

CITY COUNCIL

The City of Orange Township, New Jersey

DATE May 2, 2023

NUMBER 199-2023

TITLE: A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 TO MODIFY THE CONTRACT FOR THE PROJECT KNOWN AS THE MILITARY PARK REHABILITATION TO S. BATATA CONSTRUCTION, INC., 238 ERNSTON ROAD, SUITE 1R, PARLIN, NEW JERSEY 08859 IN THE AMOUNT NOT TO EXCEED \$60,000.00.

WHEREAS, the City Council did authorize the Mayor and the Municipal Clerk to execute an agreement with S. Batata Construction, Inc., 238 Ernston Road, Suite 1R, Parlin, New Jersey 08859 in the amount of One Million, Four Thousand, Nine Hundred Forty-Four Dollars and Zero Cents, (\$1,004,944.00) as per Resolution #430-2022 for the Military Park Rehabilitation Project; and

WHEREAS, Change Order No. 1 is granite upgrade on walkways; and

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

WHEREAS, S. Batata Construction, Inc., did submit Change Order No. 1 in the amount of \$60,000.00 (+6%); and

WHEREAS, Change Order No. 1 is required to be approved for the construction of Military Park Rehabilitation, 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-11-00-000-000-000.

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 Sixty Thousand Dollars and Zero Cents (\$60,000.00).

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: **May 2, 2023**

Joyce L. Lanier
City Clerk

Tency A. Eason
Council President

CITY OF ORANGE
FINANCE DEPARTMENT

CERTIFICATION OF FUNDS
Municipal Open Space Trust Fund

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 Municipal Open Space Trust Fund to Contract with:

Vendor Name: S. Batata Construction, Inc.
Address#1: 238 Ernston Road
Suite 1R

City: Parlin
State: New Jersey
Zip Code: 08859

Purpose: Military Park rehabilitation construction

Fund: Municipal Open Space Trust
Account Name : Municipal Open Space Trust Reserves
Account Numbers: T-11-00-000-000-000

Vendor ID: SBATA005

Purchase Order #: 23-01023

PENDING RESOLUTION

Amount not to exceed: \$ 60,000.00

Division Head

Date

Nile Clements

4/24/2023

Chief Financial Officer

Date

CHANGE ORDER

- ARCHITECT
- CONTRACTOR
- FIELD
- OTHER

AIA DOCUMENT G701

PROJECT: Military Park Rehabilitation

CHANGE ORDER NUMBER: 1

DATE: 4/3/23

ARCHITECT'S PROJECT NO.:

TO CONTRACTOR: S. Batata Construction, Inc.

CONTRACT DATE:

CONTRACT FOR:

The Contract is changed as follows:

APPROVED: _____
Construction Management

Not valid until signed by the Owner, Architect and Contractor.

The original (Contract Sum) (Guaranteed maximum Price) was	<u>\$1,004,944</u>
Net change by previously authorized Change orders	<u>\$0</u>
The (Contract Sum) (Guaranteed maximum Price) prior to this Change order was	<u>\$1,004,944</u>
The (Contract Sum) (Guaranteed maximum price) will be <u>(increased)</u> (decreased) (unchanged) by this Change Order in the amount of	<u>\$60,000</u>
The new (Contract Sum) (Guaranteed maximum Price) including this Change order will be	<u>\$1,064,944</u>

The Contract Time will be (increased) decreased (unchanged) by
The date of Substantial Completion as of the date of this Change Order therefore is

NOTE: This summary does not reflect changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive.

[Signature]
ARCHITECT ENGINEER

Address _____

BY FRANK R. TWANA

DATE 4/3/23

S. Batata Construction, Inc.
CONTRACTOR

238 Easton Road, Suite B1
Address
Parlin, NJ 08859

BY [Signature]
Joseph Lopez, Vice President
DATE 4/3/23

City of Orange Township
OWNER

29 N. Day St
Address
Orange, NJ 07050

BY _____

DATE _____

CITY COUNCIL**The City of Orange Township, New Jersey**DATE November 1, 2022NUMBER 430-2022

TITLE: A RESOLUTION AUTHORIZING THE AWARDING OF A CONTRACT FOR THE MILITARY PARK REHABILITATION PROJECT TO S. BATATA CONSTRUCTION, INC. 238 ERNSTON ROAD, SUITE 1R, PARLIN, NEW JERSEY 08859 IN THE AMOUNT NOT TO EXCEED \$1,004,944.00.

WHEREAS, the City of Orange Township did duly advertise on September 6, 2022 for public bids for the Military Park Rehabilitation Project ; and

WHEREAS, on September 28, 2022 the City of Orange Township received five (5) public bids pursuant to the plans and specifications furnished prospective bidders, from the following:

Bidder's Name	Total Base Bid Amount
S. Batata Construction, Inc. Parlin, New Jersey	\$1,004,944.00
Grade Construction Paterson, New Jersey	\$1,170,156.62
A-Tech Concrete Co. Edison, New Jersey	\$1,801,357.00
Thomas & Sons Builders New Milford, New Jersey	\$1,191,205.00
Zenith Construction Services Orange, New Jersey	\$1,334,043.00

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

WHEREAS, the Director of Public Works & Engineering and Law Department 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:**

S. Batata Construction, Inc.
238 Ernston Road, Suite 1R
Parlin, New Jersey 08859

\$1,004,944.00

WHEREAS, the aforementioned S. Batata Construction, 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, S. Batata Construction, 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 S. Batata Construction, 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.G-02-41-684-000-001 (\$985,385.00) and Account No. T-11-00-000-000-000 (\$19,559.00)

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Orange Township, New Jersey that a contract be awarded for the Military Park Rehabilitation Project to S. Batata Construction, Inc., the aforesaid lowest responsive bidder, in the amount not to exceed \$1,004,944.00.

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: November 1, 2022


Joyce L. Lanier
City Clerk


Tency A. Eason
Council President