

CITY COUNCIL**The City of Orange Township, New Jersey**DATE June 18, 2024NUMBER 320-2024

TITLE: A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 THROUGH 5 TO MODIFY THE CONTRACT FOR THE PROJECT KNOWN AS THE ROPES PLAYGROUND IMPROVEMENTS TO PICERNO GIORDANO CONSTRUCTION, 200 MARKET STREET, KENILWORTH, NEW JERSEY 07033 IN THE AMOUNT NOT TO EXCEED \$53,975.66.

WHEREAS, the City Council did authorize the Mayor and the Municipal Clerk to execute an agreement with Picerno Giordano Construction, 200 Market Street, Kenilworth, New Jersey 07033 in the amount of One Million, Two Hundred Forty-Nine Thousand, Eight Hundred Forty-Four Dollars and Zero Cents, (\$1,249,844.00) as per Resolution #338-2023 for the Ropes Playground Improvements; and

WHEREAS, Change Order No. 1 is to change basketball goal from PX60XL to BA873U-BK in the amount of \$8,400.00; and (+0.7%); and

WHEREAS, Change Order No. 2 is for removal/pruning of two (2) additional trees within the park in the amount of \$2,800.00; and (+0.9%); and

WHEREAS, Change Order No. 3 is for additional bench and integrally colored bench pad in the amount of \$2,350.00; and (+1.1); and

WHEREAS, Change Order No. 4 is for the removal of existing manifold box and relocate to the concrete; remove new fence to gain access for the machinery to excavate along the fence line to create the trench to accommodate all the PVC Spray Park water lines; build new concrete apron around the manifold box approximately 4' deep; retest for water leaks and pressure testing; PGC back fill, seed and hay upon completion; remove the cabinet around the water meter and furnish and install a new low-profile cage to protect the water meter in the amount of \$37,379.00; and (+4.1%); and

WHEREAS, Change Order No. 5 is for additional hours and materials for water service in the amount of \$3,046.66; and (+4.3%); 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, Picerno Giordano Construction did submit Change Order No. 1 through No. 5 in the amount of \$53,975.66 (+4.3%); and

WHEREAS, Change Order No. 1 through No. 5 is required to be approved for the construction of Ropes Playground, 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 through No. 5 are hereby approved thereby increasing the amount of the Agreement by Fifty-Three Thousand, Nine Hundred Seventy-Five Dollars and Zero Cents (\$53,975.66).

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: June 18, 2024

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: Picerno Giordano Construction
Address#1: 200 Market Street

City: Kenilworth
State: New Jersey
Zip Code: 07033-2032

Purpose: Change orders (1-5) to Ropes Playground improvements

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

Vendor ID: PICER010

Purchase Order #: 23-01767

PENDING RESOLUTION

Additional Amount not to
exceed: \$ 53,975.66

Division Head

Date

Nile Clements

6/10/2024

Chief Financial Officer

Date

CITY COUNCIL

The City of Orange Township, New Jersey

DATE September 5, 2023

NUMBER 338-2023

TITLE: A RESOLUTION AUTHORIZING THE AWARDING OF A CONTRACT FOR THE ROPES PLAYGROUND IMPROVEMENTS TO PICERNO GIORDANO CONSTRUCTION, LLC, 200 MARKET STREET, KENILWORTH, NEW JERSEY 07033 IN THE AMOUNT NOT TO EXCEED \$1,249,844.00.

WHEREAS, the City of Orange Township did duly advertise on July 14, 2023 for public bids for the Ropes Playground Improvements; and

WHEREAS, on August 8, 2023 the City of Orange Township received three (3) public bids pursuant to the plans and specifications furnished prospective bidders, from the following:

Bidder's Name	Total Base Bid Amount
Picerno Giordano Construction, LLC Kenilworth, New Jersey	\$1,249,844.00
Green Valley Group, Inc. Nanuet, New York	\$1,259,330.00
Zenith Construction Services Orange, New Jersey	\$1,499,791.00

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

WHEREAS, the 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:

Picerno Giordano Construction, LLC
200 Market Street
Kenilworth, New Jersey 07033

