

NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION

PUBLIC COMMISSION MEETING

WEDNESDAY, OCTOBER 25, 2023

The monthly Public Meeting of the Commission was called to order by Chairman Howard L. Burrell on Wednesday, October 25, 2023 at 9:04 a.m., One F.A. Orechio Drive, Wanaque, New Jersey.

Chairman Howard L. Burrell, Vice Chairman Charles P. Shotmeyer, Commissioner Alan S. Ashkinaze, Commissioner Donald C. Kuser, Commissioner James L. Cassella and Commissioner Terrence J. Duffy were recorded present. Also present were Timothy J. Eustace, Executive Director, William Schaffner, Chief Financial Officer, Michael Broncatello, Comptroller, Kim Diamond, Commission Secretary, Francie McManimon, Esq., Commission Counsel from the law firm of McManimon, Scotland & Baumann, LLC and Dorian Smith, Associate Counsel of the Governor's Authority Unit. Commissioner Cristina M. Cutrone participated via teleconference.

Chairman Burrell asked everyone to stand and recite the Pledge of Allegiance.

Pursuant to the requirements of N.J.S.A. 10:4-6, et seq., Commission Secretary Kim Diamond acknowledged compliance with the statute. Commission Secretary Diamond advised that the provisions of the Open Public Meetings Act have been complied with as to the posting of notice in a public place reserved for such announcement and transmittal to the mass media for publication.

Commission Secretary Kim Diamond read the following resolution:

WHEREAS, *Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and*

WHEREAS, *the public body is of the opinion that such circumstances recently exist.*

NOW, THEREFORE, BE IT RESOLVED, *by the Commissioners of the North Jersey District Water Supply Commission of the State of New Jersey as follows:*

- 1. The public shall be excluded from discussions of the hereinafter-specified subject matters; the general natures of the subject matters to be discussed are Pending Litigation and Contracts;*
- 2. It is anticipated at this time that the above stated subject matters will be ratified during the Public Meeting to follow or as soon thereafter as the reason for discussing the matters in the Executive Conference no longer exists.*
- 3. This Resolution shall take effect immediately.*

Commissioner Ashkinaze offered a motion to adopt the resolution regarding Section 8, Chapter 231, P.L. 1975 of the Open Public Meetings Act; seconded by Commissioner Duffy and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella, Cutrone and Duffy voting in the affirmative. The Public Meeting was recessed at 9:05 a.m.

Commissioners Cristina M. Cutrone and Terrence J. Duffy left the meeting at 10:15 a.m.

Chairman Burrell reconvened the Public Meeting at 10:21 a.m.

PUBLIC COMMISSION BUSINESS

ACTION REQUIRED:

Vice Chairman Shotmeyer offered a motion to approve the Public Commission Meeting Minutes of August 23, 2023; seconded by Commissioner Kuser and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser and Cassella voting in the affirmative.

Commissioner Kuser offered a motion to approve the Public Work Session Minutes of September 27, 2023; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser and Cassella voting in the affirmative.

Commissioner Cassella offered a motion to approve the Purchase Requisitions over \$5000 Report for October 2023 in the amount of \$105,157.78; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser and Cassella voting in the affirmative.

UNFINISHED BUSINESS:

