

Mr. Francy offered the following Resolution and moved its adoption:

**BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH**

**R-09-81**

**RESOLUTION – CHANGE ORDER #3 FINAL WHIRL  
CONSTRUCTION CO. INC. REDUCTION OF CONTRACT AMOUNT BY  
\$6,821.50 COMMUNITY CENTER PLAYGROUND PROJECT**

**WHEREAS**, Resolution R-07-86 awarded a contract to Whirl Construction Co. Inc. on May 2, 2007 for \$202,531.00 for the Community Center Playground Project and;

**WHEREAS**, Resolution R-07-143 authorized change order # 1 dated July 6, 2007 as prepared by T & M Associates, Borough Engineer, set forth reasons for said change order (extension of contract completion time until September 30, 2007 at no additional cost to the Borough),

**WHEREAS**, Resolution R-07-181 authorized change order # 2 dated September 26, 2007 as prepared by T & M Associates, Borough Engineer, which set forth reasons for said change order which reduced the original contract by \$14,112,

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Highlands that change order #3 final reducing the contract amount by \$6,821.50 is hereby authorized for the Community Center Playground Project. The adjusted contract price is \$181,597.50.

**NOW, FURTHER BE IT RESOLVED** that the Borough of Highlands does hereby accept the maintenance bond from International Fidelity Insurance Company in amount of \$90,798.75 for two years commencing on the date of substantial completion that is May 1, 2008. Said acceptance is contingent upon the Borough Attorney's approval of said maintenance bond.

Seconded by Ms. Kane and adopted on the following roll call vote:

**ROLL CALL:**

**AYES:** Mr. Francy, Ms. Kane, Mr. Caizza, Mayor Little

**NAYES:** None

**ABSENT:** Mr. Urbanski

**ABSTAIN:** None

**Date:** April 15, 2009

**NINA LIGHT FLANNERY, BOROUGH CLERK**

I hereby certify that the above Resolution was duly adopted by the Governing Body of the Borough of Highlands at a meeting held April 15, 2009.

**BOROUGH CLERK/DEPUTY CLERK**