

**RESOLUTION #14-116**

**RESOLUTION AUTHORIZING CHANGE ORDER TO  
THE 2013 LOCAL ROAD PROGRAM CONTRACT TO GERALD E. BARRETT**

**WHEREAS**, the City of Woodbury entered into a contract with Gerald E. Barrett for the 2013 Local Road Resurfacing Program; and

**WHEREAS**, during construction various modifications were required due to unanticipated site conditions as detailed in the attached certification resulting in certain extras and which due to the nature and progress of the project could not be re-bid which are in the attached Change Order No. 1 and Acceptance; and

**WHEREAS**, such modifications necessitate the extension of the contract period from 60 to 177 days; and

**WHEREAS**, such additions and reductions have been reviewed and approved by the City Engineer; and

**WHEREAS**, the attached itemized additions result in a net increase of \$59,598.26 to the original price of \$222,070.03 for a total contract price of \$281,668.29 which is an increase in the original contract price exceeding 20%.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Council of the City of Woodbury that:


1. The Mayor is hereby authorized upon to execute the attached Change Order No. 1; and
2. The Clerk is hereby directed to publish once in the official newspaper a brief notice indicating the additional amount to be expended, the original contract price, the nature of the original and additional work and why it is necessary to expend the additional funds and a copy of such advertisement shall be maintained by the City Clerk; and

3. The City Clerk is hereby directed to report the Change Order as required by N.J.A.C. 5:30-11.9(d).


**ADOPTED** at a regular meeting of the Mayor and City Council of the City of Woodbury held on June 10, 2014.

**CITY OF WOODBURY**

By:

  
\_\_\_\_\_  
David Trovato  
President Pro-Tempore

**ATTEST:**

  
\_\_\_\_\_  
Roy A. Duffield, City Clerk

**CERTIFICATION IN SUPPORT OF  
CHANGE ORDER REGARDING WOODBURY  
2013 LOCAL ROAD PROGRAM CONTRACT**

I, GERALD A BARRETT, am the OWNER of Gerald A. Barrett, LLC and have competent knowledge of the facts certified herein:

1. During the performance of the Woodbury 2013 Road Program contract, numerous circumstances involving unforeseen site conditions that could not be determined until such time as existing roadway pavement and concrete were removed resulted in increased work and materials, necessitating the issuance of a Change Order in excess of 20% of the original contract price.

2. Due to the fact that asphalt and concrete had already been removed, such conditions needed to be addressed under the current contract to avoid leaving the project partially unfinished and to ensure safety of the public. The issuance of such a Change Order is in the best interest of the contracting unit as it avoided leaving sections of incomplete work which would have created safety hazards which could not have been timely addressed through the issuance of additional bids and permitted the most economical completion of the work.

3. During construction of the ADA-compliant curb ramps on Grant Street at N. Drexel Street it was determined that the root incursion and heaving from roots of the existing 6 foot diameter street tree was more extensive than anticipated and was affecting an approximate 50 foot area of sidewalk and curbing, and for safety concerns, the tree was removed by the Department of Public Works requiring the installation of increased curb and sidewalk.

4. After milling was completed, it was determined that certain areas needed repair/replacement of the asphalt base course. An additional 29 tons of asphalt base course were used. These areas included a portion of Grant Street where the roots of the 6 foot diameter street

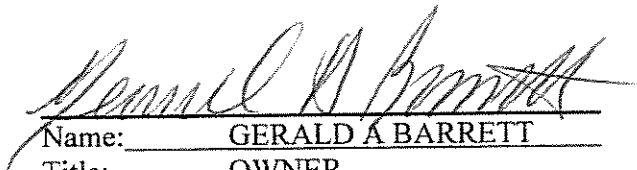
tree were exposed directly under the old surface layer. It was determined that the root incursion was much more extensive than ever anticipated and would compromise the integrity of the new pavement. The roots and soft soil were removed, the area properly backfilled and compacted, and a 4 inch thick layer of base course was installed prior to the surface course.

5. Following milling along Myrtle Avenue a long narrow soft area was found after the milling. In order to provide for an adequate firm base for the surface course, this area was excavated, backfilled and a 4 inch layer of base course installed.

6. A suspension of work was issued to the Contractor for the winter shut down and remobilization in April cost additional expenses.

7. Based upon the foregoing it is submitted that the additional work causing the Change Order to exceed 20% of the original contract amount was both unforeseen and unforeseeable, the execution of a new contract would have constituted an unreasonable interference with the efficient completion of the work and that it is in the best interest of the City of Woodbury to approve the Change Order which under the circumstances does not constitute an abuse of the public bidding statutes and administrative regulations.

