



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 21-103

RESOLUTION APPROVING CLOSE OUT CHANGE ORDER AND DECLARING ACCEPTANCE OF THE CONTRACT FOR THE BULKHEAD IMPROVEMENTS TO CEDAR STREET AND JONES CREEK

WHEREAS, by way of Resolution 20-168 duly adopted on July 15, 2020, Brayco, Inc. was awarded the contract associated with Bulkhead improvements to Cedar Street and Jones Creek; and

WHEREAS, the contract awarded to Brayco, Inc., by way of Resolution 20-168, was in the amount of \$461,394.00; and

WHEREAS, the Project Engineer, CME Associates, has advised that the project is complete at this time, including all previously issued punch list items. The change order reflects increases and decreases in original contract quantities required to complete the project; and

WHEREAS, CME Associates has advised that the Closeout Change Order results in a decrease in the project cost from the original amount of \$461,394.00 to an adjusted total of \$447,811.86 for a decrease of \$13,582.14, as specifically set forth in their correspondence dated April 20, 2021; and

WHEREAS, in accordance with the requirements of the aforesaid contract, Brayco, Inc. has submitted a two (2) year Maintenance Bond in the amount of \$67,171.78, which represents fifteen (15) percent of the final Contract Amount; and

WHEREAS, the Project Engineer, CME Associates, has recommended authorizing the aforesaid Change Order, releasing the Performance Bond and accepting the project.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Highlands, that based on the above recommendations from the Project Engineer, CME Associates, that the Closeout Change Order changing the original contract amount to \$447,811.86 for a decrease of \$13,582.14 be and is hereby approved.

BE IT FURTHER RESOLVED, by the governing body of the Borough of Highlands, that it hereby acknowledges that this project has been satisfactorily completed and accepts same.

BE IT FURTHER RESOLVED, by the governing body of the Borough of Highlands that it authorizes the acceptance of the two (2) year Maintenance Bond No. 800038813 in the sum of \$67,171.78 issued by The Atlantic Specialty Insurance Company.

BE IT FURTHER RESOLVED, that any lien claims filed more than sixty (60) days after the adoption of the Resolution shall be ineffective pursuant to N.J.S.A. 2A:44-132.

BE IT FURTHER RESOLVED, that upon expiration of said sixty (60) day period, if no lien claim notices have been filed, the Borough of Highlands shall release the Performance Bond issued by The Guarantee Company of North America USA in the amount of \$461,394.00.

BE IT FURTHER RESOLVED, that upon expiration of said sixty (60) day period, if no lien claim notices have been filed, a voucher authorizing final payment of any sums due to the Contractor may be listed upon the bill list for action.

BE IT FURTHER RESOLVED, that a certified copy of the within Resolution be forwarded to the Chief Financial Officer, the Project Engineer, Purchasing Agent and Brayco, Inc.

Motion to Approve R-21-103:

| | INTRODUCED | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|-----------|------------|--------|-----|-----|---------|--------|
| MARTIN | | | X | | | |
| MAZZOLA | | X | X | | | |
| MELNYK | | | X | | | |
| OLSZEWSKI | | | X | | | |
| BROULLON | X | | X | | | |

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF VOTE: April 21, 2021



Michelle Hutchinson Acting Municipal Clerk
Borough of Highlands