



**AGENDA FOR THE COUNCIL MEETING OF THE BOROUGH OF MOUNTAIN LAKES
HELD AS A REMOTE MEETING ON ZOOM**

JULY 10, 2023

PUBLIC SESSION – BEGINS AT 7PM

To Participate via computer please use the following link: <https://zoom.us/j/208487754> or
call iPhone one-tap : US: +13126266799,, 208487754# or +19292056099,,208487754#
Or Telephone: Dial (for higher quality, dial a number based on your current location):
US: +1 312 626 6799 or +1 929 205 6099 or +1 346 248 7799 or +1 669 900 6833 or
+1 253 215 8782 or +1 301 715 8592 Webinar ID: 208 487 754

1) CALL TO ORDER AND OPEN PUBLIC MEETINGS ACT STATEMENT – Mayor

This meeting is being held in compliance with Public Law 1975, Chapter 231, Sections 4 and 13, as notice of this meeting has been reported to The Citizen and the Morris County Daily Record and The Star Ledger on July 6, 2023 and posted in the municipal building.

2) ROLL CALL ATTENDANCE - Clerk

3) FLAG SALUTE – Mayor

4) BOROUGH COUNCIL DISCUSSION ITEMS

- a. Additional Funding Needs for the Reconstruction of Sunset Lake Dam

5) PUBLIC COMMENT

Please state your name and address for the record. Each speaker is limited to one (1) comment of no more than five (5) minutes and no yielding of time to another person.

6) ORDINANCES TO INTRODUCE

- a. 12-23, Bond Ordinance Making a Supplemental Appropriation of \$850,000 for the Improvement of the Sunset Lake Dam in and by the Borough Heretofore Authorized to be Undertaken by the Borough of Mountain Lakes, in the County of Morris, New Jersey, and Authorizing

7) NEXT STEPS AND PRIORITIES

8) ADJOURNMENT



BOROUGH OF MOUNTAIN LAKES

LISTED IN NATIONAL AND STATE REGISTERS OF HISTORIC PLACES

Mitchell Stern
Borough Manager
mstern@mtnlakes.org

400 Boulevard
Mountain Lakes, NJ 07046
P -973-334-3131 ext .2006

To: Mayor, Deputy Mayor and Borough Council Members,
Date: July 7, 2023
Subj: Sunset Lake Dam Bid Results / Request for Additional Funding

Mayor, Deputy Mayor and Members of Borough Council,

The Borough recently advertised for bids for the reconstruction of the Sunset Lake dam. From the advertisement, 17 firms expressed interest in the project. A total of five bids were received and opened. Received bids ranged from \$2,325,109.91 to \$3,636,500. All of these bids exceeded the original engineers estimate for the project (\$2,100,000). Based on the number of bid packets disseminated and completed bids received, the engineer does not believe there will be any benefit to rejecting all bids and going through a second round of bidding.

During a review of the bid submitted by the low bidder (Grade Construction), errors were found in the submission, resulting in the bid being rejected. The second lowest bidder, Earthworks Inc., also had an error in their submission; however, they were willing to make all necessary corrections. With the corrections made, our project engineer recommends awarding the contract to Earthworks, Inc.

Prior to awarding a contract, project funding must be in place. To accomplish this, a capital funding ordinance must be introduced and passed for needed funds. Based on the difference between available and needed funds, an additional \$850,000 will be required. A breakdown explaining this request can be found on the next page, and also in the attached memos from Ferriero Engineering.

In summary, the cost of this project has increased from an estimated \$2,199,000 to \$3,030,480.94. The increase of \$831,480.94 equates to a 37.8% increase and appears attributable to increased labor and materials costs, changes to the scope of the project as required by NJDEP, and more complex issues around access to the dam than were originally anticipated.



