

RESOLUTION NO. 2024- 461

A RESOLUTION AUTHORIZING THE ISSUANCE OF AN AMENDATORY SUPPLEMENTAL CHANGE ORDER NO. 2, TO CONTRACT NO. C23-0086, PURCHASE ORDER NO. 23-04359, ISSUED TO CAPELA CONSTRUCTION, INC., MEDFORD LAKES, NJ, IN THE AMOUNT OF \$36,997.00.

WHEREAS, the City Council of the City of Vineland, on May 23, 2024, adopted Resolution No. 2023-238, entitled “A RESOLUTION AWARDING A CONTRACT TO CAPELA CONSTRUCTION, INC., MEDFORD LAKES, NJ FOR SANDWASH OUTFALL REPAIR”; and

WHEREAS, N.J.A.C. 5:30-11.9 sets forth the procedures for processing change orders which exceed the 20 percent limitation; and

WHEREAS, the Director of the Engineering Department has requested that an amendment be made to contract awarded to Capela Construction, Inc., Medford Lakes, NJ for Sandwash Outfall Repair by Resolution No. 2023-238, COV BID #2023-15, said amendment is necessary for the final addition of gabion wall construction to complete the project; and

WHEREAS, the City of Vineland desires to comply with said requirements of N.J.A.C. 5:30-11.9, et seq., and to that end herewith files with the governing body a report stating the facts involved and indicating that the proposed change order may be allowed under these regulations; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for the amendatory supplemental change order for which authorization is requested in the amount of \$36,997.00; now, therefore,

BE IT RESOLVED by the Council of the City of Vineland that said amendatory supplemental change order #2 to Contract No. C23-0086, Purchase Order No. 23-04359, issued to Capela Construction, Inc., Medford Lakes, NJ, in the amount of \$36,997.00, be and the same is hereby ratified and approved.

Adopted: **October 8, 2024**

\_\_\_\_\_  
President of Council      eaa

ATTEST:

\_\_\_\_\_  
City Clerk      kp



October 1, 2024

REPORT

TO: THE MAYOR AND COUNCIL

Amendatory Supplemental Change Order No. 2  
Contract No. 23-0086, PO#: 23-04359  
The Sandwash Outfall Repair  
Capela Construction Inc., Medford Lakes, NJ

We are requesting that an amendatory supplemental change order be issued to Contract No. 23-0086, PO#: 23-04359, issued to Capela Construction Inc., Medford Lakes, NJ, for the Sandwash Outfall Repair. This contract was authorized by Resolution No. 2023-238, adopted by City Council on May 23, 2023.

The change order requested, in the amount of \$36,997.00 is made necessary for the final addition of gabion wall construction to complete the project.

This change order, plus change order #1 (\$9,500.00) represents an increase of approximately 64.44% over the original contract amount of \$72,150.00.

The amendatory supplemental change order for which authorization is herein requested may be authorized in accordance with N.J.A.C. 5:30-11.1 et seq.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Robert E. Dickenson, Jr.", is written over a large, stylized blue flourish.

Robert E. Dickenson, Jr.  
Business Administrator

RD/rl  
Encl.



REQUEST FOR CHANGE ORDER FOR CONTRACTS

PROJECT NAME: Sandwash Outfall Repair
CONTACT NAME: Rick Caudill DEPARTMENT: Engineering
CHANGE ORDER REQUEST NUMBER: 1 CONTRACT NUMBER: C23-0086
PO NUMBER: 23-04359

NAME AND ADDRESS OF CONTRACTOR: Capela Construction Inc
P.O. Box 2046, Medford Lakes, NJ 08055

REASON FOR CHANGE ORDER (DOCUMENTATION MUST BE SUBMITTED TO SUPPORT THIS REQUEST. USE ADDITIONAL PAGES IF NECESSARY): See attached justification and final change order.

Table with 2 columns: Description and Amount. Rows include Original Contract Amount (\$72,150.00), Amount of this Change Order Request (\$36,997.00), Previous Change Order Amounts (\$9,500.00), and Total Revised Contract Amount (\$118,647.00).

ACCOUNT NUMBER FOR CHANGE ORDER: C-00-000-2420-78001

TRACKING ID(S): COMMODITY CODE(S):

APPROVED BY: David J. Maillet, PE, City Engineer

(PRINT NAME) David J. Maillet (SIGNATURE)

PLEASE NOTE: CHANGE ORDERS CANNOT EXCEED 20% OF THE ORIGINAL CONTRACT AMOUNT

COPY TO: PurchasingOffice@vinelandcity.org



CITY OF  
**VINELAND**  
WHERE IT'S ALWAYS GROWING SEASON

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## FINAL CHANGE ORDER 2 JUSTIFICATION

### SANDWASH OUTFALL REPAIR

Change Order 2 consists of the addition of gabion wall construction in the amount of \$37,000.00. This amount is in excess of 20% of the contract amount. This addition to the project was necessary due to the unstable nature of the soils in this location. "Piping" in the soils post-construction began to show due to voids created from lost vegetation from the initial failure. These areas could not be foreseen in the initial design and construction. Additionally, a combination of these areas and multiple torrential downpours have not allowed areas in the embankment to stabilize itself through vegetative growth. This has caused multiple points of failure in the soils, rendering the area unstable and hazardous. These conditions were considered an emergency and solutions were negotiated with the contractor to provide a more permanent and stable product.

