

CITY COUNCIL

The City of Orange Township, New Jersey

DATE February 21, 2023

NUMBER 93-2023

TITLE: A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 TO MODIFY THE CONTRACT FOR THE PROJECT KNOWN AS THE CDBG '20 COLGATE PARK POOL IMPROVEMENTS PHASE II TO ALL STATE TECHNOLOGY, INC., 10 LARK LANE, OAK RIDGE, NEW JERSEY 07438, IN THE AMOUNT NOT TO EXCEED \$117,000.00.

WHEREAS, the City Council did authorize the Mayor and the Municipal Clerk to execute an agreement with All State Technology, Inc., 10 Lark Lane, Oak Ridge, New Jersey 07438 in the amount of Three Hundred Forty-Seven Thousand, Two Hundred Seventy-Five Dollars and Zero Cents, (\$347,275.00) as per Resolution #267-2022 for the CDBG 2020 Colgate Park Pool Improvements Phase II; and

WHEREAS, Change Order No. 1 is due to a combination of unforeseen conditions and the availability of additional grant funding to award alternate bids that were not originally awarded; and

WHEREAS, the request to modify the contract was found to be justifiable by the project consultant Matrix New World Engineering and the Director of Public Works/Engineering; and

WHEREAS, All State Technology, Inc., did submit Change Order No. 1 in the amount of \$117,000.00 (+33.69%); and

WHEREAS, Change Order No. 1 is required to be approved for the construction of Colgate Park Pool, a copy of which is attached hereto and made a part hereof; and

WHEREAS, the Chief Financial Officer of the City of Orange Township has prepared the necessary Certificate of Availability of Funds certifying that funds are available for this change order in Account No. T-14-21-856-000-102.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Orange Township that Change Order No. 1 are hereby approved thereby increasing the amount of the Agreement by One Hundred Seventeen Thousand Dollars and Zero Cents (\$117,000.00).

BE IT FURTHER RESOLVED that the Mayor and the Municipal Clerk are hereby authorized to execute and deliver all such documents required to authorize and approve such change order.

Adopted: **February 21, 2023**

Joyce L. Lanier
City Clerk

Tency A. Eason
Council President


A. MIZRATH
CITY ATTORNEY



CITY OF ORANGE
FINANCE DEPARTMENT

CERTIFICATION OF FUNDS
COMMUNITY DEVELOPMENT BLOCK GRANT

I, Nile Clements Chief Financial Officer for the City of Orange, do hereby certify to the best of my knowledge and belief that there are now sufficient funds in the following CDBG account(s) to Contract with:

Vendor Name: All State Technology
Address#1: 10 Lark Lane

City: Oak Ridge
State: NJ
Zip Code: 07438

Purpose: Colgate Park Pool Improvements

Fund: CDBG Trust - Grants
Account Name CDBG - Colgate Park Pool Ph. II Grant
Account Numbers(s): T-14-21-856-000-102
Balance Before 117,000.00
Requested 117,000.00
Balance After 0.00

Vendor ID: ALLS0020

Purchase Order # : 22-01027

Additional Amount not to exceed: \$117,000.00

Division Head

Date

Nile Clements

2/15/2023

Chief Financial Officer

Date

Project	Colgate Pool Improvements - Phase 2
	Matrix Project No. 22-0114
Municipality	City of Orange
County	Essex County
Contractor	All State Technology, Inc.

In accordance with the project Supplementary Specification, the following are changes in the contract.

Location and Reason for Change (Attach additional sheets if required) -

- Condition of beam
- Additional CDBG Funds
- Bonding Wire Condition

Increase Items -

Item No.	Description	Quantity (+/-)	Unit Price	Amount
Total Increase:				\$ -

Decreased Items -

Item No.	Description	Quantity (+/-)	Unit Price	Amount
6	Pool Coping	-1 LS	\$ 7,000.00	\$ (7,000.00)
8	Shotcrete	-1 LS	\$ 30,000.00	\$ (30,000.00)
13	Repair Skimmers	-1 LS	\$ 7,000.00	\$ (7,000.00)
17	Interior Painting	-1 LS	\$ 5,000.00	\$ (5,000.00)
Total Decrease:				\$ (49,000.00)


