

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF NORTH BRUNSWICK
AUTHORIZING AN AMENDMENT 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, in January of 2023, pursuant to Resolution 16-1.23, T&M Associates (11 Tindall Road Middletown, NJ 07748) to provide Mechanical Engineer Services for calendar year 2023; and, 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 agreement includes the following:

→ General services in an amount not-to-exceed \$10,000.00,

Amendment 1 → Mechanical, Electrical, and Plumbing (MEP) Engineering Services for the Municipal Complex building HVAC Assessment and Temporary HVAC Project, in an amount not-to-exceed \$20,000.00,

Amendment 2 → Mechanical, Electrical, and Plumbing (MEP) Engineering Services for HVAC modifications related to improvements to the Municipal Complex, in an amount not-to-exceed \$124,900.00; and

Amendment 3 → Mechanical, Electrical, and Plumbing (MEP) Engineering Services for HVAC modifications related to resiliency improvements to the Municipal Complex, in an amount not-to-exceed \$15,000.00, for a revised contract amount to \$169,900.00, and

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, in 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

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, in November and December of 2022, 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 findings detailed in the T&M Associates report, the boiler as installed by the current sub-contractor had several failure points, in addition there were recommendations to amend components currently ordered by the sub-contractor for the Chillers and Air Handlers; and

WHEREAS, in February of 2023, pursuant to Resolution 72-2.23, the contract with T&M was increased by \$20,000.00 for continued work associated with review of the boilers, chillers and air handlers; and

WHEREAS, in March of 2023, the Township contracted with Servpro to replace Rapid Recovery as lead contractor for the remediation and restoration work at the Municipal Complex associated with Hurricane Ida; and

WHEREAS, in March of 2023, the Township contracted with Hanna’s Mechanical Contractors to perform necessary temporary climate control work at the Municipal Complex; and

WHEREAS, at the request of the Township, T&M Associates has provided a proposal for coordination and design work with Servpro and Hanna’s Mechanical Contractors on Temporary and Restoration efforts at the Municipal Complex HVAC Temporary and Restoration HVAC Project; 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 revised proposal submitted by T&M Associates, to be paid upon submission of monthly invoices, in an amount not-to-exceed \$55,400.00 for a revised amount of \$115,400.00 towards this project inclusive of \$20,0000.00 under the 2022 authorization, and a 2023 authorization not-to-exceed \$225,300.00.

NOW, THEREFORE, BE IT RESOLVED on this 17th day of April 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 for coordination and design work with Servpro and Hanna’s Mechanical Contractors on Temporary and Restoration efforts at the Municipal Complex, in an amount not-to-exceed \$55,400.00 for a revised amount of \$115,400.00 towards this project inclusive of \$20,0000.00 under the 2022 authorization, and a 2023 authorization not-to-exceed \$225,300.00.

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 \$55,400.00 is available for this purpose in Capital Ordinance 22-23 account C-04-55-C22-230-902. Contract PRO23040.

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 April 17, 2023.

Lisa Russo
Township Clerk



YOUR GOALS. OUR MISSION.

AGREEMENT MODIFICATION

T&M Project No. **NBRU-00080**

Agreement Modification No.:2

Project Name: **HVAC ASSESSMENT & INTERIOR RENOVATION**

Original Agreement Date: December 12, 2022

Original Amount: **\$40,000**

Description of Modification: **T&M Additional Coordination and Design
Re: Boiler, AHU, Chiller & Switchgear Evaluation and Repair**

Schedule of Fees: Per Contract

Terms & Conditions (or Other): **See Original Contract**

Reason for Modification: Client Initiated: X

T&M Request:

Original Agreement Amount (not to exceed Fee): **\$ 40,000**

Original Agreement Modification (not to exceed Fee): **\$ 20,000**

Amount of this Modification: (Budget Fee*) **\$ 55,400**

Revised Agreement Amount: **\$ 115,400**

**Professional services will be compensated by the Budget Fee indicated. Budget Fee items will be compensated by an amount determine using the previously submitted Hourly Billing Rates, using an hourly billing rate for each job title multiplied by time expended, including travel time, pus amount equal to 115% of contracted services, plus direct expenses at cost in accordance with the previously submitted Schedule of Miscellaneous Charges.*

No additional services to be provided pursuant to this Agreement Modification until accepted by Client and T&M Associates (T&M). All provisions of the original Agreement not changed by this or prior modifications remain in effect.

CLIENT: TOWNSHIP OF NORTH BRUNSWICK

T&M ASSOCIATES

Signature: _____

Signature: James Mieth

Typed Name: Justine Progebin

Typed Name: James Mieth

Title: Business Administrator

Title: MEP Group Manager

Date: _____

Date: April 13, 2023

PROJECT NO. NBRU-00080
HVAC assessment & interior renovation
Agreement Modification No. 2

Scope:

TASK 1 Additional Design Services

\$55,400 (Budget Fee)

The Client has requested that T&M provide additional design services for the replacement associated with the boilers air handlers and chillers for this project. This includes the following:

Design

- Additional mechanical design services to support the repair and installation of the boiler's chillers and air handlers.
- Additional electrical design services to support the evaluation of the main switch gear including the design of temporary means of power to support the townships IT infrastructure and Police department during the evaluation period.
- Design and specification of repair or replacement measures for the electrical infrastructure required per the finding of the evaluation.
- Attendance of weekly progress meetings