

RESOLUTION NO. 2021 – 89

**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 bids 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, the qualifications were received from vendors listing their qualifications; and

WHEREAS, the bid forms provided by the Township erroneously included requirements for a bid bond and a deposit, said requirements were listed in error and the Township waives those requirements from all bids; and

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WHEREAS, the position of Owners Representatives is a professional services agreement and for extraordinary unspecified services pursuant to the New Jersey Local Public Contracts Law N.J.S.A. 40A:11-1 et seq., as the Owners Representative must provide legal, contractual and construction oversight services to the Township with regard to the Project; and

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

NOW, THEREFORE, BE IT RESOLVED on this 2nd day of February 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 Vector International, LLC as its Owner's Representative to the New Township Municipal Building Project and in accordance with Section G5-G.18 of the Contract and Bid Specifications for the Project. This appointment is at no cost to the Township and payment for all services by Vector International, LLC is 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. The is a professional services appointment and the professional has construction and legal experience with regard to construction, construction management, highly specified knowledge of the issues related to this position, familiarity of the daily operations of construction management and legal requirements relative to construction related matters.

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

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contractor Frankoski Construction Company. The Owners Representative shall be paid directly by the general contractor, and at no cost to the Township.

3. The Township waives the requirement for a bid bond and bid deposit, as same was erroneously included in the bid solicitation.

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

5. 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) Vector International, LLC
- (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 February 2, 2021, a quorum being present and voting in the majority.

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Michele Rivers, Township Clerk

Prepared by:
DASTI & ASSOCIATES