

RESOLUTION #2018-69

RESOLUTION OF THE MANTUA TOWNSHIP MUNICIPAL UTILITIES AUTHORITY AUTHORIZING FINAL PAYMENT NO. 9 TO CLYDE N. LATTIMER & SON CONSTRUCTION COMPANY, INC. FOR CONTRACT "B" FOR STANDPIPE PAINTING AND INSTALLATION OF STANDBY POWER SYSTEM PROJECT

WHEREAS, the Mantua Township Municipal Utilities Authority (MTMUA), with its principal place of business at 397 Main Street, Mantua, New Jersey 08051 entered into a contract with Clyde N. Lattimer & Son Construction Company, Inc., Berlin New Jersey for rehabilitation to the Standpipe Repainting and Installation of Standby Power System (Contract B) for the Mantua Township Municipal Utilities Authority; and

WHEREAS, during the construction of the project Change Order No. 1, Change Order No. 2, and Change Order No. 3 (time extension only) and Change Order No. 4 were needed to adjust the final as-built quantities that were necessary/not necessary for the proper completion of the Contract which resulted in an overall decrease in the Contract Amount of \$274.66 with the final revised Contract amount being \$283,725.34 and Clyde N. Lattimer & Son Construction Company, Inc., is seeking final payment No. 9 for the balance of the tank restoration in the amount of \$43,174.00; and

WHEREAS, the progress of the work completed has been reviewed and verified and payment is hereby recommended in the amount of \$43,174.00 pursuant to the recommendation of the MTMUA project engineer David S. Palgutta, PE, CME by letter dated December 12, 2018 which is incorporated herein at length; and

WHEREAS, while the work had been completed there was a decision by the MTMUA Commissioners to charge-back the contractor for costs incurred by the MTMUA for what the Commissioners deemed were unjustified charges occasioned by Clyde N. Lattimer & Son Construction Company, Inc.'s performance under the contract. As a result of this charge back, the MTMUA and Lattimer, pursuant to the contract, went to AAA Mediation in an attempt to resolve their differences. The MTMUA and Lattimer through mediation agreed that the balance of the contract would be paid out without said charge-back, i.e. the balance for the contract or \$43,174.00, contingent upon the Commissioners' approval of said proposed settlement; and

WHEREAS, Mr. Palgutta recommends payment contingent upon the MTMUA Board approving the mediation settlement held on November 28, 2018 and proof of the withdraw of the mechanic's lien claim for this project.


NOW, THEREFORE, BE IT RESOLVED, the Mantua Township Municipal Utilities Authority authorizes final payment No. 9 to Clyde N. Lattimer & Son Construction Company, Inc. for the completion of the rehabilitation to the Standpipe Repainting and Installation of Standby Power System (Contract B) in the amount of \$43,174.00.

DULY ADOPTED at the Meeting of the Mantua Township Municipal Utilities Authority held on December 18, 2018.

**The Mantua Township
Municipal Utilities Authority**

By: 
Charles W. Burkett, Vice Chairman

ATTEST:


Timothy Sheehan, Secretary

	Aye	Nay	Abstain	Absent
Thomas D. Gregg, Chairman			<input checked="" type="checkbox"/>	
Charles W. Burkett, Vice Chairman	<input checked="" type="checkbox"/>			
Mario Dilisciandro, Treasurer	<input checked="" type="checkbox"/>			
Timothy Sheehan, Secretary	<input checked="" type="checkbox"/>			
Vincent Voltaggio, Engineering Coordinator	<input checked="" type="checkbox"/>			
Howard Bruner, Alternate No. 1	<input checked="" type="checkbox"/>			
John Parks, Alternate No. 2				