

**RESOLUTION NO. 50-23**

THE BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

July 26, 2023

**A Resolution Authorizing Final Quantities Change Order No. 3 – Change Order No. 7 for an Increase in the Revised Contract Amount by \$3,570.00 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 Change Order No. 1 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 Change Order No. 2 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 did increase of the contract time by 121 calendar days with no additional cost to the authority and was authorized by Resolution 71-22; and

**WHEREAS**, there were unit price overages to the project which necessitated Final Quantities Change Order No. 1 - Change Order No. 5 which did increase of the contract amount by \$470,000.00, resulting in a new revised contract amount of \$5,211,302.17 and was authorized by Resolution 75-22; and

**WHEREAS**, there were unit price increases and decreases to the project which necessitated Final Quantities Change Order No. 2 - Change Order No. 6 which did decrease of the contract amount by \$56,806.57, resulting in a new revised contract amount of \$5,154,495.60 and was authorized by Resolution 33-23; 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. 3 - Change Order No. 7 dated July 12, 2023; and

**WHEREAS**, said change order provides for an increase of \$3,570.00 from the previously agreed upon revised contract amount of \$5,154,495.60 resulting in a new contract amount of \$5,158,065.60; 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. 3-Change Order No. 7; 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 \$3,570.00 do exist for Capital Project No. 716001A.

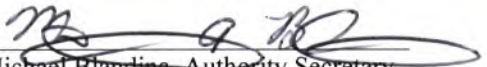
**NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF THE BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY** as follows:

1. Subject to the approval of 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. 3 - Change Order No. 7 dated July 12, 2023 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 \$3,570.00 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. Thomas C. Curtis, Authority Chair
- B. Michael Blandina, 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. New Jersey Water Bank
- H. 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 Wednesday, July 26, 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. 716001A to fund the action authorized herein.*

  
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John Clifford, CFO