

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

R-10-50
RESOLUTION – CHANGE ORDER #3 FINAL - DECREASE OF \$32,466.43
S BROTHERS, INC.
SHORE DRIVE RESURFACING PROJECT & 2008 CAPITAL
IMPROVEMENT PROGRAM

WHEREAS, Resolution R-09-65 awarded a contract to S Brothers, Inc on March 18, 2009 for \$316,533.58 for the Shore Drive Resurfacing Project and the 2008 Capital Improvement Program and;

WHEREAS, Resolution 09-160 adopted August 19, 2009 authorized change order # 1 for a net change in the contract of zero, and

WHEREAS, Resolution 09-205 adopted November 4, 2009 authorized change order # 2 for a decrease in the contract of \$2,347.32 for a revised contract of \$314,186.26, and

WHEREAS, change order # 3 Final dated January 18, 2010 prepared by T & M Associates, Borough Engineer, sets forth reasons for said change order decreasing the contract amount by \$32,466.43 for an adjusted contract balance of \$281,719.83.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Highlands that change order #3 Final granting a decrease in the contract amount of \$32,466.43 is hereby authorized for the Shore Drive Resurfacing Project and the 2008 Capital Improvement Program,

NOW, FURTHER BE IT RESOLVED that the Borough of Highlands does hereby accept the maintenance bond from American Contractors Indemnity Company in amount of \$70,429.96 for two years commencing on the date of substantial completion that is September 21, 2009. 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. Nolan, Mr. O'Neil, Mr. Francy, Ms. Kane, Mayor Little

NAYES: None

ABSENT: None

ABSTAIN: None

Date: March 3, 2010

CAROLYN CUMMINS, 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 March 3, 2010.

BOROUGH CLERK/DEPUTY CLERK