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Counsel for Plaintiff United States of America

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

-----X	
UNITED STATES OF AMERICA,	:
	:
Plaintiff,	:
	:
v.	:
	:
JERSEY CITY MUNICIPAL UTILITIES	:
AUTHORITY, and THE STATE OF	:
NEW JERSEY,	:
	:
Defendants.	:
-----X	

Civil No. 11-cv-04120

NOTICE OF LODGING OF MODIFICATION TO
2011 CONSENT DECREE
SUBJECT TO PUBLIC COMMENT
(No Action Required)

Plaintiff, the United States of America, hereby lodges with the Court the attached proposed Modification (“Modification”) to the Consent Decree in this case between the United States and Defendant Jersey City Municipal Utilities Authority (“Defendant”) that the Court entered on September 27, 2011. (Doc. No. 5) (the “Decree”).

Plaintiff and Defendant have agreed to the proposed Modification. In accordance with Paragraph 103 of the Decree, the Decree may be modified by a subsequent written agreement signed by the United States and Defendant, and a material change to the Decree shall be effective only upon approval by the Court. *See* Decree ¶ 103 (Doc. No. 3). Because the proposed Modification represents a material change to the Decree, the Modification requires Court approval.

Consistent with Department of Justice regulations (28 C.F.R. § 50.7), the United States is inviting the public to comment on the proposed Modification for a period of sixty (60) days before seeking judicial approval. The public comment period will begin upon publication of a notice in the Federal Register, which we anticipate will occur shortly. After the close of the comment period, the United

States will evaluate any comments received and will advise the Court as to whether the United States requests that the Modification be approved and entered by the Court. **Accordingly, the United States respectfully requests that the Court take no action with respect to the Modification until the United States moves for the approval and entry of the Modification or otherwise advises the Court.**

Respectfully submitted,

FOR THE UNITED STATES OF AMERICA

TODD KIM
Assistant Attorney General
U.S. Department of Justice
Environment and Natural Resources Division

January 27, 2022
Dated

s/ Patrick B. Bryan
PATRICK B. BRYAN
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U.S. Department of Justice
Environment and Natural Resources Division
Environmental Enforcement Section
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United States Attorney
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OF COUNSEL:
CHRISTOPHER SAPORITA
Assistant Regional Counsel
U.S. Environmental Protection Agency
290 Broadway
New York, New York 10007-1866

CERTIFICATE OF SERVICE

I certify that on January 27, 2022, I caused to be served the foregoing “Notice of Lodging of Modification to 2011 Consent Decree Subject to Public Comment,” with the attached proposed Modification, by e-mail and U.S. Mail upon:

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Michael Luchkiw, Esq.
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Counsel for State of New Jersey

s/ Patrick B. Bryan
PATRICK B. BRYAN
Senior Attorney
United States Department of Justice
Environment & Natural Resources Division

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

----- X
UNITED STATES OF AMERICA, :
 :
 Plaintiff, :
 : Civil No. 11-cv-04120
 v. :
 :
 JERSEY CITY MUNICIPAL UTILITIES :
 AUTHORITY, and THE STATE OF :
 NEW JERSEY, :
 :
 Defendants. :
----- X

**MODIFICATION
TO CONSENT DECREE**

WHEREAS, plaintiff United States of America, on behalf of the United States Environmental Protection Agency (“EPA”), filed a Complaint in this action on July 19, 2011, alleging that Defendant Jersey City Municipal Utilities Authority (hereinafter “Defendant” or “JCMUA”) violated Section 301(a) of the Clean Water Act (“CWA” of the “Act”), 33 U.S.C. § 1311(a), and the New Jersey Pollutant Discharge Elimination System General Permit for Combined Sewer Systems (“CSS General Permit”) that had been issued to it pursuant to Section 402 of the Act, 33 U.S.C. § 1342, due to unauthorized, illegal, and persistent discharges of pollutants from its Combined Sewer System (“CSS”). The State of New Jersey is a defendant in this action solely for purposes of Section 309(e) of the Act, 33 U.S.C. § 1319(e).

WHEREAS, the Complaint against Defendant alleges that Defendant has violated the CWA and its CSS General Permit conditions and limitations in a number of ways, including, but not limited to, causing dry weather overflows, failing to properly operate and maintain its CSS, failing to prevent tidal intrusion into the collection system, and allowing the discharge of untreated sewage from the collection system onto public and private property located in Jersey City, New Jersey, where people have or could come into contact with the untreated sewage.

WHEREAS, on July 19, 2011, the United States lodged a proposed Consent Decree resolving the claims alleged in the Complaint.

WHEREAS, on September 27, 2011, following a period of public comment, the Court entered the Consent Decree as a judgment of the Court pursuant to Federal Rules of Civil Procedure 54 and 58.

