

**A RESOLUTION OF THE TOWNSHIP OF NORTH BRUNSWICK AMENDING  
CONTRACT BID20002 WITH KM CONSTRUCTION CORP. FOR THE  
FINNEGANS LANE AND QUARRY LANE ROAD IMPROVEMENT PROJECT  
CLOSEOUT CHANGE ORDER (\$462,013.91)**

**WHEREAS**, the Mayor and Council have continued to fund and support having a Municipal Road Program initiated in 2000 for pavement and reconstruction improvements of municipal streets, roads and curbing; and

**WHEREAS**, the Department of Community Development works with the Municipal Engineer and oversees the Municipal Road Program; and

**WHEREAS**, in 2018, the Township received notification from the New Jersey Department of Transportation (NJDOT) that North Brunswick had been awarded \$1,050,000.00 under the NJDOT Local Freight Impact Fund for Finnegans Lane road improvements, in addition to \$925,000.00 under the NJDOT Municipal Aid Fund for Quarry Lane road improvements; and

**WHEREAS**, in February of 2020, pursuant to Resolution 88-2.20, the Township Council authorized Contract BID20002 with KM Construction Corp. of 14 Cordier Street, Irvington, NJ 07111, in the amount of \$2,367,320.99 for the Finnegans and Quarry Lane Road Improvement Project for Items A1 through B129; and

**WHEREAS**, there have been no previous change orders for this project; and

**WHEREAS**, with favorable conditions encountered throughout the project, KM Construction Corp. has presented two Closeout Change Orders that reflects reductions and increases in contract quantities and supplementary items required to satisfactorily complete the work, resulting in a net reduction in the contract amount of (\$462,013.91); and

**WHEREAS**, CME Associates, engineering firm for this project, has reviewed and indicated in a report attached hereto that this Closeout Change Orders reflects reductions and increases in contract quantities and supplementary items required to satisfactorily complete the work; and

**WHEREAS**, a recommendation is hereby made that the Council authorize amending the contract with KM Construction Corp. to reduce the contract amount by (\$462,013.91) pursuant to the Closeout Change Order prepared by CME Associates, for a revised contract amount of \$1,905,307.08.

**NOW THEREFORE, BE IT RESOLVED**, on this 15<sup>th</sup> day of November 2021, the Township Council of the Township of North Brunswick does hereby authorize the Mayor to execute Closeout Change Order documents for the Finnegans and Adams Lane Road Improvement Project, which reflects a net contract reduction of (\$462,013.91).

**CERTIFICATION**

I, Cavel Gallimore, Chief Financial Officer of the Township of North Brunswick, certify that funds previously encumbered under BID20002 under the following account have been released and made available for future road projects: \$462,013.91 Ordinance 19-23, Capital account C-04-55-C20-190-201.

\_\_\_\_\_  
Cavel Gallimore  
Chief Financial Officer

\_\_\_\_\_  
Michael C. Hritz  
Director of Community Development

\_\_\_\_\_  
Justine Progebin  
Business Administrator

\_\_\_\_\_  
Ronald Gordon, Esq.  
Township Attorney  
Approved as to legal form

**RECORDED VOTE:**

<b>COUNCIL MEMBER</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>NOTES</b>
MEHTA				
LOPEZ				
GUADAGNINO				
ANDREWS				
DAVIS				
SOCIO				
MAYOR WOMACK				

I hereby certify that the above Resolution was duly adopted by the Township Council of the Township of North Brunswick, County of Middlesex, at its meeting held on November 15, 2021.

