

**RESOLUTION NO. 64-11**

**THE BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY**

September 26, 2011

**A Resolution Authorizing Change Order No. 1 for an Increase in the Contract Amount of \$11,539.60 and an 81 Calendar Day No Cost Time Extension to WHL Enterprises, Inc./T/A Bill Leary A/C & Heating for Contract No. 910006F – Heating, Ventilating and Wet Well Improvements at the Riverside Drive, Drum Point Road and Bay Harbor Boulevard Wastewater Pump Stations  
N.J. Environmental Infrastructure Financing Program Project No. S340448-07**

**WHEREAS**, The Brick Township Municipal Utilities Authority (the “Brick Utilities”) did enter into a contract with WHL Enterprises, Inc. T/A Bill Leary A/C & Heating for work associated with the wastewater pump station improvements at the Riverside Drive, Drum Point Road, and Bay Harbor Boulevard Wastewater Pump Stations; Contract No. 910006F, which contract was authorized by Resolution No. 74-10; and

**WHEREAS**, there have been additional work items to the project which have necessitated a change order; and

**WHEREAS**, said changes are shown on a document entitled Change Order No.1 dated August 31, 2011; and

**WHEREAS**, said change order provides for an increase of \$11,539.60 from the original contract amount of \$739,050.00 resulting in a new contract amount of \$750,589.60; and

**WHEREAS**, the final completion date has been extended from September 10, 2011 to December 1, 2011 as a result of an 81 calendar day no cost time extension; and

**WHEREAS**, Brick Utilities and WHL Enterprises, Inc. T/A Bill Leary A/C & Heating have agreed to such changes as fair and reasonable; and

**WHEREAS**, the Heating, Ventilating and Wet Well Improvements at the Riverside Drive, Drum Point Road, and Bay Harbor Boulevard Wastewater Pump Stations project is being financed with assistance from the New Jersey Environmental Infrastructure Financing Program (“NJEIFP”); and

**WHEREAS**, the NJEIFP must review and approve Change Order No. 1; and

**WHEREAS**, Brick Utilities’ Director of Engineering/Operations, Stephen T. Specht, P.E., has reviewed this change order and is recommending that it be approved; and

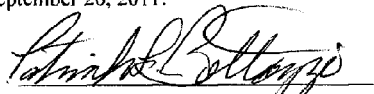
**WHEREAS**, Brick Utilities’ Chief Financial Officer, Frank Planko, has advised the Authority that additional funding is available from the NJEIFP 2010 loan to support the additional payment of \$11,539.60 for Project No. 910006F.

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

1. The contract between Brick Utilities and WHL Enterprises, Inc, T/A Bill Leary A/C & Heating is amended and the change order entitled Change Order No. 1 dated August 31, 2011 may be executed by the officers and employees of Brick Utilities upon an execution of such change order by the appropriate officials of WHL Enterprises, Inc, T/A Bill Leary A/C & Heating; and
2. A certified copy of this resolution shall be forwarded to WHL Enterprises, Inc, T/A Bill Leary A/C & Heating and the NJEIFP; and
3. Said amount of \$11,539.60 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 Brick Utilities, County of Ocean, State of New Jersey, held on Monday, September 26, 2011.

  
Patrick L. Bottazzi, 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 \$ 11,539.60 FOR THE AWARD OF THE CONTRACT AS INDICATED BELOW.

VENDOR TO BE AWARDED CONTRACT: WHL Enterprises, Inc  
 DESCRIPTION OF CONTRACT: HVAC & other repairs - P/S  
 AMOUNT OF CONTRACT AWARD: Increase of \$ 11,539.60  
 AMOUNT CERTIFIED: Increase of \$ 11,539.60  
 RESOLUTION NUMBER: 64 - 11

<u>BUDGET LINE ITEM(S) TO BE CHARGED:</u>	<u>AMOUNT</u>
1.) <u>Project # 910006 F</u>	\$ <u>11,539.60</u> *
2.) _____	\$ _____
3.) _____	\$ _____

DATE CERTIFIED: 9/21/11

Frank Planko

FRANK PLANKO, CHIEF FINANCIAL OFFICER

\* Funding remaining 9/26  
 unencumbered  
 balance

\$ 414,170  
 (320,323)  
 \$ 93,847