

**RESOLUTION NO. 38-21**

THE BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY  
March 25, 2021

**A Resolution for the Award of a Fair and Open Agreement with Colliers Engineering & Design, Inc. in a Not-To-Exceed Cost of the Work Basis in the Amount of \$632,346.50 for Professional Engineering Consulting Services for the Design, Permitting, Bidding and Award, Construction Administration, Construction Management and Full-Time Inspection (If and When Directed by Brick Utilities) for the Brick Utilities' Reservoir Infrastructure Mitigation Improvements Project in the Townships of Brick and Wall; Capital Project No. 718010X**

**WHEREAS**, in November 2019, The Brick Township Municipal Utilities Authority's ("Brick Utilities") Alternate Consulting Engineer, H2M Associates, Inc., prepared and submitted a Federal Emergency Management Agency ("FEMA") Pre-Disaster Mitigation ("PDM") Competitive Grant application for the Brick Utilities' Reservoir Infrastructure Mitigation Improvements Project in the Townships of Brick and Wall; and

**WHEREAS**, on December 31, 2020, New Jersey Office of Emergency Management ("NJOEM") on behalf of FEMA notified Brick Utilities of PDM Grant Award for the project; and

**WHEREAS**, the Brick Utilities' Board of Commissioners authorized the issuance of a Request for Proposal ("RFP") at the January 28, 2021 Public Meeting to Brick Utilities' Consulting Engineer, Colliers Engineering & Design, Inc., formerly Maser Consulting P.A., for the engineering services as listed above; and

**WHEREAS**, Brick Utilities issued a RFP dated January 29, 2021 for the for the Design, Permitting, Bidding, Construction Administration, Construction Management and Full-Time Inspection for the Brick Utilities' Reservoir Infrastructure Mitigation Improvements Project to harden the reservoir from Elevation 80 to Elevation 95; and

**WHEREAS**, Colliers Engineering & Design, Inc., submitted a proposal on February 19, 2021, a revised proposal on March 12, 2021 and March 22, 2021 and a FINAL Revised Proposal on March 23, 2021; and

**WHEREAS**, the Not-to-Exceed Tasks on a Cost of the Work Basis as stipulated in the Colliers Engineering & Design, Inc., FINAL Revised Proposal dated March 23, 2021 are as follows:

- Task 1 – Design and Technical Specifications for \$158,674.00
- Task 2 – Permitting for \$42,050.00
- Task 3 – Bidding and Award Phase Services for \$4,467.50
- Task 4 – Construction Administration/Management/Inspection for \$421,155.00 (includes Full Time Inspection for \$333,900.00, if and when directed by Brick Utilities)
- Task 5 – Reimbursables for \$6,000.00

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 Colliers Engineering & Design, Inc., via a fair and open process as a Consulting Engineer; and

**WHEREAS**, the award of this Consulting Engineering Agreement is a contract of professional services 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, P.E., has reviewed the proposal and has determined that Colliers Engineering & Design, Inc., meets the scope and scheduling requirements of the RFP and the award of this professional contract to Colliers Engineering & Design, Inc., would be acceptable; and

**WHEREAS**, Brick Utilities' Chief Financial Officer, John Clifford, has advised Brick Utilities that sufficient funds for the payment of \$632,346.50 do exist in the 2021/2022 Capital Budget under Capital Project No. 718010X.

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

1. The above referenced Contract for professional engineering services be awarded to Colliers Engineering & Design, Inc., 331 Newman Springs Road, Suite 203, Red Bank, New Jersey 07701; 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 Colliers Engineering & Design, Inc.; and
3. Said amount of \$632,346.50 shall be funded from Project No. 718010X for the payment of the obligation provided for herein; and



4. A certified copy of this resolution shall be forwarded to the following:
- A. Thomas C. Curtis, Chairman
  - B. Michael Blandina, Secretary
  - C. Chris A. Theodos, PE, PP, CME, CPWM, CFM, Executive Director;
  - D. Stephen T. Specht, PE, Deputy Executive Director and Director of Engineering and Operations
  - E. John Clifford, Chief Financial Officer;
  - F. Nicholas Montenegro, Esq., Montenegro, Thompson, Montenegro & Genz; and
  - G. Colliers Engineering & Design, 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 Thursday, March 25, 2021, a quorum being present and voting in the majority.



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Michael Blandina,  
Authority Secretary

**CFO Certification of Funds**

*I certify that sufficient funds exist within the Capital Budget under Capital Project No. 718010X to fund the services authorized herein.*



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John Clifford, CFO