | 9" X 18" CONCRETE VERTICAL CURB | LF | 198 | \$ 32.00 | 0.00 | \$ - | 152.00 | 152.00 | \$ 4,864.00 |
| 12 | GRANITE BLOCK CURB | LF | 55 | \$ 33.00 | 0.00 | \$ - | 0.00 | 0.00 | \$ - |
| 13 | TRAFFIC STRIPES, 12" THICK | LF | 315 | \$ 6.00 | 0.00 | \$ - | 0.00 | 0.00 | \$ - |
| 14 | REMOVAL OF TRAFFIC STRIPES | LF | 29 | \$ 5.00 | 0.00 | \$ - | 0.00 | 0.00 | \$ - |
| 15 | RESET MANHOLE, SANITARY SEWER, USING EXISTING CASTING | UNIT | 4 | \$ 1,100.00 | 0.00 | \$ - | 0.00 | 0.00 | \$ - |
| 16 | TREE REMOVAL, OVER 6" TO 12" DIAMETER (IF/WHERE DIRECTED) | UNIT | 1 | \$ 1,500.00 | 0.00 | \$ - | 1.00 | 1.00 | \$ 1,500.00 |
| 17 | TREE REMOVAL, OVER 12" TO 18" DIAMETER (IF/WHERE DIRECTED) | UNIT | 1 | \$ 2,500.00 | 0.00 | \$ - | 1.00 | 1.00 | \$ 2,500.00 |
| 18 | MISCELLANEOUS LANDSCAPING (IF/WHERE DIRECTED) | ALLOW | 1,000 | \$ 1.00 | 0.00 | \$ - | 1000.00 | 1000.00 | \$ 1,000.00 |
| BASE BID TOTAL | | | | | | \$ - | | | \$ 111,036.98 |

| ITEM | DESCRIPTION | UNIT | QTY | UNIT PRICE | QTY THIS EST. | AMOUNT THIS EST. | QTY PREV. EST. | QTY TO DATE | AMOUNT TO DATE |
|-----------------------------------------------------|--------------------------------------------------|-------|-----|-------------|---------------|------------------|----------------|-------------|----------------|
| ALTERNATE A - MISCELLANEOUS SIDEWALK REPAIRS | | | | | | | | | |
| 1A | SOIL EROSION & SEDIMENT CONTROL | LS | 1 | \$ 2,000.00 | 0.00 | \$ - | 1.00 | 1.00 | \$ 2,000.00 |
| 2A | POLICE TRAFFIC DIRECTORS | HOURL | 32 | \$ 95.00 | 10.788 | \$ 1,024.86 | 137.2859 | 148.073937 | \$ 14,067.02 |
| 3A | TRAFFIC CONTROL MEASURES AND DEVICES | LS | 1 | \$ 1,750.00 | 0.00 | \$ - | 1.00 | 1.00 | \$ 1,750.00 |
| 4A | CLEARING SITE | LS | 1 | \$ 1,750.00 | 0.00 | \$ - | 1.00 | 1.00 | \$ 1,750.00 |
| 5A | HOT MIX ASPHALT PAVEMENT REPAIR | SY | 67 | \$ 45.00 | 0.00 | \$ - | 30.00 | 30.00 | \$ 1,350.00 |
| 6A | CONCRETE SIDEWALK, 4" THICK | SY | 600 | \$ 74.00 | 0.00 | \$ - | 387.80 | 387.80 | \$ 28,697.20 |
| 7A | CONCRETE SIDEWALK, REINFORCED 6" THICK | SY | 67 | \$ 80.00 | 0.00 | \$ - | 17.80 | 17.80 | \$ 1,424.00 |
| 8A | DETECTABLE WARNING SURFACE | SY | 1 | \$ 450.00 | 0.00 | \$ - | 1.00 | 1.00 | \$ 450.00 |
| 9A | REMOVAL OF EXISTING SIDEWALK (IF/WHERE DIRECTED) | SY | 667 | \$ 5.00 | 0.00 | \$ - | 387.80 | 387.80 | \$ 1,939.00 |
| ALTERNATE A TOTAL | | | | | | \$ 1,024.86 | | | \$ 53,427.22 |