\_\_\_\_\_  
Lisa Russo  
Township Clerk

JOHN H. ALLGAIR, PE, PP, LS (1983-2001)  
DAVID J. SAMUEL, PE, PP, CME  
JOHN J. STEFANI, PE, LS, PP, CME  
JAY B. CORNELL, PE, PP, CME  
MICHAEL J. McCLELLAND, PE, PP, CME  
GREGORY R. VALES, PE, PP, CME



TIM W. GILLEN, PE, PP, CME (1991-2019)  
BRUCE M. KOCH, PE, PP, CME  
LOUIS J. PLOSKONKA, PE, CME  
TREVOR J. TAYLOR, PE, PP, CME  
BEHRAM TURAN, PE, LSRP  
LAURA J. NEUMANN, PE, PP  
DOUGLAS ROHMEYER, PE, CFM, CME  
ROBERT J. RUSSO, PE, PP, CME  
JOHN J. HESS, PE, PP, CME

October 25, 2021

Mayor and Township Council  
Township of North Brunswick  
710 Hermann Road  
North Brunswick, NJ 08902

**Re: Township of North Brunswick  
Improvements to Finnegans Lane & Quarry Lane  
Contract No. 19-002  
Our File No.: PNO-00649.02**

Dear Mayor and Township Council:

The Improvement to Finnegans Lane and Quarry Lane, Contract No. 19-002 has been satisfactorily completed by the Contractor, KM Construction, Corp. and we are pleased to inform you that the final construction cost is under the original contract amount for the project due primarily to favorable conditions encountered throughout the project, which resulted in the reduction of items originally included in the Contract for contingency purposes.

Accordingly, please find enclosed a completed Voucher and Closeout Change Order and Final Payment Estimate No.7 for work performed from March 20, 2021 to July 30, 2021 and four (4) copies of the NJDOT Change Order No. 1, Form SA-1.

Please note the Closeout Change Order reflects reductions and increases in contract quantities required to satisfactorily perform the work and reduces the contract amount, based on Change Order No. 1 from \$2,367,320.99 to \$1,905,307.08 for a net overall reduction of \$462,013.91

The additional work described herein could not, in our opinion, have reasonably been effectuated by a separately bid contract without unduly disrupting the basic work and imposing adverse cost consequences on the Township and provides an improved level of service to the Residents of the Township.

Accordingly, we recommend final acceptance of the work, approval of Closeout Change Order and Final Payment Estimate No. 7 and payment to the Contractor in



Mayor and Township Council  
Township of North Brunswick  
Re: Improvements to Finnegans Lane & Quarry Lane

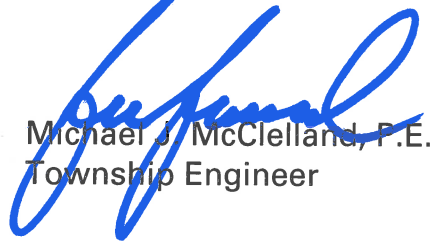
October 25, 2021  
Our File No. PNO00649.02  
Page 2

the amount of \$136,592.91, subject to the submission of a one (1) year 15% Maintenance Guarantee in the amount of \$285,796.06 and review and approval by the Township Attorney of the attached Closeout Change Order.

Finally, please return all four (4) copies each of the signed State Change Order to this office in order that we may transmit the same to the NJDOT.

Should you have any questions regarding this matter, please do not hesitate to contact this office.

Very truly yours,



Michael J. McClelland, P.E.  
Township Engineer

MJM/pb  
Enclosures

cc: Justine Progebin, Business Administrator  
Lisa Russo, Township Clerk  
Ronald Gordon, Esq., Township Attorney  
Michael Hritz, Director of Community Development  
KM Construction Corp.

**NEW JERSEY DEPARTMENT OF TRANSPORTATION  
 DIVISION OF LOCAL AID AND ECONOMIC DEVELOPMENT  
 CHANGE ORDER NUMBER - 01 FINAL  
 STATE AID PROJECT**

October 20, 2020

<b>Project</b>	Improvements To Finnegans Lane - Municipal Aid 2018
<b>Municipality</b>	Township of North Brunswick
<b>County</b>	Middlesex County
<b>Contractor</b>	KM Construction Corp.