WHEREAS, under Paragraph 103 of the Consent Decree, the Consent Decree may be modified by a subsequent written agreement signed by the United States and Defendant (the “Parties”), and a material change to the Consent Decree shall be effective only upon approval by the Court.

WHEREAS, beginning in 2012, and continuing to the present, pursuant to Section VIII (Reporting Requirements) of the Consent Decree, Defendant has submitted the required Quarterly Reports and has held Quarterly Progress Meetings with EPA where Defendant has detailed progress and compliance with the Consent Decree.

WHEREAS, EPA has closely monitored the status of Defendant’s compliance with the Consent Decree.

WHEREAS, Defendant has reported to EPA that it needs additional time beyond the final compliance deadlines in the Consent Decree to complete three specific projects that the Consent Decree requires Defendant to perform: (1) repairs to the CSS to address flooding, sewer backups, and structural and operational sewer defects (the “Phased Work Repairs”) (see Consent Decree ¶ 13); (2) the cleaning and replacement as necessary of the Grand Street Twin 54”

Sewers (the “Grand Street Project”) (see Consent Decree ¶ 30); and (3) improvements to Defendant’s pump stations (the “Pump Station Improvements”) (see Consent Decree ¶ 32).

WHEREAS, with regard to Phased Work Repairs, Defendant has undertaken a Combined Sewer System Capacity and Condition Assessment Study (“Capacity and Condition Assessment Study”), and the Consent Decree currently requires Defendant to complete all the recommended actions resulting from the Capacity and Condition Assessment Study no later than December 31, 2021. See Consent Decree ¶ 13.

WHEREAS, the Parties recognized at the time of Consent Decree entry that “the extent of the repairs and actions necessarily resulting from each phase of the Capacity and Condition Assessment Study are presently unknown and cannot be estimated until after each phase of the Capacity and Condition Assessment Study is completed,” and that the Parties “agree to confer on an as needed basis to discuss the relative priority to be given to the actions resulting from the Capacity and Condition Assessment Study.” Consent Decree ¶ 13.

WHEREAS, during Defendant’s implementation of the Phased Work Repairs following entry of the Consent Decree, Defendant found that the affected sewers had degraded more than the Parties anticipated at the time they negotiated the Consent Decree, and as a result, Defendant now proposes to add an additional seven phases of repairs to the sewer system that the Parties did not incorporate into the original Consent Decree, and to perform other work that is not currently contemplated in the Consent Decree to ensure proper completion of the Phased Work Repairs, including the replacement of lead water pipes and sewer laterals.

WHEREAS, Defendant estimates that its performance of the additional work needed to ensure the proper completion of the Phased Work Repairs will cost at least \$389 million more than the Phased Work Repairs envisioned by the Parties in the original Consent Decree, and will lead to greater environmental and health benefits for the residents of Jersey City than the current Consent Decree contemplates.

WHEREAS, as contemplated in the Consent Decree, Defendant seeks an extension of the December 31, 2021 deadline set forth in the Consent Decree, through December 31, 2031, for the completion of the additional work identified in the Combined Sewer System Capacity and Condition Assessment Study as needed to ensure the proper completion of the Phased Work Repairs.

WHEREAS, with regard to the Grand Street Project, the Consent Decree requires Defendant to “clean, line, and replace as necessary, the Grand Street Twin 54” Sewers” by October 1, 2019. See Consent Decree ¶ 30.

WHEREAS, at the time the Court entered the Consent Decree, Defendant estimated that the cost to complete the Grand Street Project would be approximately \$22 million, and that the

scope of the Grand Street Project included 252 pipe reaches along Grand Street, Fairmont Avenue, and Mill Creek Trunk sewer with only 10 requiring complete replacement.

WHEREAS, during Defendant's implementation of the Grand Street Project following entry of the Consent Decree, Defendant: (1) learned that the condition of the Grand Street sewers was worse than the Parties had anticipated during Consent Decree negotiations, and required over 37,000 linear feet of pipe replacement; and (2) realized that, in order to further reduce flooding, sewage backups, and combined sewer overflow discharge volumes in the Grand Street Project area, Defendant would need to perform additional work that is not currently contemplated in the Consent Decree, such as sewer separations, along with new pump stations and stormwater outfalls.

WHEREAS, Defendant estimates that the cost of the additional work necessary to complete the Grand Street Project will be approximately \$700 million more than the Parties had originally estimated at the time of Consent Decree entry.

WHEREAS, the additional work necessary to complete the Grand Street Project incorporates over a mile of additional sewer segments in communities with environmental justice concerns, and will reduce the environmental burden of flooding and sewage backups in these communities.

WHEREAS, to complete the additional work necessary to implement the Grand Street Project, Defendant has requested an extension of the current deadline set forth in the Consent Decree through December 31, 2031.

WHEREAS, with regard to the Pump Station Improvements, pursuant to the Consent Decree, Defendant has prepared an engineering report making necessary recommendations for upgrading four pump stations ("Pump Station Report"). See Consent Decree ¶ 32.