PAY NO. 5
 MASER PROJECT NUMBER: NPT616
 2018 CURB AND SIDEWALK PROJECT
 BOROUGH OF NEW PROVIDENCE, UNION COUNTY, NJ

DATE: 10/4/2019
CONTRACTOR: AA BERMS LLC
 106 MILL STREET
 BELLEVILLE, NJ 07109

| ITEM | DESCRIPTION | UNIT | QTY | UNIT PRICE | QTY THIS EST. | AMOUNT THIS EST. | QTY PREV. EST. | QTY TO DATE | AMOUNT TO DATE |
|---------------------------------------------|-----------------------------------------------------------|------|-----|--------------|---------------|------------------|----------------|-------------|----------------|
| CHANGE ORDER - DRAINAGE IMPROVEMENTS | | | | | | | | | |
| S1 | DRAINAGE IMPROVEMENTS ON SOUTH STREET AND ETHAN DRIVE | LS | 1 | \$ 19,000.00 | 0.00 | \$ - | 1.00 | 1.00 | \$ 19,000.00 |
| S2 | DRAINAGE IMPROVEMENTS ON MAPLE STREET AND WOODCREST DRIVE | LS | 1 | \$ 9,000.00 | 1.00 | \$ 9,000.00 | 0.00 | 1.00 | \$ 9,000.00 |
| CHANGE ORDER TOTAL | | | | | | \$ 9,000.00 | | | \$ 28,000.00 |

| | | |
|----------------------------------------|-------------------------------------|---------------------|
| | TOTAL TO DATE: | \$ 192,464.20 |
| | LESS 2% RETAINAGE: | \$ (3,849.28) |
| | RELEASE 2% RETAINAGE: | \$ 3,849.28 |
| | SUBTOTAL: | \$ 192,464.20 |
| | LESS PREVIOUS PAYMENT NO. 1: | \$ (19,840.49) |
| | LESS PREVIOUS PAYMENT NO. 2: | \$ (30,742.58) |
| | LESS PREVIOUS PAYMENT NO. 3: | \$ (74,116.40) |
| | LESS PREVIOUS PAYMENT NO. 4: | \$ (54,091.08) |
| | TOTAL AMOUNT DUE: | 13,673.65 |
| ORIGINAL CONTRACT AMOUNT = | | \$194,268.00 |
| TOTAL NET CHANGE ORDER AMOUNT = | | -\$1,803.80 |
| ADJUSTED CONTRACT AMOUNT = | | \$192,464.20 |
| | | -0.93% |

Extra Duty Solutions
101 Merritt Blvd Suite 21
Trumbull, CT 06611
(203) 202-3991
Info@extradutysolutions.com



INVOICE # 5657
DATE 04/30/2019
DUE DATE 05/30/2019
TERMS Net 30

BILL TO
Hugo
AA Berms
PO Box 180
Belleville, NJ 07109

PLEASE DETACH TOP PORTION AND RETURN WITH YOUR PAYMENT.

| ACTIVITY | QTY | RATE | AMOUNT |
|----------------------------------------------------------------------------------------------------------------|------|--------|----------|
| Extra Duty Officer(s) 04.04.19 - Division & Blackburn Rd; time: 07:30 - 16:30; officer: Dougherty, S | 9.50 | 107.88 | 1,024.86 |

BALANCE DUE **\$1,024.86**

Please remit payment to:

Extra Duty Solutions
Seacoast Business Funding
P.O. Box 60479
Charlotte, N.C. 28260

ACH payment info:

Account: Seacoast Business Funding
Account #: 4017352221
ABA #: 067005158
Bank: Seacoast Bank
SWIFT: SNBFUS3F