

RESOLUTION 2021-14

**RESOLUTION OF THE PLUMSTED MUNICIPAL UTILITIES
AUTHORITY AUTHORIZING TWO (2) CHANGE ORDERS
WITH RESPECT TO THE AUTHORITIES CONTRACT WITH
TOMAR CONSTRUCTION SERVICES, INC.**

WHEREAS, the Plumsted Municipal Utilities Authority has previously entered into a contract with Tomar Construction Services, Inc., with respect to the project known as the PMUA Waste Water Treatment Plant; and

WHEREAS, during construction, the contractor utilized soil borings and soil classification for the design of sheet piles and the planning of the sheet pile installation; and

WHEREAS, the results in the field did not reflect the expected soil conditions based upon said soil borings, resulting in the sheet piles being cut off below grade and being abandoned in the ground on site; and

WHEREAS, the total cost of the Change Order No. 1 is \$430,579.96 for the purchase and abandonment of the original sheet piles and the additional costs associated with sheet pile installation; and

WHEREAS, this additional work also resulted in an increase in the contract time by a period of thirteen (13) days; and

WHEREAS, the Authority's Engineer has recommended the Authority approved said change order, as well as a request for an additional thirteen (13) calendar days to complete this contract, and the Authority wishes to accept the recommendation of its' Consulting Engineer, T&M Associates; and

WHEREAS, this Resolution is specifically contingent upon the Township's Chief Financial Officer issuing a certificate of availability of funds for this change order; and

NOW, THEREFORE, BE IT RESOLVED, this ____ day of _____, 2020, by the Plumsted Municipal Utilities Authority as follows:

1. The Authority hereby authorizes a change order to increase the contract amount by the total sum of \$430,579.96; and

BE IT FURTHER RESOLVED, that the Authority hereby authorizes the contract to be amended to include an additional thirteen (13) calendar days for completion of all work based upon the sheet pile issues noted above; and

BE IT FURTHER RESOLVED, that a copy of this Resolution for forwarded to the following:

1. Peter Ylvisaker, Executive Director;
2. Stephen Schreiber, Authority Engineer;
3. Tomar Construction Services, Inc.;
4. Gregory P. McGuckin, Authority Counsel.

CERTIFICATION

I, _____, Secretary of the PMUA, do hereby certify that the foregoing Resolution was approved by the PMUA on _____, 2020.

PMUA Secretary

**DASTI, MURPHY
McGUCKIN, ULAKY,
KOUTSOURIS & CONNORS**

COUNSELLORS AT LAW

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