## RESOLUTION NO. 2023-56 TOWNSHIP OF FRANKLIN, HUNTERDON COUNTY

RESOLUTION OF THE TOWNSHIP OF FRANKLIN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY, AUTHORIZING THE FINAL PAYMENT OF \$14,829.17 TO TOP LINE CONSTRUCTION CORP. FOR THE OAK GROVE ROAD IMPROVEMENT PROJECT, PHASE I & II

WHEREAS, the Township of Franklin, County of Hunterdon, State of New Jersey previously awarded a contract to Top Line Construction Corp., 22 Fifth Street, Somerville, New Jersey 08876, for the Oak Grove Road Improvement Project, Phase I & II; and

WHEREAS, all work has been completed in accordance with the contract documents and a recommendation of payment of fourteen thousand, eight hundred and twenty-nine dollars and seventeen cents (\$14,829.17) has been recommended by Adam Wisniewski, Township Engineer; and

WHEREAS, this amount reflects a withholding of zero dollars and zero cents (\$0.00) for retainage; and

WHEREAS, Top Line Construction Corp. had submitted a Change Order No. 1 with a net decrease of four thousand, one hundred and forty-seven dollars and twenty-two cents (\$4,127.22) from the original contract value, with an overall decrease of eighty-eight-tenths percent (0.88%); and

WHEREAS, the Township Committee of the Township of Franklin, County of Hunterdon, State of New Jersey desires to authorize payment as detailed above and also to approve Change Order No. 1, subject to the following conditions:

- 1. Top Line posting of a two (2) year maintenance bond in the amount of sixty-nine thousand eight hundred and twelve dollars and eighty-five cents (\$69,812.85); and
- 2. Top Line submitting a certification indicating that there are no liens against the project and that all employees, suppliers, subcontractors, and materialmen have been paid; and
- 3. Top Line submitting certifications and all subcontractors indicating that prevailing wages have been paid on the project.

WHEREAS, sufficient funding is available as evidenced by the tax certification of funds.

**NOW, THEREFORE, BE IT RESOLVED,** by the Township Committee of the Township of Franklin, County of Hunterdon, State of New Jersey that final payment in amount of fourteen thousand, eight hundred and twenty-nine dollars and seventeen cents (\$14,829.17) is hereby authorized to be made to Top Line Construction Corp., subject to Top Line Construction satisfying the conditions as detailed above.

**BE IT FURTHER RESOLVED,** that Change Order No. 1 reflecting a net decrease of four thousand, one hundred and forty-seven dollars and twenty-two cents (\$4,127.22) from the original contract value is hereby approved.

ATTESŤ:

hristine Burke Township Clerk

Dated: 10/26/2023

TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF FRANKLIN

Philip Koury, Mayor

## **CERTIFICATION**

I, Christine Burke, Clerk of the Township of Franklin, County of Hunterdon, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a Resolution adopted by the Franklin day of October 2023.

Christine Burke, Township Clerk Township Committee at a meeting held on the 26th day of October 2023.

Shelbourne at Hunterdon 53 Frontage Road, Suite 110 Hampton, New Jersey 08827 Main: 877 627 3772



October 18, 2023

Township Committee Township of Franklin 202 Sidney Road Pittstown, NJ 08867

Change Order and Final Payment Application
Top Line Construction Corp.
Oak Grove Road Improvements – Phases I & II
Township of Franklin, Hunterdon County, NJ
Colliers Engineering & Design Project No. FKT-126/0131

Dear Mayor and Committee:

The contractor for the Oak Grove Road Improvement Project, Top Line Construction Corp., has submitted a request for final payment on the project for work through September 15, 2023. The total requested final payment for Phases I and II is \$14,829.17, which includes the release of retainage on the contract. The contractor's final payment request is detailed on the attached invoice.

In order to process the final payment, change orders for Phases I and II must be approved. I have attached copies of the change orders for your review. These change orders reflect as-built quantities on the contract. The final adjusted total contract amount of \$465,419.01 which is lower than the original contract amount of \$469,566.23.

