

**RESOLUTION NO. 74-10**

**THE BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY**

October 25, 2010

**A Resolution for the Award of a Public Contract to WHL Enterprises, Inc. T/A Bill Leary Air Conditioning and Heating in the Amount of \$739,050.00 in the Amount of \$739,050.00 for the Heating, Ventilating and Wet Well Improvements at the Riverside Drive, Drum Point Road and Bay Harbor Boulevard Wastewater Pump Stations; Brick Utilities Contract No. 910006F; New Jersey Environmental Infrastructure Financing Program Contract No. S340448-07**

**WHEREAS**, on August 16, 2010 The Brick Township Municipal Utilities Authority ("Brick Utilities") pursuant to Local Public Contracts Law N.J.S.A. 40A:11-1 et seq. duly advertised for bids for the Heating, Ventilating and Wet Well Improvements at the Riverside Drive, Drum Point Road and Bay Harbor Boulevard Wastewater Pump Stations; Brick Utilities Contract No. 910006F; New Jersey Environmental Infrastructure Financing Program ("NJEIFP") Contract No. S340448-07; and

**WHEREAS**, six (6) bids, ranging in price from a low of \$739,050.00 to a high of \$993,900.00 were received pursuant to the advertisement and publicly opened on September 28, 2010 at 2:00 P.M.; and

**WHEREAS**, the three (3) low bids submitted have been reviewed by Brick Utilities' Counsel, Jerry J. Dasti, Esq., and the Deputy Executive Director and Director of Engineering/Operations, Stephen T. Specht, P.E.; and

**WHEREAS**, Stephen T. Specht, P.E., Deputy Executive Director and Director of Engineering/Operations, is recommending the award of this Contract to WHL Enterprises, Inc. T/A Bill Leary Air Conditioning and Heating, the lowest bidder, in the amount of \$739,050.00; and

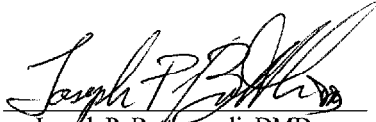
**WHEREAS**, Frank Planko, Chief Financial Officer, has advised Brick Utilities that sufficient funds for the payment of \$739,050.00 are available within the Authority's Five Year Capital Plan and the NJEIFP Series 2010 Loan for Project No. 910006F.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF THE BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY** as follows:

1. Brick Utilities awards the contract for this project to WHL Enterprises, Inc. T/A Bill Leary Air Conditioning and Heating in the amount of \$739,050.00. This award is contingent upon Authorization-to-Award from the N.J. Environmental Infrastructure Financing Program; and
2. The Deputy Executive Director is authorized to return the bid bonds and other security received from the unsuccessful bidders within three days after execution of the contract and to notify all bidders of the award of the contract; and
3. The proper officers of Brick Utilities are authorized to execute a contract with WHL Enterprises, Inc. T/A Bill Leary Air Conditioning and Heating, 6 Green Street, Metuchen, NJ 08840; and
4. Said amount of \$739,050.00 shall be taken from Project No. 910006F for the payment of the obligation provided for herein.

**CERTIFICATION**

I hereby certify that the foregoing Resolution was duly adopted at a Regular Meeting of the Brick Township Municipal Utilities Authority of the Township of Brick, County of Ocean, State of New Jersey, held on Monday, October 25, 2010

  
Joseph P. Buttacavoli, DMD  
Secretary



**THE BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY**  
**CERTIFICATION OF FUNDS AVAILABLE**

PURSUANT TO N.J.A.C. 5:30 – 5.4, AND ANY OTHER APPLICABLE REQUIREMENTS, I FRANK PLANKO, CHIEF FINANCIAL OFFICER OF THE BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY ("BTMUA"), HEREBY CERTIFY THAT THERE ARE AVAILABLE SUFFICIENT UNCOMMITTED FUNDS IN THE BUDGET LINE ITEM(S) OF BTMUA AS INDICATED BELOW IN THE AMOUNT OF \$ 739,050 FOR THE AWARD OF THE CONTRACT AS INDICATED BELOW.

VENDOR TO BE AWARDED CONTRACT: WHL Enterprises, Inc  
 DESCRIPTION OF CONTRACT: HVAC and water bill improvements  
 AMOUNT OF CONTRACT AWARD: \$ 739,050  
 AMOUNT CERTIFIED: \*\$739,050  
 RESOLUTION NUMBER: 74 - 10

<u>BUDGET LINE ITEM(S) TO BE CHARGED:</u>	<u>AMOUNT</u>
1.) <u>Project # 910006 F - HVAC &amp; meters - P/S</u>	\$ <u>739,050</u> *
2.) _____	\$ _____
3.) _____	\$ _____

DATE CERTIFIED: 10/22/10

Frank Planko  
 FRANK PLANKO, CHIEF FINANCIAL OFFICER

\* \$750,000 in funding available through NJEIT 2010 funding. See attached.

**NJEIT 2010 - Sources & Applications of Funds**

BTMUA Project #	805001	809002	910006F	
NJEIT Project #	S340448-08	S340448-07	<--- Same	
Project Description	S/M - GSP	Grating	HVAC	Total

**Applications of Funds:**

A. Building Costs	550,000	220,000	756,000	1,520,000
B. Planning & Design - 25% of A	137,500	55,000	187,500	380,000
C. Admin. Expenses - 3% of A	16,500	6,600	22,500	45,600
D. Engineering Costs - 5% of A	27,500	11,000	37,500	76,000
E. Contingencies - 5% of A	27,500	11,000	37,500	76,000
<hr/>				
Total funds to borrower (BTMUA)	759,000	303,600	1,035,000	2,097,600
Disbursement to DEP				20,976
Total Application of Funds				<u>2,118,576</u>

Clean Waters Grant #CWF-448                      320,000 In addition to the NJEIT 2010 Loan.

**Sources of Funds:**

	75%	25%	
	Fund Share	Trust Share	Total
Fund / Trust Loan	1,573,200	524,400	2,097,600
Disbursement to DEP		20,976	20,976
Total Sources of Funds	<u>1,573,200</u>	<u>545,376</u>	<u>2,118,576</u>