**GERALD A. BARRETT, LLC**

By:   
Name: GERALD A BARRETT  
Title: OWNER  
Date: June 10, 2014

**CONTRACT CHANGE ORDER**  
***Administrative Data and Summary of Changes***

No: 1

Date of Issuance: 6/4/2014

PROJECT: 2013 Local Road Resurfacing

FOR: Supplemental and Extra Work  
Extension of Time

OWNER: **City of Woodbury**  
33 Delaware Street  
Woodbury, NJ 08096  
(856)845-1300

NJDOT Project No.: N/A

CONTRACTOR: **Gerald A. Barrett, LLC**  
329 Lakedale Road  
Berlin, NJ 08009  
(856) 767-0444

ENGINEER: **Federici & Akin, P.A.**  
307 Greentree Road  
Sewell, NJ 08080  
(856)589-1400

CONTRACT FOR: Mill & Overlay, Ramps, Striping

ENGINEER's Project No.: 14009

*In accordance with the terms of the Contract, the following changes are made in the Construction Documents.*

Description:

Increased amount for mobilization due to "Suspension of Work" issued to Contractor for winter shutdown and re-mobilizing in April. The limits of milling were increased by 656 s.y. as field changes to include small areas of deteriorated paving or adjacent to new handicap-ramps at Park Ave & Washington Ave, at Myrtle Ave & Girard Street, and at Grant Street and N. Drexel Street. As a result, an additional 199 tons of asphalt surface course were required to be installed. After the milling was completed it was determined that certain areas needed repair/replacement of the asphalt base course; an additional 29 tons of asphalt base course was used. These areas included a portion of Grant Street where the roots of a 6-foot diameter street tree were exposed directly under the old surface layer. The roots and soft soil were removed and a 4" thick layer of base course was installed. And on Myrtle Avenue a long and narrow soft area was found after the milling. In order to provide an adequate firm base for the surface course this area was excavated, backfilled and a 4" layer of base course installed. The quantities of concrete sidewalk and curb increased significantly as a result of replacing the curb and sidewalk on Grant Street that had been uplifted or damaged by the large street tree, which was removed by Public Works. Additional sidewalk, curb and detectable warning surfaces were added for extra handicap ramps at Park Ave & Washington Ave and at Grant St. & N. Drexel St. After the resurfacing was completed the location and quantity of traffic striping and pavement markings was adjusted in the field based on the location of the ramps, the limits of new paving, and the condition of the existing striping adjacent to the project areas. New "STOP" bars were installed at all new ramp locations with a "STOP" sign, double-yellow stripes were added on Park Avenue and also on Cooper Street from Broad Street to Euclid Street. A new "Railroad Crossing" pavement marking was installed on Park Avenue to replace the old one that had been either covered by asphalt patch repairs or worn out.

Purpose of Change Order:

This Change Order is required to increase the Contract Amount to include all of the changes and extra work directed by the Engineer for the additional sidewalk and curbing that was required due the removal of a large street tree on Grant Street, for larger & additional handicap-ramps, for additional milling & paving and base repairs, and for additional traffic markings and striping.

Attachments: (List documents supporting change)

Summary of Invoices dated 6/3/14; Invoice #3 from Gerald A. Barrett dated 6/6/14; File photographs.

Revisions are shown on :

As-built plans prepared by Federici & Akin.

**CHANGE IN CONTRACT PRICE:**

Original Contract Price	<u>\$222,070.03</u>	
Previous Change Orders	0 to 0	
Net change of Previous Change Orders	<u>\$0.00</u>	0.00 %
Contract Price prior to this Change Order	<u>\$ 222,070.03</u>	
Net Increase (Decrease) of this Change Order	<u>\$59,598.26</u>	26.84 %
Contract Price with all Approved Change Orders	<u>\$ 281,668.29</u>	126.84 %

**CHANGE IN CONTRACT TIME:**

Original Contract Time	<u>60</u> Days
Notice to Proceed	<u>12/11/2013</u>
Net change from Previous Change Orders	<u>52</u> Days
Contract Time Prior to Change Order	<u>112</u> Days
Net Increase (Decrease) of this Change Order	<u>65</u> Days
Contract Time with all Approved Change Orders	<u>177</u> Days
Revised Date of Completion	<u>June 6, 2014</u>

**RECOMMENDED:**

by *Paul D. Duizer*  
City Engineer

**ACCEPTED:**

by *Gerald A. Barrett*  
Contractor

**APPROVED:**

by *William J. Voelck*  
Mayor

# CONTRACT CHANGE ORDER

## Calculation of Net Increase / Decrease

No: 1

Date of Issuance: 6/10/2014

Project: **2013 Local Roads Resurfacing**      Engineer: **Federici & Akin, PA**

Owner: **City of Woodbury**      Municipality: **City of Woodbury**

To Contractor: **Gerald A. Barrett, LLC**      Address: **329 Lakedale Road**      **Berlin, NJ 08009**

