

**RESOLUTION NO. 72-16**

**THE BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY**  
September 26, 2016

**A Resolution for the Award of a Fair and Open Agreement with H2M Associates, Inc. in a Not-To-Exceed Cost of the Work Basis the Amount of \$41,400.00 for Professional Engineering Consulting Services for the Design, Permitting, Bidding, Construction Administration/Management and Part-Time Inspection (If and When Directed by Brick Utilities) for the Fencing Upgrades at the Seven (7) Wastewater Pump Stations Impacted by Superstorm Sandy; Capital Project No. 601001**

**WHEREAS**, The Brick Township Municipal Utilities Authority's ("Brick Utilities") has determined fencing upgrades are required at seven (7) wastewater pump stations that were impacted by Superstorm Sandy. The wastewater pump stations are as follows:

- Mantoloking Road
- Eastern Lane
- Breton Road
- Vanada Woods
- Laurelton
- Island Drive
- Fifth Street.

and;

**WHEREAS**, the Brick Utilities' Board of Commissioners authorized the issuance of a Request for Proposal ("RFP") at the May 23, 2016 Public Meeting to Brick Utilities' Alternate Consulting Engineer, H2M Associates, Inc. for the engineering services as listed above; and

**WHEREAS**, Brick Utilities issued a RFP dated July 21, 2016 for the for the Design, Permitting, Bidding, Construction Administration/Management and Part-Time Inspection for the Fencing Upgrades of Seven (7) Wastewater Pump Stations Impacted by Superstorm Sandy; and

**WHEREAS**, H2M Associates, Inc. submitted a proposal on August 9, 2016 with additional back-up information on August 11, 2016; and

**WHEREAS**, the Not-to-Exceed Tasks on a Cost of the Work Basis as stipulated in the H2M Associates, Inc. proposal dated August 9, 2016 are as follows:

- Phase 1 – Design for \$14,700.00
- Phase 2 – Permitting for \$6,900.00
- Phase 3 – Bid Phase Services for \$3,900.00
- Phase 4 – Construction Administration/Construction Management for \$6,235.00  
Part-Time Inspection for \$9,665.00 (If and when directed by Brick Utilities)

and;

**WHEREAS**, the Authority's legal counsel has advised that once appointed, via a fair and open process for a specific term, the Consulting Engineer and Alternate Consulting Engineers may be tasked additional items during the term of their contract; and

**WHEREAS**, Brick Utilities has previously appointed H2M Associates, Inc. via a fair and open process as an Alternate Consulting Engineer; and

**WHEREAS**, the award of this Alternate Consulting Engineering Agreement is a professional contract and therefore exempt from the formal bidding requirements set forth in the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, the Brick Utilities' Deputy Executive Director and Director of Engineering and Operations, Stephen T. Specht, PE, has reviewed the proposals and has determined that H2M Associates, Inc. meets the scope and scheduling requirements of the RFP and the award of this professional contract to H2M Associates, Inc. would be acceptable; and

**WHEREAS**, Brick Utilities' Executive Director, Chris A. Theodos, PE, PP, CME, CPWM, CFM, has advised Brick Utilities that sufficient funds for the payment of \$41,400.00 do exist in under Capital Project No. 601001.

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

1. The above referenced Contract be awarded to H2M Associates, Inc.  
2380 Route 9 South, Bldg. C, Ste. 1, Howell, NJ 07731; and

2. Brick Utilities' Chairman and Secretary are hereby authorized to execute an Agreement for these services subsequent to the execution of said Agreement by H2M Associates, Inc.; and
3. Said amount of \$41,400.00 shall be funded from Project No. 601001 for the payment of the obligation provided for herein; and
4. A certified copy of this resolution shall be forwarded to the following:
  - A. George Cevalco, Chairman
  - B. Gregory M. Flynn, Secretary
  - C. Chris A. Theodos, PE, PP, CME, CPWM, CFM, Executive Director;
  - D. Stephen T. Specht, P.E., Deputy Executive Director and Director of Engineering and Operations
  - E. Brick Utilities' Finance Division
  - F. Nicholas Montenegro, Esq., Montenegro, Thompson, Montenegro & Genz; and
  - G. H2M Associates, Inc.

CERTIFICATION

I hereby certify that the foregoing Resolution was duly adopted at a Regular Meeting of Brick Utilities, Township of Brick, County of Ocean, State of New Jersey, held on Monday, September 26, 2016.

  
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Gregory M. Flynn, Treasurer