WHEREAS, in accordance with the Consent Decree, in 2013, EPA approved Defendant's Pump Station Report, which recommended improvements to four of Defendant's fifteen pump stations. See Consent Decree ¶ 32.

WHEREAS, the Consent Decree required Defendant to complete the work identified in the Pump Station Report by July 1, 2014. See Consent Decree ¶ 32.

WHEREAS, the Parties recognized at the time of Consent Decree entry that "the extent of any repairs and actions identified in the Pump Station Report are presently unknown and cannot be estimated until after the completion of the Pump Station Report," and that Defendant thus "may seek to modify the July 1, 2014" deadline if substantial repairs and actions are necessary. See Consent Decree ¶ 32.

WHEREAS, for three of the four pump stations, Defendant experienced unanticipated

delays and expenditures stemming from, for example, third party property owners limiting property access to Defendant to perform necessary work, disagreements with local property owners with regard to the design of the pump stations, and delays in obtaining necessary local and state permits.

WHEREAS, for three of the four pump stations, Defendant proposes to expand the scope of work for the Pump Station Improvements beyond the Consent Decree's requirements in order to prepare for and adapt to climate change by incorporating higher minimum design thresholds that the Federal Emergency Management Agency ("FEMA") established after Superstorm Sandy, including raising elevations and adding resiliency measures for 500-year storm events, which are required by the State to be incorporated into the project design for loan funding approval.

WHEREAS, Defendant estimates that the additional work it seeks to perform with regard to the Pump Station Improvements will cost approximately \$10 million more than Defendant anticipated at the time of Consent Decree entry.

WHEREAS, to complete the additional work for the Pump Station Improvements, Defendant has requested an extension of the current deadline set forth in the Consent Decree through December 31, 2023.

WHEREAS, the Parties expect that the additional work associated with the Phased Work Repairs, Grand Street Project, and Pump Station Improvements that Defendant has agreed to perform as a result of this Modification should result in greater environmental benefits for the residents of Jersey City than the current Consent Decree contemplates, including the reduction of lead in drinking water, increased conveyance of sewage for treatment, reductions in street flooding, and reductions in residential sewage backups.

WHEREAS, because of the additional work associated with the Phased Work Repairs, Grand Street Project, and Pump Station Improvements that Defendant has agreed to perform as a result of this Modification, Defendant will spend approximately \$1.099 billion more in upgrades and improvements to Jersey City's CSS than the Consent Decree currently contemplates.

WHEREAS, the Parties agree that the Consent Decree may be amended pursuant to this Modification.

WHEREAS, the Parties recognize, and the Court, by entering this Modification, finds, that this Modification has been negotiated by the Parties in good faith and will avoid litigation among the Parties and that this Modification is fair, reasonable, and in the public interest.

NOW, THEREFORE, before the taking of any testimony, without the adjudication or admission of any issue of fact or law except as provided in Section I (Jurisdiction and Venue) of

the Consent Decree, and with the consent of the Parties, IT IS HEREBY ADJUDGED, ORDERED, AND DECREED as follows:

1. The terms used in this Modification that are defined in the CWA, or in regulations promulgated pursuant to the CWA, shall have the meanings assigned to them in the CWA or such regulations, unless otherwise provided in the Consent Decree or in this Modification. Unless specifically set forth in this Modification (including the Exhibits attached hereto, which are incorporated herein), the definitions set forth in Section IV (Definitions) of the Consent Decree shall apply to this Modification.

2. Except as specifically set forth in this Modification, the terms and conditions of this Consent Decree shall remain in full force and effect.

3. The last sentence of Paragraph 13 of the Consent Decree (beginning “Defendant shall complete all of the recommended actions . . .”) is replaced with the following:

Defendant shall complete all recommended actions resulting from Phase I and II of the Capacity and Condition Assessment Study no later than May 31, 2023. Defendant shall commence all recommended actions resulting from all remaining phases no later than December 31, 2027, including recommended actions from additional Phases, namely, Phases II(A), V(A)-(C), VI(B), VII(B), and VIII, and shall complete all recommended actions from all phases no later than December 31, 2031. Defendant shall complete the recommended actions in coordination with its replacement of lead water pipes and sewer lateral repairs, as necessary.

4. Paragraph 30 of the Consent Decree is replaced with the following:

Defendant shall commence construction on the Grand Street sewer separation and repair project no later than June 30, 2027, shall complete 50% of the project no later than September 30, 2029, and shall complete the entire project no later than December 31, 2031. This project is more fully described in Appendix C.

