

County of Passaic
Board of County Commissioners



OFFICE OF COUNTY COMMISSIONERS

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Date: Jun 17, 2025 - 5:30 PM

Agenda: RESOLUTION AUTHORIZING CHANGE ORDER NO. 6 TO SMITH SONDY ASPHALT CONSTRUCTION COMPANY, INC., FOR 2023 PASSAIC COUNTY ROAD RESURFACING PROJECT, PER BID C-23-010, 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	6/17/2025
Introduced Date	6/10/2025
Adopted Date	
Agenda Item	52.
CAF#	C-04-55-188-002-904
Purchase Req. #	
Result	

Public Works

COMMITTEE NAME

RESOLUTION AUTHORIZING CHANGE ORDER NO. 6 TO SMITH SONDY ASPHALT CONSTRUCTION COMPANY, INC., FOR 2023 PASSAIC COUNTY ROAD RESURFACING PROJECT, PER BID C-23-010, 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 July 12, 2023, the Purchasing Agent issued Bid No. C-23-010, County of Passaic Road Resurfacing Program 2023 (hereafter “C-23-010”) seeking sealed proposals from qualified bidders for the 2023 Road Resurfacing Program (hereafter “Project”); and

WHEREAS, on August 8, 2023, the Board approved Resolution No. R-23-0750, authorizing an award of contract to Smith Sondy Asphalt Construction Company, under C-23-010, in an amount not to exceed four million six hundred twelve thousand one hundred forty dollars and two cents (\$4,612,140.02); 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, in compliance with N.J.A.C. 5:30-11.3 et seq., the Board has approved the following change orders for the Project to date:

CHANGE ORDER	AMOUNT	ADJUSTED CONTRACT	RESOLUTION
Change Order No. 1	\$34,995.00	\$4,647,135.92	R-24-0452
Change Order No. 2	\$37,309.00	\$4,684,444.92	R-24-0716
Change Order No. 3	\$119, 803.10	\$4,804,248.02	R-24-900
Change Order No. 4	(\$15,956.53)	\$4,788,301.49	R-24-1046
Change Order No. 5	\$134,826.69	\$4,923,128.18	R-25-111

WHEREAS, the Passaic County Engineer is recommending that Change Order No. 6 be authorized for a net increase to the contract for the Project in the amount of forty thousand three hundred thirty two dollars and thirteen cents (\$40,332.13), due to field quantity adjustments for various base contract items of work, supplemental item for weldments, and for a guide rail and attenuator where an existing parapet was removed on Hamburg Turnpike, with a new contract award, as a result of the increase of four million nine hundred sixty three thousand four hundred sixty dollars and thirty one cents (\$4,963,460.31); and

WHEREAS, a majority of this project is being funded by the New Jersey Department of Transportation (hereafter “NJDOT”) County Aid Grant; and

WHEREAS, funds are available in Account No. C-04-55-188-002-904, 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 June 4, 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. 6 for the

contract with Smith Soudy Asphalt Construction Company under C-23-010, for a net increase to the contract for the Project in the amount of forty thousand three hundred thirty two dollars and thirteen cents (\$40,332.13), with a new contract award, as a result of the increase of four million nine hundred sixty three thousand four hundred sixty dollars and thirty one cents (\$4,963,460.31).

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 the Board of County Commissioners are authorized to execute an agreement and Form SA-1 for NJDOT Change Orders, as well as any NJDOT Reimbursement Forms and Documentation, and to take any other action necessary to carry out the purpose of this Resolution.

ZMQ

June 17, 2025