

**RESOLUTION NO. 03-21**

THE BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

January 28, 2021

**A Resolution Authorizing and Ratifying an Final Quantities Change Order No. 2 pursuant to N.J.S.A. 40A:11-6 for a Decrease in the Emergency Contract Amount by \$9,342.00 with High Energy Electrical Testing, Inc. for the Repairs, Testing and Inspections of the Electrical Power Distribution Infrastructure; Emergency Repair Fund No. 01-199-8904**

**WHEREAS**, The Brick Township Municipal Utilities Authority (the "Authority") did enter into an emergency contract with High Energy Electrical Testing, Inc. for the Repairs, Testing and Inspections of the Electrical Power Distribution System with payment to be made from the Emergency Repair Fund No. 01-199-8904, which contract was authorized by Resolution 65-20; and

**WHEREAS**, there were previous emergency material changes to this emergency contract which necessitated emergency Change Order No. 1 which did increase the contract amount by \$66,973.00 from the previously approved emergency contract amount of \$154,300.00 resulting in a new emergency contract amount of \$221,273.00 and was authorized under Resolution No. 75-20; and

**WHEREAS**, this emergency contract was performed on a cost of the work basis (i.e., time and material) resulting in the need for a final quantities change order; and

**WHEREAS**, said final quantities changes are shown on a document entitled Final Quantities Change Order No. 2 dated January 6, 2021; and

**WHEREAS**, said Final Quantities Change Order No. 2 provides for a decrease in the emergency contract amount by \$9,342.00 from the previously agreed upon revised emergency contract amount of \$221,273.00 resulting in a final emergency contract amount of \$211,931.00; and

**WHEREAS**, the Authority and its Consulting Engineer, CME Associates, and High Energy Electrical Testing, Inc. have agreed to such change as fair and reasonable and could not have been foreseen when the emergency contract was awarded; and

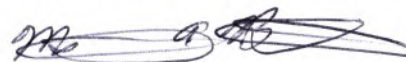
**WHEREAS**, the Authority's Deputy Executive Director and Director of Engineering and Operations, P.E., has reviewed this change order and is recommending that it be approved.

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

1. This emergency contract agreement between the Authority and High Energy Electrical Testing, Inc. is amended and the change entitled Final Quantities Change Order No. 2 dated January 6, 2021 may be executed by the officers and employees of the Authority subsequent to the execution of such change order by the appropriate officials of High Energy Electrical Testing, Inc.; and
2. A certified copy of this resolution shall be forwarded by the Administrative Secretary of the Authority to the following:
  - A. Thomas C. Curtis, Chairman
  - B. Michael Blandina, Secretary
  - C. Chris A. Theodos, P.E., P.P., C.M.E., C.P.W.M., C.F.M., Executive Director
  - D. John Clifford, C.F.O.
  - E. Joseph Maggio, P.E., Director of Water Quality
  - F. Stephen T. Specht, P.E., Deputy Executive Director and Director of Engineering and Operations
  - G. Nicholas C. Montenegro, Esquire
  - H. CME Associates
  - I. High Energy Electrical Testing, Inc.

**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 Thursday, January 28, 2021 a quorum being present and voting in the majority



Michael Blandina, Authority Secretary

CFO Certification of Funds

I certify that the Authority's Emergency Repair Fund No. 01-199-8904 shall reflect the action taken herein.



John Clifford, CFO