5. The following language is added to the end of Section 6 in Appendix C of the Consent Decree:

The Grand Street project shall include the construction of new separate sanitary and storm sewers on Grand Street from Communipaw Avenue to the Hudson River and between Christopher Columbus Drive and Grand

Street, including new storm water outfalls and a new storm water pump station at the foot of Jersey Avenue. A second new pump station shall also be constructed to abate flooding on Merseles Street and Wayne Street. The capacity of the constructed dedicated sanitary sewers shall be capable of servicing all projected additional development and the capacity of the constructed storm sewers shall be capable of handling peak flows. The attached sub-appendices identified as Exhibits A, B, and C further illustrate the scope of the Grand Street project. Exhibits A and B depict pictorially the proposed work that JCMUA will perform. Exhibit C provides a revised cost estimate of the work.

6. Section 6 in Appendix C of the Consent Decree is modified to include, as sub-appendices, the attached Exhibits A, B, and C.

7. The third sentence in Paragraph 32.b of the Consent Decree (beginning “JCMUA shall implement . . .”) is replaced with the following sentence:

JCMUA shall implement the approved Pump Station Report, in accordance with the approved schedule, if any, and shall complete all work set forth in the approved schedule for the remaining pump stations (1, 2 and 3B) by no later than December 31, 2023.

8. The last sentence in Paragraph 32.b of the Consent Decree (beginning “The Parties agree that the extent of any repairs . . .”) is hereby deleted.

Dated and entered this _____ day of _____, _____.

UNITED STATES DISTRICT JUDGE
District of New Jersey

WE HEREBY CONSENT to the entry of this Modification of the Consent Decree in *United States v. Jersey City Municipal Utilities Authority*, Civil No. 11-cv-04120, subject to the public notice and comment provisions of 28 C.F.R. §50.7:

FOR THE UNITED STATES OF AMERICA:

TODD KIM
Assistant Attorney General
U.S. Department of Justice
Environment and Natural Resources Division

January 26, 2022

Dated

s/ Patrick B. Bryan

PATRICK B. BRYAN
Senior Attorney
U.S. Department of Justice
Environment and Natural Resources Division
Environmental Enforcement Section
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PHILIP R. SELLINGER
United States Attorney
District of New Jersey

J. ANDREW RUYMANN
Assistant United States Attorney
Chief, Civil Division
United States Attorney's Office, District of New Jersey
402 East State Street, Room 430
Trenton, New Jersey 08608

WE HEREBY CONSENT to the entry of this Modification of the Consent Decree in *United States v. Jersey City Municipal Utilities Authority*, Civil No. 11-cv-04120, subject to the public notice and comment provisions of 28 C.F.R. §50.7:

FOR THE U.S. ENVIRONMENTAL PROTECTION AGENCY:

January 24, 2022
Dated

s/ Paul Simon
PAUL SIMON
Acting Regional Counsel
U.S. Environmental Protection Agency
Region 2
290 Broadway
New York, New York 10007-1866

OF COUNSEL:
CHRISTOPHER SAPORITA
Assistant Regional Counsel
U.S. Environmental Protection Agency
Region 2
290 Broadway
New York, New York 10007-1866

Signature Page for Modification to Consent Decree in *United States v. Jersey City Municipal Utilities Authority*, Civil No. 11-cv-04120

FOR THE U.S. ENVIRONMENTAL PROTECTION AGENCY:

Nathan Mark
Pollins  Digitally signed by Nathan Mark Pollins
Date: 2021.12.10 11:23:29 -05'00'

Dated

MARK POLLINS
Director, Water Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency

