

**RESOLUTION NO. 35-23**

THE BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

April 27, 2023

**A Resolution for the Award of a Fair and Open Agreement with CME Associates in a Not-To-Exceed Cost of the Work Basis the Amount of \$189,120.00 for Professional Engineering Consulting Services for the Design, Permitting, Assuring Compliance with the New Jersey Infrastructure Bank Program Requirements, Bidding and Award, Construction Administration/Management and Full-Time Inspection for the Emergency Generator Replacements at the Riverside Drive, Drum Point and Bay Harbor Waste Water Pump Stations (Including Electrical Service Upgrade); Capital Project No. 818001X**

**WHEREAS**, The Brick Township Municipal Utilities Authority (“Authority”) determined that the following three (3) waste water pump stations (WWPSs) are in need of generator replacements and electrical upgrades: Bay Harbor, Drum Point and Riverside Drive; and

**WHEREAS**, the Authority requires engineering services for the Design, Permitting, assuring compliance with the New Jersey Infrastructure Bank Program Requirements, Bidding and Award, Construction Administration/Management and Full-Time Inspection for the Emergency Generator Replacements at the Riverside Drive, Drum Point and Bay Harbor Waste Water Pump Stations (Including Electrical Service Upgrade); and

**WHEREAS**, the Authority’s Board of Commissioners authorized the issuance of a Request for Proposal (“RFP”) at the April 28, 2022 Public Meeting to the Authority’s Alternate Consulting Engineer, CME Associates, for the engineering services as listed above; and

**WHEREAS**, the Authority issued a RFP dated August 22, 2022 for the Design, Permitting, Bidding and Award, Construction Administration/Management and Full-Time Inspection for the Emergency Generator Replacements at the Riverside Drive, Drum Point and Bay Harbor Waste Water Pump Stations (Including Electrical Service Upgrade); and

**WHEREAS**, CME Associates submitted a proposal on September 15, 2022 and a revised proposal on February 2, 2023; and

**WHEREAS**, the Authority added the New Jersey Infrastructure Bank Program Requirements to the scope of work on April 10, 2023; and

**WHEREAS**, CME Associates submitted a FINAL proposal on April 12, 2023; and

**WHEREAS**, the Not-to-Exceed Tasks on a Cost of the Work Basis as stipulated in the CME Associates’ FINAL proposal are as follows:

- Task 1 – Design and Technical Specifications for \$71,285.00;
- Task 2 – Permitting for \$1,460.00;
- Task 3 – Bidding and Award Phase Services for \$6,070.00
- Task 4 – NJ Infrastructure Bank (NJIB) Program (if and where directed) for \$18,625.00;
- Task 5a – Construction Administration/Management for \$35,160.00;
- Task 5b – Full-time Inspection Services (if and where directed) for \$56,520;

and;

**WHEREAS**, the Authority’s Deputy Executive Director and Director of Engineering and Operations, Stephen T. Specht, P.E., has reviewed the proposals and has determined that CME Associates meets the scope and scheduling requirements of the RFP and the award of this professional contract to CME Associates would be acceptable; and

**WHEREAS**, the Authority has previously appointed CME Associates via a fair and open process as an Alternate Consulting Engineer; 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**, the award of this Alternate Consulting Engineering Agreement is a professional services contract 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

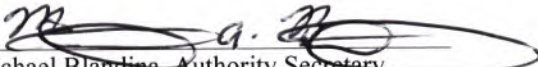
**WHEREAS**, the Authority’s Chief Financial Officer, John Clifford, has advised the Authority that sufficient funds for the payment of \$189,120.00 do exist in the 2023/2024 Capital Budget under Capital Project No. 818001X.

**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the Brick Township Municipal Utilities Authority as follows:

1. The above referenced Contract for professional engineering services be awarded to CME Associates, 3141 Bordentown Avenue, Parlin, New Jersey 08859; and
2. The Authority's Chairman and Secretary are hereby authorized to execute an Agreement for these services subsequent to the execution of said Agreement by CME Associates; and
3. Said amount of \$189,120.00 shall be funded from Project No. 818001X 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, Authority Chair
  - B. Michael Blandina, Authority Secretary
  - C. Chris 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. CME Associates

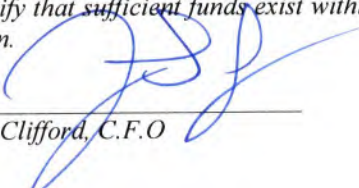
CERTIFICATION

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, April 27, 2023, a quorum being present and voting in the majority

  
Michael Blandina, Authority Secretary

**CFO Certification of Funds**

*I certify that sufficient funds exist within the Authority's Capital Project No. 818001X to fund the action authorized herein.*

  
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John Clifford, C.F.O