Amount of Original Contract	\$	<u>1,405,855.63</u>	Extra	\$	<u>29,423.41</u>
			Supplemental	\$	<u>0.00</u>
Adjusted Amount per Change Order 1	\$	<u>1,113,329.40</u>	Reduction	\$	<u>(321,949.64)</u>
[(+) Increase or (-) Decrease]		<u>-20.81 %</u>	Total Change	\$	<u>(292,526.23)</u>

Approved:

 10.25.21  
 (Engineer) (Date)

\_\_\_\_\_  
 (District Manager) (Date)  
 (Bureau of Local Aid)

\_\_\_\_\_  
 (Presiding Officer) (Date)  
M/AE 10.11.21  
 (Contractor) (Date)

(Submit four(4) copies to the Local Highway Design District Office)

**NEW JERSEY DEPARTMENT OF TRANSPORTATION**  
**DIVISION OF LOCAL AID AND ECONOMIC DEVELOPMENT**  
**CHANGE ORDER NUMBER - 01 FINAL**  
**STATE AID PROJECT**

October 20, 2020

<b>Project</b>	Improvements To Finnegans Lane - Municipal Aid 2018
<b>Municipality</b>	Township of North Brunswick
<b>County</b>	Middlesex County
<b>Contractor</b>	KM Construction Corp.

**In accordance with the project Supplementary Specification, the following are changes in the contract.**  
**Location and Reason for Change (Attach additional sheets if required)**

Changes in estimated quantities and supplemental work as required to satisfactorily complete the construction of the project.