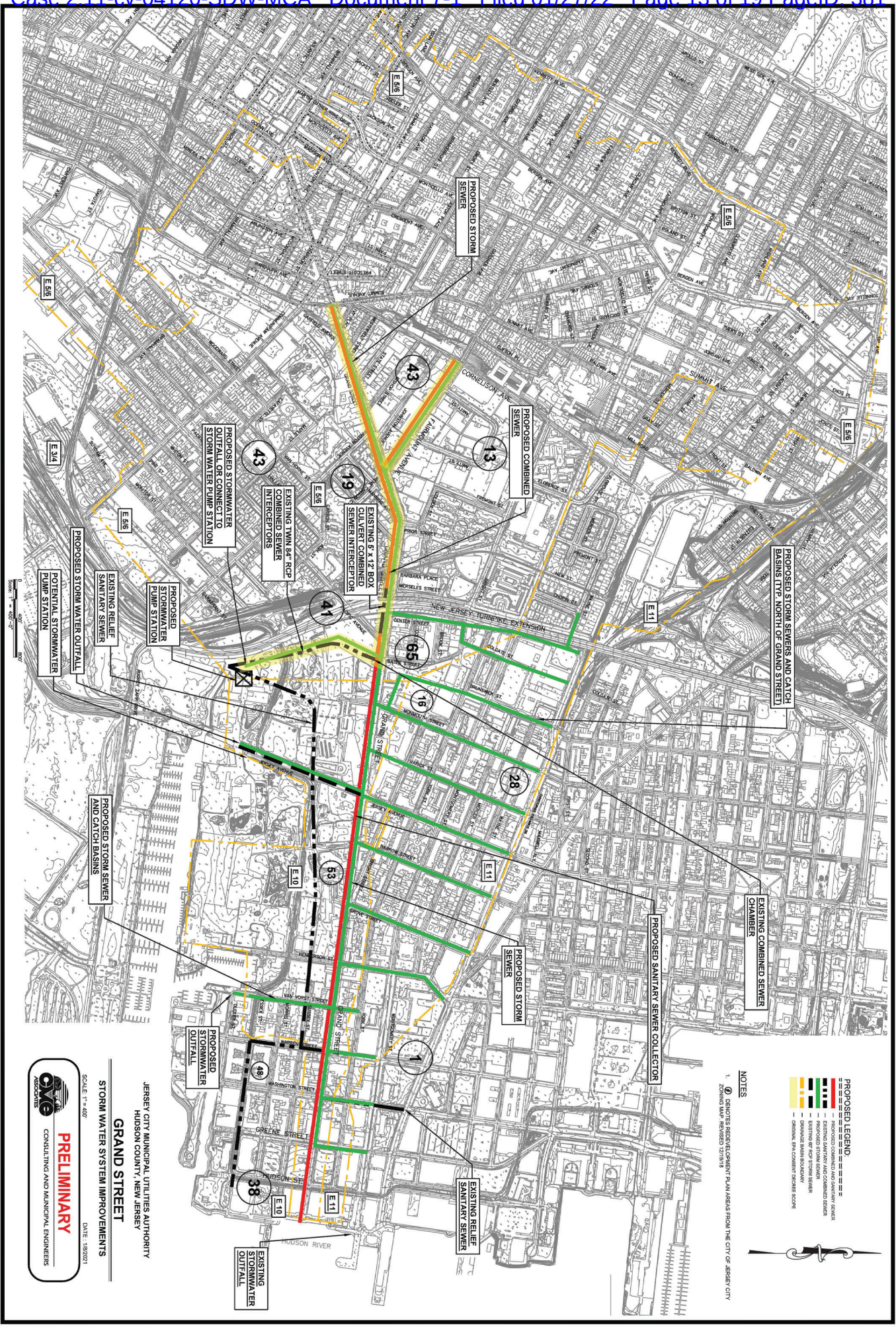
WE HEREBY CONSENT to the entry of this Modification of the Consent Decree in *United States v. Jersey City Municipal Utilities Authority*, Civil No. 11-cv-04120, subject to the public notice and comment provisions of 28 C.F.R. §50.7:

FOR DEFENDANT JERSEY CITY MUNICIPAL UTILITIES AUTHORITY:

Jan. 13, 2022
Dated

Maureen Hulings
Maureen Hulings
Chairperson
Board of Commissioners
Jersey City Municipal Utilities Authority
13 - 15 Linden Ave East
Jersey City, NJ 07305

Exhibit A



PROPOSED LEGEND

- PROPOSED COMBINED AND SANITARY SEWER
- PROPOSED SANITARY AND COMBINED SEWER
- EXISTING SANITARY AND COMBINED SEWER
- EXISTING 6" TO 30" STORM SEWER
- EXISTING 36" TO 48" STORM SEWER
- EXISTING 60" TO 72" STORM SEWER
- EXISTING 78" TO 96" STORM SEWER
- EXISTING 108" TO 120" STORM SEWER
- EXISTING 144" TO 180" STORM SEWER
- EXISTING 216" TO 240" STORM SEWER
- EXISTING 300" TO 360" STORM SEWER
- EXISTING 48" TO 60" SANITARY SEWER
- EXISTING 72" TO 96" SANITARY SEWER
- EXISTING 108" TO 144" SANITARY SEWER
- EXISTING 180" TO 240" SANITARY SEWER
- EXISTING 300" TO 360" SANITARY SEWER
- EXISTING 48" TO 60" COMBINED SEWER
- EXISTING 72" TO 96" COMBINED SEWER
- EXISTING 108" TO 144" COMBINED SEWER
- EXISTING 180" TO 240" COMBINED SEWER
- EXISTING 300" TO 360" COMBINED SEWER
- EXISTING 48" TO 60" SANITARY AND COMBINED SEWER
- EXISTING 72" TO 96" SANITARY AND COMBINED SEWER
- EXISTING 108" TO 144" SANITARY AND COMBINED SEWER
- EXISTING 180" TO 240" SANITARY AND COMBINED SEWER
- EXISTING 300" TO 360" SANITARY AND COMBINED SEWER

