

**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 ENVIRONMENTAL 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, the storm caused severe damage to municipal facilities, infrastructure, vehicles and equipment, including the Municipal Complex which had extensive damage to the sections of the Police Department, exterior façade and basement where the mechanical room is located; and

WHEREAS, following the event professionals were engaged by the Insurance Company and excess carrier to review the Municipal Complex and provide a report on findings and issue an opinion to the carrier that is used as a basis for determination of coverage; and

WHEREAS, in the months following the initial reports, municipal officials for the Township challenged the findings and requested areas not addressed within the reports to be evaluated that also appeared to have sustained damage, which led to supplemental engagements by the insurance carrier to amend the findings; and

WHEREAS, in October and November of 2022, municipal officials working with legal counsel and the Risk Manager raised concerns with the findings to members of the Garden State Joint Insurance Fund and requested the carriers cover costs associated with an independent study of the additional areas of concern, that would be engaged by the Township; and

WHEREAS, in December of 2022, pursuant to Resolution 346-12.22, an agreement with BDO USA, LLP was authorized for claims administration services and for assistance with the reporting, documentation and submission requirements; and

WHEREAS, in September of 2021, following Hurricane Ida, Hillmann had been engaged by the contractor under the Insurance Carrier to provide an independent report on air quality conditions, moisture mapping of the interior walls and an assessment of HVAC duct work to be remediated; and

WHEREAS, in February of 2023, pursuant to Resolution 91-2.23, while an additional review of the Municipal Complex was being conducted by professionals, Hillmann was engaged by the Township to provide a more comprehensive investigation of the environmental conditions; and

WHEREAS, based on findings detailed within the report issued by Hillmann on June 16, 2023, additional testing was recommended for the first, second and third floor ductwork, specifically sections connecting to the two basement *air handler units* that were located flooded during the event; and

WHEREAS, in June of 2023, pursuant to Resolution 212-6.23, Hillmann was engaged to provide additional testing of the ductwork; and

WHEREAS, based on Hillmann's findings in a report issued August 10, 2023, additional work will be required to assess the extent of damage and make a recommendation as to the scope of restoration necessary for remediation; and

WHEREAS, in December of 2022, pursuant to Resolution 350-12.22, T&M Associates was engaged to provide mechanical engineering services associated with the restoration of the heating, ventilation and air condition system at the Municipal Complex and has experience with the ductwork system; and

WHEREAS, at the request of the Township, T&M Associates has provided a proposal to have Certified Industrial Hygienist to review the Hillmann Report, assess the extent of damage and make a recommendation as to the scope of work necessary for restoration of the ductwork at the Municipal Complex; and

WHEREAS, compensation for said services shall be based upon the _____, 2023 proposal submitted by T&M Associates, to be paid upon submission of monthly invoices, in an amount not-to-exceed \$_____.00.

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, in January of 2023, pursuant to Resolution 11-1.23, T&M Associates, (11 Tindall Road, Middletown, NJ 07748) was authorized to provide Environmental Engineering 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.

NOW, THEREFORE, BE IT RESOLVED on this 5th day of September 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 for Environmental services to assess the extent of damage and make a recommendation as to the scope of work necessary for restoration of the ductwork 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 PRO23068.

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 September 5, 2023.

Lisa Russo
Township Clerk