None

NEW BUSINESS:**Commission Invoices:**

- a. **Invoice #1-228-013 from Stone Hill Construction for Contract #2087 – Clarifier Rehab Basins 1-4 in the amount of \$1,533,205.71**
Paul Serillo, Director of Facilities and Michael Dox, Plant Electrical Engineer approved invoice 3(a) for payment.
- b. **Invoice #13888863 from PFM Asset Management LLC – Fees for Oversight of Asset Management Program in the amount of \$1,776.30**
William Schaffner, Chief Financial Officer and Michael Broncatello, Comptroller approved invoice 3(b) for payment.
- c. **Various Invoices from DLB Associates Consulting Engineers for Contract #2063 – Electrical Consulting Services in the amount of \$7,900.00**
Paul Serillo, Director of Facilities and Michael Dox, Plant Electrical Engineer approved invoice 3(c) for payment.
- d. **Invoice #E6X94500036 from Jacobs Engineering Group, Inc. for Contract #2051 – Construction Administration for Clarifier Rehab 1-4 in the amount of \$5,738.74**
Paul Serillo, Director of Facilities and Michael Dox, Plant Electrical Engineer approved invoice 3(d) for payment.
- e. **Invoice #E6X94200043 from Jacobs Engineering Group, Inc. for Contract #2052 – Construction Administration for RTF in the amount of \$5,586.06**
Maria Alliegro, Director of Engineering and Les Malytskyy, Project Engineer approved invoice 3(e) for payment.
- f. **Invoice #E6Y04000-002 from Jacobs Engineering Group, Inc. for Contract #2111 – Design for Wanaque South Pump Station in the amount of \$6,072.50**
Maria Alliegro, Director of Engineering and Chris Clamser, Project Engineer approved invoice 3(f) for payment.
- g. **Various Invoices from McPhee Electric (formally JBL) for Contract #2060 – Electrical Contracting Services in the amount of \$183,227.00**
Paul Serillo, Director of Facilities and Michael Dox, Plant Electrical Engineer approved invoice 3(g) for payment.
- h. **Invoice #29587 from Landscape Materials, Inc. for Contract #2083 – Removal of Residuals in the amount of \$43,400.00**
Geordie Allegri, Manager of Residuals and Lewis Schneider, Director of Treatment/Lab & Compliance approved invoice 3(h) for payment.
- i. **Invoice #40 from Clean Waters Consulting LLC for Contract #2066 – Reservoir Consulting in the amount of \$350.00**
Lewis Schneider, Director of Operations/Licensed Operator and Maureen Kneser, Lab Manager approved invoice 3(i) for payment.
- j. **Invoice #52952 from RVH Mulch Supply, LLC for Contract #2059 – Residual Removal in the amount of \$33,300.00**

Lewis Schneider, Director of Operations/Licensed Operator and Geordie Alliegro, Manager of Residuals approved invoice 3(j) for payment.

k. Invoice #5 from AJC0, LLC for Contract #2107 – Engineering Consulting & Planning Services in the amount of \$3,185.00

Maria Alliegro, Director of Engineering and Paul Serillo, Director of Facilities approved invoice 3(k) for payment.

l. Various Invoices from Current Elevator Technology, Inc. for Contract #2075R – Modernization of Chemical Building Elevator & Elevator Maintenance in the amount of \$2,190.00

Paul Serillo, Director of Facilities and James Michels, Manager, Mechanical & Electrical Maintenance approved invoice 3(l) for payment.

m. Invoice #614822 from Premier Services/USIC, LLC for Contract #2097 – Underground Locating in the amount of \$3,119.80

Maria Alliegro, Director of Engineering and James Stachura, Project Engineer approved invoice 3(m) for payment.

n. Invoice #235 from Coastal Engineering, LLC for Post Brook Dam Improvements in the amount of \$94,484.34

Maria Alliegro, Director of Engineering and James Stachura, Project Engineer approved invoice 3(n) for payment.

o. Invoice #INVDOW25276 (FINAL INVOICE) from Downes Tree Service, Inc. for Contract #2078R-2-B – Hazardous Tree Removal in the amount of \$37,691.25

Maria Alliegro, Director of Engineering and Les Malytskyy, Project Engineer approved invoice 3(o) for payment.

Commissioner Cassella offered a motion to approve invoices 3(a) through 3(o); seconded by Commissioner Ashkinaze and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser and Cassella voting in the affirmative.

Resolution – Authorizing the Award and Execution of a Contract with RVH Mulch Supply, LLC for Work Associated with the Wanaque Water Treatment Plant Residual Trucking & Management Services

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING THE AWARD AND EXECUTION OF A
CONTRACT WITH RVH MULCH SUPPLY, LLC FOR WORK ASSOCIATED
WITH THE WANAQUE WATER TREATMENT PLANT RESIDUAL
TRUCKING & MANAGEMENT SERVICES**

WHEREAS, the North Jersey District Water Supply Commission (“Commission”) is a public body corporate duly organized and existing under and by virtue of the laws of the State of New Jersey, exercising public and essential governmental functions and providing for the public health and welfare, and is engaged in developing raw water sources, storing water and distributing a reliable supply of potable water to its participating municipalities; and