NOTES

1. DENOTES REDEVELOPMENT PLAN AREAS FROM THE CITY OF JERSEY CITY ZONING MAP REVISED 12/18/18

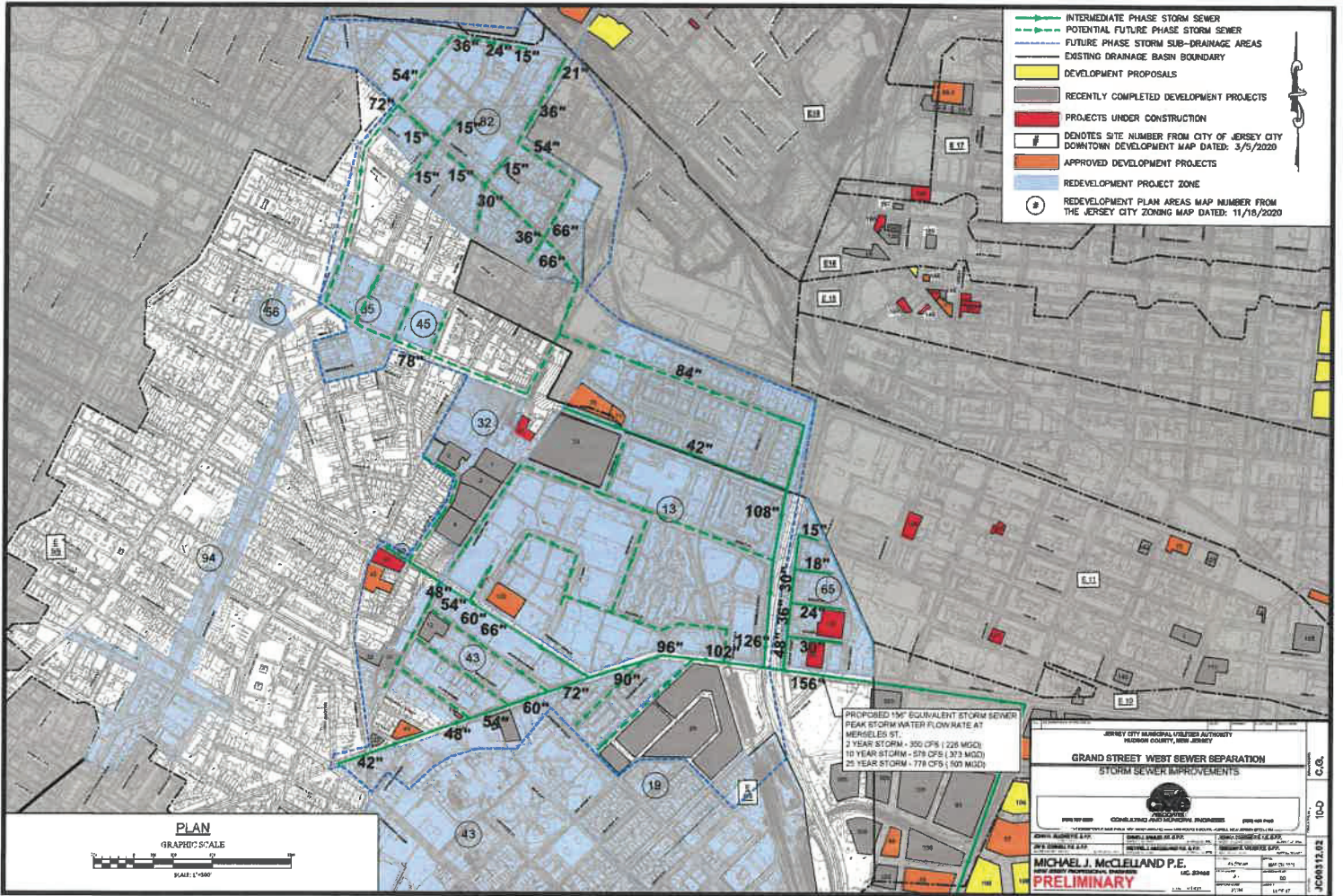


PRELIMINARY

 CONSULTING AND MUNICIPAL ENGINEERS

SCALE: 1" = 400'
 DATE: 1/16/2021
 JERSEY CITY MUNICIPAL UTILITIES AUTHORITY
 HUDSON COUNTY, NEW JERSEY
GRAND STREET
 STORM WATER SYSTEM IMPROVEMENTS

