

RESOLUTION 2025-35
AUTHORIZING FINAL PAYMENT TO BE MADE TO DIAMOND
CONSTRUCTION FOR THE HILLTOP DRIVE & MOORE STREET
IMPROVEMENTS PROJECT AND APPROVING FINAL CHANGE ORDERS 1A
AND 1B

WHEREAS, by Resolution 2020-57 adopted on August 17, 2020, Stockton Borough awarded a contract to Diamond Construction for completion of the Hilltop Drive & Moore Avenue Improvements project (“Project”) for a total not to exceed amount of \$440,197.25; and

WHEREAS, construction was completed in January 2023 and to date, the Borough has paid Diamond Construction a total of \$421,239.99 through three separate payment requests; and

WHEREAS, Diamond Construction has submitted a request to the Borough for final payment in the amount of \$8,596.73, which includes retainage amounts from Payments 1, 2 and 3 previously made; and

WHEREAS, the Borough Engineer has confirmed that the final as-built contract price is \$429,836.72 (including the final payment of \$8,596.73), which is a reduction in the original not-to-exceed contract amount of \$10,360.53; and

WHEREAS, it appears that Diamond Construction did not submit the required maintenance bond in 2023 and the two-year maintenance period for the project as described in the Form of Maintenance Bond has elapsed; and

WHEREAS, the Borough Engineer’s review of available aerial imagery and a field inspection by the Engineer’s office indicates that the proposed improvements were satisfactorily constructed and remain in good condition, and therefore, recommends that

this maintenance requirement be waived and no further action be required pursuant to bonding or maintenance of the improvements; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Stockton on this 17th day of March, 2025 as follows:

1. The recitals in the “Whereas” clauses are incorporated herein as if fully restated.
2. Final payment in the amount of \$8,596.73 is hereby approved to be made to Diamond Construction, which is inclusive of the retainage on this Project.
3. The final contract amount is reduced from \$440,197.25 to \$429,836.72.
4. The maintenance bond requirement is hereby waived based on the reasons provided by the Borough Engineer.
5. Change Order Nos. 1A and 1B are hereby approved.

Certification:

I, Laurie A. Courter, Clerk of the Borough of Stockton, County of Hunterdon, State of New Jersey, do hereby certify that the foregoing Resolution is a true and exact copy of a Resolution adopted by the Borough Council of the Borough of Stockton on March 17, 2025.

 Recoverable Signature

X Laurie A. Courter

Laurie A. Courter

Borough Clerk

Signed by: f294cf7e-b128-47e4-b5d9-0d760677edc7

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Borough this 17th day of March 2025.