



Board of County Commissioners

Resolution No. 2023 – 301

Public Works / Economic Development Committee

**RESOLUTION AUTHORIZING AMENDMENT "A"  
TO THE CONTRACT WITH "SMS RAIL SERVICE, INC." FOR THE  
MAINTENANCE AND OPERATION OF THE  
SALEM COUNTY RAILROAD**

**WHEREAS**, by Resolution #2021-111 adopted on February 17, 2021, the County of Salem awarded a Contract for the Maintenance and Operation of the Salem County Railroad; and

**WHEREAS**, the County of Salem has received a Grant Authorization from the New Jersey Department of Transportation, Rail Freight Assistance Program, for FY 2022 Railroad Improvements, Agreement #7106311; and

**WHEREAS**, the Railroad improvements authorized in the FY 2022 Railroad Improvements Grant Agreement with the New Jersey Department of Transportation are concurrent with the continued maintenance and improvements of the Railroad; and

**WHEREAS**, "AMENDMENT A" to the Maintenance and Operation of the Salem County Railroad with "SMS RAIL SERVICE, INC." will allow "SMS RAIL SERVICE, INC." to perform the Maintenance and Improvements of the Railroad as authorized in the FY 2022 Rail Improvements Agreement with the New Jersey Department of Transportation on a time, equipment and materials basis at an amount not to exceed **TWO MILLION, SIX HUNDRED, NINETEEN THOUSAND, ONE HUNDRED, THIRTY DOLLARS AND SEVENTY-SEVEN CENTS (\$2,619,130.77)**; and

**WHEREAS**, the locations approved for Maintenance and Improvements under this "AMENDMENT A" are as follows:

1. South of Route #45, Salem City – approximately 1,500 feet of track rehabilitation (completed under prior Contract);
2. "Mannington Mills", long runaround – runaround track rehabilitation;
3. "Mannington Mills", short runaround – switch rehabilitation;
4. Memorial Lake Bridge, Woodstown – bridge redecking;
5. Swedesboro Traffic Circle, Woolwich – installation of a 1,700' runaround track;
6. East Lake Road Runaround, Pilesgrove – installation of a runaround adjacent to the rail line;
7. Welchville Road, County Road #540 to 1 mile south of Acton Station Road, County Road #653, Alloway – light track rehabilitation; and
8. "Mannington Mills" Wye Track – rehabilitation; and

**WHEREAS**, all funding for "Amendment A" shall be from the New Jersey Department of Transportation, Rail Freight Assistance Program, FY 2022 Railroad Improvements Project, Grant #7106311; and

**WHEREAS**, the Salem County Treasurer has Certified that funding for this Contract "Amendment A" in 2023 shall be encumbered in accordance with N.J.A.C. 5:30-5.4 and this Contract "Amendment A" shall be further contingent upon the availability and appropriation of sufficient funds contained in the 2023 Budget of the County of Salem under the item: FY22 NJDOT Rail Freight Assistance Program, Salem County Railroad Rehabilitation Grant #7106311; Account #G-02-41-743-22M-303.

**NOW, THEREFORE, BE IT RESOLVED** by the Salem County Board of County Commissioners that the Director and Clerk of the Board shall be authorized to execute this "Amendment A" to the Contract with "SMS RAIL SERVICE, INC." as follows:

1. The Salem County Board of County Commissioners hereby Amend the Agreement with "SMS RAIL SERVICE, INC." of Bridgeport, New Jersey to include the Maintenance and Improvements of the Rail Line as described in the FY 2022 Rail Improvement Grant Agreement with the New Jersey Department of Transportation, Rail Freight Assistance Program, Grant # 7106311.
2. The Maintenance and Improvement work shall be performed on a "time and material" basis and shall be solely funded through the FY 2022 Rail Improvement Grant from the New Jersey Department of Transportation.

ED RAMSAY, County Commissioner  
 Chair, Economic Development/Public Works  
 Committee

I hereby certify the foregoing to be a true resolution adopted by the Salem County Board of County Commissioners on WEDNESDAY, JULY 19, 2023.

STACY L. PENNINGTON  
 Clerk of the Board

RECORD OF VOTE

COMMISSIONER	RESOLUTION MOVED	RESOLUTION SECOND	AYE	NAY	ABSTAIN	ABSENT
E. Ramsay	✓		✓			
C. Taylor		✓	✓			
D. Timmerman			✓			
G. Ostrum Jr.			✓			
B. Laury			✓			

✓ Indicates Vote

(ENG/DFord)

I, **Kelly A. Hannigan, CFO** 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 and are contained in the **OFFICIAL BUDGET** of the County of Salem.

Kelly A. Hannigan, CFO

<b>AMOUNT:</b> \$2,619,130.77	<b>DATE:</b> JULY 19, 2023
<b>ACCOUNT #G-02-41-743-22M-303 and NAME:</b> 2022 NJDOT Rail Freight Assistance Program, Salem County Railroad Rehabilitation, Grant #7106311	
<b>FOR:</b> CONTRACT WITH "SMS RAIL SERVICE, INC." FOR MAINTENANCE AND OPERATION OF THE SALEM COUNTY RAIL ROAD, AMENDMENT "A"	
<b>VENDOR:</b> "SMS RAIL SERVICE, INC." of Bridgeport, New Jersey	