BOROUGH OF MOUNTAIN LAKES

LISTED IN NATIONAL AND STATE REGISTERS OF HISTORIC PLACES

Mitchell Stern
Borough Manager
mstern@mtnlakes.org

400 Boulevard
Mountain Lakes, NJ 07046
P -973-334-3131 ext .2006

To: Mayor, Deputy Mayor and Borough Council Members,
Subj: Sunset Lake Dam Bid Results / Request for Additional Funding
Page: 2 of 2

Capital Ordinance Year	Ordinance #	Original Amount	Balance as of 7/5
2017 (05-17)	04-215-55-983-009	\$99,000.00	\$18,736.35
2029- (2-19)	04-215-55-985-008	\$2,100,000.00	\$2,007,917.71
Totals		\$2,199,000.00	\$2,026,654.06

Lowest Responsible Bidder	Earthworks	\$2,423,650.00
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Difference between available funds and bid amount	\$396,995.94
Construction Contingency as recommended by engineer	\$250,000.00
Construction Management / Inspection	\$120,000.00
Structural Concrete Inspections	\$20,025.00
Geotechnical Inspections	\$44,460.00
Total of Above	\$831,480.94

Requesting from Borough Council	\$850,000.00
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Paul W. Ferriero, PE, PP, CME, LEED AP, CFM
Robert C. Brightly, PE, PP, CME

Steven B. Bolio, PE, CME
Joseph P. Byrne, PE
Candice J. Davis, PE, CME
Mark S. Denisiuk, PE, CME, LEED AP
Mark W. Kataryniak, PE, PTOE
Joseph S. Kosinski, PG, CFM, LEED AP
C. Richard Quamme, PE, CME
Jess H. Symonds, PE

June 29, 2023

Via Email

Mitchell Stern, Borough Manager
Mountain Lakes Borough Hall
400 Boulevard
Mountain Lakes, New Jersey 07046

Re: **Sunset Lake Dam**
Borough of Mountain Lakes
Morris County
Our Project No. 12ML106

Dear Mitchell:

As you may know the Borough received Five (5) bids on June 13, 2023 for the above referenced project. A copy of the bid tabulation is enclosed. The bidders are as follows:

<u>Bidder</u>	<u>Bid</u>
Grade Construction	\$ 2,325,109.91*
Earthworks, Inc.	\$ 2,423,650.00**
Ferraro Construction	\$ 2,809,420.00
Colonnelli Brothers	\$ 3,347,500.00
Scafar Contracting, Inc.	\$ 3,636,500.00

*Bidder exceeded maximum allowable cost for mobilization and is rejected.

**Figure represents total cost based on reduced mobilization cost to the maximum allowable.

We have reviewed the bids and recommend that the contract be awarded to Earthworks, Inc. the lowest apparent responsive bidder, with a Bid total in the amount of **\$2,423,650.00**, subject to the certification of availability of funds and the Township Attorney's review of the bid package.

Ferriero Engineering, Inc.

June 29, 2023

Page 2

Re: **Sunset Lake Dam**
Borough of Mountain Lakes
Morris County
Our Project No. 12ML106

If you have any questions or require additional information, please do not hesitate to contact me.

Very truly yours,



Paul W. Ferriero, P.E., C.M.E.
Ferriero Engineering, Inc.

Encls.

Cc: Robert Oostdyk, Esq.

BID TABULATION
Sunset Lake Dam Rehabilitation
Borough of Mountain Lakes
Morris County, New Jersey

