

## RESOLUTION No. 81-11

### THE BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

December 19, 2011

**A Resolution Authorizing Change Order No. 3 for an Increase in the Contract Amount of \$1,988.61 to Stacey Contracting, Inc. for Contract No. 897087K - Sanitary Sewer Replacement – Phase VI, New Jersey Environmental Infrastructure Financing Program, Project No. S340448-06, Contract 3B**

**WHEREAS**, the Brick Township Municipal Utilities Authority (the “Authority”) did enter into a contract with Stacey Contracting, Inc. (“Stacey Contracting”) for work associated with the Sanitary Sewer Replacement – Phase VI; Contract No. 897087K which contract was authorized by Resolution No. 03-10; and

**WHEREAS**, there were two previous Change Order Nos. 1 and 2 which increased the contract amount and were authorized by Resolution No. 67-10 and Resolution 35-11; and

**WHEREAS**, there have been material changes to the project which have necessitated a change order; and

**WHEREAS**, said changes are shown on a document entitled Change Order No. 3 dated December 7, 2011; and

**WHEREAS**, said change order provides for an increase of \$ 1,988.62 from previously approved amended contract amount of \$835,138.00 resulting in a new contract amount of \$837,126.61;

**WHEREAS**, the Authority and Stacey Contracting have agreed to such changes; and

**WHEREAS**, said increased amount is fair and reasonable and could not have been foreseen when the contract was advertised and awarded; and

**WHEREAS**, the Sanitary Sewer Replacement – Phase VI Contract is being financed with assistance from the New Jersey Environmental Infrastructure Financing Program (“NJEIFP”); and

**WHEREAS**, the NJEIFP must review and approve the Change Order No. 3; and

**WHEREAS**, the Authority’s Director of Engineering/Operations, Stephen T. Specht has reviewed this change order and is recommending that it be approved; and

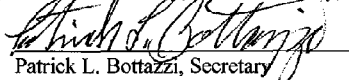
**WHEREAS**, the Authority’s Chief Financial Officer, Frank Planko, has advised the Authority that sufficient funds for payment of \$1,988.61 does exist in Project No. 897087K to be drawn from the NJEIFP Series 2002.

**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the Brick Township Municipal Utilities as follows:

1. The contract between the Authority and Stacey Contracting is amended and the change order entitled Change Order No. 3 dated December 7, 2011 may be executed by the officers and employees of the Authority upon an execution of such change order by the appropriate officials of Stacey Contracting; and
2. A certified copy of this resolution shall be forwarded to Stacey Contracting and to the NJEIFP.

#### CERTIFICATION

I hereby certify that the foregoing Resolution was duly adopted at a Regular Meeting of the Brick Township Municipal Utilities Authority, County of Ocean, State of New Jersey, held on Monday, December 19, 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 \$ 1,988,620 FOR THE AWARD OF THE CONTRACT AS INDICATED BELOW.

VENDOR TO BE AWARDED CONTRACT: Stacy Contracting  
 DESCRIPTION OF CONTRACT: C.O # 3  
 AMOUNT OF CONTRACT AWARD: from \$35,138 to \$837,126.61  
 AMOUNT CERTIFIED: \$1,988,620 additional  
 RESOLUTION NUMBER: 81-11

<u>BUDGET LINE ITEM(S) TO BE CHARGED:</u>	<u>AMOUNT</u> *
1.) <u>Project # 897087K - O/R</u>	\$ <u>1,988,620</u>
2.) _____	\$ _____
3.) _____	\$ _____

DATE CERTIFIED: 12/16/11

Frank Planko  
 FRANK PLANKO, CHIEF FINANCIAL OFFICER

\* \$ 147,000 10/11 L.E.  
 16,000 11/12 B  
 (198,553) 48-08 bal  
 (127,039) 03-10 bal  
(162,593)

cc: Stacy

NJ 02 Funding of \$2.1 million received, will allocate additional funding to line items as needed in 12/13.