WHEREAS, the Commission has determined that it is necessary to retain the services of a qualified vendor to provide services associated with the management of the beneficial reuse of all residuals generated at the Commission’s Wanaque Water Treatment Plant (WWTP) (the “Services”); and

WHEREAS, the Commission is empowered by law to appoint and employ professionals, technical advisors and experts as the Commission may determine to be necessary for its efficient operation; and

WHEREAS, the Commission has been empowered pursuant to its enabling legislation — specifically N.J.S.A. 58:5-20 — to solicit proposals in writing and award contracts after public advertisement; and

WHEREAS, on or about September 19, 2023, the Commission publicly advertised a Request for Proposals for work associated with the Services in accordance with the requirements and specifications

set forth therein (“RFP #009-2023”), and subsequently received two proposals from interested vendors on or about October 4, 2023 (the “Proposals”); and

WHEREAS, the Commission's evaluation committee reviewed and evaluated the Proposals based upon predetermined criteria set forth in RFP #009-2023, and determined that RVH Mulch Supply, LLC (“RVH”) was the most qualified proposer, considering its experience and pricing, as presented in its proposal (the “RVH Proposal”) for the provision of the Services, for the not-to-exceed amount of \$37.00 per Cubic Yard (“CY”) for a two-year term with the option of up to two (2) consecutive one (1) year term extensions; and

WHEREAS, the Commission desires to retain the services of RVH to perform the Services in accordance with the Commission's requirements as set forth in RFP #009-2023, the RVH Proposal, and any applicable laws, rules or regulations, and recommends that RVH be awarded a contract in accordance with the Commission's enabling legislation and applicable State law; and

WHEREAS, the award of this contract is necessary for the Commission's efficient water treatment operations, the protection of the Commission's water supply facilities, and the health, safety and welfare of the public; and

WHEREAS, the Chief Financial Officer of the Commission has certified that the funds will be available for this contract.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that a contract for the Services be awarded to RVH as the most qualified, responsive, and responsible proposal, utilizing the pricing as set forth herein, for the not-to-exceed amount of \$37.00 per CY for a two-year term, with the option to renew for up to two (2) additional consecutive one (1) year terms; and

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare a contract for the Services, incorporating the Commission's requirements as set forth in RFP #009-2023, the RVH Proposal, and any applicable law, rule or regulation; and

BE IT FURTHER RESOLVED that the Chairman or Vice Chairman of the Commission is hereby authorized to execute such a contract and the Secretary of the Commission is authorized to attest to the signature of either the Chairman or Vice Chairman; and

BE IT FURTHER RESOLVED that a copy of this resolution and the contract shall be maintained in the Office of the Executive Director and made available for public inspection.

Commissioner Ashkinaze offered a motion to adopt the resolution authorizing the award and execution of a contract with RVH Mulch Supply, LLC for work associated with the Wanaque water treatment plant residual trucking & management services; seconded by Commissioner Cassella and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser and Cassella voting in the affirmative.

Resolution – Authorizing the Award and Execution of a Contract to McPhee Electric for the Provision of Electrical Contracting Services

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING THE AWARD AND EXECUTION OF A
CONTRACT TO MCPHEE ELECTRIC FOR THE PROVISION OF
ELECTRICAL CONTRACTING SERVICES**

WHEREAS, the North Jersey District Water Supply Commission (“Commission”) is a public body corporate duly organized and existing under and by virtue of the laws of the State of New Jersey, exercising public and essential governmental functions and providing for the public health and welfare, and is engaged in developing raw water sources, storing water and distributing a reliable supply of potable water to its participating municipalities; and

WHEREAS, the Commission has determined that it is necessary to retain the services of a licensed electrical contracting firm experienced in the repair and installation of electrical equipment for large water/wastewater utilities or commercial/industrial facilities (the “Electrical Services”); and

WHEREAS, the Commission is empowered by law to appoint and employ professional or technical services as the Commission may determine to be necessary for its efficient operation; and

WHEREAS, the Commission has been empowered pursuant to its enabling legislation — specifically N.J.S.A. 58:5-20 — to solicit proposals in writing and award contracts after public advertisement; and

