

## **NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION**

### **PUBLIC COMMISSION MEETING**

**WEDNESDAY, JANUARY 22, 2020**

The monthly Public Meeting of the Commission was called to order by Chairman Howard L. Burrell on Wednesday, January 22, 2020 at 9:03 a.m., One F.A. Orechio Drive, Wanaque, New Jersey.

Chairman Howard L. Burrell, Vice Chairman Charles P. Shotmeyer and Commissioners Alan S. Ashkinaze, Donald C. Kuser and James L. Cassella were recorded present. Also present were Timothy J. Eustace, Executive Director, Todd R. Caliguire, Deputy Executive Director, William Schaffner, Chief Financial Officer, Leslie London, Esq., Commission Counsel from the law firm of McManimon, Scotland & Baumann, LLC and Edmund Caulfield, Senior Counsel of the Governor's Authorities Unit. Commissioner Robert C. Garofalo participated via teleconference. Commissioner Jerome P. Amedeo was absent.

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.

At this time, nominations were opened for the election of a Chairman and Vice Chairman for the period from January 2020 through December 2020.

Commissioner Cassella offered a motion to appoint Howard L. Burrell to the position of Chairman for the period from January 2020 through December 2020; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Garofalo and Cassella voting in the affirmative.

Commissioner Ashkinaze then offered a motion to appoint Charles P. Shotmeyer to the position of Vice Chairman for the period from January 2020 through December 2020; seconded by Commissioner Cassella and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Garofalo and Cassella voting in the affirmative.

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF  
THE NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION  
APPOINTING A CHAIRMAN AND VICE CHAIRMAN  
FOR THE YEAR 2020**

**WHEREAS**, the North Jersey District Water Supply Commission (the "Commission") is organized and exists pursuant to the provisions of N.J.S.A. 58:5-1 et seq; and

**WHEREAS**, pursuant to N.J.S.A. 58:5-6, the Commission is authorized to appoint one of its members as Chairman and to appoint such other officers as it may deem necessary to carry out its purposes.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the North Jersey District Water Supply Commission that Howard L. Burrell is hereby appointed as Chairman of the Commission and Charles P. Shotmeyer is hereby appointed as Vice Chairman of the Commission; and

**BE IT FURTHER RESOLVED** that each of the above officers shall hold his office for the year 2020 or until his successor shall have been duly appointed in accordance with the Commission's authorizing legislation.

Commissioner Ashkinaze offered a motion to adopt the resolution appointing a Chairman and Vice Chairman for the year 2020; seconded by Commissioner Cassella and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Garofalo and Cassella voting in the affirmative.

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 Personnel, 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 Cassella and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Garofalo and Cassella voting in the affirmative. The Public Meeting was recessed at 9:05 a.m.

Chairman Burrell reconvened the Public Meeting at 10:23 a.m.

## **PUBLIC COMMISSION BUSINESS**

### **ACTION REQUIRED:**

Commissioner Cassella offered a motion to approve the Public Commission Meeting Minutes of December 18, 2019; seconded by Commissioner Ashkinaze and approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser and Cassella voting in the affirmative. Commissioner Garofalo abstained.

Commissioner Cassella offered a motion to approve the Public Work Session Minutes of December 18, 2019; seconded by Commissioner Ashkinaze and approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser and Cassella voting in the affirmative. Commissioner Garofalo abstained.

Vice Chairman Shotmeyer offered a motion to approve the Purchase Requisitions over \$5000 Report for January 2020 in the amount of \$0.00 seconded by Commissioner Cassella and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Garofalo and Cassella voting in the affirmative.

