



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 24-209

APPROVING CLOSE OUT CHANGE ORDER AND DECLARING ACCEPTANCE OF THE CONTRACT FOR THE IMPROVEMENTS TO VETERANS MEMORIAL PARK PROJECT

WHEREAS, by way of Resolution 23-187 duly adopted on September 6, 2023, Thor Construction Group LLC was awarded a contract for the Improvements to Veterans Memorial Park Project; and

WHEREAS, in accordance with the aforesaid contract award, the amount of the contract that was awarded to Thor Construction Group LLC was in the amount of \$257,039.00; and

WHEREAS, by letter dated November 15, 2024, the Project Engineer, CME Associates, recommended payment of Progress Payment Estimate No. 5 totaling \$117,010.45 in accordance with the contract and in concurrence with the work completed to date; and

WHEREAS, the Closeout Change Order results in a decrease in the project cost from the original amount of \$257,039.00 to an adjusted total of \$228,553.07 for a decrease of \$28,485.93 (11.08%); and

WHEREAS, the Project Engineer, CME Associates, has advised that the project is complete at this time and that the change order reflects increases and decreases in original contract quantities required to complete the project; and

WHEREAS, in accordance with the requirements of the aforesaid contract, Thor Construction Group LLC has submitted a two (2) year Maintenance Bond in the amount of \$34,282.96, which is fifteen (15) percent of the final Contract Amount; and

WHEREAS, the Project Engineer, CME Associates, has recommended authorizing the aforesaid change order, releasing the Performance Bond and accepting the project at this time.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Highlands, that based on the above recommendations from the Project Engineer, CME Associates, that the Closeout Change Order changing the original contract amount to \$228,553.07, for a decrease of \$28,485.93, be and is hereby approved.

BE IT FURTHER RESOLVED, by the governing body of the Borough of Highlands, that it hereby acknowledges that this project has been satisfactorily completed and accepts same.

BE IT FURTHER RESOLVED, by the governing body of the Borough of Highlands that it authorizes acceptance of the two (2) year Maintenance Bond No. BX23030291200004MB in the sum of \$34,282.96 issued by Bondex Insurance Company.

BE IT FURTHER RESOLVED, that any lien claims filed more than sixty (60) days after the adoption of this Resolution shall be ineffective pursuant to N.J.S.A. 2A:44-132.

BE IT FURTHER RESOLVED, that upon expiration of said sixty (60) day period, if no lien claim notices have been filed, the Borough of Highlands shall release Performance Bond No. BX23030291200004, issued by Bondex Insurance Company in the amount of \$257,039.00.

BE IT FURTHER RESOLVED, that upon expiration of said sixty (60) day period, if no lien claim notices have been filed, a voucher authorizing final payment of any sums due to the Contractor may be listed upon the bill list for action.

BE IT FURTHER RESOLVED, that a certified copy of the within Resolution be forwarded to the Chief Financial Officer, the Project Engineer, Purchasing Agent and to the Contractor.

Motion to Approve R 24-209:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
CERVANTES						
CHELAK						
MELNYK						
OLSZEWSKI						
BROULLON						

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF VOTE: December 4, 2024

 Nancy Tran, Municipal Clerk
 Borough of Highlands