*Special arrangements for persons with disabilities may be made if requested in advance by contacting the Business Administrator's office at 856-794-4144.*



PROJECT: SANDWASH OUTFALL REPAIR

CONTRACTOR: CAPELA CONSTRUCTION INC.  
P.O. BOX 2046  
MEDFORD LAKES, NJ 08055

PO #: 23-04339

ITEM	DESCRIPTION	CONTRACT QUANTITY	UNITS	QUANTITY ADJUSTMENT	ADJUSTED QUANTITY	CONTRACT UNIT PRICE	ADJUSTED UNIT PRICE	CONTRACT AMOUNT	FINAL AMOUNT	AMOUNT OF CHANGE
1	Mobilization	1	LS	0.00	1.00	\$ 20,000.00	\$ 20,000.00	20,000.00	20,000.00	0.00
2	Bonds	1	LS	0.00	1.00	\$ 2,000.00	\$ 2,000.00	2,000.00	2,000.00	0.00
3	Insurance	1	LS	0.00	1.00	\$ 250.00	\$ 250.00	250.00	250.00	0.00
4	Site Clearing and Tree Removal & Trimming, Soil Erosion Control Measures	1	LS	0.00	1.00	\$ 10,000.00	\$ 10,000.00	10,000.00	10,000.00	0.00
5	Select Fill	100	CY	0.00	100.00	\$ 25.00	\$ 25.00	2,500.00	2,500.00	0.00
6	Install Helical Screw Piles	4	EACH	0.00	4.00	\$ 2,500.00	\$ 2,500.00	10,000.00	10,000.00	0.00
7	Install Timber Support Beams/Assembly Complete	2	EACH	0.00	2.00	\$ 1,000.00	\$ 1,000.00	2,000.00	2,000.00	0.00
8	Install 18 LF 36" Dia HDPE Storm Pipe	18	LF	0.00	18.00	\$ 250.00	\$ 250.00	4,500.00	4,500.00	0.00
9	HMA Surface Course 9.5M4 1.5" Thickness, Driveway Remove & Replace (if & when)	225	SY	0.00	225.00	\$ 30.00	\$ 30.00	6,750.00	6,750.00	0.00
10	Kerotex fabric	70	SY	-1.00	69.00	\$ 1.00	\$ 1.00	70.00	69.00	-1.00
11	Play-Dag Stone Aggreg 30" Thick	50	CY	0.00	50.00	\$ 100.00	\$ 100.00	5,000.00	5,000.00	0.00
12	Low-Lying Ground cover	80	SY	0.00	80.00	\$ 1.00	\$ 1.00	80.00	80.00	0.00
13	Landscaping Restoration	1	LS	0.00	1.00	\$ 5,000.00	\$ 5,000.00	5,000.00	5,000.00	0.00
14	Topsoil & Soil Restoration	300	SY	0.00	300.00	\$ 5.00	\$ 5.00	1,500.00	1,500.00	0.00
15	Demolition of Dilapidated deck structure	1	LS	0.00	1.00	\$ 5,000.00	\$ 5,000.00	5,000.00	5,000.00	0.00
95	BURIAL WALL	1	LS	0.00	1.00	\$ 9,500.00	\$ 9,500.00	9,500.00	9,500.00	0.00
92	GABION WALL INSTALLATION	0	LS	1.00	1.00	\$ -	\$ 17,000.00	0.00	17,000.00	17,000.00
						TOTAL OF CHANGE ORDER #2				\$36,967.00
TOTAL PERCENT FOR THIS CHANGE ORDER		51.28%								
PERCENT TOTAL CHANGE ORDER TO DATE OF ORIGINAL CONTRACT AMOUNT		0.64443306								
AMOUNT OF ORIGINAL CONTRACT:						\$ 73,165.00				
PLUS CHANGE ORDER NO. 1:						0.500.00				
PLUS CHANGE ORDER NO. 2:						36,967.00				
AMOUNT OF ADJUSTED CONTRACT:						\$ 110,647.00				

Recommended By:     Jaclyn Munoz      
Contractor

    David J. Maillet      
City Engineer



Capela Construction Inc.  
 P O Box 2046  
 Medford, NJ 08055  
 609-535-5367 (phone)  
 609-801-2533 (fax)

## ESTIMATED BUDGET PROPOSAL

PROPOSAL SUBMITTED TO <b>City of Vineland c/o Ricky Caudill</b>		TODAY'S DATE	DATE OF PLANS/PAGE #'S
PHONE NUMBER	FAX NUMBER	JOB NAME <b>Additional Work Sandwash Outfall</b>	
ADDRESS, CITY, STATE, ZIP		JOB LOCATION <b>City of Vineland, NJ</b>	

We propose hereby to furnish material and labor necessary for the completion of:

1.) Equipment

Excavator rental per week; including delivery, pick up, and fuel: \$4,500.00

2.) Labor

1 Operator, 3 general laborers, 1 week, 8 hrs. per day @ prevailing wage: \$14,500.00

3.) Materials

Stone, Gabions, Fabric, Top Soil, Seed, Hay: \$7,500.00

20% Labor Burden: \$5,300.00

Profit: \$5,200.00

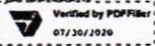
Lump Sum: \$37,000.00

We propose hereby to furnish material and labor -- complete in accordance with above specifications for the sum of:  
thirty- seven thousand dollars ( \$ 37,000.00 )

Payment as follows: due upon completion

All material is guaranteed to be as specified. All work to be completed in a substantial workmanlike manner according to specifications submitted, per standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance. If either party commences legal action to enforce its rights pursuant to this agreement, the prevailing party in said legal action shall be entitled to recover its reasonable attorney's fees and costs of litigation relating to said legal action, as determined by a court of competent jurisdiction.

Authorized Signature Nad Alunoz



Note: this proposal may be withdrawn by us if not accepted within 30 days.

ACCEPTANCE OF PROPOSAL The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature Ricky Caudill  
 Signature \_\_\_\_\_

Date of Acceptance 6/10/2024