### **UNFINISHED BUSINESS:**

None

### **NEW BUSINESS:**

### **Commission Invoices:**

- a. **Invoice #1083-31 from Stone Hill Construction for Contract #1083 – Lagoon Decant Tower Discharge in the amount of \$510,162.24**  
Paul Serillo, Director of Facilities and Les Malytskyy, Engineering Project Manager approved invoice 3(a) for payment.
- b. **Invoice #363509 from Premier Services/USIC, LLC for Contract #2019 – Underground Locating in the amount of \$2,400.34**  
Maria Alliegro, Director of Engineering and James Stachura, Project Engineer approved invoice 3(b) for payment.
- c. **Various Invoices from Landscape Materials, Inc. for Contract #2046 – Removal of Residuals in the amount of \$83,570.00**  
David Kirkham, Director of Operations and Lewis Schneider, Director of Treatment/Lab & Compliance approved invoice 3(c) for payment.
- d. **Invoice #89920-0853 from McPhee Electric (formerly JBL) for Contract #1081 – Electrical Contracting Services – Electrical Contracting Services in the amount of \$6,380.00**  
Paul Serillo, Director of Facilities and Michael Dox, Plant Electrical Engineer approved invoice 3(d) for payment.
- e. **Various Invoices from Wilmington Trust – Trustee Fees for Wanaque South Project 2017 NJEIT Loan in the amount of \$5,000.00**  
William Schaffner, Chief Financial Officer approved invoice 3(e) for payment.
- f. **Various Invoices from RVH Mulch Supply, LLC for Contract #2059 – Residual Removal in the amount of \$60,225.00**  
Lewis Schneider, Director of Operations/Licensed Operator and David Kirkham, Director of Residuals approved invoice 3(f) for payment.
- g. **Various Invoices from Arcadis US, Inc. for Contract #2013 – Construction Admin Services – Basins 5 & 6 in the amount of \$4,073.50**  
Paul Serillo, Director of Facilities and Michael Dox, Plant Electrical Engineer approved invoice 3(g) for payment.
- h. **Invoice #111-1860494 from BNY Mellon – Trustee Fees – 2016 Series Bond Anticipation Notes in the amount of \$2,500.00**  
William Schaffner, Chief Financial Officer approved invoice 3(h) for payment.
- i. **Invoice #0772951 from GZA GeoEnvironmental, Inc. for Contract #1061 – Shooting Range Site Remediation in the amount of \$48,500.00**  
Maria Alliegro, Director of Engineering and Les Malytskyy, Engineering Project Manager approved invoice 3(i) for payment.
- j. **Invoice #E6X93300009 from Jacobs Engineering Group, Inc. for Contract #2039 – Asset Management Study in the amount of \$65,814.84**  
Paul Serillo, Director of Facilities and Les Malytskyy, Engineering Project Manager approved invoice 3(j) for payment.
- k. **Various Invoices from Jacobs Engineering Group, Inc. for Contract #1090 – General Consulting Engineering Services in the amount of \$10,693.02**  
Maria Alliegro, Director of Engineering, Chris Clamser, Project Engineer and Les Malytskyy, Engineering Project Manager approved invoice 3(k) for payment.
- l. **Invoice #2018-14-2 from Paving Materials & Contracting, LLC for Contract #2038 – Milling and Paving in the amount of \$8,748.73 (Release of Retainage)**  
Maria Alliegro, Director of Engineering and James Stachura, Project Engineer approved invoice 3(l) for payment.
- m. **Invoice #2018-27-2 from Paving Materials & Contracting, LLC for Contract #2038 – Milling and Paving in the amount of \$4,606.39 (Release of Retainage)**  
Maria Alliegro, Director of Engineering and James Stachura, Project Engineer approved invoice 3(m) for payment.

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

**Resolution – Authorizing Banking Institutions for Calendar Year 2020**

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE  
NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION  
AUTHORIZING BANKING INSTITUTIONS FOR CALENDAR YEAR 2020**

**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 maintains both depository and operating accounts with certain banking institutions; and

**WHEREAS**, the Commission desires to authorize the use of certain banking institutions for calendar year 2020.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the North Jersey District Water Supply Commission that the Commission hereby authorizes and approves of the use of the banking institutions included on the list of New Jersey Governmental Unit Deposit Protection Act (“GUDPA”) approved institutions for operating and depository account purposes for calendar year 2020 and included on Exhibit A attached hereto; and

**BE IT FURTHER RESOLVED**, the Executive Director is hereby empowered to determine which banking institutions from the attached list are used for depository account and operating account purposes; and

**BE IT FURTHER RESOLVED**, no further action of the Board shall be necessary to authorize the use of such accounts.

Commissioner Cassella offered a motion to adopt the resolution authorizing banking institutions for calendar year 2020; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Garofalo and Cassella voting in the affirmative.

**Resolution – Authorizing the Award and Execution of a Contract for the Provision of Media Relations Consulting 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 FOR THE PROVISION OF MEDIA RELATIONS CONSULTING  
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 there is a need to retain a consulting firm to provide media relations and other related services for a term of one year (“Media Relations Consulting 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's Purchasing Policies and Procedures provide that the Commission may delegate authority to the Executive Director to obtain professional consulting services pursuant to a letter of engagement where the cost of such services is below the approved threshold amount as set by N.J.S.A. 58:5-20; and

**WHEREAS**, Public Strategies Impact, LLC ("Public Strategies") has proposed to provide the Media Relations Consulting Services for a term of one year for a total fee of \$17,000.00, to be billed quarterly; and

