

TOWNSHIP OF NEPTUNE

RESOLUTION 26-320

AUTHORIZING THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE TO EXECUTE CHANGE ORDER #3 and FINAL PAYMENT FOR WITH DUTCHMAN CONTRACTING, INC. FOR “IMPROVEMENTS TO THE PUBLIC WORKS FACILITY PHASE II- POLE BARN CONSTRUCTION”

WHEREAS, Dutchman Contracting, LLC was issued a contract on April 29, 2024 in the amount of \$2,365,245.00 for the DPW Expansion – Phase II Pole Barn Construction project (“Project”); and

WHEREAS, the bid specifications included, in part, design build specifications for the renovation work; and

WHEREAS, because the design for the renovation work was not complete at the time that bids were solicited, CME, consulting engineer, prepared a rough estimate based on the limited design that had been prepared at that point, and an allowance of \$280,000.00 was included in the contract, with the understanding that the final contract price for the renovation work would be determined at the point that the design was finalized;

WHEREAS, Change Order No. 1 in the amount of \$31,629.50 adjusting the contract amount to \$2,396,874.50 was approved on March 24, 2025; and

WHEREAS, Change Order No. 2 in the amount of \$181,631.29 adjusting the contract amount to \$2,578,505.79 was approved on March 24, 2025; and

WHEREAS, CME Associates, the engineering consultant for this capital project, and the Township Engineer have reviewed and recommend approval of Change Order No. 3 decreasing the cost of the project by \$4,440.48 for a total cost of \$2,574,065.31; and

WHEREAS, the Township Engineer and the project engineer have inspected the work and confirm that the project has been satisfactorily completed in accordance with the contract specifications; and

WHEREAS, the Township Engineer recommends the release of the performance bond contingent upon the posting of a Maintenance Bond in the amount of \$643,516.33, an amount equal to 25 percent of the final contract price, inclusive of any change orders; and

WHEREAS, the contractor has submitted a Final Application for Payment, indicating that all work has been completed and the final payment due is \$53,490.31, with no retainage held; and

WHEREAS, all required closeout documents have been received, including an affidavit of no liens, and the Township is satisfied that the project may be formally closed out;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of

Neptune, County of Monmouth, State of New Jersey, that:

1. Change Order No. 3 (Final), increasing the contract amount by \$4,440.48, is hereby approved, adjusting the total contract amount to \$2,574,065.31;
2. The project is hereby accepted as complete, and the Performance Bond is released contingent upon the posting of the Maintenance Bond in the amount of \$643,516.33;
3. Final payment to the contractor in the amount of \$53,490.31 is hereby authorized in accordance with the Final Application for Payment.

Certification of Funds

I, Nicole Schnurr, Chief Financial Officer of the Township of Neptune, do hereby certify to the Township Committee of the Township of Neptune that funds are available for the execution of the above noted agreement.

Account Name

Ord 23-14/ 21-32 Phase II Public Works Facility

Account Number

08-215-55-575-020

Nicole Schnurr, Chief Financial Officer

Date

CERTIFICATION

I, William Bray, Township Clerk of the Township of Neptune hereby certify that the foregoing is a true copy of a resolution duly adopted by the Township Committee of the Township of Neptune, Monmouth County, State of New Jersey at a meeting held on September 28, 2026.

William Bray, RMC
Township Clerk