

WARREN TOWNSHIP SEWERAGE AUTHORITY

RESOLUTION NO. 13-119

RESOLUTION MEMORIALIZING ACCEPTANCE OF THE COMPLETED PROJECT BY GREAT AMERICAN AS SURETY FOR MAPLE CONSTRUCTION COMPANY REGARDING CONTRACT 50 FOR THE REPLACEMENT OF THE MOUNT BETHEL PUMP STATION

WHEREAS, the Warren Township Sewerage Authority (“the Authority”) previously determined that the Mount Bethel Pump Station was in need of replacement; and

WHEREAS, a Public Notice to Bidders for Contract 50 for the Replacement of the Mount Bethel Pump Station was published in accordance with applicable bidding laws; and

WHEREAS, the lowest bid was from Maple Construction Company (“Maple”) in the amount of \$412,000.00; and

WHEREAS, by Resolution No. 12-36, the Authority memorialized the award of Contract 50 for replacement of the Mount Bethel Pump Station to Maple in the amount of \$412,000.00; and

WHEREAS, the Authority has previously authorized payment to Maple in the amount of \$385,152.42; and

WHEREAS, Maple provided a quote for landscaping to screen the pump station in the amount of \$5,287.70, which in the normal course would have resulted in a change order to the Contract; and

WHEREAS, were such a change order approved, it would have incorporated the additional \$5,287.70 for landscaping, \$378.73 for the repair of the generator enclosure, and a \$18,927.33 credit for unused traffic control and utility relocation, resulting in an adjusted contract price of \$398,719.10; and

WHEREAS, prior to approval of a change order by the Authority, but after the completion of the landscaping, Maple abandoned the project, resulting in the death of the vegetation for lack of water and maintenance by Maple and forcing the eventual replacement of such landscaping by the Authority for \$3,000.00; and

WHEREAS, at the time Maple abandoned the project the Authority held contract funds in the amount of \$13,586.68, which was reduced by \$3,000 to cover the cost of the replacement landscaping, resulting in \$10,586.68 remaining on the Contract; and

WHEREAS, Great American as surety for Maple has resolved the claims of Maple's subcontractors and has requested payment of the \$10,586.68 to be utilized against such claims. Great American has further requested that it not be required to issue a maintenance bond as required by the Contract as the work itself has been completed for over a year which is the time period applicable to such bond; and

WHEREAS, the Authority's attorney has reviewed the drafted application for final payment that was provided by the project engineer prior to the involvement of the surety, as well as the payments made by the surety and has found that it is appropriate to pay the remaining funds on the contract to Great American and recommends same and that this project be deemed fully complete; and

WHEREAS, due to the considerable passage of time since the completion of the work, and upon recommendation from the Authority's Operator that the work at the pump station is satisfactory and completed, the Authority is amenable to waiving the requirement of a maintenance bond in this unique instance; and

WHEREAS, the Authority will be authorizing final payment in the amount of \$10,586.68 to Great American as surety for Maple for completion of the replacement of the Mount Bethel Pump Station; and

WHEREAS, the Authority's attorney has advised that all required warranties have been provided for the work and materials at the pump station.

NOW, THEREFORE, BE IT RESOLVED, by the Warren Township Sewerage Authority in the County of Somerset, State of New Jersey that the work performed pursuant to Contract 50 for the Replacement of the Mount Bethel Pump Station by Great American as surety for Maple Construction Company is hereby accepted and the project is accepted as fully completed.

BE IT FURTHER RESOLVED, that the Authority's Administrator is authorized to pay the remaining \$10,586.68 held for the Contract to Great American as surety for Maple Construction Company.

Moved by Mr. Truglio
Seconded By Mrs. Garafola

Roll Call Vote	Yes	No
Chairman Reeder	x _____	_____
Mr. Truglio	x _____	_____
Ms. Garafola	x _____	_____
Mr. Mosquera	x _____	_____
Mr. Vetter	x _____	_____
Mr. Checchio (Alternate #1)	x _____	_____
Mr. Paoletta (Alternate #2)	x _____	_____

CERTIFICATION

I, Deborah Catapano, Secretary of the Warren Township Sewerage Authority in the County of Somerset, New Jersey, do hereby certify that the above resolution is a true and correct copy of a resolution adopted at a meeting of the Warren Township Sewerage Authority on October 16, 2013.



Deborah Catapano, Authority Secretary