

**RESOLUTION NO. 2021 – 155**

**RESOLUTION OF THE TOWNSHIP OF  
BARNEGAT, COUNTY OF OCEAN, STATE OF  
NEW JERSEY, APPOINTING OWNER'S  
REPRESENTATIVE FOR THE MUNICIPAL  
BUILDING PROJECT**

**WHEREAS**, the Township of Barnegat, County of Ocean, State of New Jersey (the "Township") previously awarded the bid for the construction of the New Barnegat Township Municipal Building Project (the "Project") to Frankoski Construction Company, pursuant to the New Jersey Local Public Contracts Law N.J.S.A. 40A:11-1 et seq; and

**WHEREAS**, pursuant to the terms of the contract for the Project, the Township reserved the right to appoint an Owner's Representative for the Project to represent the Township's interest during the construction phase; and

**WHEREAS**, the terms of the contract for the Project provides that the Owners Representative will be compensated solely by the general contractor, and will be at no cost to the Township; and

**WHEREAS**, the Township has solicited request for qualifications and proposals in accordance with the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. for the position of Owners Representative; and

**WHEREAS**, qualifications have been received and reviewed by the Township.

**NOW, THEREFORE, BE IT RESOLVED** on this 4th day of May 2021 by the Mayor and the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey as follows:

1. The Township appoints Legacy Construction Management, Inc., 5021 Industrial Road, Wall, NJ 07727 as its Owner's Representative to the New Township Municipal Building Project and specifically, Steve Post shall serve as the On-Site Project Manager and Owners Representative. Pursuant to the contract and bid specifications for the Project, this appointment is at no cost to the Township and payment for all services to Legacy Construction Management, Inc. shall be paid directly by the General Contractor of the Project, Frankoski, Construction Co., Inc. This contract is for the award of a professional service and extraordinary unspecified services pursuant to the New Jersey Local Public Contracts Law N.J.S.A. 40A:11-1 et seq.

DASTI & ASSOCIATES

ATTORNEYS AT LAW

310 Lacey Road  
P.O. Box 779  
Forked River, N.J. 08753

2. The Owners Representative shall be paid in accordance with Section G5-G.18 of the General Conditions of the contract between the Township and its general contractor Frankoski Construction Company. The Owners Representative shall be paid directly by the general contractor, and at no cost to the Township.

3. The Mayor, Township Clerk and Township Administrator are hereby authorized to execute any and all documents to implement the intent of this resolution.

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

- (a) Al Bille, Mayor
- (b) Martin Lisella, Township Administrator
- (c) Tom Lombarski, CFO
- (d) Legacy Construction Management, Inc.
- (e) Eli Goldstein, The Goldstein Partnership, Township Architect
- (f) Roger Budd, Purchasing Agent
- (g) Frankoski Construction Co., Inc.
- (h) All bidders.

**CERTIFICATION**

I certify that the forgoing Resolution was duly adopted by the Township of Barnegat at a meeting held on May 4, 2021, a quorum being present and voting in the majority.

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Donna M. Manno, RMC  
Township Clerk

Prepared by:  
**DASTI & ASSOCIATES**

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