

**RESOLUTION 2016-420**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF  
THE TOWNSHIP OF BARNEGAT, COUNTY OF  
OCEAN, STATE OF NEW JERSEY AUTHORIZING  
ACCEPTANCE AND EXECUTION OF A  
MEMORANDUM OF AGREEMENT BY AND BETWEEN  
THE TOWNSHIP OF BARNEGAT AND VIDEO PIPE  
SERVICES, INC.**

**WHEREAS**, the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey (hereinafter referred to as the "Township") has previously awarded a Contract to Video Pipe Services, Inc. (hereinafter referred to as the "Contractor") for sanitary sewer pipe repair services; and

**WHEREAS**, the Contract by and between the Township and Contractor was executed on or about September 23, 2013, and the Maintenance Bond insuring compliance with all improvements expired on November 14, 2016; and

**WHEREAS**, the original Contract price was approximately \$249,912.00, but the parties have agreed through negotiations and discussions to reduce the final Contract price to \$200,000.00; and

**WHEREAS**, the Contractor has agreed to comply with all punch list requirements as recommended by Roger Budd, Superintendent of the Township's Sewer and Water Department; and

**WHEREAS**, once the Contractor has therefore complied with all of its contractual obligations, to the satisfaction of the Township Engineer, the final payment shall be made.

**DASTI, MURPHY  
McGUCKIN, ULAKY,  
KOUTSOURIS & CONNORS**

COUNSELLORS AT LAW

620 WEST LACEY ROAD  
P.O. BOX 1057  
FORKED RIVER, N.J. 08731

**NOW, THEREFORE, BE IT RESOLVED**, this 6<sup>th</sup> day of December, 2016, by the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey as follows; and

1. The Township accepts and authorizes execution of the Memorandum of Agreement as prepared by the Township's Solicitor, a true of copy of which is on file with the Office on the Township Clerk, and can be reviewed during normal business hours.

2. The Township Authorizes release of the Maintenance Bond posted on behalf of the Contract, which expired by its own terms and conditions on or about November 14, 2016.

3. Upon execution of the Memorandum of Agreement by representatives of the Contractor, the Township authorizes final payment to the Contractor of \$200,000.00.

4. The Township authorizes and directs the Mayor, Township Clerk, Township Administrator and Township CFO to execute any and all necessary documents in order to implement the intent of this resolution.

3. A certified copy of this resolution shall be forwarded by the Township Clerk to the following:

- 1.) Honorable John J. Novak, Mayor, Mayor;
- 2.) Martin Lisella, Township Administrator;
- 3.) Thomas Lombarski, Township CFO;
- 4.) Roger Budd, Superintendent
- 5.) Jerry J. Dasti, Esquire;

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**CERTIFICATION**

I certify that the foregoing Resolution was duly adopted by the Township of Barnegat at a meeting held on December 6, 2016, a quorum being present and voting in the majority.

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**MICHELE RIVERS, RMC, TOWNSHIP CLERK**

Prepared by:

**DASTI, MURPHY, McGUCKIN, ULAKY,  
KOUTSOURIS & CONNORS**  
Forked River, New Jersey 08731

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