

RESOLUTION No. 70-17

THE BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

August 31, 2017

**A Resolution Authorizing Change Order No. 2 for an Increase in the Amount of \$77,258.65 as part of Brick Utilities' Shared Services Agreement with the County of Ocean as part of their Contract for Improvements to Garden State Parkway Interchange 91
Brick Utilities' Capital Project No. 714006**

WHEREAS, the Brick Township Municipal Utilities Authority ("Brick Utilities") did enter into a shared services agreement with the County of Ocean ("County") for the replacement of approximately 7,800 LF of existing transite water main as part of the County's Improvements to Garden State Parkway Interchange 91 Contract which was authorized by Resolution No. 89-14; and

WHEREAS, there was previous material changes to the project which necessitated Change Order No. 1 which was authorized by Resolution No. 45-15 increasing the original contract amount of \$1,920,141.00 by \$18,540.49 to a revised contract amount of \$1,938,681.49; and

WHEREAS, the County's contractor, Green Construction, Inc. provided copies of their prepared Force Account Summary Sheets for twenty two (22) different and separate Potential Change Order (PCO) claims for completing additional work which were not part of their original contractual work for the County's contract; and

WHEREAS, the Brick Utilities Engineering Division and representatives of Green Construction, Inc. met to review each of the twenty two (22) different and separate PCO claims and to determine the fair and reasonable amount to which Green Construction should be entitled to compensation for each of those twenty two (22) different and separate PCO claims; and

WHEREAS, the Brick Utilities Engineering Division prepared a PCO log date August 24, 2017 – Revision No. 5 summarizing the amounts to which both the Authority and Green Construction, Inc. agreed were fair and reasonable for the twenty two (22) separate and different PCO claims; and

WHEREAS, said change order provides for a Lump Sum Price increase of \$77,258.65 based on the provided and adjusted Force Account Summary Sheets and the summarized PCO Log for Brick Utilities' Shared Service Agreement with the County from the previously revised amount of \$1,938,681.49 resulting in a new revised amount \$2,015,940.14 for the Shared Service Agreement with the County; and

WHEREAS, the Brick Utilities and County have agreed to such changes; and

WHEREAS, said increased amount is fair and reasonable and could not have been foreseen when Brick Utilities and the County entered into their Shared Service Agreement; and

WHEREAS, the Brick Utilities' Deputy Executive Director and 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, John Clifford, has advised the Brick Utilities that sufficient funds for the additional payment of \$77,258.65 do exist for Capital Project No. 714006; and

WHEREAS, the Brick Utilities shall reimburse the County for the costs for completing the additional work associated with the twenty two (22) PCO claims and for the costs for the construction and installation of the Brick Utilities' water main upgrades.

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

1. The Shared Services Agreement between Brick Utilities and the County of Ocean is amended by the Change Order No. 2 dated August 24, 2017 in the amount of \$77,258.65; and
2. Brick Utilities shall reimburse the County of Ocean for all of the costs for the completing of the work for the twenty two (22) separate and different PCO claims based on the Force Account Summary Sheets of the County's Contractor, Green Construction, Inc. and Brick Utilities' prepared summarized PCO log; and
3. Said total amount of \$77,258.65 shall be taken from Capital Project No. 714006, Transite Water Main Replacement at Garden State Parkway Interchange No. 91; and
4. A certified copy of this resolution shall be forwarded by the Administrative Secretary of

Brick Utilities to the following:

- A. Gregory M. Flynn, Chairman,
- B. Thomas C. Curtis, Secretary
- C. Chris A. Theodos, P.E., Executive Director, Brick Utilities
- D. Stephen T. Specht, P.E., Deputy Executive Director and Director of Engineering/Operations, Brick Utilities
- E. John Clifford, Chief Financial Officer, Brick Utilities
- F. John N. Ernst, P.E., County Engineer for the County of Ocean,
- G. Raif Basiliou, County's Resident Engineer, Mott MacDonald

CERTIFICATION

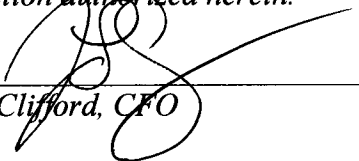
I hereby certify that the foregoing Resolution was duly adopted at a Regular Meeting of the Brick Township Municipal Utilities Authority, County of Ocean, State of New Jersey, held on Monday, August 31, 2017.



Thomas C. Curtis, Secretary

CFO Certification of Funds

I certify that sufficient funds exist within the Brick Utilities' Capital Project No. 714006 to fund the action authorized herein.



John Clifford, CFO