

**RESOLUTION AUTHORIZING CHANGE ORDER No. 2 (FINAL) FOR DEFINO CONTRACTING CO. RESULTING IN A CONTRACT DECREASE OF \$7,684.66 FOR THE SOUTH SECOND STREET ROADWAY RECONSTRUCTION PROJECT (PHASE II), FROM MORRIS STREET TO FRACE AVENUE RESULTING IN A FINAL TOTAL INCREASE OF \$32,254.34 OR 10.15% ABOVE THE ORIGINAL CONTRACT AMOUNT**

**WHEREAS**, grant funding was made available through the Community Development Block Grant program in the amount of; \$107,828 for Year 31, \$270,000 for Year 33 for improvements on South Second Street; and

**WHEREAS**, the City Council of the City of Plainfield adopted R 551-06, dated December 6, 2006 which authorized a construction contract with Defino Contracting Co., with a principal place of business at 28 Industrial Drive, Cliffwood Beach, New Jersey 07735 to perform road improvements on South Second Street, Phase II for an original contract price of \$317,774.56; and

**WHEREAS**, the City Council of the City of Plainfield adopted R 288-07, dated June 20, 2007 which authorized Change Order No. 1 with Defino Contracting Co., in the amount of \$39,940.00 for a revised contract price of \$357,714.56; and

**WHEREAS**, the work has been completed and Change Order No. 2 (Final), is the final change order which includes the adjustment of "as-built" quantities, has been prepared and submitted by the Consultant, CMX, which reflects:

- A cost increase of \$42,666.83 for extra work performed within the project limits;
- And cost reductions in the amount of \$50,351.50 for work not needed within the project limits; and

**WHEREAS**, Change Order No. 2 (Final) results in a net contract decrease of \$7,684.67, with a final revised contract amount of \$350,029.90, which represents is a net increase of \$32,255.34, or 10.15% increase above the original contract amount; and

**WHEREAS**, the contractor has submitted a two (2) year project maintenance bond in the amount of \$35,002.98, or ten percent of the final contract amount; and

**WHEREAS**, funding for this final change order is available from account number U-05-41-152-207-475; and

**WHEREAS**, the City Engineer (Remington & Vernick Engineers), Consultant, (CMX), and Director of Public Works have recommended this Change Order be approved and that the maintenance bond be accepted since it is in the best interests of the City; and

**WHEREAS**, the quality or character of the work has not been substantially changed inasmuch as such would have been a determining factor in the original bidding;

**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 No. 2 (Final) amending the original contract amount of \$317,774.56 to a final cost of \$350,029.90 for the South Second Street Roadway Reconstruction Project (Section II) between the City of Plainfield and Defino Contracting Co. with a principal place of business at 28 Industrial Drive, Cliffwood Beach, New Jersey 07735, to release the contract retainage, and to accept the two (2) year maintenance bond from Joseph DeFino Trucking Company, Inc., t/a DeFino Contracting Co. and Liberty Mutual Insurance Company in the amount of \$35,002.98.


**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

March 19, 2008

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Laddie Wyatt,  
City Clerk

Approved as to Form:

  
Daniel A. Williamson,  
City Clerk