

**A RESOLUTION OF THE TOWNSHIP OF NORTH BRUNSWICK
AUTHORIZING THE AWARD OF CONTRACT BID24002 TO
ENVIRONMENTAL CLIMATE CONTROL
FOR THE MUNICIPAL COMPLEX HVAC PROJECT INCLUDING
AIR HANDLERS, CHILLERS, DUCTWORK AND RELATED RESTORATION**

WHEREAS, Hurricane Ida impacted New Jersey on Wednesday, September 1, 2021, bringing severe weather conditions including strong winds 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 components of the heating ventilation and air conditioning (HVAC) system including; air handlers, chillers, ductwork and controls; and

WHEREAS, following the event, professionals were engaged by the Insurance Company and excess carrier to review the Municipal Complex and report on their findings, issuing opinions to the carrier that were used as a basis for determination of coverage; and

WHEREAS, municipal officials have continued to challenge findings on the extent of the damage to HVAC system components, including concerns with the ductwork past the basement level that have been evaluated by T&M Associates as the 2023 mechanical engineering firm; and

WHEREAS, in addition to work associated with making corrections to the current HVAC system, additional work will be required to change components of the current system based on proposed improvements, including an increase in capacity with the third floor build-out; 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, on January 31, 2024, the Municipal Clerk witnessed the receipt of three bids, AMCO Enterprises of Kenilworth, New Jersey with a base bid of \$3,291,000.00, plus Alt 1 \$659,000.00 and Alt 2 \$299,000.00, Environmental Climate Control of Wallington, New Jersey with a base bid of **\$3,997,000.00**, plus Alt 1 \$640,000.00 and Alt 2 \$340,000.00, and K&D Contractors, LLC of Kenilworth, New Jersey with a base bid of \$4,575,600.00, plus Alt 1 \$780,000.00 and Alt 2 \$318,000; and

WHEREAS, on February 1, 2024, AMCO Enterprises made a request to withdraw their bid due to a mistake made in calculating the amount bid which has been reviewed by T&M Associates and Legal Counsel that collectively recommend accepting their request; and

Resolution: _____

WHEREAS, pursuant to Public Contracts Law N.J.S.A. 40A:11-23.3 et seq. when a bidder requests withdrawal due to a mistake on the part of the bidder, the governing body of the contracting unit shall first act upon the request to withdraw the bid and may then continue the award process with the remaining bids; and

WHEREAS, on February 5, 2024, James Mieth with T&M Associates, engineering firm for this project, the Purchasing Agent and Legal Counsel met with the second lowest bidder, Environmental Climate Control, to review their bid submission, noting an irregularity within a submission form that was determined to be a clerical error and has been corrected by the bidder; and

WHEREAS, James Mieth with T&M Associates, engineering firm for this project, the Purchasing Agent and Legal Counsel have reviewed the qualifications and bid submitted by Environmental Climate Control and determined them responsive under the provisions of the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq. and all other provisions of the revised statutes of the State of New Jersey.

NOW THEREFORE, BE IT RESOLVED, that the request made by AMCO Enterprises to withdraw their bid submission is hereby accepted.

BE IT FURTHER RESOLVED, that the bid submitted by Environmental Climate Control is hereby accepted.

BE IT FURTHER RESOLVED, Township Council of the Township of North Brunswick does hereby authorize the Mayor to execute and Township Clerk to witness an agreement with Environmental Climate Control of Wallington, New Jersey for the Municipal Complex HVAC Project, in accordance with Contract BID24002, in the amount of \$3,997,000.00 for the base bid.

CERTIFICATION

I, Cavel Gallimore, Chief Financial Officer of the Township of North Brunswick, certify that funds in the following accounts totaling \$7,300,081.51 are available under Contract PRO23045:

\$ 902,998.74 are available in Capital Ordinance 22-23 account C-04-55-C22-230-101, and
\$ 3,094,001.26 are available in Capital Ordinance 23-11 account C-04-55-C23-232-101.

Cavel Gallimore
Chief Financial Officer

Justine Progebin
Business Administrator

Ronald Gordon, Esq.
Township Attorney
Approved as to legal form

Resolution: _____

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 the Township of North Brunswick, County of Middlesex, at its meeting held on February 5, 2024.

Lisa Russo
Township Clerk