WHEREAS, on or about August 24, 2023, the Commission publicly advertised a Request for Proposals for work associated with the Electrical Services in accordance with requirements and specifications set forth therein (“RFP #10-2023”), and subsequently received three proposals (“Proposals”) on or about October 5, 2023; and

WHEREAS, the Commission's evaluation committee reviewed and evaluated the Proposals based upon predetermined criteria set forth in RFP #10-2023 and determined that McPhee Electric (“McPhee Electric”) achieved the highest average total score for the Electrical Services (the “McPhee Proposal”) for a total not to exceed amount of Two Hundred and Fifty Thousand Dollars (\$250,000) per year for each of two years for a total not to exceed amount of Five Hundred Thousand Dollars (\$500,000) on a time and material basis as per the rate sheet in the McPhee Proposal, and has recommended that McPhee Electric be awarded a contract in accordance with the Commission's enabling legislation and applicable State law; and

WHEREAS, the initial contract term shall be two (2) years, and the Commission may, in its sole discretion, offer up to two (2) additional consecutive, one (1) year terms under the same terms and conditions as the initial contract; and

WHEREAS, the Commission desires to retain the services of McPhee Electric to perform the Electrical Services in accordance with the Commission's requirements as set forth in RFP #010-2023, the McPhee Proposal, and any applicable laws, rules or regulations; and

WHEREAS, the award of this contract is necessary for the Commission's efficient water treatment operations, the protection of the Commission's water supply facilities, and the health, safety and welfare of the public; and

WHEREAS, the Chief Financial Officer of the Commission has certified that the funds will be available for this contract.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that a contract for Electrical Services be awarded to McPhee Electric as the most qualified, responsive, and responsible proposal in accordance with the Commission's enabling legislation and applicable State law, for an amount not to exceed Two Hundred and Fifty Thousand Dollars (\$250,000) per year for a total not to exceed amount of Five Hundred Thousand Dollars (\$500,000) on a time and material basis, per the rate sheet provided in the McPhee Proposal; and

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare a contract for the Electrical Services, incorporating the Commission's requirements as set forth in RFP #010-2023, the McPhee Proposal, and any applicable law, rule or regulation; and

BE IT FURTHER RESOLVED that the Chairman or Vice Chairman of the Commission is hereby authorized to execute such a contract and the Secretary of the Commission is authorized to attest to the signature of either the Chairman or Vice Chairman; and

BE IT FURTHER RESOLVED that a copy of this resolution and the contract shall be maintained in the Office of the Executive Director and made available for public inspection.

Commissioner Cassella offered a motion to adopt the resolution authorizing the award and execution of a contract to McPhee Electric for the provision of Electrical Contracting Services; seconded by Commissioner Kuser and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser and Cassella voting in the affirmative.

Resolution – Authorizing the Award and Execution of Contract #2116 with Crossroads Pavement Maintenance, LLC for Repaving at the Commission's Storehouse

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING THE AWARD AND EXECUTION OF
CONTRACT #2116 WITH CROSSROADS PAVEMENT MAINTENANCE, LLC
FOR REPAVING AT THE COMMISSION'S STOREHOUSE**

WHEREAS, the North Jersey District Water Supply Commission (“Commission”) is a public body corporate duly organized and existing under and by virtue of the laws of the State of New Jersey,

exercising public and essential governmental functions and providing for the public health and welfare, and is engaged in developing raw water sources, storing water and distributing a reliable supply of potable water to its participating municipalities; and

WHEREAS, the Commission has a responsibility by statute to ensure the safe, secure, and uninterrupted delivery of potable water to more than three million people, which includes the safety and protection of the public and public property pursuant to the Commission's enabling legislation, N.J.S.A. 58:5-1 et seq.; and

WHEREAS, the Commission has determined that it is necessary to retain the services of a qualified firm to provide paving and resurfacing services including, but not limited to, the milling/removal of existing pavement, repaving with new asphalt, and striping of approximately 4,800 sq. ft. of roadway systems and parking areas at the Commission's Storehouse (the "Services"); and

WHEREAS, the Commission has been empowered pursuant to its enabling legislation — specifically N.J.S.A. 58:5-20 — to solicit proposals in writing and award contracts after public advertisement; and

