

**RESOLUTION NO. 40-22**

THE BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY  
April 28, 2022

**A Resolution Memorializing the Award of an Emergency Contract Associated with the Laurelbrook Wastewater Pump Station Sewer Force Main Emergency Replacement under the Metedeconk River by JVS Industrial and Commercial Contractors Inc. for \$624,151.38; Capital Project No. 822001X**

**WHEREAS**, The Brick Township Municipal Utilities Authority (hereinafter referred to as the “Authority”) owns, operates and maintains approximately 335 miles of sanitary sewer main and approximately 7,820 sanitary sewer manholes in the Township of Brick; 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 existing force main was temporarily repaired by P&A Construction Inc.;

**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 Brick Township Municipal Utilities Authority is a contracting unit subject to the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.); 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**, 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 said force main constituted an emergency affecting public health, safety and welfare and requires the immediate delivery of goods and performance of repair and replacement services in accordance with the requirements set forth in N.J.S.A. 40A:11-6 and N.J.A.C. 5:34-6.1 via Resolution No. 33-22 adopted on March 31, 2022; and

**WHEREAS**, an actual or eminent emergency existed requiring the immediate delivery of goods and performance of services; and

**WHEREAS**, the need for the goods and services for the replacement of said force main 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**, pursuant the Local Public Contracts Law, specifically NJSA 40A:11-6 which permits the awarding of emergency contracts, JVS Industrial & Commercial Contractors, Inc. (“JVS”) was authorized on April 13, 2022 to complete the aforementioned work on a lump sum basis for \$624,151.38; and

**WHEREAS**, a Notice to Proceed was issued to JVS to design, build, order materials and mobilize on April 13, 2022; and

**WHEREAS**, the emergency contract is of such limited duration as to meet only the immediate needs of the emergency replacement of the aforementioned force main; and


**WHEREAS**, John Clifford, Chief Financial Officer, has advised Brick Utilities that funds for the payment of \$624,151.38 does exist and is included in the Capital Project No. 822001X, Laurelbrook Wastewater Pump Station Sewer Force Main Emergency Replacement under the Metedeconk River.

**NOW, THEREFORE, BE IT RESOLVED, THIS 28<sup>TH</sup> DAY OF APRIL, 2022, BY THE COMMISSIONERS OF THE BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY** as follows:

1. The Authority ratifies the Executive Director's Declaration of Emergency and need to award an Emergency Contract for the Replacement of the Laurelbrook Wastewater Pump Station Sewer Force Main under Metedeconk River via horizontal directional drilling is hereby awarded to JVS Industrial & Commercial Contractors, Inc. in the amount of \$624,151.38; and
2. The Authority Chair and Authority Secretary are hereby authorized and directed to execute the emergency contract and any documents required to effectuate the Authority's obligation to make payments of the emergency contract price of \$624,151.38 with JVS Industrial & Commercial Contractors, Inc., 154 Silver Lake Ave, Edison, New Jersey 08817; and
3. Said amount of \$624,151.38 shall be taken from Capital Project No. 822001X, Laurelbrook Wastewater Pump Station Sewer Force Main Emergency Replacement under the Metedeconk River.
5. A certified copy of this Resolution shall be forwarded by the Administrative Secretary of the Authority 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., C.P.W.M., C.F.M., Executive Director
  - D. Stephen T. Specht, P.E., Deputy Executive and Director of Engineering/Operations
  - E. John Clifford, C.F.O.
  - F. Nicholas C. Montenegro, Esquire
  - G. Brandon Molte, JVS Industrial & Commercial Contractors, Inc.

**CERTIFICATION**

I certify that the foregoing Resolution was duly adopted by the Brick Township Municipal Utilities Authority at a meeting held on the 28th day of April, 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 Capital Project No. 822001X to fund the action authorized herein.*

  
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John Clifford, CFO