Since all work has been satisfactorily completed, I recommend that the Township Committee approve a final payment to Top Line in the amount of \$14,829.17 in accordance with the attached invoice. The final payment should be conditioned on the following:

- 1. The posting of a two (2) year maintenance bond in the amount of \$69,812.85 in a form satisfactory to Township Attorney Igor Bykov, Esq. The start date indicated in the maintenance bond for the two (2) year maintenance period shall be September 15, 2023.
- 2. The submission of a certification from the contractor in a form satisfactory to Township Attorney Igor Bykov, Esq. indicating that there are no liens against the project and that all employees, suppliers, subcontractors, and materialmen have been paid.
- 3. The submission of certifications by the contractor and all subcontractors indicating that prevailing wages have been paid on this project.

The contractor's check should not be released until we are able to verify that the above conditions have been addressed. I will advise the Finance Office when the above conditions have been satisfied.

If any Committee member has questions regarding this matter, please do not hesitate to call me.

Project No. FKT-126/0131 October 18, 2023 Page 2 | 2



Sincerely, Colliers Engineering & Design, Inc. (DBA Maser Consulting)

Adam T. Wisniewski, PE, CME, CFM Franklin Township Engineer

cc: Christine Burke, Township Clerk Cameron Keng, Township CFO Igor Bykov, Esq., Township Attorney Mark Castela, Top Line Construction Corp.



# **APPLICATION FOR PAYMENT**

TO: Franklin Township (Hunterdon County) 202 Sidney Road Pittstown, NJ 08867 PROJECT NAME: Oak Grove Road Improvements Phases I & II

