

**AUTHORIZING CHANGE ORDER #2 FOR THE PRESTRESSED CONCRETE
EQUALIZATION TANK IMPROVEMENTS**

WHEREAS, T&M Associates, the Consultant Engineer has recommended to the Authority that Change Order #2 be approved in the Contract for the Prestressed Concrete Equalization Tank Improvements, and

WHEREAS, this Change Order results from an adjustment described in the Consulting Engineer's letter dated April 22, 2020 which is hereby attached. This was necessitated to adjust the contract cost to include the removal of pockets of clay and other unsuitable material found during EQ tank Excavations and preparations of the EQ tank foundation support, and

WHEREAS, this has resulted in an increase of the contract price computed as follows:

Original Contract Price	\$ 6,911,208.00
Previous Changes	\$ 1,258,400.00
Change Order #2	\$ 85,748.00
Net Change	\$ 1,344,148.00
Revised Contract Price	\$ 8,255,356.00

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Western Monmouth Utilities Authority as follows:

1. The Chief Executive Officer, Brian J. Valentino is hereby authorized to execute the Change Order #2 dated April 22, 2020 in accordance with its terms.
2. The Clerk is authorized to forward copies of this resolution, certified to be a true copy to:
 - a) T&M Associates
 - b) Leslie Warshauer, Chief Financial Officer

DATE: MAY 5, 2020

<u>ROLL CALL</u>	<u>Motion</u>		<u>Recorded Vote</u>			
	<u>1st</u>	<u>2nd</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
<u>McENERY</u>			X			
<u>ROSEN</u>		X	X			
<u>MENDEZ</u>	X		X			
<u>PERNICE</u>			X			

RESOLUTION APPROVING MINUTES

BE IT RESOLVED by the Commissioners of the Western Monmouth Utilities Authority that the regular minutes of the meeting and the closed session minutes of April 14, 2020 be and the same are hereby accepted for filing by the Authority.

DATE: MAY 5, 2020

<u>Commissioner</u>	<u>Motion</u>		<u>Recorded Vote</u>			
	<u>1st</u>	<u>2nd</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
McENERY		X	X			
MENDEZ	X		X			
ROSEN			X			
PERNICE			X			

AUTHORIZING EXECUTION OF DEVELOPERS AGREEMENT K. HOVNIANIAN NEW JERSEY OPERATIONS, LLC, PROJECT #636

BE IT RESOLVED by the Commissioners of the Western Monmouth Utilities Authority that the Chairman and Secretary be and they are hereby authorized and directed to execute a Developer's Agreement between the Western Monmouth Utilities Authority and K. Hovnanian New Jersey Operations, LLC, Project #636; and

BE IT FURTHER RESOLVED, the Commissioners of the Western Monmouth Utilities Authority are authorized to execute a Developers Agreement; and

BE IT FURTHER RESOLVED, that the Clerk is authorized to forward copies of this Resolution, certified to be true copies to:

1. K. Hovnanian New Jersey Operations, LLC, Project #636
2. CME Associates, Michael Dziubeck, Consultant Engineer
3. Francis J. Borin, Esq, Authority Attorney

DATE: MAY 5, 2020

<u>Commissioner</u>	<u>Motion</u>		<u>Recorded Vote</u>			
	<u>1st</u>	<u>2nd</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
McENERY		X	X			
ROSEN			X			
MENDEZ	X		X			
PERNICE			X			