<u>Item No.</u>	<u>Description</u>	<u>Quantity (+/-)</u>	<u>Unit Price</u>	<u>Amount</u>
A-6	Traffic director, Municipal Police Allowance (\$50,000.00)	0.22	\$ 50,000.00	\$ 11,168.42
A-7	Portable variable message sign	(2.00)	\$ 3,000.00	\$ (6,000.00)
A-8	Asphalt price adjustment (\$25,000.00)	(1.69)	\$ 25,000.00	\$ (42,196.74)
A-9	Fuel price adjustment (\$10,000.00)	(1.85)	\$ 10,000.00	\$ (18,453.33)
A-10	Allowance for work not specified (\$25,000.00)	(1.00)	\$ 25,000.00	\$ (25,000.00)
A-11	Remove existing curb or rolled curb and gutter	(110.00)	\$ 9.29	\$ (1,021.90)
A-13	Remove and dispose of existing storm sewer pipes	(9.00)	\$ 46.78	\$ (421.02)
A-15	Excavation, unclassified	282.38	\$ 30.00	\$ 8,471.40
A-16	Remove and replace roadway base	(97.00)	\$ 8.11	\$ (786.67)
A-17	Driveway excavation, unclassified	(20.00)	\$ 40.18	\$ (803.60)
A-18	Excavation, unclassified, test pit	(101.00)	\$ 20.00	\$ (2,020.00)
A-19	Removal of pavement up to 14" deep	(19.00)	\$ 15.21	\$ (288.99)
A-20	Soil aggregate, type G	(227.00)	\$ 31.34	\$ (7,114.18)
A-21	Disposing of contaminated (Hazardous) soil	(324.95)	\$ 60.00	\$ (19,497.00)
A-22	2" to 2-1/2" clean stone subbase (Minimum unit price bid \$10.00/CY)	(944.00)	\$ 34.97	\$ (33,011.68)
A-23	Geotextile roadway stabilization	(2830.00)	\$ 4.79	\$ (13,555.70)
A-24	Dense graded aggregate base course (Minimum unit price bid \$10.00/CY)	283.00	\$ 30.00	\$ 8,490.00
A-25	HMA milling, 3" or less	(612.00)	\$ 4.20	\$ (2,570.40)
A-26	Polymerized joint adhesive	(32046.00)	\$ 0.65	\$ (20,829.90)
A-27	Tack Coat	(203.00)	\$ 2.10	\$ (426.30)
A-28	Prime Coat	(3099.00)	\$ 2.10	\$ (6,507.90)
A-29	Hot mix asphalt 9.5M64 surface and leveler course	(553.16)	\$ 85.00	\$ (47,018.60)
A-30	Hot mix asphalt 19M64 base course	(273.62)	\$ 80.00	\$ (21,889.60)
A-32	PVC, SDR-35 Leader drain extension or reconstruction	(5.00)	\$ 316.00	\$ (1,580.00)
A-33	Subbase outlet drain	(143.00)	\$ 25.01	\$ (3,576.43)
A-34	4" dia. Perforated polyethylene tubing (PPT) pipe bedding drains	(66.00)	\$ 24.98	\$ (1,648.68)
A-36	18" dia. reinforced concrete pipe (RCP), Class V storm sewer with flexible watertight gaskets	(45.00)	\$ 60.50	\$ (2,722.50)
A-37	Dense graded aggregate for pipe trench	(13.00)	\$ 34.21	\$ (444.73)
A-45	Concrete driveways, reinforced, 10" thick, commercial	129.23	\$ 10.01	\$ 1,293.59
A-47	8" x 16" concrete vertical curb	(689.00)	\$ 22.00	\$ (15,158.00)
A-48	Granite block curb	(35.00)	\$ 21.00	\$ (735.00)
A-49	Traffic stripes, long-life, "thermoplastic", 4" wide, with glass beads	(721.00)	\$ 0.51	\$ (367.71)
A-50	Traffic stripes, long-life, "thermoplastic", 6" wide, with glass beads	(11.00)	\$ 0.76	\$ (8.36)
A-51	Traffic stripes, long-life, "thermoplastic", 24" wide, with glass beads	(11.00)	\$ 3.30	\$ (36.30)
A-52	Traffic markings, "thermoplastic"	(19.00)	\$ 2.00	\$ (38.00)
A-53	Signs	(12.25)	\$ 36.00	\$ (441.00)
A-54	Temporary trench repair	(18.00)	\$ 17.78	\$ (320.04)
A-55	Furnish and install water main utility crossings in accordance with the details	(1.00)	\$ 3,005.00	\$ (3,005.00)
A-56	Reset water valve box to grade	(4.00)	\$ 241.00	\$ (964.00)
A-57	Miscellaneous concrete,	(5.00)	\$ 418.00	\$ (2,090.00)
A-58	Topsolling, 4" thick	(2419.00)	\$ 4.02	\$ (9,724.38)
A-59	Fertilizing and seeding, type G	(2419.00)	\$ 2.00	\$ (4,838.00)
A-60	Straw mulching	(2419.00)	\$ 2.00	\$ (4,838.00)

**NEW JERSEY DEPARTMENT OF TRANSPORTATION**  
**DIVISION OF LOCAL AID AND ECONOMIC DEVELOPMENT**  
**CHANGE ORDER NUMBER - 01 FINAL**  
**STATE AID PROJECT**

July 30, 2021

<b>Project</b>	Improvements To Quarry Lane - Municipal Aid 2018		
<b>Municipality</b>	Township of North Brunswick		
<b>County</b>	Middlesex County		
<b>Contractor</b>	KM Construction Corp.		

