



April 28, 2026

New Jersey Department of Environmental Protection
401 East State Street
Trenton, NJ 08625

To whom it may concern:

Subject: North Union Pump Station Replacement
Written Justification For Change Order Exceeding Twenty Percent (20%)
of Original Contract Amount Pursuant to N.J.A.C. 5:30-11.9

On behalf of Lambertville Municipal Utilities Authority

This is an additional written justification provided to the NJDEP for the total amount of change orders exceeding 20% of the original project amount.

Project Information

Project Name: North Union Pump Station Replacement
Contracting Unit: Lambertville Municipal Utilities Authority
Contract Number: COS-1
Contractor: Dulaine Contracting, Inc.
Original Contract Amount: \$1,574,198.00
Total Amount of Previously Approved Change Orders: \$265,324.41
Proposed Change Order 14 Amount: \$104,082.74
Cumulative Change Order Amount: \$369,407.15
Cumulative Change Orders Exceed 20 Percent of Original Contract Amount

Description of Proposed Change Order

The proposed change order addresses additional costs for equipment rentals, labor, and materials incurred during a delay period from October 23, 2025, to December 23, 2025, caused by delays associated with the installation of permanent electric and gas utility services. As of October 23, 2025, the Contractor had installed all critical equipment and was prepared for substantial completion pending successful station startup. Permanent electric service by JCP&L was required to energize all controls and equipment, and permanent gas service and meter installation by Elizabethtown Gas were required to supply natural gas to the emergency generator. The generator could not be tested or commissioned until gas service was established.

Today's Commitment to Tomorrow's Challenges

| | | | | |
|--|---|--|---|---|
| Corporate Office: 949 Easton Road Warrington, PA 18976 215.343.5700 | 630 Freedom Business Center Third Floor King of Prussia, PA 19406 610.572.7093 | 433 Lancaster Avenue Suite 200 Malvern, PA 19355 610.489.5100 | 101 Larry Holmes Drive Suite 201 Easton, PA 18042 610.989.4940 | 105 Raider Boulevard Suite 206 Hillsborough, NJ 08844 908.874.7500 |
|--|---|--|---|---|

www.carrollengineering.com

Factual Circumstances Necessitating the Change Order

Although utility connections were included in the project requirements, the scheduling and execution of electric and gas service installations were controlled by the utility companies. The Authority provided a minimum of two months' notice and actively coordinated with JCP&L and Elizabethtown Gas to expedite the installations. Despite these efforts, the Contractor was forced into a work stoppage and remained fully mobilized, as demobilization was impractical due to the need to complete final punch list work and immediately proceed with startup upon availability of utility services.

Statement of Unpredictability

The duration and timing of the utility service delays could not have been reasonably anticipated at the time of bid. While the need for permanent utilities was known, the lengthy delay was the result of third-party utility scheduling beyond the control of both the Authority and the Contractor and therefore was not reasonably foreseeable.

Best Interest of the Contracting Unit

Issuance of this change order is in the best interest of the Lambertville Municipal Utilities Authority and does not constitute an abuse of the change order process. Rebidding or separate contracts for this work was not practical, as the work was materially complete and the utility tie ins allowed us to test equipment and complete official startup, which would be impractical under a separate project. Pursuing rebidding or a separate contract would have resulted in additional schedule delays, increased costs, and disruption to pump station commissioning. Executing this work through a change order allows for efficient project completion while protecting the Authority's investment.

Competitive Bidding Certification

The change order does not materially alter the scope, quality, or character of the work originally bid and does not undermine the original competitive bidding process or bidder ranking.

Funding Certification

Funding will be provided by the New Jersey Infrastructure Bank and FEMA pending review and approval of the change order.

Technical Certification

Permanent electric and gas utility services were technical prerequisites to safely energize, test, and commission the pump station and emergency generator systems.

Contractor Certification

The Contractor certifies that the costs requested were incurred as a direct result of utility service delays outside the Contractor's control.

Governing Body Action

Date Submitted: March 25, 2026

Resolution Number: 035-4-2026

Date Approved: April 7, 2026

New Jersey Department of Environmental Protection

Page 3

April 28, 2026

Should you have any questions or require additional information, please feel free to contact this office.

Very truly yours,

CARROLL ENGINEERING

Michael J. McCarey

Michael J. McCarey, P.E.

MJM:cam