**WHEREAS**, the Executive Director has determined that Public Strategies has the requisite skills and experience to perform the Media Relations Consulting Services and wishes to retain the services of Public Strategies for a term of one year for this purpose; and

**WHEREAS**, the Chief Financial Officer of the Commission has certified that the funds will be available for these services; and

**WHEREAS**, obtaining these services 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.

**NOW, THEREFORE BE IT RESOLVED**, by the Board of Commissioners of the North Jersey District Water Supply Commission, that the Executive Director is hereby authorized to engage Public Strategies for a term of one year for a total fee of \$17,000.00, to be billed quarterly, for the purpose of providing the Commission with Media Relations Consulting Services; and

**BE IT FURTHER RESOLVED** that the Executive Director is hereby authorized to prepare and execute a letter of engagement with Public Strategies for the performance of Media Relations Consulting Services; and

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

Commissioner Kuser offered a motion to adopt the resolution authorizing the award and execution of a contract for the provision of media relations consulting services; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Garofalo and Cassella voting in the affirmative.

**Resolution – Authorizing Change Order No. 1 to Purchase Order #19-01218 for Work Associated with the Flex Fuel Lines at the Low Lift Pump Station**

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY  
COMMISSION AUTHORIZING CHANGE ORDER NO. 1 TO PURCHASE  
ORDER #19-01218 FOR WORK ASSOCIATED WITH THE FLEX FUEL LINES  
AT THE LOW LIFT PUMP STATION**

**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**, Commission staff determined that the existing 2" diameter flex fuel lines located at the Low Lift Pump Station are in a severely degraded condition, e.g., the outer sheath is crumbling away and the structural cordage is visible, and must be removed and replaced on an emergency basis to prevent a catastrophic failure (the "Emergency Services"); and

**WHEREAS**, pursuant to its enabling legislation, N.J.S.A., 58:5-20, the Commission is entitled to undertake work by its own employees or outside contractors when the safety or protection of its or other public property or the public convenience requires, or the exigency of the situation will not allow for advertisement or public bidding to address any emergency conditions; and

**WHEREAS**, based upon the recommendation of the Commission's engineering staff, the Commission's Executive Director, Deputy Executive Director and Chief Financial Officer all determined that the removal and replacement of the flex fuel lines at the LLPS constituted an emergency warranting

immediate action and repairs without the necessity of engaging in public advertisement and bidding; and

**WHEREAS**, on or about August 28, 2019 the Commission adopted a resolution awarding a purchase order for the provision of the Emergency Services without the necessity of engaging in public advertisement and bidding to Petro Mechanics (“Petro”), a state contract vendor, in the amount of \$23,800.00 (“Purchase Order #19-01218”); and

**WHEREAS**, while attempting to remove the flex fuel lines, Petro determined that the degraded lines would not pull through the existing sleeves to allow for replacement, requiring that the parking lot asphalt be saw cut and a trench be excavated to permit the sleeved lines to be removed and replaced, and the parking lot be repaired after completion of the replacement work (collectively, the “Additional Services”); and

**WHEREAS**, at the request of the Commission, Petro submitted Change Order No. 1 to Purchase Order #19-01218 in the amount of \$19,675.00, outlining a plan of action to conduct the Additional Services; and

**WHEREAS**, Commission staff have examined Petro’s proposed Change Order No. 1 to Purchase Order #19-01218 and have determined that the services and fees set forth therein are reasonable, necessary and appropriate, and have recommended that the Commission approve this Change Order No. 1 to Purchase Order #19-01218; and

**WHEREAS**, the award of this Change Order No. 1 to Purchase Order #19-01218 is necessary for the efficient operation of the Commission; and

**WHEREAS**, the Chief Financial Officer of the Commission has certified that the funds are available for this Change Order No. 1 to Purchase Order #19-01218.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the North Jersey District Water Supply Commission that Change Order No. 1 to Purchase Order #19-01218 with Petro is hereby approved in the not-to-exceed amount of \$19,675.00, to provide the Additional Services; and

**BE IT FURTHER RESOLVED** that the Executive Director and General Counsel are hereby authorized to prepare Change Order No. 1 to Purchase Order #19-01218 in the amount of \$19,675 in accordance with Petro’s proposal, with all other terms and conditions of Purchase Order #19-01218, as amended, to remain unchanged; and

**BE IT FURTHER RESOLVED** that the Executive Director of the Commission is hereby authorized to execute Change Order No. 1 to Purchase Order #19-01218; 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 Change Order No. 1 to Purchase Order #19-01218 for work associated with the flex fuel lines at the Low Lift Pump Station; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Garofalo and Cassella voting in the affirmative.