Exhibit B



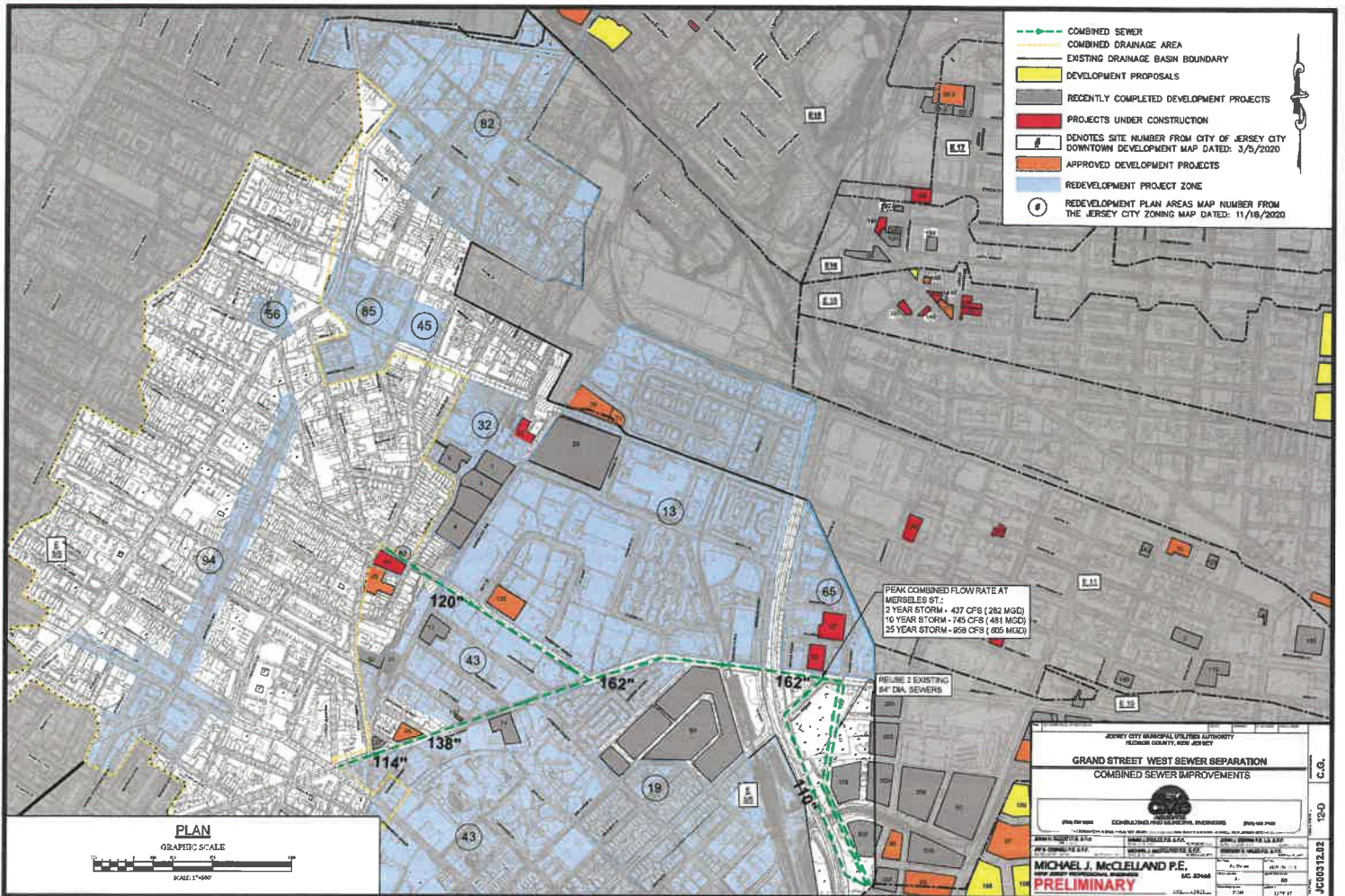


Exhibit C

ENGINEER'S OPINION OF PROBABLE NJIB PROJECT COST

PROJECT NO. PJC-02020.02

PROJECT NAME: Grand Street Sewer Separation

DESCRIPTION: Proposed separated sewer system on Fairmount Avenue and Grand Street to 750 MGD Vertical Lift Stormwater Pump Station at Mill Creek Outfall and in Basins E10 and E11
OWNER: JCMUA



