

RESOLUTION NO. 33-22

BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

March 31, 2022

**A RESOLUTION AUTHORIZING THE EMERGENCY REPAIR AND
REPLACEMENT OF THE LAURELBROOK
WASTEWATER PUMP STATION FORCEMAIN**

WHEREAS, The Brick Township Municipal Utilities Authority (“Authority”) provides drinking water to over 100,000 people and sanitary sewer collection services to over 75,000 people; and

WHEREAS, the Brick Township Municipal Utilities Authority (hereinafter referred to as the “Authority”) is a contracting unit subject to the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.); and

WHEREAS, on March 21, 2022, the 10” ductile iron pipe wastewater forcemain (“forcemain”) between the Laurelbrook Wastewater Pump Station and the Ocean County Utilities Authority Manhole No. NI-7; MH 6-1 suffered a catastrophic failure releasing raw sewage into the Metedeconk River; and

WHEREAS, on March 22, 2022, the Authority authorized P&A Construction Inc. to complete the repair on a cost of the work basis (time and material basis) for a not to exceed amount of \$35,000.00.; and

WHEREAS, P&A Construction Inc. successfully completed the repair on March 22, 2022 for a cost of \$21,676.06; and

WHEREAS, the forcemain is located only about 1,500 lineal feet upstream of the raw water intake of the William Miller Jr. Water Treatment Plant and the raw water intake was taken out of service until the repair was completed; and

WHEREAS, the Authority relied on the Brick Reservoir and their wells as the source of their raw water supply during the repair. However, these alternate sources of supply only have a limited capacity during the Authority’s peak demand periods and the raw water intake located on the Metedeconk River is a critical source of supply for the Authority; and

WHEREAS, upon completion of the repair, it was determined that the 10” diameter ductile iron pipe forcemain exhibited extensive exterior corrosion and based on the condition of the forcemain an additional failure could be imminent; and

WHEREAS, the replacement of the entire forcemain from the Laurelbrook Wastewater Pump Station to the Ocean County Utilities Authority Manhole No. NI-7; MH 6-1 would be immediately required; and

WHEREAS, the Authority has determined that an emergency design/build contract is warranted at this time and to the environmental impact and regulatory requirements of replacing the forcemain via a traditional open cut method, the replacement of the forcemain via a horizontal directional drilling (“HDD”) method was selected; and

WHEREAS, NJSA 40A:11-6 provides that any contract may be negotiated or awarded for a contracting unit without public advertising for bids and bidding therefore, notwithstanding that the contract price will exceed the bid threshold, when an emergency exists affecting the public health, safety or welfare that requires the immediate delivery of goods or the performance of services; and

WHEREAS, the Authority’s Executive Director and the Authority’s Deputy Executive Director/Director of Engineering and Operations have determined and declared that the immediate replacement of the forcemain is required to assure full, reliable and resilient operation and constitutes an emergency affecting the public health, safety or welfare and requires the

immediate delivery of goods and performance for the repair, temporary bypass and replacement services in accord with the requirements set forth in NJSA 40A:11-6 and NJAC 5:34-6.1; and

WHEREAS, an actual or imminent emergency exists requiring the immediate delivery of goods and performance of services; and

WHEREAS, the need for the goods and services for the repair, temporary bypass and replacement of the forcemain could not have been reasonably foreseen and the need for the goods and services have arisen notwithstanding a good faith effort on the part of the Authority to plan for the purchase of goods and services required by the Authority; and

WHEREAS, in accord with that declaration and pursuant to NJSA 40A:11-6 which permits the awarding of emergency contracts, and such emergency still exists, the Authority has issued a Request for Quote for the temporary bypass and the design/build replacement of the forcemain via horizontal directional drilling; and

WHEREAS, Stephen T. Specht, PE, Deputy Executive Director/Director of Engineering and Operations, of the Authority certified per the attachment of the Declaration of an Emergency for the repair and replacement of the Laurelbrook Wastewater Pump Station forcemain; and

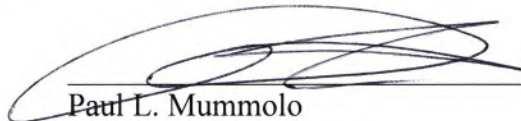
WHEREAS, the emergency contracts issued and to be issued shall be of such limited duration as to meet only the immediate needs of the repair, temporary bypass and replacement to return the forcemain infrastructure to full, reliable and resilient operation.

NOW, THEREFORE, BE IT RESOLVED this 31st day of March 2022, by the Commissioners of Brick Township Municipal Utilities Authority as follows:

1. The Authority ratifies the Deputy Executive Director/Director of Engineering and Operations' declaration of emergency and the need to award emergency contracts for the repair, temporary bypass and replacement of the Laurelbrook Wastewater Pump Station forcemain.
2. The Authority's Chair and Secretary are hereby authorized and directed to execute such emergency contracts and any documents required to effectuate the Authority's obligation to make payment of the emergency contract prices.
3. The Authority authorizes and directs John Clifford, Chief Financial Officer to execute an and all necessary documents in order to implement the intent of this Resolution and payment to P&A Construction Inc. in the amount of \$21,676.06 subsequent to the execution of same by P&A. Said payment shall be made from Authority Account No. 716001A.
4. A certified copy of this Resolution shall be forwarded by the Administrator's Secretary of Brick Utilities to the following:
 - a. Susan Lydecker, Authority Chair
 - b. Paul L. Mummolo, Authority Secretary
 - c. Chris A. Theodos, P.E., P.P., C.M.E., CPWM, CFM, Executive Director
 - d. Stephen T. Specht, P.E., Deputy Executive Director/Director of Engineering and Operations
 - e. John Clifford, CFO
 - f. Nicholas C. Montenegro, Esq.

CERTIFICATION

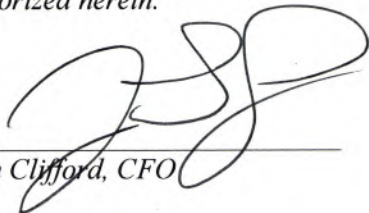
I certify that the foregoing Resolution was duly adopted by the Brick Township Municipal Utilities Authority at a meeting held on the 31st day of March 2022, a quorum being present and voting in the majority.



Paul L. Mummolo
Authority Secretary

CFO Certification of Funds

I certify that sufficient funds exist within the Authority's Account No. 716001A to fund the action authorized herein.



John Clifford, CFO