LOCATION: Pittstown, NJ

APPLICATION #: 2

PERIOD ENDING: September 15, 2023

DATE SUBMITTED: September 27, 2023

	CONTRACT				PRICE TOTAL PRICE	PREVIOUS ALLOWED TO DATE		CURRENT PERIOD		TOTALS TO DATE		INCREASE/
ITEM #		QUANTITY	UNIT	UNIT PRICE		QUANTITY	AMOUNT	QUANTITIY	AMOUNT	QUANTITY	AMOUNT	DECREASE TO DATE
01	Inlet Filter, Type 2, 2' X 4'	2.00	UNIT	\$0.01	\$0.02	0.00	\$0.00	-	\$0.00	0.00	\$0.00	(\$0.02)
02	Performance Bond and Payment Bond	1.00	DLR	\$936.96	\$936.96	1.00	\$936.96		\$0.00	1.00	\$936.96	\$0.00
03	Breakaway Barricades	6.00	UNIT	\$0.01	\$0.06	2.00	\$0.02		\$0.00	2.00	\$0.02	(\$0.04
04	Drums	30.00	UNIT	\$0.01	\$0.30	0.00	\$0.00		\$0.00	0.00	\$0.00	(\$0.30
05	Traffic Cones	30.00	UNIT	\$0.01	\$0.30	91.00	\$0.91		\$0.00	91.00	\$0.91	\$0.61
06	Construction Signs	230.00	SF	\$0.01	\$2.30	145.00	\$1.45	-	\$0.00	145.00	\$1.45	(\$0.85
07	Traffic Directors, Flaggers	40.00	HR	\$80.78	\$3,231.20	0.00	\$0.00		\$0.00	0.00	\$0.00	(\$3,231.20
08	Police Traffic Directors	30.00	HR	\$0.01	\$0.30	0.00	\$0.00		\$0.00	0.00	\$0.00	(\$0.30
09	Fuel Price Adjustment	1500.00	DLR	\$1.00	\$1,500.00	-998.17	-\$998.17	-	\$0.00	-998.17	-\$998.17	(\$2,498.17
10	Asphalt Price Adjustment	2500.00	DLR	\$1.00	\$2,500.00	-6145.48	-\$6,145.48		\$0.00	-6145.48	-\$6,145.48	(\$8,645.48
11	Clearing Site	1.00	LS	\$6,400.00	\$6,400.00	1.00	\$6,400.00		\$0.00	1.00	\$6,400.00	\$0.00
12	Final Cleanup	1.00	LS	\$1,500.00	\$1,500.00	1.00	\$1,500.00		\$0.00	1.00	\$1,500.00	\$0.00
13	Roadway Excavation, Unclassified	51.00	CY	\$84.33	\$4,300.83	15.64	\$1,318.92	2	\$0.00	15.64	\$1,318.92	(\$2,981.91
14	DGA Base Course, Variable Thickness	79.00	TON	\$97.44	\$7,697.76	34.57	\$3,368.50		\$0.00	34.57	\$3,368.50	(\$4,329.26
15	Hot Mix Asphalt 19M64, Base Course - 3" Thick	54.00	TON	\$173.94	\$9,392.76	47.90	\$8,331.73	-	\$0.00	47.90	\$8,331.73	(\$1,061.03
16	Hot Mix Asphalt 9.5M64, Surface Course - 2" Thick	750.00	TON	\$103.94	\$77,955.00	697.52	\$72,500.23		\$0.00	697.52	\$72,500.23	(\$5,454.77
17	Tack Coat	293.00	GAL	\$0.01	\$2.93	75.00	\$0.75	-	\$0.00	75.00	\$0.75	(\$2.18
18	Hot Mix Asphalt Driveway, 6" Thick	229.00	SY	\$47.12	\$10,790.48	249.32	\$11,747.96	61.30	\$2,888.46	310.62	\$14,636.41	\$3,845.93
19	8" Ductile Iron Pipe	40.00	LF	\$112.86	\$4,514.40	38.00	\$4,288.68	-	\$0.00	38.00	\$4,288.68	(\$225.72
20	12" Reinforced Concrete Pipe, Class V	133.00	LF	\$104.14	\$13,850.62	126.00	\$13,121.64		\$0.00	126.00	\$13,121.64	(\$728.98
21	12" HDPE Pipe	1273.00	LF	\$50.73	\$64,579.29	1267.00	\$64,274.91		\$0.00	1267.00	\$64,274.91	(\$304.38
22	Inlet, Type "A"	17.00	UNIT	\$3,686.83	\$62,676.11	19.00	\$70,049.77	-	\$0.00	19.00	\$70,049.77	\$7,373.66
23	HDPE Flared End Section, 12"	3.00	UNIT	\$319.20	\$957.60	3.00	\$957.60	-	\$0.00	3.00	\$957.60	\$0.00
24	Traffic Marking Lines, 24"	18.00	LF	\$50.40	\$907.20	20.50	\$1,033.20		\$0.00	20.50	\$1,033.20	\$126.00
25	Regulatory And Warning Signs	12.00	SF	\$42.00	\$504.00	12.00	\$504.00	-	\$0.00	12.00	\$504.00	\$0.00
26	Topsoiling Spreading, 4" Thick	891.00	SY	\$14.71	\$13,106.61	1484.66	\$21,839.35	-	\$0.00	1484.66	\$21,839.35	\$8,732.74
27	Fertilizing and Seeding, Type A-3	891.00	SY	\$0.45	\$400.95	1484.66	\$668.10	-	\$0.00	1484.66	\$668.10	\$267.15
28	Straw Mulching	891.00	SY	\$0.22	\$196.02	1484.66	\$326.63		\$0.00	1484.66	\$326.63	\$130.61
S1	4" PVC Sump/Leader Drains	0.00	LF	\$28.00	\$0.00	16.00	\$448.00	-	\$0.00	16.00	\$448.00	\$448.00
S2	Install 2 Yard Inlets and 4" PVC Pipe	0.00	LS	\$1,875.00	\$0.00	1.00	\$1,875.00		\$0.00	1.00	\$1,875.00	\$1,875.00
53	Reset Existing Casting, Inlet (Does Not Include Asphalt Aprons)	0.00	LS	\$720.46	\$0.00	6.00	\$4,322.76	-	\$0.00	6.00	\$4,322.76	\$4,322.76

