

**CITY OF BRIGANTINE
RESOLUTION 2024- 42**

**A RESOLUTION AUTHORIZING THE AWARD OF AN
IRRIGATION DESIGN CONSULTANT AND CONSTRUCTION AT
THE BRIGANTINE LINKS GOLF COURSE TO HYDOR DESIGNS
AND AMEND THE SHARED SERVICE AGREEMENT WITH THE
ATLANTIC COUNTY IMPROVEMENT AUTHORITY**

WHEREAS, the City of Brigantine entered into a shared service agreement with the Atlantic County Improvement Authority on October 12, 2023 to issue request for proposals for Irrigation Design Consultants for design of a new irrigation system; and


WHEREAS, The Authority issued and RFP and received two responses and determined that Hydro Designs, Inc. to be the most qualified bidder in the amount of \$32,500.00 for design; and

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Brigantine, County of Atlantic and State of New Jersey the City of Brigantine is to award Hydro Design, Inc for Irrigation Design Consultant and the Shared Service Agreement with the Atlantic County Improvement Authority is to be amended

BE IT FURTHER RESOLVED, that Albert Stanley, Chief Financial Officer of the City of Brigantine, does hereby certify that there are adequate funds available in Account C-04-19-012-103

Certified to be a true copy of a Resolution adopted by the Municipal Council for the City of Brigantine, County of Atlantic and State of New Jersey, on the 21st day of February, 2024.

CITY OF BRIGANTINE


Lynn Sweeney, RMC
City Clerk


Albert Stanley
Chief Financial Officer

Recorded Vote:	MOTIONS	AYE	NAY	ABSTAIN	ABSENT
Sera		✓			
Riordan		✓			
Kane	✗ ✗	✓			
Bew	✗	✓			
Lettieri		✓			
Haney		✓			
DeLucry				✓	

AMENDMENT #1

**AGREEMENT BETWEEN THE CITY OF BRIGANTINE AND THE
ATLANTIC COUNTY IMPROVEMENT AUTHORITY CONCERNING
THE PROCUREMENT OF AN IRRIGATION DESIGN
CONSULTANT FOR THE LINKS AT BRIGANTINE GOLF COURSE**

THIS AGREEMENT is made this 21st day of February, 2024 by and between the CITY OF BRIGANTINE, a municipal corporation, having a mailing address of 1417 W. Brigantine Avenue, Brigantine, New Jersey 08203) (hereinafter referred to as the "Municipality") and the ATLANTIC COUNTY IMPROVEMENT AUTHORITY, a public body corporate and politic of the State of New Jersey, having a mailing address of 600 Aviation Research Boulevard, Egg Harbor Township, NJ 08234 (hereinafter referred to as the "Authority") (the "Municipality" and the "Authority", collectively referred to herein as the "Parties").

WITNESSETH:

WHEREAS, the Municipality is the owner and the operator of a certain public golf facility located in the City of Brigantine and County of Atlantic, and commonly known as the Links at Brigantine (hereinafter the "Golf Course"), and

WHEREAS, the Golf Course was acquired by the Municipality in 2003, with funding provided by the New Jersey Green Acres program, and

WHEREAS, the Golf Course currently includes a 6,570 par 72 course, a putting green, a golf cart storage barn, along with a club house that includes administrative offices, a pro-shop, and a food-service area, and

WHEREAS, pursuant to N.J.S.A. 40:37A-77, the Municipality by resolution of its governing body is empowered, without any referendum or public or competitive bidding to sell, lease, lend, grant or convey to the Authority, or to permit the Authority to use, manage and operate, as part of any public facility, any real or personal property which may be necessary or useful and convenient for the purposes of the Authority and accepted by the Authority, and

WHEREAS, pursuant to N.J.S.A. 40A:1 1-5(2) any purchase, contract or agreement can be made by any Municipality with any authority thereof, without public advertising for bids or bidding therefore, and

