

RESOLUTION NO. 75-22

THE BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

December 22, 2022

A Resolution Authorizing Final Quantities Change Order No. 1 – Change Order No. 5 for an Increase in the Revised Contract Amount of \$470,000.00 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 original 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 original 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 were material delays to the project which necessitated Change Order No. 4 which provided a 121 calendar day with no cost time extension and was authorized by Resolution 71-22; and

WHEREAS, Contract No. 716001A; Replacement of Cedarwood Park Undersized Water Main Replacement, is a unit price contract resulting in the need for a final quantities change order; and

WHEREAS, said requested modifications are shown on the document entitled Final Quantities Change Order No. 1 - Change Order No. 5 dated December 9, 2022; and

WHEREAS, said Final Quantities Change Order No. 1 - Change Order No. 5 provides for an increase of \$470,000.00 from the previously agreed upon revised contract amount of \$4,741,302.17 resulting in a new contract amount of \$5,211,302.17; 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 Final Quantities Change Order No. 1 - Change Order No. 5; 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 New Jersey Water Bank; and

WHEREAS, the Authority’s Chief Financial Officer, John Clifford, has advised the Authority that sufficient funds for the additional payment of \$470,000.00 do exist for Capital Project No. 716001A.

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

1. Subject to the approval by the New Jersey Water Bank, this contract agreement between the Authority and P&A Construction, Inc. is amended and the change order entitled Final Quantities Change Order No. 1 - Change Order No. 5 dated December 9, 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. Said amount of \$470,000.00 shall be funded from Capital Project No. 716001A; and
3. 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.

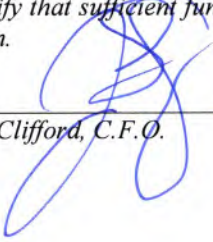
CERTIFICATION

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 Thursday, December 22, 2022 a quorum being present and voting in the majority.


Michael Blandina, Assistant Secretary/Treasurer

CFO Certification of Funds

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


John Clifford, C.F.O.