June 19, 2023

Sheet 1 of 3

Grade Construction
110 Pennsylvania Ave.
Paterson, NJ 07503

Earthworks, Inc.
13 Morello Court
Farmingdale, NJ 07727

Item No.	Item Description	Estimated Quantity	Unit	Unit Bid Price	Estimated Total	Unit Bid Price	Bid Total
Base Bid							
1	Mobilization	1	LS	\$93,769.73	\$93,769.73	\$45,000.00	\$45,000.00
2	Maintenance and Protection of Traffic	1	LS	\$624.99	\$624.99	\$5,000.00	\$5,000.00
3	Soil Erosion and Sediment Control and Water Quality Control	1	LS	\$28,235.30	\$28,235.30	\$5,000.00	\$5,000.00
4	Lake Lowering, Dewatering and Maintenance & Bypass of Stream Flo	1	LS	\$15,375.59	\$15,375.59	\$120,000.00	\$120,000.00
5	Fish Salvage, Relocation and Restocking	1	LS	\$27,280.79	\$27,280.79	\$15,000.00	\$15,000.00
6	Temporary Construction Access	1	LS	\$3,544.44	\$3,544.44	\$10,000.00	\$10,000.00
7	Clearing Site	1	LS	\$403,323.79	\$403,323.79	\$100,000.00	\$100,000.00
8	Clearing Site, Structure	1	LS	\$161,621.51	\$161,621.51	\$10,000.00	\$10,000.00
9	Excavation, Unclassified	1200	CY	\$69.74	\$83,688.00	\$20.00	\$24,000.00
10	Lake Dredging and Sediment Disposal	2000	CY	\$133.48	\$266,960.00	\$150.00	\$300,000.00
11	Soil Sampling, Testing and Analysis	1	LS	\$22,499.62	\$22,499.62	\$10,000.00	\$10,000.00
12	Reno Mattress with Gravel Filter and Geotextile	300	CY	\$630.90	\$189,270.00	\$600.00	\$180,000.00
13	Repair of Existing Concrete Weir	1	LS	\$4,603.21	\$4,603.21	\$5,000.00	\$5,000.00
14	Concrete Fill	17	CY	\$398.89	\$6,781.13	\$800.00	\$13,600.00
15	Controlled Fill	9275	CY	\$41.97	\$389,271.75	\$150.00	\$1,391,250.00
16	Toe Drain with Filter Aggregate and 6" Perforated Wall HDPE	140	LF	\$142.06	\$19,888.40	\$100.00	\$14,000.00
17	6" Solid Profile Wall HDPE (Toe Drain Outfall)	40	LF	\$66.16	\$2,646.40	\$80.00	\$3,200.00
18	8" HDPE Pipe	330	LF	\$69.70	\$23,001.00	\$60.00	\$19,800.00
19	12" HDPE Pipe	40	LF	\$61.25	\$2,450.00	\$80.00	\$3,200.00
20	12" SDR11 Pipe with Concrete Encasement	105	LF	\$279.83	\$29,382.15	\$150.00	\$15,750.00
21	Pipe Filter Diaphragm	22	CY	\$241.48	\$5,312.56	\$200.00	\$4,400.00
22	4" PVC Pipe and Leader Connections	85	LF	\$63.77	\$5,420.45	\$30.00	\$2,550.00
23	Lawn Inlet, 2' x 2'	7	UNIT	\$2,035.87	\$14,251.09	\$200.00	\$1,400.00
24	Rip Rap Stone Channel Protection, 12" Thick (d50=6")	225	SY	\$93.63	\$21,066.75	\$40.00	\$9,000.00
25	Scour Hole	1	UNIT	\$2,197.71	\$2,197.71	\$2,000.00	\$2,000.00
26	Concrete Headwall H1	1	UNIT	\$16,311.87	\$16,311.87	\$5,000.00	\$5,000.00
27	Concrete Headwall H2	1	UNIT	\$12,384.43	\$12,384.43	\$5,000.00	\$5,000.00
28	Concrete Outlet Control Structure	1	LS	\$25,607.42	\$25,607.42	\$20,000.00	\$20,000.00
29	Concrete Outlet Control Structure Railing	1	LS	\$33,999.43	\$33,999.43	\$5,000.00	\$5,000.00
30	Concrete Outlet Control Structure Trash Rack	1	LS	\$7,028.27	\$7,028.27	\$3,000.00	\$3,000.00
31	Concrete Outlet Structure Stop Log and Guide Assembly	1	LS	\$33,083.73	\$33,083.73	\$5,000.00	\$5,000.00
32	Concrete Outlet Structure Hatch	1	LS	\$3,463.20	\$3,463.20	\$3,000.00	\$3,000.00
33	Reinforced Concrete Retaining Wall	1	LS	\$129,610.20	\$129,610.20	\$20,000.00	\$20,000.00
34	Retaining Wall Drainage System	1	LS	\$1,051.86	\$1,051.86	\$5,000.00	\$5,000.00
35	Retaining Wall Stone Veneer	1	LS	\$34,826.77	\$34,826.77	\$10,000.00	\$10,000.00
36	Split Rail Fence, 4' High	60	LF	\$126.67	\$7,600.20	\$50.00	\$3,000.00
37	Floating Dock	5	UNIT	\$11,639.39	\$58,196.95	\$4,000.00	\$20,000.00
38	Shrub Planting	100	UNIT	\$49.26	\$4,926.00	\$20.00	\$2,000.00
39	Turf Restoration and Final Clean Up	1	LS	\$133,737.47	\$133,737.47	\$2,000.00	\$2,000.00
40	Geese Control Fence	325	LF	\$2.51	\$815.75	\$20.00	\$6,500.00
Total Amount of Base Bid					\$2,325,109.91		\$2,423,650.00