	CONTRACT						OWED TO DATE	CURRENT			TO DATE	INCREASE/ DECREASE
ITEM #		QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE	QUANTITY	AMOUNT	QUANTITIY	AMOUNT	QUANTITY	AMOUNT	TO DATE
54	Underdrain, 6" HDPE Perforated	0.00	LF	\$47.72	\$0.00	50.00	\$2,386.00	-	\$0.00	50.00	\$2,386.00	\$2,386.00
S5	Regrade Swale in Lawn Area	0.00	LS	\$2,745.00	\$0.00	0.00	\$0.00	1.00	\$2,745.00	1.00	\$2,745.00	\$2,745.00
		PF	IASE I	TOTALS:	\$287,904.00	L	\$285,059.40	L	\$5,633.46	L	\$290,692.86	2,788.86
	PHASE 2											
01	Inlet Filter, Type 2, 2' X 4'	2.00	UNIT	\$0.01	\$0.02	0.00	\$0.00	-	\$0.00	0.00	\$0.00	(\$0.02
02	Performance Bond and Payment Bond	1.00	DLR	\$936.96	\$936.96	1.00	\$936.96		\$0.00	1.00	\$936.96	\$0.00
03	Breakaway Barricades	6.00	UNIT	\$0.01	\$0.06	0.00	\$0.00	-	\$0.00	0.00	\$0.00	(\$0.06
04	Drums	30.00	UNIT	\$0.01	\$0.30	0.00	\$0.00	-	\$0.00	0.00	\$0.00	(\$0.30
05	Traffic Cones	30.00	UNIT	\$0.01	\$0.30	91.00	\$0.91	-	\$0.00	91.00	\$0.91	\$0.61
06	Construction Signs	230.00	SF	\$0.01	\$2.30	145.00	\$1.45		\$0.00	145.00	\$1.45	(\$0.85
07	Traffic Directors, Flaggers	40.00	HR	\$80.78	\$3,231.20	0.00	\$0.00	-	\$0.00	0.00	\$0.00	(\$3,231.20
08	Police Traffic Directors	30.00	HR	\$0.01	\$0.30	0.00	\$0.00		\$0.00	0.00	\$0.00	(\$0.30
09	Fuel Price Adjustment	1500.00	DLR	\$1.00	\$1,500.00	-964.39	-\$964.39	¥	\$0.00	-964.39	-\$964.39	(\$2,464.39
10	Asphalt Price Adjustment	2500.00	DLR	\$1.00	\$2,500.00	-4909.91	-\$4,909.91		\$0.00	-4909.91	-\$4,909.91	(\$7,409.91
11	Clearing Site	1.00	LS	\$7,300.00	\$7,300.00	1.00	\$7,300.00	-	\$0.00	1.00	\$7,300.00	\$0.00
12	Final Cleanup	1.00	LS	\$500.00	\$500.00	1.00	\$500.00		\$0.00	1.00	\$500.00	\$0.00
13	Roadway Excavation, Unclassified	19.00	CY	\$90.11	\$1,712.09	24.01	\$2,163.54	-	\$0.00	24.01	\$2,163.54	\$451.45
14	HMA Profile Milling	500.00	SY	\$9.58	\$4,790.00	607.39	\$5,818.80		\$0.00	607.39	\$5,818.80	\$1,028.80
15	DGA Base Course, Variable Thickness	21.00	TON	\$97.44	\$2,046.24	7.00	\$682.08	-	\$0.00	7.00	\$682.08	(\$1,364.16
16	Hot Mix Asphalt 19M64, Base Course - 3" Thick	16.00	TON	\$173.94	\$2,783.04	38.64	\$6,721.04		\$0.00	38.64	\$6,721.04	\$3,938.00
17	Hot Mix Asphalt 9.5M64, Surface Course - 2" Thick	560.00	TON	\$105.09	\$58,850.40	541.48	\$56,904.13	-	\$0.00	541.48	\$56,904.13	(\$1,946.27
18	Tack Coat	206.00	GAL	\$0.01	\$2.06	75.00	\$0.75	-	\$0.00	75.00	\$0.75	(\$1.31
19	Hot Mix Asphalt Driveway, 6" Thick	146.00	SY	\$47.13	\$6,880.98	146.57	\$6,907.84	2	\$0.00	146.57	\$6,907.84	\$26.86
20	Concrete Headwall With Wingwall, 48"	2.00	UNIT	\$10,411.42	\$20,822.84	2.00	\$20,822.84		\$0.00	2.00	\$20,822.84	\$0.00
21	15" HDPE Pipe	493.00	LF	\$75.75	\$37,344.75	485.50	\$36,776.63	-	\$0.00	485.50	\$36,776.63	(\$568.13
22	Inlet, Type 'A'	3.00	UNIT	\$3,982.93	\$11,948.79	3.00	\$11,948.79	-	\$0.00	3.00	\$11,948.79	\$0.00
23	Bicycle Safe Grates	2.00	UNIT	\$356.12	\$712.24	2.00	\$712.24		\$0.00	2.00	\$712.24	\$0.00
24	HDPE Flared End Section, 15"	1.00	UNIT	\$1,073.44	\$1,073.44	1.00	\$1,073.44		\$0.00	1.00	\$1,073.44	\$0.00
25	Riprap Stone Slope Protection, 12" Thick, D50=6"	90.00	SY	\$81.75	\$7,357.50	161.10	\$13,169.93	-	\$0.00	161.10	\$13,169.93	\$5,812.43
26	Topsoiling Spreading 4" Thick	609.00	SY	\$14.71	\$8,958.39	530.50	\$7,803.66	-	\$0.00	530.50	\$7,803.66	(\$1,154.74
27	Fertilizing and Seeding, Type A-3	609.00	SY	\$0.45	\$274.05	530.50	\$238.73	-	\$0.00	530.50	\$238.73	(\$35.33
28	Straw Mulching	609.00	SY	\$0.22	\$133.98	530.50	\$116.71		\$0.00	530.50	\$116.71	(\$17.27
		PH	ASE 2	TOTALS:	\$181,662.23		\$174,726.16		\$0.00		\$174,726.16	(6,936.07