Supplemental Items -

Item No.	Description	Quantity (+/-)	Unit Price	Amount
S-1	Replace Skimmers	8 EA	\$ 5,000.00	\$ 40,000.00
S-2	Water Blast Phase I	1 LS	\$ 15,000.00	\$ 15,000.00
S-3	New Electric Bonding	1 LS	\$ 12,000.00	\$ 12,000.00
S-4	Pool Interior Plaster	1 LS	\$ 64,000.00	\$ 64,000.00
S-5	Main Drain Repair	2 EA	\$ 7,500.00	\$ 15,000.00
S-6	Racing Line Tile	1 LS	\$ 20,000.00	\$ 20,000.00
Total Increase:				\$ 166,000.00

Amount of Original Contract	\$ 347,275.00
Current Contract Value	\$ 347,275.00
Adjusted Amount Based on Change	
Order No. 1	\$ 464,275.00

Extra	\$ 0.00
Supplemental	\$ 166,000.00
Reduction	\$ (49,000.00)
Total Change	\$ 117,000.00

% Change in Contract 33.69%
 (+) Increase or (-) Decrease


 Matrix New World Engineering, Land
 Surveying and Landscape Architecture, PC
 (Engineer)

12/7/22
 (Date)

Approved: 
 All State Technology, Inc.
 (Contractor) 12/7/2022
 (Date)

City of Orange
 (Date)

Matrix New World Engineering, Land Surveying
and Landscape Architecture, PC
442 State Route 35, 2nd Floor
Eatontown, NJ 07724
732.588.2999 F: 973.240.1818
www.matrixnewworld.com WBE/DBE/MBE

MATRIXNEWORLD
Engineering Progress

Via Email (mmaves@ci.orange.nj.us)

December 19, 2022

City of Orange
29 North Day Street
Orange, NJ 07050

Attn: Gracia Robert Montilus, City Attorney

RE: **CERTIFICATION
COLGATE POOL IMPROVEMENTS – PHASE 2
CITY OF ORANGE, ESSEX COUNTY, NEW JERSEY
MATRIX NO. 22-0114**

Dear Mr. Montilus:

The City is currently under contract with All State Technology, Inc. in the amount of \$347,275.00 for the construction of improvements to the pool at Colgate Park. The project is currently funded through a combination of funding sources, including Essex County Community Development Block Grant (CDBG), Essex County Open Space, and City funds.

Due to a combination of unforeseen conditions and the availability of additional grant funding, the scope of the project requires modification which will result in an increase of the contract amount exceeding 20% of the original contract. The additional cost is reasonable, justified, and cannot be performed in a timely manner due to the timing restrictions of the outside funding.

During the demolition and preparation for the improvements, the existing bond beam was determined to be in significantly better condition than anticipated. The contractor has provided a total credit in the amount of \$37,000 for this reduction in concrete work.

However, the existing electrical bonding wires, which protect the public from electrical shock, was found to be not properly connected. Installation of the bonding system will require an additional cost of \$12,000.

Finally, due to the availability of unused funds from other projects, CDBG has provided the City with additional grant of \$117,000 for the project. These funds will be used to replace skimmers and plaster the pool, which were alternate bids that were not originally awarded. The amount requested by the contractor for these changes are below the amounts originally bid for these items in the alternate bids which were not awarded. To comply with the CDBG requirements for the additional funding, the funds must be used by March of 2023.

By means of this letter, I hereby certify that the proposed change order is justified, reasonable, and in the best interest of the City to proceed. Due to the additional funding provided by CDBG, there is no increase in the cost to the City for these changes.

Should you have any questions, or require any additional information, please feel free to contact me at (732) 735-9108 or via email at ndecotiis@matrixnewworld.com.

Very truly yours,



Nicholas DeCotiis, PE
Senior Engineer

CC:

CITY COUNCIL**The City of Orange Township, New Jersey**DATE June 8, 2022NUMBER 267-2022

TITLE: A RESOLUTION AUTHORIZING THE AWARDING OF A CONTRACT FOR THE CDBG'20 COLGATE PARK POOL IMPROVEMENTS PHASE II TO ALL STATE TECHNOLOGY, INC., 10 LARK LANE, OAK RIDGE, NEW JERSEY 07438 IN THE AMOUNT NOT TO EXCEED \$347,275.00.