Item No.	Description of Changes	Final Quant.	Unit	Unit Cost	DECREASE In Contract Price	INCREASE In Contract Price
1	Mobilization	1.34	LS	\$2,000.00		\$2,000.00
3	Asphalt Price Index Flucuation	0	LS	\$1,000.00	(\$1,000.00)	
4	Fuel Price Index Flucuation	0	LS	\$200.00	(\$200.00)	
7	Excavation, Test Pit (IAWD)	0	Unit	\$0.01	(\$0.05)	
8	Roadway Excavation, Unc.	0	CY	\$0.01	(\$0.30)	
10	Milling, Variable Depth (2" +/-)	11831	SY	\$3.50		\$2,296.00
11	HMA 9.5H64 Leveling Course (IAWD)	0	SY	\$0.01	(\$0.10)	
12	HMA 9.5H64 Surface Course, 2" Thk.	1486	Ton	\$89.90		\$17,890.10
13	HMA 19M64 Base Course, 4" Thk. (IAWD)	75	Ton	\$150.00		\$4,350.00
15	Bicycle-Safe Grate	11	Unit	\$495.00		\$990.00
17	Concrete Sidewalk, 4" Thk.	255.4	SY	\$79.90		\$9,699.86
18	Detectable Warning Surface	168	SY	\$25.00		\$800.00
19	Concrete Curb, 6" x 8" x 18" (IAWD)	534	SY	\$50.00		\$14,850.00
21	Reset San. MH Rim (use existing casting)	0	Unit	\$1.00	(\$18.00)	
22	Regulatory and Warning Sign (IAWD)	0	LF	\$50.00	(\$2,500.00)	
23	Traffic Stripes, Long-life Epoxy (IAWD)	2106	LF	\$2.25		\$2,904.75
24	Traffic Markings & Symbols, Long-life Thermoplastic	66	SF	\$10.50	(\$199.50)	
25	Traffic Markings, Thermoplastic (24" STOP Bar)	610	SF	\$10.50		\$5,670.00
26	Turf Repair Strip	487	LF	\$6.50		\$1,540.50
SA1	Legend, RxR with 2 each 24" wide bars	1	LS	\$525.00		\$525.00
<b>TOTALS</b>					<b>(\$3,917.95)</b>	<b>\$63,516.21</b>
<b>NET CHANGE IN CONTRACT PRICE</b>					<b>=</b>	<b>\$59,598.26</b>

**JUSTIFICATION:**

- 1: Increased amount of mobilization due to winter shutdown and authorized "Suspension of Work", and re-start in April.
- 3,4,7 & 8: Items not used in the Contract.
- 10: Additional 656 SY milled due to field changes on Park Ave, Myrtle Ave and Grant Street.
- 11: Item not used in the Contract.
- 12: Additional 199 tons of surface course installed due to field changes on Park Ave, Myrtle Ave and Grant Street.
- 13: Added 29 tons of base course where existing base was very deteriorated, the subbase was too soft and where trees roots had to be removed.
- 15: Added 2 more storm sewer inlet grate replacements at Girard Street and Myrtle Avenue.
- 17, 18 & Additional sidewalk and curbing required on Grant Street where a 6-foot diameter street tree had to be removed (by Public Works);
- 19: added handicap ramps on Park Ave at Washington Ave and on Grant Ave at N. Drexel Street.
- 21 & 22: Items not used in the Contract.
- 23: Traffic striping increased 1290 l.f. to replace worn centerline striping on Cooper Street and on Park Avenue.
- 24: Traffic markings reduced by 19 SF.
- 25: Increased number of STOP bars by 540 SF to provide new bars for safety purposes at all intersections where handicap-ramps were added or to replace existing worn bars.
- 26: Additional 237 LF of turf repair required due to the disturbance from the extra sidewalk and curb installed on Grant Avenue and at other handicap-ramps.
- SA1: Added a "Railroad Crossing" pavement marking on Park Ave to replace the worn marking.

**LIST OF SUPPORTING DATA:**

- 1. Summary of Invoices dated 6/5/14
- 2. Invoice #3 from Gerald A. Barrett, LLC dated 6/6/14
- 3. File photographs

Recommended: <u><i>Paul D. Weier</i></u> City Engineer (Federici & Akin, PA)	<u>6/10/14</u> Date
Accepted: <u><i>Gerald A. Barrett</i></u> Contractor (Gerald A. Barrett, LLC)	<u>6-6-14</u> Date
Approved: <u><i>William J. V-9</i></u> Mayor (City of Woodbury)	<u>6-10-14</u> Date