

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF NORTH BRUNSWICK
AUTHORIZING A CHANGE IN SCOPE TO THE 2023 PROFESSIONAL SERVICE
AGREEMENT WITH T&M ASSOCIATES FOR MECHANICAL ENGINEERING
SERVICES ASSOCIATED WITH HVAC REMEDIATION AND RESTORATION
WORK FOR THE MUNICIPAL COMPLEX BUILDING**

WHEREAS, Hurricane Ida impacted New Jersey on Wednesday, September 1, 2021, bringing severe weather conditions including strong winds, reports of tornadoes, and heavy and sustained rainfall in some areas; and

WHEREAS, during the event, a significant amount of water penetrated the Municipal Complex, causing major damage to the building; and

WHEREAS, in September of 2021, the company Rapid Recovery was engaged under the Garden State Joint Insurance Fund to begin *remediation* efforts; and

WHEREAS, Rapid Recovery as the primary contractor engaged subcontractors to work on various restoration efforts, which included *M&E Engineers, Inc.* for initial professional review of the plumbing and *Air Exchange* for the Heating, Ventilation, Air Conditioning (HVAC) work; and

WHEREAS, in November and December of 2021, subcontractor Air Exchange began work on the replacement of the three boiler units that heat the building, and were unable to make fully operational given concerns they raised with the associated piping; and

WHEREAS, Rapid Recovery attempted to supplement heat to the building with space heaters and Public Works also brought in space heats to supplement areas of concern; and

WHEREAS, in May of 2022, Rapid Recovery requested the Township engage the services of a *mechanical engineer* that was familiar with the HVAC system under their prior engagement with Rapid Recovery to provide review and recommendation for components of the HVAC system; and

WHEREAS, in June of 2022, pursuant to Resolution 189-6.22, M&E Engineers, Inc. was engaged to provide professional engineering services for work associated with the remediation and restoration efforts relating to the HVAC system; and

WHEREAS, by August of 2022, a small space in the back first floor of the Police Department was isolated with a separate temporary heating, ventilation and air condition system (HVAC) and available for identified police use; and

WHEREAS, in November and December of 2022, the current contractor *Rapid Recovery* and sub-contractor *Air Exchange* notified municipal officials there was still issues with the new boiler system including the connecting pumps; and

WHEREAS, in addition, *Rapid Recovery* notified municipal officials that the anticipated delivery date the replacement cooling units would be mid-October of 2023 and were unable to provide a timeline for heating elements, in summary due to uncertainty with the condition of system components; and

Resolution #DRAFT

WHEREAS, the infrastructure network for the municipality is located within the Municipal Complex and has been affected by the physical impacts of the climate variability, leaving the system vulnerable to failure points for over a year and is hitting a critical level going into a second winter season; and

WHEREAS, given the uncertainty and duration that current contractors/professionals have taken to restore climate control to the building, municipal officials began meeting with engineering firm T&M Associates to review options and provide project assistance; and

WHEREAS, on December 12, 2022, pursuant to Resolution 350-12.22, the Township engaged T&M Associates to provide mechanical and related environmental engineering services associated with the restoration of the heating, ventilation and air condition system (HVAC) at the Municipal Complex, in an amount not-to-exceed \$40,000.00; and

WHEREAS, in December and January of 2022, engineers with T&M Associates conducted a review of the current system and met with the current contractor Rapid Recovery and subcontractor Air Exchange to review work performed and equipment ordered; and

WHEREAS, based on T&M Associates findings, additional work will be required to restore the boiler as installed by the current sub-contractor, in addition to recommendations to amend components currently ordered, resulting in a further delay to restore climate control to the facility; and

WHEREAS, in January of 2023, pursuant to Resolution 16-1.23, T&M Associates (11 Tindall Road, Middletown, NJ 07748) was authorized to provide mechanical engineering consulting services for calendar year 2023, as awarded under a fair and open contract process, pursuant to the provisions of N.J.S.A. 19:44A-20.1 et seq.; and

WHEREAS, T&M Associates 2023 current agreement includes general matters in an amount not-to-exceed \$10,000.00; and

WHEREAS, at the request of the Township, T&M Associates has provided a proposal for additional mechanical engineering services associated with the restoration of the heating, ventilation and air condition system at the Municipal Complex, including the assistance with a temporary solution; and

WHEREAS, work associated with the proposal submitted by T&M Associates, shall be presented to the excess carrier for a determination of coverage with Municipal Officials seeking approved as an eligible expense under the claim; and

WHEREAS, compensation for said services shall be based upon the January 30, 2023 proposal submitted by T&M Associates, to be paid upon submission of monthly invoices, in an amount not-to-exceed \$ _____.

NOW, THEREFORE, BE IT RESOLVED on this 6th day of February 2023, that the Township Council of the Township of North Brunswick does hereby authorize the Mayor to execute and the Township Clerk to witness an amendment to the current agreement with T&M Associates to include mechanical engineering services associated with the restoration of the heating, ventilation and air condition system at the Municipal Complex, in an amount not-to-exceed \$ _____; and

BE IT FURTHER RESOLVED notice of this action shall be published in the Home News & Tribune as required by law within 10 (ten) days after its passage.

CERTIFICATION

I, Cavel Gallimore, Chief Financial Officer, hereby certify that \$ _____ is available for this purpose in Capital Ordinance 22-23 account C-04-55-C22-230-902 contingent upon reimbursement under the insurance claim. Contract PRO22063.

Cavel Gallimore
Chief Financial Officer

Justine Progebin
Business Administrator

Ronald Gordon, Esq.
Township Attorney
Approved as to Legal Form

RECORDED VOTE:

COUNCIL MEMBER	YES	NO	ABSTAIN	NOTES
HUTCHINSON				
GUADAGNINO				
ANDREWS				
DAVIS				
SOCIO				
MEHTA				
MAYOR WOMACK				

I hereby certify that the above Resolution was duly adopted by the Township Council of the Township of North Brunswick, County of Middlesex, at its meeting held on February 6, 2023.

Lisa Russo
Township Clerk