Item	Work Description	Quantity	UN	Unit Price	Total Price
1	Mobilization @ 2%	1	UN		\$ 7,284,275.52
2	15" Dia. Reinforced Concrete Pipe (RCP)	6400	LF	\$ 100.00	\$ 640,000.00
3	18" Dia. Reinforced Concrete Pipe (RCP)	2800	LF	\$ 125.00	\$ 350,000.00
4	24" Dia. Reinforced Concrete Pipe (RCP)	4800	LF	\$ 175.00	\$ 840,000.00
5	30" Dia. Reinforced Concrete Pipe (RCP)	4800	LF	\$ 200.00	\$ 960,000.00
6	36" Dia. Reinforced Concrete Pipe (RCP)	4100	LF	\$ 280.00	\$ 1,148,000.00
7	42" Dia. Reinforced Concrete Pipe (RCP)	2850	LF	\$ 375.00	\$ 1,068,750.00
8	48" Dia. Reinforced Concrete Pipe (RCP)	2650	LF	\$ 535.00	\$ 1,417,750.00
9	54" Dia. Reinforced Concrete Pipe (RCP)	1950	LF	\$ 700.00	\$ 1,365,000.00
10	60" Dia. Reinforced Concrete Pipe (RCP)	2100	LF	\$ 960.00	\$ 2,016,000.00
11	66" Dia. Reinforced Concrete Pipe (RCP)	1750	LF	\$ 1,117.50	\$ 1,955,625.00
12	72" Dia. Reinforced Concrete Pipe (RCP)	800	LF	\$ 1,275.00	\$ 1,020,000.00
13	78" Dia. Reinforced Concrete Pipe (RCP)	550	LF	\$ 1,457.50	\$ 801,625.00
14	84" Dia. Reinforced Concrete Pipe (RCP)	1600	LF	\$ 1,640.00	\$ 2,624,000.00
15	Open Cut Installation of 18" PVC Sanitary Sewer	8850	LF	\$ 531.00	\$ 4,699,350.00
16	Open Cut Installation of 24" PVC Sanitary Sewer	8400	LF	\$ 635.00	\$ 5,334,000.00
17	Open Cut Installation of 30" PVC Sanitary Sewer	7575	LF	\$ 689.00	\$ 5,219,175.00
18	Open Cut Installation of 36" PVC Sanitary Sewer	8550	LF	\$ 740.00	\$ 6,327,000.00
19	Open Cut Installation of 42" PVC Sanitary Sewer	9300	LF	\$ 785.00	\$ 7,300,500.00
20	Open Cut Installation of 36" CCFRPM Storm Sewer	700	LF	\$ 750.00	\$ 525,000.00
21	Open Cut Installation of 66" CCFRPM Storm Sewer	550	LF	\$ 1,100.00	\$ 605,000.00
22	Open Cut Installation of 84" CCFRPM Storm Sewer	1950	LF	\$ 1,250.00	\$ 2,437,500.00
23	Open Cut Installation of 96" CCFRPM Storm Sewer	14000	LF	\$ 1,500.00	\$ 21,000,000.00
24	Storm Water Pump Station	750	MGD	\$ 378,748.57	\$ 284,061,426.53
25	Storm Water Screening Facility	250	MGD	\$ 24,171.45	\$ 6,042,863.57
26	Storm Water Screening Facility	250	MGD	\$ 24,171.45	\$ 6,042,863.57
27	Storm Water Screening Facility	250	MGD	\$ 24,171.45	\$ 6,042,863.57
28	4' Dia. Sanitary Sewer Manhole 0' to 15' Deep	74	UN	\$ 8,000.00	\$ 592,000.00
29	6' Dia. Sanitary Sewer Manhole 0' to 15' Deep	72	UN	\$ 15,000.00	\$ 1,080,000.00
30	8' Dia. Sanitary Sewer Manhole 0' to 15' Deep	35	UN	\$ 20,000.00	\$ 700,000.00
31	10' Dia. Sanitary Sewer Manhole 0' to 15' Deep	79	UN	\$ 30,000.00	\$ 2,370,000.00
32	Type B Inlet Installation	320	UN	\$ 3,900.00	\$ 1,248,000.00
33	Disposing of Contaminated Non-Hazardous Soils (ID-27)	371,719	TON	\$ 54.50	\$ 20,258,685.50
34	Soil Aggregate Backfill	359,333	CY	\$ 10.00	\$ 3,593,333.33
35	Roadway Trench Repair	106,334	SY	\$ 90.00	\$ 9,570,060.00
36	NJDOT No. 57 Type Stone Pipe Bedding, 6" Thick	26556	CY	\$ 30.00	\$ 796,680.00
37	Additional No. 57 Stone	2000	CY	\$ 10.00	\$ 20,000.00
38	Test Pit (if and where ordered)	1000	CY	\$ 25.00	\$ 25,000.00
39	Allowance for Unforeseen Subsurface Conditions (if and where needed)	1	ALLOW	\$ 500,000.00	\$ 500,000.00
40	Allowance for Asphalt Price adjustment (if and where needed)	1	ALLOW	\$ 10,000.00	\$ 10,000.00
41	Allowance for Fuel Price adjustment (if and where needed)	1	ALLOW	\$ 10,000.00	\$ 10,000.00
42	Environmental and Cultural Resource Protection/Restoration Measures	1	LS	\$ 250,000.00	\$ 250,000.00
				TOTAL	\$ 420,152,326.61
				w/ 5% Escalation	\$ 441,159,942.94
				w/ 15% Incidentals	\$ 507,333,934.39
				w/ 10% Contingencies	\$ 558,067,327.82
				Total Construction Cost	\$ 558,100,000.00
				Administrative Expenses @ 3%	\$ 16,743,000.00
				Engineering @ 12%	\$ 66,972,000.00
				Environmental, Planning and Design @ 12%	\$ 66,972,000.00
				Other Cost @ 5%	\$ 27,905,000.00
				Total Project Cost	\$ 736,692,000.00