B-122	Remove additional trees over 12" up to and including 16" caliper	(3.00)	\$ 715.00	\$ (2,145.00)
B-123	Remove additional trees over 16" caliper	2.00	\$ 1,185.00	\$ 2,370.00
B-124	Topsoiling, 4" thick	(183.00)	\$ 4.02	\$ (735.66)
B-125	Fertilizing	(71.00)	\$ 2.00	\$ (142.00)
B-126	Wildflower seeding	(117.00)	\$ 4.04	\$ (472.68)
B-127	Sodding	(625.00)	\$ 38.39	\$ (23,993.75)
B-128	Straw mulching	(117.00)	\$ 2.00	\$ (234.00)
B-129	Replacement trees	(18.00)	\$ 615.00	\$ (11,070.00)
SUP-1	Furnish and Install Seed Type G	650.00	\$ 5.63	\$ 3,659.50
SUP-2	Furnish and install 100LF of 6" Dia. SRD 35 PVC sanitary sewer lateral and 120LF of 1" copper water service for Lot 84 in Block 224 as per the Township request.	1.00	\$ 35,710.00	\$ 35,710.00

Amount of Original Contract \$ 961,465.36

Extra \$ 21,578.01

Supplemental \$ 35,710.00

Adjusted Amount per Change Order 1 \$ 791,977.67

Reduction \$ (226,775.70)

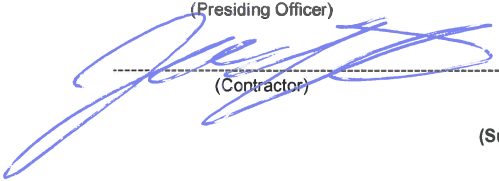
Total Change \$ (169,487.69)

[(+) Increase or (-) Decrease] -17.63 %

Approved:

  
 \_\_\_\_\_  
 (Engineer) 10-25-21  
 (Date)

\_\_\_\_\_  
 (District Manager)  
 (Bureau of Local Aid) (Date)

\_\_\_\_\_  
 (Presiding Officer) (Date)  
  
 \_\_\_\_\_  
 (Contractor) 10-25-21  
 (Date)

(Submit four(4) copies to the Local Highway Design District Office)

