

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF NORTH BRUNSWICK
AUTHORIZING A CHANGE IN SCOPE TO THE 2024 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 regions; and

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

WHEREAS, subsequent to the event, professionals were engaged by the Insurance Company and excess carrier to assess damage to the Municipal Complex, compile a report on their findings, and issue an opinion to the excess carrier to serve 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, prompting supplemental engagements by the insurance carrier to revise the initial findings; and

WHEREAS, in October and November of 2022, municipal officials working with legal counsel and the municipal 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 findings in the report issued by Hillman on August 10, 2023, additional work was required, including ductwork past the basement level that have been evaluated by T&M Associates as the 2023 mechanical engineering firm; and

WHEREAS, in December of 2022, pursuant to Resolution 350-12.22, T&M Associates was *first* 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 HVAC system; and

WHEREAS, in September of 2023, at the request of the Township, T&M Associates was engaged to provide industrial hygiene support to the Certified Industrial Hygienist under Hillman, assist with assessing 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, the agreement with T&M Associates was amended to include remediation and restoration efforts at the Municipal Complex for design through bid phase services relating to the Municipal Complex HVAC Project, that includes air handlers, chillers, ductwork, system components and related restoration, under BID24002; and

WHEREAS, in February of 2024, pursuant to Resolution 79-2.24, a contract was authorized in accordance with contract BID24002 with Environmental Climate Control (ECC) of Wallington, New Jersey for the Municipal Complex HVAC Project; and

WHEREAS, at the request of the Township, T&M Associates submitted a proposal to provide Construction Administration services for contract BID24002, in addition to providing continued oversight and recommendations during the transition period with contractors, assistance with reviewing the basement switchgear, boiler startup, climate control and industrial hygiene support to the Certified Industrial Hygienist under Hillman; and

WHEREAS, compensation for said services shall be based upon the 2024 rate schedule under the current contract with T&M Associates, to be paid upon submission of monthly invoices, in an amount not-to-exceed \$60,200.00; 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, in January of 2024, pursuant to Resolution 7-1.24, T&M Associates, (11 Tindall Road, Middletown, NJ 07748) was authorized to provide Environmental Engineering Services for calendar year 2024, 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 18th day of March 2024, 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 provide Construction Administration services for contract BID24002, in addition to providing continued oversight and recommendations during the transition period with contractors, assistance with reviewing the basement switchgear, boiler startup, climate control and industrial hygiene support to the Certified Industrial Hygienist under Hillmann, in an amount not-to-exceed \$60,200.00; 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 \$60,200.00 is available for this purpose in Storm Recovery Reserve Account D-33-56-850-005-001. Contract PRO24041

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
MEHTA				
GUADAGNINO				
ANDREWS				
DAVIS				
SOCIO				
HUTCHINSON				
MAYOR WOMACK				

I hereby certify that the above Resolution was duly adopted by the Township Council of North Brunswick at a meeting duly held on March 18, 2024.

Lisa Russo
Township Clerk



YOUR GOALS. OUR MISSION.

AGREEMENT MODIFICATION

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

Agreement Modification No.:4

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**

2nd Agreement Modification (not to exceed Fee): **\$ 55,400**

3rd Agreement Modification (not to exceed Fee): **\$ 30,000**

Amount of this Modification (not to exceed Fee): **\$ 60,200**

Revised Agreement Amount: **\$ 205,600**

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: February 29, 2024,

PROJECT NO. NBRU-00080
HVAC assessment & interior renovation
Agreement Modification No. 4

Scope:

TASK 1 Additional Design Services

\$60,200 (Not to Exceed Fee)

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

Design

- Additional MEP construction administration services to support the repair/cleaning and installation of the ductwork.
- Additional MEP construction administration services support for the restoration of the MEP systems.
- Additional MEP construction administration services support for the restoration of elevators.
- Additional MEP services to support electrical power design requirements for the restoration of the facilities IT infrastructure systems.
- Additional MEP services to support repair/design requirements for the restoration of the facilities heating hot water system and associated terminal units.
- Review pay apps and associated costs of restoration work
- Attendance of (22) bi-weekly construction progress meetings