\$469,566.23

\$459,785.56

PROJECT TOTALS:

TOTAL AMOUNT TO DATE: \$465,419.01

LESS 2% RETAINAGE: \$0.00

LESS PREVIOUS PAYMENTS: \$450,589.84

CURRENT PAYMENT: \$14,829.17

\$465,419.01

(4,147.22)

\$5,633.46

#### CHANGE ORDER NUMBER - 1 (FINAL) October 11, 2023 FKT-126

Project Oak Grove Road Improvements Phase I Municipality Township of Franklin

County Hunterdon County

Contractor Top Line Construction Corp.

In accordance with the project Supplementary Specification, the following are changes in the contract. Location and Reason for Change (Attach additional absets if required).

To reflect final contract quantities.

Item No.	Description		Quantity (+/-)	Unit Price	Amount
Extras:			61.00 UNIT	\$0.01	\$0.6
5	Traffic Cones	1.	81.62 SY	\$47.12	\$3,845.9
18	Hot Mix Asphalt Driveway, 6" This	:K	2.00 UNIT	\$3,686.83	\$7,373.6
22	Inlet, Type 'A'		2.50 UNIT	\$50.40	\$126.0
24	Traffic Markings Lines, 24"		593.66 SY	\$14.71	\$8,732.7
26	Topsoiling Spreading, 4" Thick		593.66 SY	\$0.45	\$267.1
27	Fertilizing and Seeding, Type A-3 Straw Mulching		593.66 SY	\$0.22	\$130.6
28	Straw Mulching			Total (Extras)	\$20,476.7
Reductio	ons:				\$0.0
1	Inlet Filer, Type 2, 2' X 4'		2 UN	\$0.01	\$0.0
3	Breakaway Barricades		4 UN	\$0.01	\$0.0
4	Drums		30 UN	\$0.01 \$0.01	\$0.3
6	Construction Signs		85 SF		\$3,231.2
7	Traffic Directors, Flaggers		40 MH	\$80.78	\$3,231.2
8	Police Traffic Directors		30 MH	\$0.01 \$1.00	\$2,498.1
9	Fuel Price Adjustment		2498.17 DOLLAR	\$1.00	\$8,645.4
10	Asphalt Price Adjustment		8645.48 DOLLAR	\$84.33	\$2,981.9
13	Roadway Excavation, Unclassified		35.36 CY	\$97.44	\$4,329.2
14	DGA Base Course, Variable Thick		44.43 CY	\$173.94	\$1,061.0
15	Hot Mix Asphalt 19M64, Base Cou		6.10 TON 52.48 TON	\$103.94	\$5,454.7
16	Hot Mix Asphalt 9.5M64, Surface	Course - 2" Thick	218 SY	\$0.01	\$2.1
17	Tack Coat		2 LF	\$112.86	\$225.7
19	8" Ductile Iron Pipe		7 LF	\$104.14	\$728.9
20	12" Reinforced Concrete Pipe, Cla	ss V	6 LF	\$50.73	\$304.3
21	12" HDPE Pipe		0 LF	Total (Reductions)	\$29,464.5
Supplem			16 LF	\$28.00	\$448.6
SI	4" PVC Sump/ Leader Drains		16 LF	\$1.875.00	\$1,875.0
S2	2 Yard Inlets and 4" PVC Pipe		6 LS	\$720.46	\$4,322.7
S3	Reset Existing Casting, Inlet		50 LF	\$47.72	\$2,386.0
S4 S5	Underdrain, 6" HDPE Perforated Regrade Swale in Lawn Area		1 LS	\$2,745.00	\$2,745.0
				Total (Supplementals)	\$11,776.
	Original Contract	\$287,904.00	Extra	\$20,476.70	
mount of C	Original Contract	3201,304.00	Supplemental	\$11,776.76	
ljusted Amount Based on Change			Reduction	\$29,464.59	
rders 1,, \$290,692.86			Total Change	\$2,788.86	
Change in	n Contract	.1.0%			
+) Increase	e or (-) Decrease]	7			
	111701	10/18/23			