Represents a True Summation of Bids

Indicates a corrected figure and/or computed total

BID TABULATION
Sunset Lake Dam Rehabilitation
Borough of Mountain Lakes
Morris County, New Jersey

June 13, 2023

Sheet 2 of 3

Ferraro Construction
5 Park Drive
Franklin, NJ 07416

Colonnelli Brothers
409 S. River St.
Hackensack, NJ 07601

Item No.	Item Description	Estimated Quantity	Unit	Unit Bid Price	Estimated Total	Unit Bid Price	Bid Total
Base Bid							
1	Mobilization	1	LS	\$45,000.00	\$45,000.00	\$45,000.00	\$45,000.00
2	Maintenance and Protection of Traffic	1	LS	\$18,000.00	\$18,000.00	\$94,000.00	\$94,000.00
3	Soil Erosion and Sediment Control and Water Quality Control	1	LS	\$42,000.00	\$42,000.00	\$100,000.00	\$100,000.00
4	Lake Lowering, Dewatering and Maintenance & Bypass of Stream Flo	1	LS	\$48,000.00	\$48,000.00	\$550,000.00	\$550,000.00
5	Fish Salvage, Relocation and Restocking	1	LS	\$8,000.00	\$8,000.00	\$35,000.00	\$35,000.00
6	Temporary Construction Access	1	LS	\$70,000.00	\$70,000.00	\$300,000.00	\$300,000.00
7	Clearing Site	1	LS	\$68,000.00	\$68,000.00	\$10,000.00	\$10,000.00
8	Clearing Site, Structure	1	LS	\$92,000.00	\$92,000.00	\$25,000.00	\$25,000.00
9	Excavation, Unclassified	1200	CY	\$92.00	\$110,400.00	\$50.00	\$60,000.00
10	Lake Dredging and Sediment Disposal	2000	CY	\$268.00	\$536,000.00	\$60.00	\$120,000.00
11	Soil Sampling, Testing and Analysis	1	LS	\$3,000.00	\$3,000.00	\$7,500.00	\$7,500.00
12	Reno Mattress with Gravel Filter and Geotextile	300	CY	\$880.00	\$264,000.00	\$725.00	\$217,500.00
13	Repair of Existing Concrete Weir	1	LS	\$20,000.00	\$20,000.00	\$7,500.00	\$7,500.00
14	Concrete Fill	17	CY	\$650.00	\$11,050.00	\$350.00	\$5,950.00
15	Controlled Fill	9275	CY	\$64.00	\$593,600.00	\$62.00	\$575,050.00
16	Toe Drain with Filter Aggregate and 6" Perforated Wall HDPE	140	LF	\$425.00	\$59,500.00	\$50.00	\$7,000.00
17	6" Solid Profile Wall HDPE (Toe Drain Outfall)	40	LF	\$185.00	\$7,400.00	\$50.00	\$2,000.00
18	8" HDPE Pipe	330	LF	\$150.00	\$49,500.00	\$50.00	\$16,500.00
19	12" HDPE Pipe	40	LF	\$200.00	\$8,000.00	\$85.00	\$3,400.00
20	12" SDR11 Pipe with Concrete Encasement	105	LF	\$600.00	\$63,000.00	\$250.00	\$26,250.00
21	Pipe Filter Diaphragm	22	CY	\$585.00	\$12,870.00	\$100.00	\$2,200.00
22	4" PVC Pipe and Leader Connections	85	LF	\$150.00	\$12,750.00	\$40.00	\$3,400.00
23	Lawn Inlet, 2' x 2'	7	UNIT	\$1,800.00	\$12,600.00	\$2,000.00	\$14,000.00
24	Rip Rap Stone Channel Protection, 12" Thick (d50=6")	225	SY	\$150.00	\$33,750.00	\$175.00	\$39,375.00
25	Scour Hole	1	UNIT	\$3,200.00	\$3,200.00	\$7,500.00	\$7,500.00
26	Concrete Headwall H1	1	UNIT	\$14,200.00	\$14,200.00	\$11,000.00	\$11,000.00
27	Concrete Headwall H2	1	UNIT	\$6,400.00	\$6,400.00	\$3,500.00	\$3,500.00
28	Concrete Outlet Control Structure	1	LS	\$114,000.00	\$114,000.00	\$185,000.00	\$185,000.00
29	Concrete Outlet Control Structure Railing	1	LS	\$13,500.00	\$13,500.00	\$10,000.00	\$10,000.00
30	Concrete Outlet Control Structure Trash Rack	1	LS	\$6,500.00	\$6,500.00	\$15,000.00	\$15,000.00
31	Concrete Outlet Structure Stop Log and Guide Assembly	1	LS	\$72,000.00	\$72,000.00	\$25,000.00	\$25,000.00
32	Concrete Outlet Structure Hatch	1	LS	\$4,000.00	\$4,000.00	\$10,000.00	\$10,000.00
33	Reinforced Concrete Retaining Wall	1	LS	\$128,000.00	\$128,000.00	\$425,000.00	\$425,000.00
34	Retaining Wall Drainage System	1	LS	\$13,000.00	\$13,000.00	\$35,000.00	\$35,000.00
35	Retaining Wall Stone Veneer	1	LS	\$112,000.00	\$112,000.00	\$75,000.00	\$75,000.00
36	Split Rail Fence, 4' High	60	LF	\$200.00	\$12,000.00	\$25.00	\$1,500.00
37	Floating Dock	5	UNIT	\$16,000.00	\$80,000.00	\$27,500.00	\$137,500.00
38	Shrub Planting	100	UNIT	\$110.00	\$11,000.00	\$100.00	\$10,000.00
39	Turf Restoration and Final Clean Up	1	LS	\$26,000.00	\$26,000.00	\$125,000.00	\$125,000.00
40	Geese Control Fence	325	LF	\$16.00	\$5,200.00	\$15.00	\$4,875.00
Total Amount of Base Bid					\$2,809,420.00		\$3,347,500.00

