

County of Passaic

Board of County Commissioners



OFFICE OF COUNTY COMMISSIONERS

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 County Counsel
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 Clerk Of The Board

Date: Feb 02, 2024 - 12:00 PM

Agenda: RESOLUTION AUTHORIZING THE CHANGE ORDER NO. 3 TO M & M CONSTRUCTION COMPANY, INC., FOR THE LAMBERT CASTLE CARRIAGE HOUSE RESTORATION AND REHABILITATION PROJECT, PER BID C-22-023, PURSUANT TO N.J.A.C. 5:30-11.3 ET SEQ.

THIS RESOLUTION WAS REQUESTED BY:
 CULTURAL AND HISTORIC AFFAIRS

REVIEWED BY:



Matthew P. Jordan, Esq.

APPROVED AS TO FORM AND LEGALITY:



Nadege D. Allwaters, Esq.

Official Resolution#	
Meeting Date	2/2/2024
Introduced Date	1/19/2024
Adopted Date	
Agenda Item	46.
CAF#	C-04-55-162-001-901
Purchase Req. #	
Result	

Public Works

COMMITTEE NAME

RESOLUTION AUTHORIZING THE CHANGE ORDER NO. 3 TO M & M CONSTRUCTION COMPANY, INC., FOR THE LAMBERT CASTLE CARRIAGE HOUSE RESTORATION AND REHABILITATION PROJECT, PER BID C-22-023, 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 November 22, 2022, the Board passed Resolution No. R-2022-1050, authorizing an award of contract to M & M Construction Company, Inc., as the lowest responsible bidder to C-22-023, Lambert Castle Carriage House Restoration and Rehabilitation Project (hereafter “Project”); and

WHEREAS, on May 9, 2023, the Board passed Resolution No. R-23-0462 authorizing Change Order No. 1 to M&M Construction Company, Inc., for the project in the increased amount of twenty-one thousand one hundred eight dollars and twenty-eight cents (\$21,108.28), due to unforeseen masonry repairs and tree removal to provide access for masonry repairs needed to complete the Project, with a new total contract award, as a result of the increase, in the amount of five million one hundred eighty-one thousand one hundred one dollars and twenty-eight cents (\$5,181,101.28); and

WHEREAS, on September 26, 2023, the Board passed Resolution No. R R-23-0897 authorizing Change Order No. 2 to M&M Construction Company, Inc., for the project in the increased amount of seven thousand eight hundred ninety-nine dollars and thirty-nine cents (\$7,899.39), to install a concrete slab for a new door, now needed to complete the Project, with a new total contract award, as a result of the increase, in the amount of five million, one hundred eighty-nine thousand and sixty-seven cents (\$5,189,000.67); and

WHEREAS, the Director of the Department of Cultural & Historic Affairs is recommending that Change Order No. 3 be authorized for a net addition to the contract for the Project in the amount of forty-five thousand three hundred eighty-two dollars and fifty cents (\$45,382.50) for the additional work and time to be performed with a new total contract award, as a result of the increase, in the amount of five million two hundred thirty-four thousand three hundred eighty-three dollars and seventeen cents (\$5,234,383.17); 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, funds are available in Account No. C-04-55-162-001-901, or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been contingently certified by the Chief Financial Officer subject to sufficient funds being appropriated by the Board in 2024 and/or subsequent years’ County budget(s), which is attached to and made part of this Resolution; and

WHEREAS, this matter was discussed at the January 10, 2024, meeting of the Public Works Committee, and is being recommended to the Board for approval; and

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. 3, in the increased amount of forty-five thousand three hundred eighty-two dollars and fifty cents (\$45,382.50) for the additional work and time to be performed with a new total contract award, as a result of the increase, in the amount of five million two hundred thirty-four thousand three hundred

eighty-three dollars and seventeen cents (\$5,234,383.17).

LET IT BE FURTHER RESOLVED, that the Director of the Department of Cultural & Historic Affairs 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, Director of the Department of Cultural & Historic Affairs, and Director of Board of County Commissioners are authorized to take any other action necessary to carry out the purpose of this Resolution.

PCR

January 23, 2024