**NEW JERSEY DEPARTMENT OF TRANSPORTATION  
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July 30, 2021

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<u>Item No.</u>	<u>Description</u>	<u>Quantity (+/-)</u>	<u>Unit Price</u>	<u>Amount</u>
B-62	Breakaway barricade	(1.00)	\$ 390.00	\$ (390.00)
B-63	Drum	(2.00)	\$ 85.00	\$ (170.00)
B-65	Construction signs	(36.00)	\$ 31.00	\$ (1,116.00)
B-66	Traffic director, Municipal Police Allowance (\$25,000.00)	0.58	\$ 25,000.00	\$ 14,572.35
B-68	Portable variable message sign	(2.00)	\$ 3,000.00	\$ (6,000.00)
B-70	Asphalt price adjustment (\$15,000.00)	(1.58)	\$ 15,000.00	\$ (23,700.00)
B-71	Fuel price adjustment (\$10,000.00)	(1.25)	\$ 10,000.00	\$ (12,508.63)
B-72	Allowance for work not specified (\$25,000.00)	(1.00)	\$ 25,000.00	\$ (25,000.00)
B-75	Remove and dispose of existing storm sewer pipe	(4.00)	\$ 46.78	\$ (187.12)
B-77	Excavation, unclassified	(337.00)	\$ 30.00	\$ (10,110.00)
B-78	Driveway excavation, unclassified	(18.00)	\$ 40.18	\$ (723.24)
B-79	Excavation, unclassified, test pit	(32.24)	\$ 20.00	\$ (644.80)
B-80	Removal of pavement up to 14" deep	(117.00)	\$ 15.22	\$ (1,780.74)
B-81	Soil aggregate, type G	(358.00)	\$ 31.34	\$ (11,219.72)
B-82	Disposing of contaminated (Hazardous) soil (Minimum unit price bid \$60.00/TON)	(8.89)	\$ 60.00	\$ (533.40)
B-83	2" to 2-1/2" clean stone subbase (If and where ordered) (Minimum unit price bid \$10.00/CY)	(288.00)	\$ 34.97	\$ (10,071.36)
B-84	Geotextile roadway stabilization (If and where ordered)	(901.00)	\$ 4.79	\$ (4,315.79)
B-85	Dense graded aggregate base course (Minimum unit price bid \$10.00/CY)	(275.00)	\$ 30.00	\$ (8,250.00)
B-86	Polymerized joint adhesive	(9944.00)	\$ 0.65	\$ (6,463.60)
B-87	Tack Coat	(466.00)	\$ 2.10	\$ (978.60)
B-88	Prime Coat	(3005.00)	\$ 2.10	\$ (6,310.50)
B-89	Hot mix asphalt 9.5M64 surface and leveler course	(27.75)	\$ 85.00	\$ (2,358.75)
B-90	Hot mix asphalt 19M64 base course	(236.56)	\$ 80.00	\$ (18,924.80)
B-91	Hot mix asphalt 12.5M64 surface course	(16.03)	\$ 130.00	\$ (2,083.90)
B-92	Hot mix asphalt 19M64 intermediate course	(10.79)	\$ 80.00	\$ (863.20)
B-93	Hot mix asphalt 25M64 base course	(25.69)	\$ 130.00	\$ (3,339.70)
B-94	PVC, SDR-35 Leader drain extension or reconstruction	(6.00)	\$ 316.00	\$ (1,896.00)
B-95	15" dia. reinforced concrete pipe (RCP), Class V storm sewer with flexible watertight gaskets	(1.00)	\$ 87.56	\$ (87.56)
B-96	14" x 23" elliptical reinforced concrete pipe (ERCP), Class IV storm sewer with flexible	(5.00)	\$ 119.45	\$ (597.25)
B-99	Dense graded aggregate for pipe trench	(2.00)	\$ 34.21	\$ (68.42)
B-103	Slope protection, excelsior curlex II matting or approved equal, including topsoil, fertilizer, and	(65.00)	\$ 29.85	\$ (1,940.25)
B-104	Furnish and install chain link fence, PVC coated steel, 7' high	(36.00)	\$ 55.00	\$ (1,980.00)
B-105	Concrete driveways, reinforced, 10" thick, commercial	49.00	\$ 10.01	\$ 490.49
B-106	Hot mix asphalt driveway, 2" thick	(13.00)	\$ 33.15	\$ (430.95)
B-107	Hot mix asphalt driveway, 6" thick, commercial	(171.00)	\$ 33.93	\$ (5,802.03)
B-108	Aggregate driveway, 4" thick	(16.00)	\$ 30.88	\$ (494.08)
B-109	Grade, compact, and top dress with NJDOT No.57 type stone, up to 4" thick	(14.00)	\$ 143.57	\$ (2,009.98)
B-110	8" x 16" concrete vertical curb	(132.00)	\$ 22.00	\$ (2,904.00)
B-111	Traffic stripes, long-life, "thermoplastic", 4" wide, with glass beads	17.00	\$ 0.51	\$ 8.67
B-112	Traffic stripes, long-life, "thermoplastic", 24" wide, with glass beads	(15.00)	\$ 3.30	\$ (49.50)
B-113	Traffic markings, "thermoplastic"	6.00	\$ 2.00	\$ 12.00
B-114	Signs	(7.00)	\$ 36.00	\$ (252.00)
B-115	Temporary trench repair	(33.00)	\$ 17.78	\$ (586.74)
B-116	Reset water valve box to grade	(5.00)	\$ 241.00	\$ (1,205.00)
B-117	Relocation of existing underground electric service	(1.00)	\$ 2,050.00	\$ (2,050.00)
B-118	Relocation of existing underground telephone or cable service	(2.00)	\$ 2,050.00	\$ (4,100.00)
B-119	Miscellaneous concrete, Class B	(5.00)	\$ 418.00	\$ (2,090.00)
B-120	Remove additional trees over 4" up to and including 8" caliper	1.00	\$ 465.00	\$ 465.00
B-121	Remove additional trees over 8" up to and including 12" caliper	(3.00)	\$ 465.00	\$ (1,395.00)