

County of Passaic  
Board of County Commissioners



OFFICE OF COUNTY COMMISSIONERS

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Date: Apr 08, 2025 - 5:30 PM

Agenda: RESOLUTION AUTHORIZING CHANGE ORDER NO. 2 TO THOMAS & SONS BUILDERS, LLC, d/b/a DEVELOP BUILDERS TO CONSTRUCT A NEW SALT STORAGE BUILDING IN THE BOROUGH OF POMPTON LAKES, PER BID C-24-003, PURSUANT TO N.J.A.C. 5:30-11.3 ET SEQ.

THIS RESOLUTION WAS REQUESTED BY:  
ROADS DIVISION

REVIEWED BY:

  
Matthew P. Jordan, Esq.

APPROVED AS TO FORM AND LEGALITY:

  
Nadege D. Allwaters, Esq.

Official Resolution#	
Meeting Date	4/8/2025
Introduced Date	4/3/2025
Adopted Date	
Agenda Item	28.
CAF#	C-04-55-172-002-920
Purchase Req. #	
Result	

Public Works  
COMMITTEE NAME

**RESOLUTION AUTHORIZING CHANGE ORDER NO. 2 TO THOMAS & SONS BUILDERS, LLC, d/b/a DEVELOP BUILDERS TO CONSTRUCT A NEW SALT STORAGE BUILDING IN THE BOROUGH OF POMPTON LAKES, PER BID C-24-003, PURSUANT TO N.J.A.C. 5:30-11.3 ET SEQ.**

**WHEREAS**, the County of Passaic (hereafter “County”) is a government body incorporated pursuant to N.J.S.A. 40:18-1, et seq. 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 May 1, 2024, the Purchasing Agent issued Bid No. C-24-003, New Salt Storage Building on Block 2300, Lots 1, 7, & 10 (“C-24-003”) seeking sealed proposals from qualified bidders to construct the New Salt Storage Building in the Borough of Pompton Lakes; and

**WHEREAS**, on June 11, 2024, the Board approved Resolution No. R-24-518, authorizing an award of contract to Thomas and Sons Builders, LLC, as lowest responsible bidder to the project under C-24-003, in an amount of one million five hundred sixty-eight thousand six hundred ninety-four dollars (\$1,568,694.00) pursuant to N.J.S.A. 40A:11-4, et seq.; 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 December 10, 2024, the Board passed Resolution No. R-24-1134, authorizing Change Order No. 1 for the project under C-24-003, in the increased amount of six thousand seven hundred thirty-four dollars and fifty-five cents (\$6,734.55), with a new total contract amount, as a result of the increase, in the amount of one million five hundred seventy-five thousand four hundred twenty-eight dollars and fifty-five cents (\$1,575,428.55)

**WHEREAS**, the Supervisor of Roads is recommending that Change Order No. 2 be authorized for a net addition to the contract for the project under C-24-003 in the amount of eighty-eight thousand five hundred fifty dollars (\$88,550.00) due to additional need for trucking and disposal of contaminated soil from the site, and additional testing, with a new total contract amount, as a result of the increase, in the amount of one million six hundred sixty-three thousand nine hundred seventy-eight dollars and fifty-five cents (\$1,663,978.55); and

**WHEREAS**, funds are available in Account No. C-04-55-172-002-920 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 the 2025 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 March 26, 2025 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 approves Change Order No. 2 for the contract with Thomas and Sons Builders, LLC, for a net addition to the contract for the Project in the amount of eighty-eight thousand five hundred fifty dollars (\$88,550.00), with a new total contract amount, as a result of the increase, in the amount of one million six hundred sixty-three thousand nine hundred seventy-eight dollars and fifty-five cents (\$1,663,978.55).

**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. 5:30-11.10,

et seq.

KJB

April 8, 2025