WHEREAS, pursuant to N.J.S.A. 40:37A-54, the Authority is empowered to improve, further, and promote the tourist, industries and recreational attractiveness of the County through the planning, acquisition, construction, improvement, management and operation of facilities for the recreation and entertainment of the public, and

WHEREAS, the Authority and Municipality have entered into a Shared Services Agreement related to the operation of the Golf Course; and

WHEREAS, in order to maintain the Golf Course it is necessary from time to time to purchase equipment so as to do so and that, pursuant to Article II of the aforesaid Shared Services Agreement the responsibility to maintain and replace, as necessary, the equipment in use at the Golf Course remains that of the Municipality; and

WHEREAS, on May 3rd, 2023 the Municipality authorized the Authority to purchase a Variable Speed Pump Station (Pump Station) in order to preserve the integrity of the irrigation system at the Golf Course for the benefit of the Municipality and Golf Course and to lease said Pump Station to the Municipality for a SIXTY (60) month period in equal payments totaling the actual cost of the equipment (with there being no interest thereon) and that, at the end of said SIXTY (60) month period, title will be transferred to the Municipality; and

WHEREAS, the Municipality desires to advance the next phase of golf course improvements by entering into a Shared Services Agreement with the authority to issue a Request for Proposals (RFP) form Irrigation Design Consultants for design of a new irrigation system; and

WHEREAS, the Board of Commissioners of the Authority has, by Resolution, approved of entering into this Shared Services Agreement and the Council of the Municipality has likewise approved, by Resolution, entering into same; and

WHEREAS, the City of Brigantine and the Authority executed a Shared Services Agreement on November 17th concerning the procurement of an irrigation design consultant; and

WHEREAS, the Authority issued an RFP for Irrigation Design Consultants on November 28th 2023 and received two (2) responses from Hydro Designs, Inc, in the amount \$75,750.00 and Hort Solutions in the amount of \$59,900.00 on January 9th 2024; and

WHEREAS, Authority staff and representatives of the City of Brigantine interviewed both firms on January 24th and determined Hydro Designs, Inc. to be most qualified bidder; and

WHEREAS, Hydro Designs, Inc. provided a cost breakdown of services to include design phase through bidding at \$32,250.00 and construction and commissioning at \$40,500.00; and

WHEREAS, The City of Brigantine is desirous of just awarding the design through bidding at \$32,500.00 at this time; and

WHEREAS, it was anticipated the Share Services Agreement would be amended to include the cost of the Irrigation Design Consultant; and

WHEREAS, this contract is classified as services provided between governmental agencies pursuant to N.J.S.A. 40A:11-5(2) and as such is exempt from the public bidding requirements of the New Jersey Local Public Contracts Law.

All notices and submissions required hereunder shall be given or made by either party to the other, shall be in writing and forwarded by facsimile transmission (with written confirmation or receipt) followed by hard copy, or by certified mail, return receipt requested, and shall be effective upon receipt, if sent by facsimile transmission sending, if sent by certified mail:

To the City of Brigantine (Municipality):
1417 W. Brigantine Avenue
Brigantine, NJ 08203
Attention: A l S t a n l e y

To the Authority:
Atlantic County Improvement Authority
600 Aviation Research Blvd.
Egg Harbor Township, NJ 08234
Attention: Timothy D. Edmunds, P.E., Executive Director

[THIS SECTION INTENTIONALLY LEFT BLANK]

IN WITNESS THEREOF, the parties hereto have set their hands and seals the date above written.

WITNESS:

[Signature]

DATED:

WITNESS:

Lynn Sweeney, RMC
Lynn Sweeney, City Clerk
DATED:

2-21-2024

ATLANTIC COUNTY IMPROVEMENT
AUTHORITY

By: *[Signature]*

Timothy D. Edmunds, P.E.
Executive Director

CITY OF BRIGANTINE

By: *[Signature]*

Tige Platt, City Manager