WHEREAS, on or about August 24, 2023, the Commission publicly advertised bid specifications ("Bid Specifications") for Contract #2116 for work associated with the Services in accordance with the requirements and specifications set forth therein ("Contract #2116") and subsequently received three (3) bids (the "Proposals") from interested firms on or about September 28, 2023; and

WHEREAS, the staff of the Commission reviewed and evaluated the Proposals based upon the Bid Specifications and Contract #2116 and determined that for the provision of the Services, Crossroads Pavement Maintenance, LLC ("Crossroads") submitted the lowest, qualified, total bid (the "Crossroads Proposal") for a total not-to-exceed amount of thirty-four thousand two hundred seventy dollars (\$34,270.00); and

WHEREAS, the Commission desires to retain the services of Crossroads to perform the Services in accordance with the Commission's requirements as set forth in the Bid Specifications and Contract #2116, the Crossroads Proposal, and any applicable laws, rules, or regulations, and recommends that Crossroads be awarded a contract in accordance with the Commission's enabling legislation and applicable State law; and

WHEREAS, the award of Contract #2116 is necessary for the Commission's efficient water treatment and delivery operations, the protection of the Commission's water supply facilities, and the health, safety, and welfare of the public; and

WHEREAS, the Chief Financial Officer of the Commission has certified that the funds will be available for this contract.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that Contract #2116 for the Services be awarded to Crossroads, as the lowest qualified, responsive, and responsible bidder, in accordance with the Commission's requirements set forth in the Bid Specifications, Contract #2116, the Crossroads Proposal, the Commission's enabling legislation, and any applicable laws, rules, or regulations, for the total not-to-exceed amount of thirty-four thousand two hundred seventy dollars (\$34,270.00); and

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare Contract #2116 for the Services, incorporating the Commission's requirements as set forth in the Bid Specifications, Contract #2116, the Crossroads Proposal, and any applicable law, rule, or regulation; and

BE IT FURTHER RESOLVED that the Chairman or Vice Chairman of the Commission is hereby authorized to execute Contract #2116, including by electronic signature, and the Secretary of the Commission is authorized to attest to the signature of either the Chairman or Vice Chairman; and

BE IT FURTHER RESOLVED that a copy of this resolution and Contract #2116 shall be maintained in the Office of the Executive Director and made available for public inspection.

Commissioner Ashkinaze offered a motion to adopt the resolution authorizing the award and execution of Contract #2116 with Crossroads Pavement Maintenance, LLC for repaving at the Commission's storehouse; seconded by Commissioner Cassella and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser and Cassella voting in the affirmative.

Resolution – Authorizing the Award and Execution of Contract #2115 with Polydyne, Inc. for the Furnishing and Delivery of Liquid Polymer for the Water Treatment Plant

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING THE AWARD AND EXECUTION OF
CONTRACT #2115 WITH POLYDYNE, INC. FOR THE FURNISHING AND
DELIVERY OF LIQUID POLYMER FOR THE WATER TREATMENT PLANT**

WHEREAS, the North Jersey District Water Supply Commission (“Commission”) is a public body corporate duly organized and existing under and by virtue of the laws of the State of New Jersey, exercising public and essential governmental functions and providing for the public health and welfare, and is engaged in developing raw water sources, storing water and distributing a reliable supply of potable water to its participating municipalities; and

WHEREAS, the Commission has a responsibility by statute to ensure the safe, secure, and uninterrupted delivery of potable water to more than three million people, which includes the safety and protection of the public and public property pursuant to the Commission’s enabling legislation, N.J.S.A. 58:5-1 et seq.; and

WHEREAS, the Commission has a need for the chemical known as Liquid Polymer (“Liquid Polymer”) to be used at the Water Treatment Plant in the treatment and provision of potable water; and

WHEREAS, the Commission has been empowered pursuant to its enabling legislation — specifically N.J.S.A. 58:5-20 — to solicit proposals in writing and award contracts after public advertisement; and

WHEREAS, on or about September 6, 2023, in accordance with N.J.S.A. 58:5-20, the Commission publicly advertised bid specifications (the “Bid Specifications”) for Contract #2115 for the furnishing and delivery of Liquid Polymer in accordance with the requirements and specifications set forth therein (the “Services”) and subsequently received one bid (the “Proposal”) from an interested firm on October 4, 2023; and