**Resolution – Authorizing the Award and Execution of a Contract for the Design of a New Potable Water Interconnection with Newark Water**

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 FOR THE DESIGN OF A NEW POTABLE WATER  
INTERCONNECTION WITH NEWARK WATER**

**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 firm specializing in engineering services to provide a conceptual design of a new potable water interconnection with the City of Newark's aqueduct (the "Engineering Design 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 18, 2019, the Commission publicly advertised a request for proposals for the Engineering Design Services in accordance with requirements and specifications set forth therein ("RFP #010-2019"), and subsequently received one qualified proposal (the "Proposal") on or about December 5, 2019 from Jacobs Engineering Group ("Jacobs"); and

**WHEREAS**, the Commission's evaluation committee reviewed and evaluated the Proposal and determined that Jacobs submitted the sole qualified, responsible, and responsive proposal for the Engineering Design Services for a not-to-exceed amount of \$415,000.00, and has recommended that Jacobs be awarded a contract in accordance with the Commission's enabling legislation and applicable State law; and

**WHEREAS**, the Commission desires to retain the services of Jacobs to perform the Engineering Design Services in accordance with the Commission's requirements as set forth in RFP #010-2019, the 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 Engineering Design Services be awarded to Jacobs as the sole qualified, responsive, and responsible proposer in accordance with the Commission's enabling legislation and applicable State law, for an amount not to exceed \$415,000.00; and

**BE IT FURTHER RESOLVED** that the Executive Director and General Counsel are hereby authorized to prepare a contract for the Engineering Design Services, incorporating the Commission's requirements as set forth in RFP #010-2019, the 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.

Vice Chairman Shotmeyer offered a motion to adopt the resolution authorizing the award and execution of a contract for the design of a new potable water interconnection with Newark Water; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Garofalo and Cassella voting in the affirmative.

**Resolution – Authorizing the Award and Execution of a Contract for Work Associated with Mechanical, Electrical and Plumbing (MEP) Engineering 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 FOR WORK ASSOCIATED WITH MECHANICAL, ELECTRICAL  
AND PLUMBING (MEP) ENGINEERING 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 an engineering firm specializing in mechanical, electrical and plumbing to provide services for the Commission on multiple projects (the “MEP Engineering 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 December 3, 2019, the Commission publicly advertised a request for proposals for the MEP Engineering Services in accordance with requirements and specifications set forth therein (“RFP #012-2019”), and subsequently received four proposals on or about January 3, 2020 from various firms; and

**WHEREAS**, the Commission's evaluation committee reviewed and evaluated the proposals and determined that DLB Associates (“DLB”), which submitted a proposal to perform the MEP Engineering Services for a not-to-exceed amount of \$150,000.00 (representing \$75,000.00 per year) (the “DLB Proposal”), submitted the most qualified, responsible, and responsive proposal, and has recommended that DLB be awarded a contract in accordance with the Commission's enabling legislation and applicable State law; and

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

**WHEREAS**, the Commission desires to retain the services of DLB to perform the MEP Engineering Services in accordance with the Commission's requirements as set forth in RFP #012-2019, the DLB 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 a two year term for MEP Engineering Services be awarded to DLB as the most qualified, responsive, and responsible proposer in accordance with the Commission's enabling legislation and applicable State law, for an amount not to exceed \$75,000.00 per year; and

**BE IT FURTHER RESOLVED** that the Executive Director and General Counsel are hereby authorized to prepare a contract for the MEP Engineering Services, incorporating the Commission's requirements as set forth in RFP #012-2019, the DLB 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 for work associated with mechanical, electrical and plumbing (MEP) engineering services; seconded by Vice Chairman Shotmeyer and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Garofalo and Cassella voting in the affirmative.



**Resolution – Authorizing Change Order No. 4 to Contract #1061 with GZA GeoEnvironmental, Inc. for Environmental Consulting Services for Commission Shooting Range Remediation**

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY  
COMMISSION AUTHORIZING CHANGE ORDER NO. 4 TO CONTRACT  
#1061 WITH GZA GEOENVIRONMENTAL, INC. FOR ENVIRONMENTAL  
CONSULTING SERVICES FOR COMMISSION SHOOTING RANGE  
REMEDATION**

**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 previously determined there was a need to retain a qualified environmental firm to provide consulting engineering services associated with the final site assessment and site characterization of the Commission’s shooting range and supervision of subsequent remediation services (the “Environmental Consulting Services”); and

**WHEREAS**, on or about December 16, 2014, the Commission publicly advertised a request for qualifications and proposals for Environmental Consulting Services, referenced as RFP #012-2014, and received proposals from interested parties on or before February 3, 2015; and

