

**RESOLUTION NO. 95-18**

**THE BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY**

**November 29, 2018**

**A Resolution Authorizing the Brick Township Municipal Utilities Authority to Enter into an Agreement Amendment with the State of New Jersey Department of Transportation amending the original Agreement with the State of New Jersey Department of Transportation dated August 11, 2016 to add the Required Federal Regulations Pursuant to 2 C.F.R. 200 and 2 C.F.R. 200 Appendix II together with the Implementing Regulations of the Federal Highway Administration's Procurement Requirements for the Project known as Route 88 over the Beaver Dam Creek Bridge**

**WHEREAS**, the State of New Jersey, Department of Transportation hereinafter referred to as the "State" and the Brick Township Municipal Utilities Authority, hereinafter referred to as the "Authority", have heretofore entered into a Utility Agreement, executed on August 11, 2016 relating to Route 88 over the Beaver Dam Creek Bridge located in Brick Township, Ocean County, hereinafter referred to as the "Project"; and

**WHEREAS**, the Authority authorized the aforementioned Utility Agreement pursuant to Resolution No. 92-15 on October 26, 2015; and

**WHEREAS**, the State has determined that federal financial assistance or grants will be expended in the design and construction of the Project; and

**WHEREAS**, as of July 1, 2017, the requirements of 2 C.F.R. 200 and 2 C.F.R. 200, Appendix II are mandated to be part of any procurement based on federal financial assistance; and

**WHEREAS**, 2 C.F.R. 200 establishes uniform administrative requirements for grant and cooperative agreements, cost principles and audit requirements for federal awards to non-federal entities; and

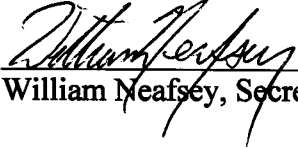
**WHEREAS**, before entering into additional phases of the Authority's work, the State requires an amendment to the original agreement which will conform to the intent and purposes of 2 C.F.R. 200 and 2 C.F.R. 200, Appendix II.

**NOW THEREFORE, BE IT RESOLVED** on this 29<sup>th</sup> day of November, 2018, by the Brick Township Municipal Utilities Authority as follows:

1. The Agreement Amendment between the Brick Township Municipal Utilities Authority and the State of New Jersey as attached hereto and made a part hereof may be executed by the officers of the Authority and forwarded to the State of New Jersey for execution by the appropriate State officials at which time the attached Agreement Amendment and the original Agreement, where not in conflict with the Agreement Amendment, shall be in full force and effect.
2. A certified copy of this resolution shall be forwarded by the Administrative Secretary of the Authority to the following:
  - a. Gregory M. Flynn, Chairman
  - b. William Neafsey, Secretary
  - c. Chris Theodos, P.E., P.P., C.M.E., C.P.W.M., C.F.M., Executive Director
  - d. Stephen T. Specht, P.E., Deputy Executive Director and Director of Engineering/Operations
  - e. John Clifford, C.F.O.
  - f. Nicholas C. Montenegro, Esquire
  - g. State of New Jersey, Department of Transportation.

**CERTIFICATION**

I hereby certify that the foregoing Resolution was duly adopted by the Brick Township Municipal Utilities Authority at a meeting held on the 29<sup>th</sup> day of November, 2018, a quorum being present and voting in the majority.

  
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William Neafsey, Secretary