\$1,249,844.00

WHEREAS, the aforementioned Picerno Giordano Construction, LLC has furnished the City of Orange Township, with a Ten Percent (10%) Stockholder Affidavit in accordance with Assembly Bill OCR-A-22; and,

WHEREAS, Picerno Giordano Construction, LLC. has completed and subnitted 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 Picerno Giordano Construction, LLC from making any reportable contributions throughout the term of the contract; and

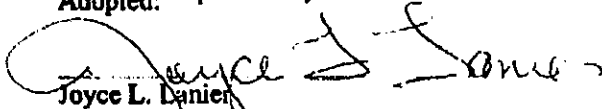
WHEREAS, the Chief Financial Officer of the City of Orange Township has prepared the necessary Certificate of Availability of Funds, copy of which is attached hereto and made a part hereof as it set forth in length herein, certifying that monies are available in Account No.C-04-22-059-000-001 (\$1,150,000.00) and Account No. T-11-00-000-000-000 (\$99,844.00)

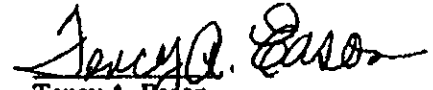
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NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Orange Township, New Jersey that a contract be awarded for the Ropes Playground Improvements to Picerno Giordano Construction, LLC, the aforesaid lowest responsive bidder, in the amount not to exceed \$1,249,844.00.

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: September 5, 2023


Joyce L. Daniel
City Clerk


Tency A. Hason
Council President



200 Market Street
 Kenilworth, NJ 07033
 Ph: (908) 241-4331
 Fax: (908) 241-7854

WWW.PICERNOGIORDANO.COM

Contract Change Order

Project Information:	Contract Change Order:
Project #: 4755	SCO #: 1
Engineer Project #: 0717T038	Issue Date: 10/20/2023
Title: Ropes Park Playground	Subject: Basketball Goal
Address: 400 Bradford Street	
Orange, NJ 07050	

From:	To:
Contact: Nina Vera	Contact: Marty Mayes
Company: Picerno-Giordano Construction	Company: City of Orange
Address 200 Market Street	Address: 29 North Day St.
Kenilworth, NJ 07033	Orange, NJ 07050
Phone: (908) 241-4331	Phone: 973-266-4030
Fax: (908) 241-7854	Fax:
Email: nina@picernogiordano.com	Email: mmayes@orangenj.gov

You are directed to make the following changes to this Contract:
 Change Bison Basketball Goal from PX60XL (Specified as per contract) to BA873U-BK (as requested)

It is further understood and agreed that this adjustment constitutes compensation in full for all costs and markup directly or indirectly attributable to this change, or for all delays related thereto, and for performance for this change within the time frame stated.

Original Contract Price: \$1,249,844.00
 Net change by previous Contract Change Orders: \$0.00
 Contract Amount Prior to this Change: \$1,249,844.00
 Amount of this Contract Change Order: \$8,400.00
 Revised Contract Amount, including this Contract Change Order: \$1,258,244.00

Response: Accept Do Not Accept

Please acknowledge your acceptance of this Change Order by signing in the space below. By executing this agreement, each signatory personally represents and warrants that she/he has full authority to bind the party for which he/she is signing.

Signed:	
Picerno-Giordano Construction, LLC	City of Orange
By: Nina Vera, Manager	By:
Date: 10/20/2023	Date: 10/25/23



200 Market Street
 Kenilworth, NJ 07033
 Ph: (908) 241-4331
 Fax: (908) 241-7854

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Contract Change Order

Project Information:	Contract Change Order:
Project #: 4755 Engineer Project #: 0717T038 Title: Ropes Park Playground Address: 400 Bradford Street Orange, NJ 07050	SCO #: 2 Issue Date: 10/20/2023 Subject: Tree removal & pruning

From:	To:
Contact: Nina Vera Company: Picerno-Giordano Construction Address 200 Market Street Kenilworth, NJ 07033 Phone: (908) 241-4331 Fax: (908) 241-7854 Email: nina@picernogiordano.com	Contact: Marty Mayes Company: City of Orange Address: 29 North Day St. Orange, NJ 07050 Phone: 973-266-4030 Fax: Email: mmayes@orangenj.gov

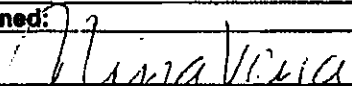

You are directed to make the following changes to this Contract:
 Remobilization of the tree removal crew for removal of 2 additional trees. Pruning of trees within the park at the direction of DPW.