(Engineer)

10/26/2023

(District Engineer) (Local Highway Design)

(Date)

(Presiding Officer)

10-11-23 (Date)

(Contractor)

#### CHANGE ORDER NUMBER - 1 (FINAL) October 11, 2023 FKT-0131

Oak Grove Road Improvements Phase II Project

Township of Franklin Municipality **Hunterdon County** County Top Line Construction Corp. Contractor

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

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

To reflect final contract quantities.

Item No.	Description	Quantity (+/-)	Unit Price	Amount
Extras: 5 13 14 15 19 25	Traffic Cones Roadway Excavation, Unclassified HMA Profile Milling Hot Mix Asphalt 19M64, Base Course - 3" Thick Hot Mix Asphalt Driveway, 6" Thick Riprap Slope Protection, 12" Thick, D50=6"	61.00 UNIT 5.01 CY 107.39 SY 22.64 TON 0.57 SY 71.10 SY	\$0.01 \$90.11 \$9.58 \$173.94 \$47.13 \$81.75 Total (Extras)	\$0.61 \$451.45 \$1,028.80 \$3,938.00 \$26.86 \$5,812.43 \$11,258.15
Reducti 1 3 4 6 7	Inlet Filer, Type 2, 2' X 4' Breakaway Barricades Drums Construction Signs Traffic Directors, Flaggers	2 UN 6 UN 30 UN 85 SF 40 MH 30 MH	\$0.01 \$0.01 \$0.01 \$0.01 \$80.78 \$0.01	\$0.02 \$0.06 \$0.30 \$0.85 \$3,231.20 \$0.30
8 9 10 14 16 17	Police Traffic Directors Fuel Price Adjustment Asphalt Price Adjustment DGA Base Course, Variable Thickness Hot Mix Asphalt 9.5M64, Surface Course - 2* Thick Tack Coat	2464.39 DOLLAR 7409.91 DOLLAR 14.00 CY 18.52 TON 131 SY	\$1.00 \$1.00 \$97.44 \$105.09 \$0.01	\$2,464.39 \$7,409.91 \$1,364.16 \$1,946.27 \$1.31
19 26 27 28	15" HDPE Pipe Topsoiling, 4" Thick Fertilizing and Seeding, Type A-3 Straw Mulching	7.50 LF 78.50 SY 78.50 SY 78.50 SY	\$75.75 \$14.71 \$0.45 \$0.22 Total (Reductions)	\$568.13 \$1,154.74 \$35.33 \$17.27 \$18,194.22

### Supplementals:

			Total (Supplementals)	\$0.00
Amount of Original Contract	\$181,662.23	Extra Supplemental	\$11,258.15 \$0.00	
Adjusted Amount Based on Change Orders 1,	\$174,726.16	Reduction Total Change	\$18,194,22 -\$6,936.07	
% Change in Contract [(+) Increase or (-) Decrease]	(-) <u>3.8%</u>			

(District Engineer) (Local Highway Design) (Date)

10.11.23

(Contractor)