



Approved as to Form and Legality

Date Adopted

Committee

November 7, 2018

Administrative

**RESOLUTION AUTHORIZING CHANGE ORDER #1 FOR THE EXPENDITURE OF
ADDITIONAL FUNDS ASSOCIATED WITH EMERGENCY REPAIRS TO SLUICE
GATES ON SINNICKSON'S LANDING ROAD,
ELSINBORO, NEW JERSEY**

WHEREAS, the Local Public Contracts Law 40A:11-6 permits a contracting unit to declare an emergency to permit the imminent acquisition of goods or performance of services; and

WHEREAS, on July 19, 2018, the County Administrator determined that an emergency existed when sluice gate #2 failed on Sinnickson's Landing Road, Elsinboro, NJ; and

WHEREAS, it was necessary to secure the services of a licensed contractor to conduct an exploratory underwater evaluation of all four(4) sluice gates, locate the gate for sluice gate #2, install a plug in sluice gate #2 and rent a pump for water control in order to safeguard public safety, health without substantial delays; and

WHEREAS, on August 15, 2018 the Salem County Board of Chosen Freeholders adopted Resolution 2018-286 Declaring an Emergency to Permit Imminent Acquisition of Goods and/or Services to make Repairs to Sluice Gates on Sinnickson's Landing Road in Elsinboro, NJ and authorized a contract with W. J. Castle Associates and Xylem Dewatering Solutions, Inc. d/b/a Godwin Pumps of America to provide immediate site evaluation and other associated services with respect to the underwater evaluation and immediate emergency repairs on sluice gates #1 and #2 on Sinnickson's Landing Road, Elsinboro, NJ authorizing funding of \$250,000; and

WHEREAS, on October 17, 2018, the Salem County Board of Chosen Freeholders adopted Resolution 2018-342 Amending Resolution 2018-286 Declaring an Emergency to Permit Imminent Acquisition of Goods and/or Services to Make Repairs to Sluice Gates on Sinnickson's Landing Road in Elsinboro, NJ and authorized the extension of contracts with W. J. Castle Associates d/b/a Hydro Marine Construction and Xylem Dewatering Solutions, Inc. d/b/a Godwin Pumps of America to extend the scope of the emergency repairs to sluice gates #3 and #4 due to a possible imminent failure of the pipes and roadway following dewatering and physical inspection of the additional gates and timber supports authorizing funding of an additional \$250,000; and

WHEREAS, on October 27 the Salem County Public Works Committee met to discuss the project and options and alternatives to facilitate timely, cost effective repairs to safeguard the public safety and health; and

WHEREAS, on November 7 the contractor, subsequently notified the County Engineer of difficulty a obtaining timely delivery of the proposed HDPE gates and recommended using Aluminum Tide-Gates for Pipes #3 and #4. After a discussion with the County Administrator, the Engineer agreed this was a suitable replacement; and

WHEREAS the Salem County Public Works Committee authorized the installation of "duckbill" type tide gate valves on the outfall side of pipes # 1 and #2 and an HDPE liner, pipe extension and new aluminum gates on the outfall side of pipes #3 and #4 and the anticipated rental of a second temporary 48" plug for sluice gate #1 as recommended by the contractor and Salem County Engineer (attached) in an additional amount not to exceed eighty-six thousand (\$86,000); and

WHEREAS, the Salem County Treasurer has certified that the funding for this contract shall be encumbered in accordance with N.J.A.C. 50:30-5.4 in account C-04-55-871-012-902 and this agreement shall be further contingent upon the availability and appropriations for sufficient funds for this purpose in the County's budget for 2018;

NOW THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Salem that W. J. Castle Associates P.E. d/b/a Hydro-Marine Construction and Xylem Dewatering Solutions, Inc. d/b/a Godwin Pumps of America are herein contracted to provide immediate site evaluation and other associated services with respect to the underwater evaluation and immediate emergency repairs on sluice gates #3 and #4 in addition to sluice gates #1 and #2 on Sinnickson's Landing Road, Elsinboro, NJ in a total amount not to exceed five hundred, eighty-six thousand dollars and zero cents (\$586,000.00).

BE IT FURTHER RESOLVED that the Salem County Purchasing Agent will coordinate with the Salem County Road Department to prepare and arrange for any necessary procurement documentation in order to comply with the Local Public Contracts Law and Salem County Purchasing Policy and Procedure.



MELISSA L. DECASTRO, Freeholder Director
Board of Chosen Freeholders

I hereby certify the foregoing to be a true resolution adopted by the Board of Chosen Freeholders of the County of Salem on November 7, 2018.



BRENDA P. BANKS
Clerk of the Board

RECORD OF VOTE

FREEHOLDER	AYE	NAY	ABSTAIN	ABSENT	RESOLUTION MOVED	RESOLUTION SECONDED
L. Ware	✓					✓
C. Hassler	✓				✓	
B. Laury	✓					
S. Griscom	✓					
M. DeCastro	✓					

✓ Indicates Vote

Department Initials _____



CERTIFICATION OF AVAILABILITY OF FUNDS

NOTE TO COUNTY DEPARTMENTS: This form is to be prepared by each department entering into a contract with a vendor when a resolution is required to be adopted by the Board of Chosen Freeholders of the County of Salem.

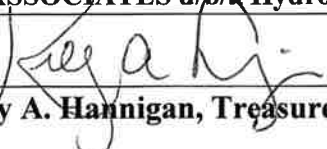
This form must accompany the resolution, and must be submitted with the resolution to the Finance Officer for approval by the Finance Officer at least one week prior to the Freeholder meeting at which it will be presented for adoption.

The contract/agreement between the County and the vendor shall be further contingent upon availability and appropriation of sufficient funds for this purpose in the County's Temporary and Permanent Budget. *If grant funds are utilized, this contract/agreement is further contingent upon the grants funds availability during the appropriate grant period.*

I, **Kelly A. Hannigan, Treasurer** of the County of Salem, hereby certify in accordance with **Section 5:34-5 of the Local Public Contracts Guidelines and Local Public Contracts Regulations** that adequate funds for the contract listed below are available.

I further certify that the funds are contained in the **OFFICIAL BUDGET** of the County of Salem under the item listed below.

AMOUNT: \$	86,000.00
ACCOUNT NAME:	Roads, Bridges, Dams
ACCOUNT #:	C-04-55-871-012-902
FOR:	EMERGENCY FLOOD GATE REPAIRS SINNICKSON'S LANDING ROAD
DATE:	November 7, 2018
VENDOR:	W. J. CASTLE AND ASSOCIATES d/b/a Hydro Marine



Kelly A. Hannigan, Treasurer