It is further understood and agreed that this adjustment constitutes compensation in full for all costs and markup directly or indirectly attributable to this change, or for all delays related thereto, and for performance for this change within the time frame stated.

Original Contract Price: \$1,249,844.00
 Net change by previous Contract Change Orders: \$8,400.00
 Contract Amount Prior to this Change: \$1,258,244.00
 Amount of this Contract Change Order: \$2,800.00
 Revised Contract Amount, including this Contract Change Order: \$1,261,044.00

Response: Accept Do Not Accept

Please acknowledge your acceptance of this Change Order by signing in the space below. By executing this agreement, each signatory personally represents and warrants that she/he has full authority to bind the party for which he/she is signing.

Signed:  Picerno-Giordano Construction, LLC By: Nina Vera, Manager Date: 10/20/2023	City of Orange By:  Date: 10/25/23
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200 Market Street
Kenilworth, NJ 07033
Ph: (908) 241-4331
Fax: (908) 241-7854

Contract Change Order

Project Information:	Contract Change Order:
Project #: 4755 Engineer Project #: 0717T038 Title: Ropes Park Playground Address: 400 Bradford Street Orange, NJ 07050	SCO #: 3 Issue Date: 10/20/2023 Subject: Tree removal & pruning

From:	To:
Contact: Nina Vera Company: Picerno-Giordano Construction Address 200 Market Street Kenilworth, NJ 07033 Phone: (908) 241-4331 Fax: (908) 241-7854 Email: nina@picernogiordano.com	Contact: Marty Mayes Company: City of Orange Address: 29 North Day St. Orange, NJ 07050 Phone: 973-266-4030 Fax: Email: mmayes@orangenj.gov

You are directed to make the following changes to this Contract:
Additional Bench & Integrally colored bench pad as per revised construction plan dated 10/19/2023.
Line item # 20 from original contract.

It is further understood and agreed that this adjustment constitutes compensation in full for all costs and markup directly or indirectly attributable to this change, or for all delays related thereto, and for performance for this change within the time frame stated.

Original Contract Price: \$1,249,844.00
Net change by previous Contract Change Orders: \$11,200.00
Contract Amount Prior to this Change: \$1,261,044.00
Amount of this Contract Change Order: \$2,350.00
Revised Contract Amount, Including this Contract Change Order: \$1,263,394.00

Response: Accept Do Not Accept

Please acknowledge your acceptance of this Change Order by signing in the space below. By executing this agreement, each signatory personally represents and warrants that she/he has full authority to bind the party for which he/she is signing.

Signed: Picerno-Giordano Construction, LLC By: Nina Vera, Manager Date: 10/20/2023	City of Orange By: Date: 10/25/23
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200 Market Street
 Kenilworth, NJ 07033
 Ph: (908) 241-4331
 Fax: (908) 241-7854

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Contract Change Order

Project Information:	Contract Change Order:
Project #: 4755 Engineer Project #: 0717T038 Title: Ropes Park Playground Address: 400 Bradford Street Orange, NJ 07050	SCO #: 4 Issue Date: 5/10/2024 Subject: Spray Ground Work

From:	To:
Contact: Nina Vera Company: Picerno-Giordano Construction Address 200 Market Street Kenilworth, NJ 07033 Phone: (908) 241-4331 Fax: (908) 241-7854 Email: nina@picernogiordano.com	Contact: Marty Mayes Company: City of Orange Address: 29 North Day St. Orange, NJ 07050 Phone: 973-266-4030 Fax: Email: mmayes@orangenj.gov

You are directed to make the following changes to this Contract:

As requested by the Mayor:

- Remove existing manifold box and relocate to the concrete as discussed in the field, approximately 40' from existing area.
- Remove new fence to gain access for the machinery to excavate along the fence line to create the trench to accommodate all the PVC Spray Park water lines.
- Build new concrete apron around the manifold box approximately 4' deep
- Once all the lines are reconnected, we will retest for water leaks and pressure testing
- PGC will back fill, seed and hay upon completion
- Contractor will also remove the cabinet around the water meter and furnish & install a new low-profile cage to protect the water meter

