

RESOLUTION NO. 71-22

THE BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

November 29, 2022

A Resolution Authorizing Change Order No. 4 for a 121 Calendar Day No Cost Time Extension with P&A Construction, Inc. for the Cedarwood Park Undersized Water Main Replacement Project; Brick Utilities' Capital Contract No. 716001A and New Jersey Water Bank Project No. 1506001-008

WHEREAS, The Brick Township Municipal Utilities Authority (the "Authority") did enter into a contract with P&A Construction, Inc. for work associated with the Cedarwood Park Undersized Water Main Replacement Project under Contract No. 716001A, which contract was authorized by Resolution 58-21; and

WHEREAS, there were previous material changes to the project which necessitated Change Order No. 1 which did increase of the contract amount by \$204,877.15 from the previously approved original contract amount of \$4,346,031.00 resulting in a new contract amount of \$4,550,908.15 and was authorized by Resolution 85-21; and

WHEREAS, there were previous material changes to the project which necessitated Change Order No. 2 which did increase of the contract amount by \$21,676.06 from the previously approved revised contract amount of \$4,550,908.15 resulting in a new contract amount of \$4,572,584.21 and was authorized by Resolution 34-22; and

WHEREAS, there were previous material changes to the project which necessitated Change Order No. 3 which did increase of the contract amount by \$168,717.96 from the previously approved revised contract amount of \$4,572,584.21 resulting in a new contract amount of \$4,741,302.17 and was authorized by Resolution 64-22; and

WHEREAS, there have been material delays to the project which have necessitated an additional change order; and

WHEREAS, said changes are shown on a document entitled Change Order No. 4 dated November 10, 2022; and

WHEREAS, said Change Order No. 4 provides a 121-calendar day no cost time extension with a revised final completion date of December 9, 2022; and

WHEREAS, there are no cost increases as a result of this change order, the contract amount will remain at the previously approved amount of \$4,741,302.17; and

WHEREAS, the Authority and its Consulting Engineer, Colliers Engineering & Design, and P&A Construction, Inc. have agreed to such changes as fair and reasonable and could not have been foreseen when the contract was advertised and awarded; and

WHEREAS, the Cedarwood Park Undersized Water Main Replacement Project is being financed with assistance from the New Jersey Water Bank; and

WHEREAS, the New Jersey Water Bank must review and approve Change Order No. 4; and

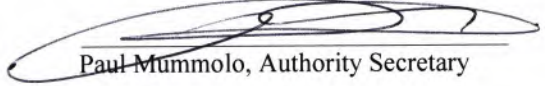
WHEREAS, the Authority's Deputy Executive Director and Director of Engineering/Operations, Stephen T. Specht, P.E., has reviewed this change order and is recommending that it be approved subject to the approval of the New Jersey Water Bank; and

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

1. Subject to the approval of the New Jersey Water Bank, this contract agreement between the Authority and P&A Construction, Inc. is amended and the change order entitled Change Order No. 4 dated November 10, 2022 may be executed by the officers and employees of the Authority subsequent to the execution of such change order by the appropriate officials of P&A Construction, Inc.; and
2. 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 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 Director and Director of Engineering/Operations
 - E. John Clifford, C.F.O.
 - F. Nicholas C. Montenegro, Esquire
 - G. Susan Brasefield, P.E., P.P., C.M.E., Colliers Engineering & Design
 - H. New Jersey Water Bank
 - I. P&A Construction, 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 Tuesday, November 29, 2022 a quorum being present and voting in the majority.


Paul Mummolo, Authority Secretary