WHEREAS, the staff of the Commission performed testing of the product and reviewed and evaluated the Proposal based upon predetermined criteria set forth in Bid Specifications and Contract #2115 and determined that Polydyne, Inc. (“Polydyne”), is the sole qualified, responsive, and responsible bidder for the provision of the Services, at the not-to-exceed rate of nine dollars and ninety-eight cents (\$9.98) per gallon/one dollar and five cents (\$1.05) per pound; and

WHEREAS, the Commission desires to award a contract to Polydyne for the Services in accordance with the Bid Specifications, the Proposal, and any applicable laws, rules, or regulations for a term of two (2) years with the right of the Commission to renew the contract for up to two (2) consecutive, one (1) year extensions under the same terms and conditions (“Contract #2115”); and

WHEREAS, the award of Contract #2115 is necessary for the Commission’s efficient water treatment and delivery operations, the protection of the Commission’s water supply facilities, and the health, safety, and welfare of the public; and

WHEREAS, the Chief Financial Officer of the Commission has certified that the funds will be available for this contract.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that Contract #2115 for the Services be awarded to Polydyne as the sole qualified, responsive, and responsible bidder, in accordance with the Bid Specifications, Contract #2115, and the Proposal, the Commission’s enabling legislation, and any applicable laws, rules, or regulations, for an initial term of two (2) years with the right of the Commission to renew the contract for up to two (2) consecutive, one (1) year extensions, for the total not-to-exceed amount of nine dollars and ninety-eight cents (\$9.98) per gallon/one dollar and five cents (\$1.05) per pound; and

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare Contract #2115 for the Services, incorporating the Commission’s requirements as set forth in the Bid Specifications, Contract #2115, the Proposal, and any applicable law, rule, or regulation; and

BE IT FURTHER RESOLVED that the Commission reserves the right to renew Contract #2115, in its sole discretion, for up to two (2) additional consecutive, one (1) year terms, on the same terms and conditions of the original contract; and

BE IT FURTHER RESOLVED that the Chairman or Vice Chairman of the Commission is hereby authorized to execute such contract, including by electronic signature, and the Secretary of the Commission is authorized to attest to the signature of either the Chairman or Vice Chairman; and

BE IT FURTHER RESOLVED that a copy of this resolution and Contract #2115 shall be maintained in the Office of the Executive Director and made available for public inspection.

Vice Chairman Shotmeyer offered a motion to adopt the resolution authorizing the award and execution of Contract #2115 with Polydyne, Inc. for the furnishing and delivery of liquid polymer for the water treatment plant; seconded by Commissioner Cassella and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser and Cassella voting in the affirmative.

Resolution – Authorizing the Award and Execution of Contract #2114 with Carus, LLC for the Furnishing and Delivery of Potassium Permanganate for the Water Treatment Plant

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING THE AWARD AND EXECUTION OF
CONTRACT #2114 WITH CARUS, LLC FOR THE FURNISHING AND
DELIVERY OF POTASSIUM PERMANGANATE FOR THE WATER
TREATMENT PLANT**

WHEREAS, the North Jersey District Water Supply Commission (“Commission”) is a public body corporate duly organized and existing under and by virtue of the laws of the State of New Jersey, exercising public and essential governmental functions and providing for the public health and welfare, and is engaged in developing raw water sources, storing water and distributing a reliable supply of potable water to its participating municipalities; and

WHEREAS, the Commission has a responsibility by statute to ensure the safe, secure, and uninterrupted delivery of potable water to more than three million people, which includes the safety and protection of the public and public property pursuant to the Commission’s enabling legislation, N.J.S.A. 58:5-1 et seq.; and

WHEREAS, the Commission has a need for the chemical known as Potassium Permanganate (“Potassium Permanganate”) to be used at the Water Filtration Plant in the treatment and provision of potable water; and

WHEREAS, the Commission has been empowered pursuant to its enabling legislation — specifically N.J.S.A. 58:5-20 — to solicit proposals in writing and award contracts after public advertisement; and

