

**RESOLUTION NO. 34-13**

**BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY**

April 22, 2013

**A Resolution Authorizing Amendment No. 1 to the Shared Services Agreement with the Borough of Bay Head for Design and Construction Management Services for the Route 35 Sewer Lateral Clean-Out Installation Project in the Borough of Bay Head to transfer the remaining funds in the amount of \$42,378.00 to the Rt. 35 Reconstruction project**

**WHEREAS**, the Brick Township Municipal Utilities Authority (hereinafter referred to as the "Brick Utilities") did enter into a Shared Services Agreement with the Borough of Bay Head ("Borough") for the Design and Construction Management Services for the Route 35 Sewer Lateral Clean-Out Installation Project under Resolution No. 41-12; and

**WHEREAS**, due to the devastating impact on Superstorm Sandy on October 29 and 30, 2012, the project was placed on-hold indefinitely; and

**WHEREAS**, the New Jersey Department of Transportation has reinitiated the Route 35 Reconstruction project which will include the replacement of the existing sanitary sewer collection system within the Route 35 corridor; and

**WHEREAS**, the Borough terminated the existing construction contract with T&T Commonwealth Construction Co. Inc. Route 35 Sewer Lateral Clean-Out Installation Project via letter dated March 21, 2013; and

**WHEREAS**, the Borough under Resolution No. 2013-46 dated March 25, 2013 authorized Brick Utilities to provide inspection services associated with the replacement of the sanitary sewer collection system for the Route 35 Reconstruction project; and

**WHEREAS**, the Brick Utilities has determined the remaining funds for these services total \$42,378.00; and

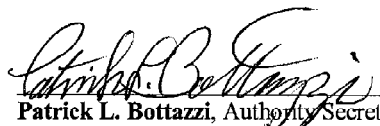
**WHEREAS**, the proposed Amendment No. 1 to the Shared Services Agreement has been reviewed by the Commissioners and the Authority staff and found to be acceptable as to form and content.

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

1. The agreement between the Authority and the Borough of Bay Head is amended via Amendment No. 1;
2. Said remaining amount of \$42,378.00 shall be utilized by Brick Utilities to assist the Borough of Bay Head with engineering services now required for the Sanitary Sewer Collection System Replacement along the Route 35 Corridor associated with the Route 35 Reconstruction Project; and
3. The Authority will forward a copy of this Resolution to the Borough of Bay Head.
4. The Authority authorizes and directs the Chairman and Executive Director to execute any and all necessary documents in order to implement the intent of this Resolution;

**CERTIFICATION**

I hereby certify that the foregoing Resolution was duly adopted at a Regular Meeting by the Brick Township Municipal Utilities Authority, Township of Brick, County of Ocean held on the 22<sup>nd</sup> day of April, 2013.

  
Patrick L. Bottazzi, Authority Secretary