



## State of New Jersey

DEPARTMENT OF TRANSPORTATION  
P.O. Box 600  
Trenton, New Jersey 08625-0600

CHRIS CHRISTIE  
*Governor*

RICHARD T. HAMMER  
*Commissioner*

KIM GUADAGNO  
*Lt. Governor*

January 10, 2017

NJDOT Guidance to Counties and Municipalities  
RE: Projects affected by Executive Order 210 and 216

Dear Local Aid Grant Recipient:

The purpose of this letter is to advise State Local Aid Grant Recipients (“Grant Recipients”) that the New Jersey Department of Transportation (“NJDOT”) will consider requests for additional funding on Transportation Trust Fund (“TTF”) funded projects that were impacted by Executive Orders Nos. 210 and 216.

Additional funds may be made available for reasonable costs to accelerate project completion as well as costs related to the safe and orderly shutdown of a project under Executive Order No. 210, pursuant to the provisions of the NJDOT’s Standard Specifications for Road and Bridge Construction, Sections 108.11 and 104.03.

Grant Recipients should submit requests for additional funds after a careful evaluation of the time impact to the project end date that was in place at the time of the shutdown. For example, the reasonableness of a request for acceleration costs must consider the scope and duration of the impacted project.

Consistent with the NJDOT’s regulations and guidelines, by providing additional funding, the NJDOT is not establishing any contract or other rights, including but not limited to any third party beneficiary rights, with any entity other than the Grant Recipient.

Counties and municipalities proposing acceleration costs and costs related to the safe and orderly shutdown of the project shall provide a certification (see attached) by a duly authorized representative of the grant recipient that the work and costs associated with the acceleration and safe and orderly shutdown of the project are reasonable.

The NJDOT will authorize the payment of these additional funds only if a duly authorized representative of the Grant Recipient certifies that the Grant Recipient has released the State of New Jersey and the NJDOT, their agents, officers and employees, from all claims and liabilities arising under their applicable State-County (or municipality, as applicable) agreement. Additionally, it is within the discretion of the Grant Recipient to determine whether to seek such a release from any contractors, material providers, or others who provided goods and/or services regarding a project.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Michael Russo', with a long horizontal flourish extending to the right.

Michael Russo  
Director  
Local Aid & Economic Development

CERTIFICATION OF REASONABLE COSTS RELATED TO THE SHUTDOWN OF TRANSPORTATION TRUST  
FUND PROJECTS UNDER EXECUTIVE ORDER 210 AND RELEASE

Project Name: \_\_\_\_\_

Sponsor: \_\_\_\_\_

Fiscal Year Program: \_\_\_\_\_

I, \_\_\_\_\_, a duly authorized representative of  
\_\_\_\_\_ (“Grant Recipient”), do hereby certify that the proposed  
project cost increase of \$ \_\_\_\_\_, represents reasonable costs to accelerate  
and/or safely shutdown the named project. I also certify that the appropriate governing body of the  
Grant Recipient has released the State of New Jersey and the NJDOT, their agents, officers and  
employees, from all claims and liabilities arising under the grant agreement, which release shall be  
effective upon the payment of the above proposed project cost increase.

Certified by:

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title