

**RESOLUTION NO. 60-23**

**THE BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY**

September 28, 2023

**A Resolution Authorizing Change Order No. 4 for a 67 Calendar Day No Cost Time Extension with Unitemp, Inc. for the Energy Savings Improvement Program – HVAC Improvements; Brick Utilities’ Capital Contract No. 920001**

**WHEREAS**, The Brick Township Municipal Utilities Authority (the “Authority”) did enter into a contract with Unitemp, Inc. for work associated with the Energy Savings Improvement Program – HVAC Improvements under Contract No. 920001, which contract was authorized by Resolution 31-22; and

**WHEREAS**, there were material delays to the project which necessitated Change Order No. 1 which provided a 60 calendar day with no cost time extension which was authorized by Resolution 60-22; and

**WHEREAS**, there were previous material changes to the project which necessitated Change Order No. 2 which increased the contract amount by \$10,691.78 from the original contact amount of \$1,050,000.00 resulting in a new revised contract amount of \$1,060,691.78 and a 90 calendar day no cost time extension with a new revised final completion date of March 4, 2023 which was authorized by Resolution 78-22; and

**WHEREAS**, there were previous material changes to the project which necessitated Change Order No. 3 which increased the contract amount by \$110,00.00 from the revised contact amount of \$1,060,691.78 resulting in a new revised contract amount of \$1,170,691.78 and a 171 calendar day no cost time extension with a new revised final completion date of August 25, 2023 which was authorized by Resolution 40-23; and

**WHEREAS**, there have been material changes 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 August 18, 2023; and

**WHEREAS**, Change Order No. 4 provides for a 67 calendar day no cost time extension with a new revised final completion date of October 31, 2023; and

**WHEREAS**, the Authority and its Consulting Engineer, Colliers Engineering & Design, and Unitemp, 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 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; and

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

1. This contract agreement between the Authority and Unitemp, Inc. is amended and the change order entitled Change Order No. 4 dated September 18, 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 Unitemp, Inc.; and
2. An increase of a 67 calendar day contract no cost time extension be approved for Capital Project No. 920001; 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. Derek Jordan, P.E., Colliers Engineering & Design
  - H. Unitemp, 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, September 28, 2023 a quorum being present and voting in the majority

  
Michael Blandina, Authority Secretary