

## RESOLUTION No. 48-12

### THE BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

June 25, 2012

**A Resolution Authorizing the Final Quantities Change Order in the Contract between the Brick Township Municipal Utilities Authority and Spiniello Companies for a Decrease in the Contract Amount of \$138,174.25 for the Sanitary Sewer Rehabilitation – Phase VI; Contract No. 897087J; New Jersey Environmental Infrastructure Financing Program Project No. S340448-06; Contract 3A**

WHEREAS, the Brick Township Municipal Utilities Authority (the “Authority”) did enter into a contract with Spiniello Companies (“Spiniello Companies”) for work associated with the Sanitary Sewer Rehabilitation – Phase VI; Contract No. 897087J which contract was authorized by Resolution No. 48-08; and

WHEREAS, the Sanitary Sewer Rehabilitation Project – Phase VI is a unit price contract resulting in the need for a final quantities change order; and

WHEREAS, said changes are shown on the document entitled, Final Quantities Change Order/ Change Order No. 1 dated May 9, 2012; and

WHEREAS, said change order provides for a decrease of \$138,174.25 of the original contract amount of \$1,043,405.00 resulting in a final contract amount of \$905,230.75; and

WHEREAS, the Authority and Spiniello Companies have agreed to such changes; and

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

WHEREAS, the Sanitary Sewer Rehabilitation – 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 Final Quantities Change Order; and

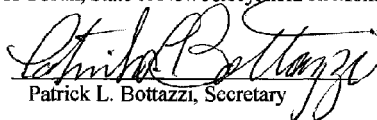
WHEREAS, the Authority’s Deputy Executive Director & Director of Eng./Ops., Stephen T. Specht has reviewed this change order and is recommending that it be approved; and

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

1. The contract between the Authority and Spiniello Companies is amended and the change order entitled Final Quantities Change Order/Change Order No. 1 dated May 9, 2012 may be executed by the officers and employees of the Authority upon an execution of such change order by the appropriate officials of Spiniello Companies; and
2. A certified copy of this resolution shall be forwarded to Spiniello Companies 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, June 25, 2012.

  
Patrick L. Bottazzi, Secretary