NOTE: Drawings prepared by RVE will need to be revised to reflect the work being requested by the mayor, for approval by the building department

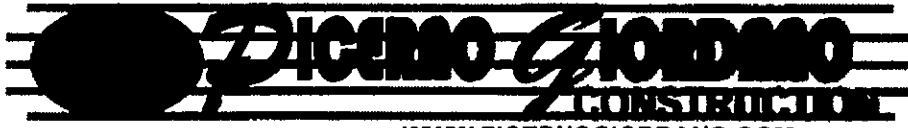
It is further understood and agreed that this adjustment constitutes compensation in full for all costs and markup directly or indirectly attributable to this change, or for all delays related thereto, and for performance for this change within the time frame stated.

Original Contract Price: \$1,249,844.00
 Net change by previous Contract Change Orders: \$13,550.00
 Contract Amount Prior to this Change: \$1,263,394.00
 Amount of this Contract Change Order: \$37,379.00
 Revised Contract Amount, including this Contract Change Order: \$1,300,773.00

Response: Accept Do Not Accept

Please acknowledge your acceptance of this Change Order by signing in the space below. By executing this agreement, each signatory personally represents and warrants that she/he has full authority to bind the party for which he/she is signing.

Signed: <u>Nina Vera</u>	
<u>Picerno-Giordano Construction, LLC</u>	<u>City of Orange</u>
By: <u>Nina Vera</u>	By: <u>Marty Mays</u>
Date: <u>05/10/2024</u>	Date: <u>5/28/24</u>



200 Market Street
 Kenilworth, NJ 07033
 Ph: (908) 241-4331
 Fax: (908) 241-7854

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Contract Change Order

Project Information:	Contract Change Order:
Project #: 4755 Engineer Project #: 0717T038 Title: Ropes Park Playground Address: 400 Bradford Street Orange, NJ 07050	SCO #: 5 Issue Date: 3/26/2024 Subject: Water Service Downtime
From:	To:
Contact: Nina Vera Company: Picerno-Giordano Construction Address 200 Market Street Kenilworth, NJ 07033 Phone: (908) 241-4331 Email: nina@picernogiordano.com	Contact: Marty Mayes Company: City of Orange Address: 29 North Day St. Orange, NJ 07050 Phone: 973-266-4030 Email: mmayes@orangenj.gov

You are directed to make the following changes to this Contract:

Downtime and materials related to the water service connection installed by the Sauger Group as 3" DIP pipe instead of 3" copper (as per plans). Picerno-Giordano Construction was onsite 3/18/2019, Our scheduled work for the day was to excavate to expose water service brought to the curb by Sauger. Connect to said water service, bring copper line into the park side of the project, appropriately backfill and leave the required stub-up for the plumber. When the water line was uncovered it was found out that Sauger switched from Copper to DIP, PG Construction was unaware of this change and did not have the necessary materials onsite to accommodate this change. As a result, the work could not be completed until direction was given by RVE.

Laborer – 2 men, 4 hours, \$84.23 per hour = \$1,347.68
 Operator – 1 man, 4 hours, \$95.61 per hour = \$382.44
 Machine, excavator, 4 hours, \$220.00 per hour = \$880.00
 Bonding = \$39.15
 Subtotal = \$2,610.12
 15% Profit & Overhead = \$397.39
Total = \$3,046.66

Original Contract Price: \$1,249,844.00
Net change by previous Contract Change Orders: \$13,550.00
Contract Amount Prior to this Change: \$1,263,394.00
Amount of this Contract Change Order: \$3,046.66
Revised Contract Amount, including this Contract Change Order: \$1,266,440.66

Response: Accept Do Not Accept

Please acknowledge your acceptance of this Change Order by signing in the space below. By executing this agreement, each signatory personally represents and warrants that she/he has full authority to bind the party for which he/she is signing.

Signed:	
Picerno-Giordano Construction, LLC	City of Orange
By: Nina Vera, Manager	By: Marty Mayes
Date: 3/26/2024	Date: 6/10/24