

BOROUGH OF BRADLEY BEACH, MONMOUTH COUNTY

RESOLUTION 2024-43

RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 AND SUPPLEMENTAL AGREEMENT NO. 1 FOR THE BIASE CENTER MOLD REMEDIATION AND MITIGATION SERVICES

offered the following Resolution and moved its adoption:

WHEREAS, the Local Public Contracts Law permits the award of emergency contracts pursuant to N.J.S.A. 40A:11, *et seq.*, subject to certain criteria, and

WHEREAS, the Local Public Contracts Law pursuant to N.J.S.A. 40A:11-6, *et seq.*, permits the award of contracts without public advertising for bids and bidding when an emergency exists affecting the public health, safety or welfare which requires the immediate delivery of goods or the performance of services, wherein the award of contract is made in the manner prescribed by the aforesaid statutes; and

WHEREAS, the Borough of Bradley Beach (the “Borough”), determined that an emergency exists due to an unsatisfactory microbial clearance in September 2023, following the recent roof replacement in August 2023, and there was a compromise in the moisture and microbial integrity of the Biase Center, and

WHEREAS, as a result of the aforesaid emergency, there was/is a need to conduct mold remediation and associated demolition in order for employees, community members and volunteers, including Meals for Wheels, to work and meet inside the Biase Center; and

WHEREAS, the Acting Borough Administrator and Purchasing Agent have each determined that the aforesaid emergency affects the public health, safety and/or welfare; and

WHEREAS, in accordance with the aforesaid declaration and pursuant to N.J.S.A. 40A:11-6, *et seq.*, the aforesaid emergency project was awarded to Paul Davis Restoration of Morris and Passaic Counties in an amount not to exceed \$55,000.00; and

WHEREAS, the contract amount will increase by \$2,870.80 which represents additional labor for the mitigation services at the Borough’s request, and the contract is therefore in the total amount of \$57,176.56; and

WHEREAS, the Borough CFO has certified that funds are/were available to award the foregoing emergency contract in the following accounts: 3-01-26-310-000-231 and 4-01-26-310-000-231;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bradley Beach, County of Monmouth, State of New Jersey that the Borough's emergency award of a contract in the amount of \$57,176.56 to Paul Davis Restoration of Morris and Passaic Counties is ratified and approved; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Acting Business Administrator, Chief Financial Officer, Borough Auditor and Paul Davis Restoration of Morris and Passaic Counties.

CHIEF FINANCIAL OFFICER'S CERTIFICATION

I hereby certify that legally appropriated funds are available in the following accounts:

Richard Gartz, Chief Financial Officer

3-01-26-310-000-231

4-01-26-310-000-231

Seconded by Councilperson _____ and adopted on roll call by the following vote:

AYES

NAYS

ABSTAIN

ABSENT

Ms. DeNoble
Mr. Gubitosi
Ms. Mahoney
Mr. Weber
Mayor Fox

CERTIFICATION

I, Erica Kostyz, Municipal Clerk, Borough of Bradley Beach, Monmouth County, New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Governing Body at the January 24, 2024 Council Business Meeting.

Erica Kostyz, RMC, CMR
Municipal Clerk