

**BOROUGH OF BRADLEY BEACH**

**RESOLUTION 2023-232**

**AUTHORIZING CHANGE ORDERS FOR SANITARY SEWER REHABILITATION PHASE II  
CONTRACT AWARDED TO M.S.P. CONSTRUCTION CORPORATION  
IN THE TOTAL AMOUNT OF \$ 4,123,267.90**

**WHEREAS**, on March 22, 2022 the Governing Body awarded a contract to M.S.P. Construction Corporation in the total amount of \$3,679,173.20 for Sanitary Sewer Rehabilitation Phase II by Resolution 2022-102; and

**WHEREAS**, Resolution 2022-199 authorized Change Order Number One in the amount of \$127,104.00 which represented additional line item quantities to the contract to extend the sewer on Second Avenue bringing the total contract cost to \$3,806,277.20; and

**WHEREAS**, additional change orders were requested by the Engineer but were never processed before the Governing Body, but the work took place as certified by the Engineer; and

**WHEREAS**, on December 6, 2022 the Engineer presented Change Order Number Two in the amount of \$167,696.98 for additional sanitary sewer manholes, ductile iron pipe, concrete for sidewalks, etc. for a total new contract cost of \$3,973,974.18; and

**WHEREAS**, on January 3, 2023 the Engineer presented Change Order Number Three in the amount of \$168,800.00 for additional Police Traffic Control, topsoil and sod, concrete curb, driveway aprons, and sidewalk in excess of that contained in the original contract documents for a new total contract cost of \$4,142,774.18; and

**WHEREAS**, on January 17, 2023 the Engineer presented Change Order Number Four in the amount of \$121,775.02 for additional Police Traffic Control, fuel and asphalt price adjustments, materials and supplies in excess of that contained in the original contract documents for a new total contract cost of \$4,264,549.20; and

**WHEREAS**, on April 4, 2023 the Engineer intended to present Change Order Number Five for additional contract curb, driveway aprons, and sidewalk in excess of that contained in the original contract documents in the amount of \$125,000 for a new total contract cost of \$4,389,549.20; and

**WHEREAS**, on June 20, 2023 the Engineer intended to present Change Order Number Six for a myriad of additions and reductions in the net amount of a negative \$732,646.37 for a new total contract cost of \$3,656,902.83; and

**WHEREAS**, on July 19, 2023 the Engineer intended to present Change Order Number Seven for additional Police Traffic Control, added milling, asphalt, fuel and asphalt price adjustments, thermoplastic pavement markings, traffic markings and stripping, topsoil, and seed in the amount of \$459,814.18 for a new total contract cost of \$4,116,717.01; and

**WHEREAS**, on August 8, 2023 the Engineer presented Change Order Number Eight for additional work at 305 Central Avenue to provide a connection missing from the original plans in the amount of \$8,245.31 for a new total contract cost of \$4,124,962.32 and a total percentage increase of 12.12%; and

**WHEREAS**, it is necessary to approve these change orders at this time to begin the closeout process of the contract with M.S.P. Construction Corporation; and

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Bradley Beach in the County of Monmouth that Change Orders Numbers Two through Eight are hereby approved and the Mayor is hereby authorized to execute these Change Orders Numbers Two through Eight on behalf of the Borough to bring the total cost of the aforementioned project to the amount of \$4,123,267.90.

**BE IT FURTHER RESOLVED** that a certified copy of the within Resolution shall be sent to:

- Jerry Freda, P.E., Leon S. Avakian, Inc.
- Alison Gavin, Accounts Payable and Finance Department Associate

Seconded by Councilperson Weber and adopted upon the following vote:

	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Ms. DeMarco	X			
Ms. DeNoble	X			
Mr. Gubitosi	X			
Mr. Weber	X			
Mayor Fox	X			

**CERTIFICATION**

I, Erica Kostyz, Acting Municipal Clerk, Borough of Bradley Beach, Monmouth County, New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Governing Body at the September 13, 2023 Council Business Meeting.

*Erica Kostyz*

Erica Kostyz, RMC, CMR  
Municipal Clerk