

**EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY
COUNTY OF MERCER, STATE OF NEW JERSEY**

**RESOLUTION TO APPROVE THE AMENDING OF THE AGREEMENT BETWEEN
CDM SMITH AND EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY TO
UPDATE OFF TRACT IMPROVEMENT FEE (OTIF) PROGRAM**

Resolution # 2020-32

WHEREAS, an Agreement between CDM Smith Inc. (CDM Smith) ("ENGINEER") and East Windsor Municipal Utilities Authority ("OWNER") dated March 30, 2020, ("the Agreement"); and

WHEREAS, ENGINEER and OWNER entered into the Agreement for the Preliminary Document Review for Update of Off-Tract Improvement Fee (OTIF) Program, and

WHEREAS, the parties desire to amend the Agreement so as to amend the scope of work, time periods of performance and payment, and/or responsibilities of OWNER; and

WHEREAS, the Agreement provides that any amendments shall be valid only when expressed in writing and signed by the parties.

NOW THEREFORE, BE IT RESOLVED by the East Windsor Municipal Utilities Authority ("MUA" or "Authority") and in consideration of the mutual understandings and Agreements contained herein, the parties agree to amend the Agreement as follows:

1. The preamble to this Resolution shall be incorporated herein as if fully restated.
2. The Basic Services of ENGINEER as described in the Agreement are amended and supplemented as follows:
 - a. As indicated in Engineer's letter to Owner dated August 3, 2020.
3. The responsibilities of OWNER as described in the Agreement are amended and supplemented as follows:
 - a. As indicated in Engineer's letter to Owner dated August 3, 2020.
4. The time periods for the performance of ENGINEER's services as set forth in the Agreement are amended and supplemented as follows:
 - a. Services will be provided as indicated in Engineer's letter to Owner dated August 3, 2020 and as needed until the budget is expended. The total cost of service being \$24,950.00.
5. The payment for services rendered by ENGINEER shall be as set forth below:

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- a. As indicated in Engineer's letter to Owner dated August 3, 2020. Except as herein modified, all terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this amendment on the date indicated above for the purpose herein expressed.

The Authority Chairperson and Secretary are hereby authorized and directed to sign any necessary documents, and the Authority staff and professionals are authorized and directed to undertake any and all action's necessary, to effectuate the terms and intent hereof.

Dated: 8/20/20



Linda Moore, Chairperson

CERTIFICATION

The undersigned, Secretary of the East Windsor Municipal Utilities Authority, do hereby certify that the foregoing Resolution was considered and adopted by said Authority at its regular meeting held on this August 20, 2020.



Marc Platizky, Secretary