WHEREAS, on or about September 6, 2023, in accordance with N.J.S.A. 58:5-20, the Commission publicly advertised bid specifications (the “Bid Specifications”) for Contract #2114 for the furnishing and delivery of Potassium Permanganate in accordance with the requirements and specifications set forth therein (the “Services”) and subsequently received one bid (the “Proposal”) from an interested firm on October 4, 2023; and

WHEREAS, the staff of the Commission performed testing of the product and reviewed and evaluated the Proposal based upon predetermined criteria set forth in Bid Specifications and Contract #2114 and determined that Carus, LLC (“Carus”) is the sole qualified, responsive, and responsible bidder for the provision of the Services, at the not-to-exceed rate of seven thousand six hundred dollars (\$7,600.00) per ton/three dollars and eighty cents (\$3.80) per pound; and

WHEREAS, the Commission desires to award a contract to Carus for the Services in accordance with the Bid Specifications, the Proposal, and any applicable laws, rules, or regulations for a term of two (2) years with the right of the Commission to renew the contract for up to two (2) consecutive, one (1) year extensions under the same terms and conditions (“Contract #2114”); and

WHEREAS, the award of Contract #2114 is necessary for the Commission’s efficient water treatment and delivery operations, the protection of the Commission’s water supply facilities, and the health, safety, and welfare of the public; and

WHEREAS, the Chief Financial Officer of the Commission has certified that the funds will be available for this contract.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that Contract #2114 for the Services be awarded to Carus as the sole qualified, responsive, and responsible bidder, in accordance with the Bid Specifications, Contract #2114,

and the Proposal, the Commission's enabling legislation, and any applicable laws, rules, or regulations, for an initial term of two (2) years with the right of the Commission to renew the contract for up to two (2) consecutive, one (1) year extensions, for the total not-to-exceed amount of seven thousand six hundred dollars (\$7,600.00) per ton/three dollars and eighty cents (\$3.80) per pound; and

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare Contract #2114 for the Services, incorporating the Commission's requirements as set forth in the Bid Specifications, Contract #2114, the Proposal, and any applicable law, rule, or regulation; and

BE IT FURTHER RESOLVED that the Commission reserves the right to renew Contract #2114, in its sole discretion, for up to two (2) additional consecutive, one (1) year terms, on the same terms and conditions of the original contract; and

BE IT FURTHER RESOLVED that the Chairman or Vice Chairman of the Commission is hereby authorized to execute such contract, including by electronic signature, and the Secretary of the Commission is authorized to attest to the signature of either the Chairman or Vice Chairman; and

BE IT FURTHER RESOLVED that a copy of this resolution and Contract #2114 shall be maintained in the Office of the Executive Director and made available for public inspection.

Commissioner Cassella offered a motion to adopt the resolution authorizing the award and execution of Contract #2114 with Carus, LLC for the furnishing and delivery of potassium permanganate for the water treatment plant; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser and Cassella voting in the affirmative.

Resolution – Authorizing a Sole Source Contract Award to GE Digital, LLC for the Provision of the GE GlobalCare Product Line, Technical Support Services and Software Upgrades Related to the Commission's SCADA Equipment

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING A SOLE SOURCE CONTRACT
AWARD TO GE DIGITAL, LLC FOR THE PROVISION OF THE GE
GLOBALCARE PRODUCT LINE, TECHNICAL SUPPORT SERVICES, AND
SOFTWARE UPGRADES RELATED TO THE
COMMISSION'S SCADA EQUIPMENT**

WHEREAS, the North Jersey District Water Supply Commission ("Commission") is a public body corporate duly organized and existing under and by virtue of the laws of the State of New Jersey, exercising public and essential governmental functions and providing for the public health and welfare, and is engaged in developing raw water sources, storing water and distributing a reliable supply of potable water to its participating municipalities; and

WHEREAS, the Commission has a responsibility by statute to ensure the safe, secure, and uninterrupted delivery of potable water to more than three million people, which includes the safety and protection of the public and public property pursuant to the Commission's enabling legislation, N.J.S.A. 58:5-1 et seq.; and

WHEREAS, in August of 2018, the Commission contracted with Industrial Controls Distributors ("ICD"), as the sole authorized distributor of the GE GlobalCare product line and technical support services, for the provision of the GE GlobalCare product line, and the provision of technical support and software upgrades for the Commission's SCADA equipment (collectively, the "Services"); and