WHEREAS, the City of Orange Township did duly advertise on May 3, 2022 for public bids for the CDBG'20 Colgate Park Pool Improvements Phase II; and

WHEREAS, on May 17, 2022 the City of Orange Township received two (2) public bids pursuant to the plans and specifications furnished prospective bidders, from the following:

Bidder's Name	Base Bid	Alt A	Alt B	Alt C	Alt D	Total Bid
All State Technology, Inc. Oak Ridge, NJ 07438	\$347,275.00	\$105,000.00	\$25,000.00	\$40,000.00	\$7,000.00	\$524,275.00
Ray Palmer Associates, Inc. Dover, NJ 07801	\$383,000.00	\$120,000.00	\$36,000.00	\$36,000.00	\$18,900.00	\$593,900.00

WHEREAS, it is the recommendation of the Consulting Engineer that the contract be awarded; and

WHEREAS, the City Attorney and Director of Public Works & Engineering did duly examine and study each and every bid submitted and recommends that a contract be awarded to the lowest responsible bidder, pursuant to said specifications and said limits, by the following company:

COMPANY:**BASE BID:**

All State Technology, Inc.
10 Lark Lane
Oak Ridge, New Jersey 07438

\$347,275.00

WHEREAS, the aforementioned All State Technology, Inc. has furnished the City of Orange Township, with a Ten Percent (10%) Stockholder Affidavit in accordance with Assembly Bill OCR-A-22; and,

WHEREAS, All State Technology, Inc. has completed and submitted a Business Disclosure Certification which certifies that it has not made any reportable contributions to a political or candidate committee in the City in the previous one (1) year, except that the year 2005 is an exception to this requirement as the one year immediately proceeding the effective date of the Law, as that term is defined below, and that the contract will prohibit All State Technology, Inc. from making any reportable contributions throughout the term of the contract; and


WHEREAS, the Chief Financial Officer of the City of Orange Township has prepared the necessary Certificate of Availability of Funds, copy of which is attached hereto and made a part hereof as it set forth in length herein, certifying that monies are available in Account No. T-14-21-856-000-102 (\$72,500.00), Account No. G-02-41-685-000-000 (\$150,000.00) and Account No. T-11-0-000-000-000 (\$124,775.00).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Orange Township, New Jersey that a contract be awarded for the CDBG'20 Colgate Park Pool Phase II, the aforesaid lowest responsive bidder, in the amount not to exceed \$347,275.00.



BE IT FURTHER RESOLVED, that the proper officers of the City of Orange Township, be and they are hereby authorized to return to the unsuccessful bidders, the certified checks, cashier's checks or bid bonds, evidencing their guarantee in accordance with the provisions of N.J.S.A. 40A:11-24.

Adopted: June 8, 2022



Joyce L. Lanier
City Clerk



Kerry J. Coley
Council President

STATE OF NEW JERSEY
BUSINESS REGISTRATION CERTIFICATE

DEPARTMENT OF TREASURY/
DIVISION OF REVENUE
PO BOX 282
TRENTON, NJ 08646-0282

TAXPAYER NAME:
ALL STATE TECHNOLOGY INC

TRADE NAME:

ADDRESS:
10 LARK LANE
OAK RIDGE NJ 07438
EFFECTIVE DATE:

SEQUENCE NUMBER:
045673

ISSUANCE DATE:
09/15/05

11/17/80

John S. Tully

FORM-BRC(08-01)

This Certificate is NOT assignable or transferable. It must be conspicuously displayed at above address.

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Form 4-91b, 128-4, 08/07/05 - 0007

Request for Taxpayer Identification Number and Certification

Give Form to the requester. Do not send to the IRS.

Go to www.irs.gov/FormW9 for instructions and the latest information.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.
All State Technology, Inc.

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.

Individual/sole proprietor or single-member LLC
 Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____
 Other (see instructions) ▶ _____

C Corporation
 S Corporation
 Partnership
 Trust/estate

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):
 Exempt payee code (if any) _____
 Exemption from FATCA reporting code (if any) _____
(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.
10 Lark Lane

6 City, state, and ZIP code
Oak Ridge, NJ 07438

7 List account number(s) here (optional)

Requester's name and address (optional)

Print or type. See Specific Instructions on page 3.

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number									
			-						
or									
Employer identification number									
2	2	-	2	3	2	6	1	7	4

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here Signature of U.S. person ▶ *Lucane Cuban*

Date ▶ *May 20, 2022*

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
 - Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
 - Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
 - Form 1099-S (proceeds from real estate transactions)
 - Form 1099-K (merchant card and third party network transactions)
 - Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
 - Form 1099-C (canceled debt)
 - Form 1099-A (acquisition or abandonment of secured property)
- Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.
- If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See *What is backup withholding*, later.

