

RESOLUTION NO. 46 -2017

**AUTHORIZING EXECUTION OF AN EXTENSION OF THE HVAC BUILDING
AUTOMATION SYSTEMS AGREEMENT BETWEEN THE PARKING
AUTHORITY OF THE TOWN OF MORRISTOWN AND
JOHNSON CONTROLS, INC.**

DATED: May 23, 2017

WHEREAS, the Parking Authority of the Town of Morristown (the “Morristown Parking Authority”) issued a request for proposals for HVAC Building Automation Systems (BAS) pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq. (the “LPCL”); and

WHEREAS, Johnson Controls, Inc. submitted a proposal for HVAC BAS and was awarded a contract to provide such services, pursuant to the LPCL; and

WHEREAS, the Johnson Controls, Inc. contract commenced on June 1, 2015, and had an initial term of one (1) year; and

WHEREAS, the term of the Johnson Controls, Inc. contract will expire May 31, 2017; and

WHEREAS, the Morristown Parking Authority will continue to require the services provided under the Johnson Controls, Inc. contract after the expiration of the term of the contract; and

WHEREAS, the LPCL, N.J.S.A. 40A:11-15, provides that a contract with an initial term of one (1) year may be extended for a period of up to one (1) additional year, provided that the contract extension is approved by resolution of the contracting entity including findings that (a) the services are being performed in an efficient and effective manner, (b) the total term of the contract shall not run for more than five (5) consecutive years, (c) any price changes or adjustments shall be consistent with the original agreement, and (d) the terms and conditions of the contract shall remain substantially the same; and

WHEREAS, the Morristown Parking Authority has determined that Johnson Controls, Inc. has performed the services under the contract in an efficient and effective manner; and

WHEREAS, extending the Johnson Controls, Inc. contract for an additional period of one (1) year would increase the total term of the contract to less than five (5) total consecutive years and would comply with the LPCL; and

WHEREAS, Johnson Controls, Inc. will agree to continue to provide services under the contract at the same contract prices set forth during the prior contract and such prices would not be increased during the one (1) year extension term; and

WHEREAS, Johnson Controls, Inc. has agreed to continue to comply with all of the terms and conditions of the original contract, subject only to a one (1) year extension to the term of the contract; and

WHEREAS, the Morristown Parking Authority has determined that extending the Johnson Controls, Inc. contract for an additional period of one (1) year would be in the best interest of the Morristown Parking Authority.

NOW THEREFORE BE IT RESOLVED that the Executive Director of the Morristown Parking Authority is hereby authorized to execute a one (1) year extension to the Contract for HVAC (BAS) by and between Johnson Controls, Inc. and the Morristown Parking Authority, with an original date of June 1, 2015, extended to June 1, 2016, to extend the term of the Contract to May 31, 2018, with all other terms and conditions of such Contract to remain in full force and effect.

I certify that the forgoing is a true copy of a resolution introduced and adopted by the Parking Authority of the Town of Morristown at a meeting held on May 23, 2017.

DATED: May 23, 2017

Margret Brady, Secretary