WHEREAS, the SCADA equipment and related GE GlobalCare product line software is utilized by the Commission's technical staff to operate its water treatment facility and log data, and is a critical component of the Commission's operations; and

WHEREAS, GE Digital, LLC ("GE Digital") is now the sole authorized distributor of the GE GlobalCare product line and related technical support and software upgrades necessary for the continued provision of the Services; and

WHEREAS, GE Digital submitted a proposal to the Commission, dated April 4, 2023 (the “Proposal”), for the provision of Services to the Commission for a one-year period at the not-to-exceed amount of Thirty Thousand Two Hundred Eighty-Five Dollars and Forty-Four Cents (\$30,285.44) subject to renewal per the Proposal on the terms consistent with the Proposal; and

WHEREAS, the GE GlobalCare product line and related technical support and software upgrades are essential to the Commission’s operation; and

WHEREAS, as a result of the foregoing and pursuant to the recommendation memorandum from the Commission’s Staff, Executive Order #37, and Section 1(G) of the Commission’s Purchasing Policies and Procedures Manual (the “Manual”), the Commission has determined that GE Digital constitutes a sole source provider of the necessary GE GlobalCare product line and related technical support services and software upgrades; and

WHEREAS, the Commission desires to award a sole source contract to GE Digital for the provision of the Services for a one-year period for the not-to-exceed amount of Thirty Thousand Two Hundred Eighty-Five Dollars and Forty-Four Cents (\$30,285.44) in accordance with the Proposal subject to renewal per the Proposal on the terms consistent with the Proposal; and

WHEREAS, the award of this contract is necessary for the Commission’s efficient water treatment and delivery operations, the protection of the Commission’s water supply facilities, and the health, safety and welfare of the public; and

WHEREAS, the Chief Financial Officer of the Commission has certified that the funds are available for this contract.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that GE Digital be designated as the sole source provider for the provision of the Services for the not-to-exceed amount of Thirty Thousand Two Hundred Eighty-Five Dollars and Forty-Four Cents (\$30,285.44) for a one-year period, subject to renewal per the Proposal on the terms consistent with the Proposal, in accordance with the Manual and the Proposal; and

BE IT FURTHER RESOLVED that the Chairman or Vice Chairman of the Commission is hereby authorized to execute a contract or other suitable agreement with GE Digital, as necessary to effectuate the provision of the Services, including by electronic signature, and the Secretary of the Commission is authorized to attest to the signature of either the Chairman or Vice Chairman; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be maintained in the Office of the Executive Director and made available for public inspection.

Commissioner Cassella offered a motion to adopt the resolution authorizing a sole source contract award to GE Digital, LLC for the provision of the GE GlobalCare product line, technical support services, and software upgrades related to the Commission’s SCADA equipment; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser and Cassella voting in the affirmative.

Wanaque North Operating Account:

Upon Chief Financial Officer Schaffner’s certification of the attached bills and payroll transfers as being proper and accurate, Commissioner Cassella offered a motion to approve the Wanaque North Operating Account in the amount of \$3,722,432.36; seconded by Commissioner Kuser and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser and Cassella voting in the affirmative. Vice Chairman Shotmeyer abstained on check #66895.

Wanaque South Operating Account:

Upon Chief Financial Officer Schaffner’s certification of the attached bills and payroll transfers as being proper and accurate, Commissioner Cassella offered a motion to approve the Wanaque South Operating Account in the amount of \$685,978.50; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser and Cassella voting in the affirmative.

Wanaque South Joint Venture Operating Account:

Upon Chief Financial Officer Schaffner's certification of the attached bills and payroll transfers as being proper and accurate, Commissioner Cassella offered a motion to approve the Wanaque South Joint Venture Operating Account in the amount of \$609,613.03; seconded by Commissioner Ashkinaze and approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser and Cassella voting in the affirmative.

There being no further business, Commissioner Kuser offered a motion to adjourn the meeting at 10:27 a.m.; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser and Cassella voting in the affirmative.

Respectfully submitted,

Kim Diamond
Commission Secretary