Represents a True Summation of Bids

Indicates a corrected figure and/or computed total

BID TABULATION
Sunset Lake Dam Rehabilitation
Borough of Mountain Lakes
Morris County, New Jersey

June 13, 2023

Sheet 3 of 3

Scafar Contracting, Inc.
14 Ridgedale Ave. Suite 130
Cedar Knolls, NJ 07927

Item No.	Item Description	Estimated Quantity	Unit	Unit Bid Price	Estimated Total	Unit Bid Price	Bid Total
Base Bid							
1	Mobilization	1	LS	\$45,000.00	\$45,000.00		\$0.00
2	Maintenance and Protection of Traffic	1	LS	\$10,000.00	\$10,000.00		\$0.00
3	Soil Erosion and Sediment Control and Water Quality Control	1	LS	\$300,000.00	\$300,000.00		\$0.00
4	Lake Lowering, Dewatering and Maintenance & Bypass of Stream Flo	1	LS	\$750,000.00	\$750,000.00		\$0.00
5	Fish Salvage, Relocation and Restocking	1	LS	\$10,000.00	\$10,000.00		\$0.00
6	Temporary Construction Access	1	LS	\$25,000.00	\$25,000.00		\$0.00
7	Clearing Site	1	LS	\$114,500.00	\$114,500.00		\$0.00
8	Clearing Site, Structure	1	LS	\$300,000.00	\$300,000.00		\$0.00
9	Excavation, Unclassified	1200	CY	\$125.00	\$150,000.00		\$0.00
10	Lake Dredging and Sediment Disposal	2000	CY	\$125.00	\$250,000.00		\$0.00
11	Soil Sampling, Testing and Analysis	1	LS	\$15,000.00	\$15,000.00		\$0.00
12	Reno Mattress with Gravel Filter and Geotextile	300	CY	\$1,000.00	\$300,000.00		\$0.00
13	Repair of Existing Concrete Weir	1	LS	\$12,000.00	\$12,000.00		\$0.00
14	Concrete Fill	17	CY	\$525.00	\$8,925.00		\$0.00
15	Controlled Fill	9275	CY	\$58.00	\$537,950.00		\$0.00
16	Toe Drain with Filter Aggregate and 6" Perforated Wall HDPE	140	LF	\$160.00	\$22,400.00		\$0.00
17	6" Solid Profile Wall HDPE (Toe Drain Outfall)	40	LF	\$160.00	\$6,400.00		\$0.00
18	8" HDPE Pipe	330	LF	\$80.00	\$26,400.00		\$0.00
19	12" HDPE Pipe	40	LF	\$90.00	\$3,600.00		\$0.00
20	12" SDR11 Pipe with Concrete Encasement	105	LF	\$250.00	\$26,250.00		\$0.00
21	Pipe Filter Diaphragm	22	CY	\$400.00	\$8,800.00		\$0.00
22	4" PVC Pipe and Leader Connections	85	LF	\$130.00	\$11,050.00		\$0.00
23	Lawn Inlet, 2' x 2'	7	UNIT	\$7,000.00	\$49,000.00		\$0.00
24	Rip Rap Stone Channel Protection, 12" Thick (d50=6")	225	SY	\$100.00	\$22,500.00		\$0.00
25	Scour Hole	1	UNIT	\$7,500.00	\$7,500.00		\$0.00
26	Concrete Headwall H1	1	UNIT	\$15,000.00	\$15,000.00		\$0.00
27	Concrete Headwall H2	1	UNIT	\$8,000.00	\$8,000.00		\$0.00
28	Concrete Outlet Control Structure	1	LS	\$100,000.00	\$100,000.00		\$0.00
29	Concrete Outlet Control Structure Railing	1	LS	\$6,000.00	\$6,000.00		\$0.00
30	Concrete Outlet Control Structure Trash Rack	1	LS	\$30,000.00	\$30,000.00		\$0.00