**WHEREAS**, on or about February 25, 2015, the Commission adopted a resolution awarding GZA GeoEnvironmental, Inc. (“GZA”) a contract for the provision of Environmental Consulting Services for a not-to-exceed sum of \$130,000.00 (“Contract #1061”); and

**WHEREAS**, on or about February 22, 2017, the Commission adopted a resolution authorizing Change Order No. 1 to Contract #1061 in the not-to-exceed amount of \$44,000.00, to permit GZA to expand its soil sampling in the shooting range, include a case management strategy in the Remedial Investigation report, and to prepare and submit the application for a Freshwater Wetland General Permit, which is required to be completed and obtained before the start of any remediation on the shooting range; and

**WHEREAS**, on or about January 24, 2018, the Commission adopted a resolution authorizing Change Order No. 2 to Contract #1061 in the not-to-exceed amount of \$17,000.00, to permit GZA to provide a support of excavation design to prevent disruption and displacement of an underground gas pipeline and construction administration during the remediation of the shooting range; and

**WHEREAS**, on or about March 27, 2019, the Commission adopted a resolution authorizing Change Order No. 3 to Contract #1061 in the not-to-exceed amount of \$51,500.00, to permit GZA to complete certain necessary additional tasks including: slope stability analysis; restoration plan; bid specification update; soil erosion and sediment control plan to be submitted to the Hudson Essex Passaic Soil Conservation District; additional sampling, tree survey, New Jersey Department of Environmental Protection pre-application meeting, Flood Hazard Area Individual Permit Application; residual fill testing, re-design of support excavation; topographic survey and contractor bid review; and

**WHEREAS**, the Commission and GZA have determined that certain additional work related to soil sampling is necessary, including creating a soil sampling plan, inspecting and analyzing the soil for use as backfill material at the shooting range (collectively, the “Additional Services”); and

**WHEREAS**, at the request of the Commission, GZA submitted Change Order No. 4 to Contract #1061 in the not-to-exceed amount of \$17,000.00, outlining a plan of action to conduct the Additional Services; and

**WHEREAS**, Commission staff have examined GZA’s requested Change Order No. 4 to Contract #1061 and have determined that the services and fees set forth therein are reasonable, necessary and appropriate, and have recommended that the Commission approve Change Order No. 4 to Contract #1061; and

**WHEREAS**, the award of this Change Order No. 4 to Contract #1061 is necessary for the efficient operation of the Commission; and

**WHEREAS**, the Chief Financial Officer of the Commission has certified that the funds are available for this Change Order No. 4 to Contract #1061.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the North Jersey District Water Supply Commission that Change Order No. 4 to Contract #1061 with GZA is hereby approved in the not-to-exceed amount of \$17,000.00, to provide the Additional Services; and

**BE IT FURTHER RESOLVED** that the Executive Director and General Counsel are hereby authorized to prepare Change Order No. 4 to Contract #1061 in accordance with GZA's proposal, with all other terms and conditions of Contract #1061, as amended, to remain unchanged; and

**BE IT FURTHER RESOLVED** that the Chairman or Vice Chairman of the Commission is hereby authorized to execute Change Order No. 4 to Contract #1061, and the Secretary of the Commission is authorized to attest to the signature of either the Chairman or the 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.

Vice Chairman Shotmeyer offered a motion to adopt the resolution authorizing Change Order No.4 to Contract #1061 with GZA GeoEnvironmental, Inc. for environmental consulting services for Commission shooting range remediation; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Burrell, Vice Chairman Burrell and Commissioners Ashkinaze, Kuser, Garofalo 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 Ashkinaze offered a motion to approve the Wanaque North Operating Account in the amount of \$12,354,873.13; seconded by Commissioner Cassella and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Garofalo and Cassella voting in the affirmative.

**Wanaque South Operating Account:**

Upon Chief Financial Officer Schaffner's certification of the attached bills and payroll transfers as being proper and accurate, Commissioner Kuser offered a motion to approve the Wanaque South Operating Account in the amount of \$7,119,361.27; seconded by Commissioner Cassella and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Garofalo 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 Ashkinaze offered a motion to approve the Wanaque South Joint Venture Operating Account in the amount of \$852,142.56; seconded by Commissioner Cassella and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Garofalo and Cassella voting in the affirmative.

There being no further business, Commissioner Ashkinaze offered a motion to adjourn the meeting at 10:32 a.m.; seconded by Commissioner Kuser and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Garofalo and Cassella voting in the affirmative.

Respectfully submitted,

Kim Diamond  
Commission Secretary