

**RESOLUTION AUTHORIZING CHANGE ORDER 1 FOR LUCAS BROTHERS, INC.
RESULTING IN A CONTRACTUAL INCREASE OF \$107,008.56 FOR THE WEST
FOURTH STREET ROADWAY RECONSTRUCTION PROJECT**

WHEREAS, grant funding was made available through the FY 2007 and FY 2008 New Jersey Department of Transportation (NJDOT) Trust Fund in the amount of \$514,000.00 for roadway reconstruction improvements of West Fourth Street (from City limits with Piscataway to Halsey Street); and

WHEREAS, the City Council of the City of Plainfield by Resolution No. R339-08, dated July 21, 2008, awarded a contract to Lucas Brothers, Inc, 80 Amboy Ave, Morganville, New Jersey 07751 in the amount of \$309,607.05 to construct the improvements; and

WHEREAS, Remington & Vernick Engineers has estimated the costs to extend the project limits from Halsey Street to McDowell Street, to be \$107,008.56; and

WHEREAS, it was determined that if the construction contract was amended, the total costs of the project would be, \$416,615.61 which is substantially below the available NJDOT grant funding of \$514,000.00; and

WHEREAS, the NJDOT will not allow the expenditure of the remaining funds by preparing another contract for the project; and

WHEREAS, Change Order No. 1, if approved, will be governed by N.J.A.C. 5:30-11.9, as it will exceed 20% of the original contract amount; and

WHEREAS, the City Engineer's (Remington, Vernick & Vena Engineers, Inc.) via correspondence dated November 19, 2008, has recommended the execution of Change Order No. 1 since it is in the best interests of the City and to prevent forfeiting grant funding; and

WHEREAS, the Corporation Counsel has agreed with the recommendation of the City Engineer; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Plainfield that the Mayor and the City Clerk are authorized to approve Change Order 1, amending the original contract for the Reconstruction of West Fourth Street between the City of Plainfield and Lucas Brothers, Inc. amount of \$309,607.05 to \$416,615.61.


BE IT FURTHER RESOLVED, that a duly executed copy of this Resolution, Change Order and Contract Addendum be filed in the Office of the City Clerk.

Adopted by the City Council

January 15, 2009

Laddie Wyatt,
City Clerk

Approved as to Form:


Daniel A. Williamson,
Corporation Counsel