31	Concrete Outlet Structure Stop Log and Guide Assembly	1	LS	\$55,000.00	\$55,000.00		\$0.00
32	Concrete Outlet Structure Hatch	1	LS	\$10,000.00	\$10,000.00		\$0.00
33	Reinforced Concrete Retaining Wall	1	LS	\$150,000.00	\$150,000.00		\$0.00
34	Retaining Wall Drainage System	1	LS	\$10,000.00	\$10,000.00		\$0.00
35	Retaining Wall Stone Veneer	1	LS	\$25,000.00	\$25,000.00		\$0.00
36	Split Rail Fence, 4' High	60	LF	\$90.00	\$5,400.00		\$0.00
37	Floating Dock	5	UNIT	\$18,000.00	\$90,000.00		\$0.00
38	Shrub Planting	100	UNIT	\$30.00	\$3,000.00		\$0.00
39	Turf Restoration and Final Clean Up	1	LS	\$110,000.00	\$110,000.00		\$0.00
40	Geese Control Fence	325	LF	\$21.00	\$6,825.00		\$0.00
Total Amount of Base Bid					\$3,636,500.00		\$0.00

Represents a True Summation of Bids



Paul W. Ferriero, PE, PP, CME, LEED AP, CFM
Robert C. Brightly, PE, PP, CME

Steven B. Bolio, PE, CME
Joseph P. Byrne, PE
Candice J. Davis, PE, CME
Mark S. Denisiuk, PE, CME, LEED AP
Mark W. Kataryniak, PE, PTOE
Joseph S. Kosinski, PG, CFM, LEED AP
C. Richard Quamme, PE, CME
Jess H. Symonds, PE

July 5, 2023

Mitchell Stern, Manager
Borough of Mountain Lakes
400 Boulevard
Mountain Lakes, NJ 07046

Re: Sunset Lake Dam Rehabilitation
Contract Management, Inspection and Contingency Costs
Project No. 12ML106

Dear Mitchell:

As requested, this letter provides a breakdown of the costs associated with the construction phase of the Sunset Lake Dam Rehabilitation Project.

Construction Contingency – It is recommended that a construction contingency of 10%, or \$250,000 be provided for in the funding of the project.

Contract Management/Inspection – Ferriero Engineering, Inc. – This work includes the contract management of the project for reviewing submittals, answering inquiries, reviewing payment requests, etc., as well as the routine on-site inspections by Ferriero Engineering staff. The inspections exclude the “specialty” inspections outlined below. The work will be completed on a time and material basis in accordance with our fee schedule. It is recommended that \$120,000.00 be budgeted for this work.

Structural Concrete Inspections – The attached proposal from Courel Engineering, LLC outlines the scope of work and costs for the inspection of the structural concrete. The total cost in this proposal is \$20,025.00.

Geotechnical Inspections – The attached proposal from GZA provides the cost for the geotechnical inspections for the dam work. The total cost for this is \$44,460.00.

The grand total of the inspection/contract management is \$184,485.00. It is recommended that \$190,000.00 be budgeted for this work.

