

County of Passaic

Board of County Commissioners



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Date: Feb 13, 2024 - 5:30 PM

Agenda: RESOLUTION AUTHORIZING CHANGE ORDER NO. 2 FOR THE REPLACEMENT OF THE KINGSLAND ROAD BRIDGE NO. 1600-081 OVER THE THIRD RIVER IN THE CITY OF CLIFTON, TO COLONNELLI BROTHERS, INC., PURSUANT TO N.J.A.C. 5:30-11.3 ET SEQ.

THIS RESOLUTION WAS REQUESTED BY:
ENGINEERING

REVIEWED BY:

Matthew P. Jordan, Esq.

APPROVED AS TO FORM AND LEGALITY:

Nadege D. Allwaters, Esq.

Official Resolution#	
Meeting Date	2/13/2024
Introduced Date	2/7/2024
Adopted Date	
Agenda Item	39.
CAF#	G-01-45-714-018-903
Purchase Req. #	
Result	

Public Works

COMMITTEE NAME

RESOLUTION AUTHORIZING CHANGE ORDER NO. 2 FOR THE REPLACEMENT OF THE KINGSLAND ROAD BRIDGE NO. 1600-081 OVER THE THIRD RIVER IN THE CITY OF CLIFTON, TO COLONNELLI BROTHERS, INC., PURSUANT TO N.J.A.C. 5:30-11.3 ET SEQ.

WHEREAS, the County of Passaic (hereafter “County”) is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

WHEREAS, pursuant to N.J.S.A. 40:20-1 the Board of County Commissioners of the County of Passaic (hereafter “Board”) is vested with managing the property, finances, and affairs of the County; and

WHEREAS, pursuant to N.J.S.A. 40A:11-4, et seq., every contract awarded by the County, for the provision or performance of any goods or services, the cost of which in the aggregate exceeds the bid threshold [40A:11-3], shall be awarded only by resolution of the Board to the lowest responsible bidder after public advertising for bids and bidding thereof; and

WHEREAS, on August 3, 2020, the Purchasing Agent issued C-20-015, Replacement of Kingsland Road Bridge over the Third River, Structure No. 1600081, in the City of Clifton (hereafter “C-20-015”) seeking sealed proposals from qualified bidders for the replacement of Kingsland Road Bridge (hereafter “Project”); and

WHEREAS, on September 8, 2020, the Board approved Resolution No. R20200717, authorizing an award of contract to Assuncao Brothers, Inc., of Edison, NJ, under C-20-015 in the total amount of one million eight hundred twenty-three thousand nine hundred ninety-seven dollars and sixty-nine cents (\$1,823,997.69); and

WHEREAS, following Assuncao Brothers, Inc.’s default on the contract under C-20-15, on November 22, 2022 the Board approved Resolution No. R-22-1047, authorizing an award of contract to Colonnelli Brothers, Inc., to complete the Project in the amount of one million ninety thousand two hundred fifty-two dollars (\$1,090,252.00); and

WHEREAS, pursuant to N.J.A.C. 5:30-11.3, et seq. the Board can authorize, permit, or accept change orders for work performed, services rendered, materials, supplies or equipment delivered or provided pursuant to the conditions as set forth therein; and

WHEREAS, on July 18, 2023, the Board passed Resolution No. R-23-0687, authorizing Change Order No. 1, to Colonnelli Brothers, Inc., in the increased amount of one hundred six thousand four hundred fifty-three dollars and fifty-two cents (\$106,453.52), for a new total contract award, as a result of the increase, in the amount of one million one hundred ninety-six thousand seven hundred five dollars and fifty-two cents (\$1,196,705.52); and

WHEREAS, the Passaic County Engineer is recommending that Change Order No. 2, be authorized for a net deduction to the contract for the Project in the amount of two hundred eighteen thousand seven hundred two dollars and forty-one cents (\$218,702.41), due to additions and deletions of as-built quantities needed to complete the Project, with a new total contract award, as a result of the deduction, in the amount of nine hundred seventy-eight thousand three dollars and eleven cents (\$978,003.11); and

WHEREAS, the majority of the construction project is being funded by the New Jersey Department of Transportation Local Bridge grant; and

WHEREAS, this matter was discussed at the February 7, 2024 meeting of the Public Works Committee, and is being recommended to the Board for approval.

NOW, THEREFORE, LET IT BE RESOLVED, pursuant to N.J.A.C. 5:30-11.3, et seq., the Board of County Commissioners of the County of Passaic approve Change Order No. 2, for the contract with Colonnelli Brothers, Inc., under C-20-015, in the decreased amount of two hundred eighteen thousand seven hundred two dollars and forty-one cents (\$218,702.41), with a new total contract award, as a result of the deduction, in the amount of nine hundred seventy-eight thousand three dollars and eleven cents (\$978,003.11).

LET IT BE FURTHER RESOLVED, that the County Engineer is authorized and directed to comply with all of the general requirements for change orders as set forth in N.J.A.C. 5:30-11.3, et seq.

LET IT BE FURTHER RESOLVED, that the Clerk of the Board, County Counsel, County Engineer, and Director of Board of County Commissioners are authorized execute an agreement, and Form SA-1 for NJDOT Change Orders and to take any other action necessary to carry out the purpose of this Resolution.

KJB

February 13, 2024