• • •

■ 180 Main Street • P.O. Box 571 • Chester, NJ 07930 • 908-879-6209 • Fax: 908-879-6597
□ 17 Model Avenue • P.O. Box 577 • Hopewell, NJ 08525 • 609-466-0002 • Fax: 609-466-2008
mail@FerrieroEngineering.com

Ferriero Engineering, Inc.
July 5, 2023
Page 2

Re: Sunset Lake Dam Rehabilitation
Contract Management, Inspection and Contingency Costs
Project No. 12ML106

Please let me know if you have any questions or require further information.

Very truly yours,

A handwritten signature in black ink, appearing to read "Paul W. Ferriero", with a horizontal line extending to the right.

Paul W. Ferriero, PE, CME
Ferriero Engineering, Inc.

BOROUGH OF MOUNTAIN LAKES

MORRIS COUNTY, NEW JERSEY

ORDINANCE # 12-23

BOND ORDINANCE MAKING A SUPPLEMENTAL APPROPRIATION OF \$850,000 FOR THE IMPROVEMENT OF THE SUNSET LAKE DAM IN AND BY THE BOROUGH HERETOFORE AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF MOUNTAIN LAKES, IN THE COUNTY OF MORRIS, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$809,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH SUPPLEMENTAL APPROPRIATION.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MOUNTAIN LAKES, IN THE COUNTY OF MORRIS, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

Section 1. The improvement described in Section 3 of this bond ordinance has heretofore been and is hereby authorized as a general improvement to be made or acquired by the Borough of Mountain Lakes, New Jersey, by Section 3(d) of the bond ordinance (the "Prior Ordinance") of the Borough adopted on April 8, 2019 (#2-2019), entitled: "Bond ordinance appropriating \$3,185,956, and authorizing the issuance of \$2,815,758 bonds or notes (including the receipt by the Borough of a loan or loans from the NJDEP Division of Dam Safety and Flood Control) of the Borough, for various improvements or purposes authorized to be undertaken by the Borough of Mountain Lakes, in the County of Morris, New Jersey". The cost of the improvement described in Section 3(a) of this bond ordinance, estimated in April, 2019, at \$2,100,000 is now estimated at \$2,950,000. By the Prior Ordinance there has been appropriated to payment of the cost of said improvement the sum of \$2,100,000. It is now necessary for the Borough to raise the additional sum of \$850,000 to meet the remainder of said \$2,950,000

estimated cost of said improvement not provided by the appropriation therefor made by the Prior Ordinance.

Section 2. For the financing of said improvement or purpose, including for the purpose of applicable United States Treasury regulations the reimbursement of expenditures heretofore or hereafter made therefor, and in addition to the sum of \$2,100,000 heretofore appropriated therefor by the Prior Ordinance, there is hereby appropriated the further sum of \$850,000 including the sum of \$41,000 as a down payment for said improvement or purpose required by law and now available therefor by virtue of provision in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes. Said additional appropriation of \$850,000 shall be financed and met from the said down payment and the proceeds of negotiable bonds of the Borough which are hereby authorized to be issued in the principal amount of \$809,000 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Borough in a principal amount not exceeding \$809,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. (a) The improvement heretofore and hereby authorized and purpose for the financing of which said obligations are to be issued is the improvement of the Sunset Lake Dam in and by the Borough, by the rehabilitation thereof, together with all designs, studies, engineering, structures, equipment, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and heretofore and hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for said purpose is \$2,809,000, inclusive of the \$2,000,000 principal amount of bonds or notes of the Borough heretofore authorized for said improvement or purpose pursuant to the Prior Ordinance.

(c) The estimated cost of said purpose is \$2,950,000 inclusive of the sum of \$2,100,000 heretofore appropriated for said improvement by the Prior Ordinance.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this bond ordinance is not a current expense and is a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of said purpose within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is twenty (20) years.

(c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$809,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$200,000 for interest on said obligations, costs of issuing said obligations and other items of expense listed in and permitted under section 40A:2-20 of said Local Bond Law may be included as part of the additional cost of said improvement and has been included in the foregoing \$850,000 additional estimate thereof.

Section 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer, the acting chief financial officer or the treasurer (the "Chief Financial Officer"), provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale at not less than par and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Borough at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 6. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough

Section 7. The capital budget or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

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Cara Fox, Borough Clerk

Adopted: 7/24/23

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