

## NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION

### PUBLIC COMMISSION MEETING

WEDNESDAY, SEPTEMBER 22, 2021

The monthly Public Meeting of the Commission was called to order by Chairman Howard L. Burrell on Wednesday, September 22, 2021 at 9:00 a.m., One F.A. Orechio Drive, Wanaque, New Jersey.

Present were Timothy J. Eustace, Lloyd L. Naideck, Deputy Executive Director, and William Schaffner, Chief Financial Officer. Chairman Howard L. Burrell, Vice Chairman Charles P. Shotmeyer and Commissioners Alan S. Ashkinaze, Jerome P. Amedeo, Donald C. Kuser, Robert C. Garofalo and James L. Cassella participated via teleconference. Bhavini A. Doshi, Esq., Commission Counsel from the law firm of McManimon, Scotland & Baumann, LLC and Joy Johnson, Senior Counsel of the Governor's Authority also 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 Cassella and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo, Kuser, Garofalo and Cassella voting in the affirmative. The Public Meeting was recessed at 9:03 a.m.

Chairman Burrell reconvened the Public Meeting at 9:21 a.m.

### PUBLIC COMMISSION BUSINESS

#### **ACTION REQUIRED:**

Commissioner Kuser offered a motion to approve the Public Commission Meeting Minutes of August 25, 2021; seconded by Commissioner Cassella and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo, Kuser, Garofalo and Cassella voting in the affirmative.

Vice Chairman Shotmeyer offered a motion to approve the Public Work Session Minutes of August 25, 2021; seconded by Commissioner Cassella and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo, Kuser, Garofalo and Cassella voting in the affirmative.

Commissioner Cassella offered a motion to approve the Purchase Requisitions over \$5000 Report for September 2021 in the amount of \$95,469.63; seconded by Commissioner Kuser and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo, Kuser, Garofalo and Cassella voting in the affirmative.

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS:****Commission Invoices:**

- a. **Invoice #1083-51 from Stone Hill Construction for Contract #1083 – Lagoon Decant Tower Discharge in the amount of \$375,746.63**  
Paul Serillo, Director of Facilities and Les Malytskyy, Engineering Project Manager approved invoice 3(a) for payment.
- b. **Invoice #460137 from Premier Services/USIC, LLC for Contract #2019 – Underground Locating in the amount of \$7,975.45**  
Maria Alliegro, Director of Engineering and James Stachura, Project Engineer approved invoice 3(b) for payment.
- c. **Invoice #48590 from Suburban Consulting Engineers, Inc. for Contract #2074 – Freshwater Wetlands General Permit in the amount of \$7,768.86**  
Maria Alliegro, Director of Engineering and James Stachura, Project Engineer approved invoice 3(c) for payment.
- d. **Various Invoices from Landscape Materials, Inc. for Contract #2046 – Removal of Residuals in the amount of \$10,275.00**  
Doug Delorie, Manager of Facilities and Lewis Schneider, Director of Treatment/Lab & Compliance approved invoice 3(d) for payment.
- e. **Invoice #SMA-M0721-25422 from PFM Asset Management LLC – Fees for Oversight of Asset Management Program in the amount of \$1,018.01**  
Michael Broncatello, Comptroller approved invoice 3(e) for payment.
- f. **Various Invoices from Wilmington Trust – NJDWSC Trustee Fees for Wanaque South Project in the amount of \$13,500.00**  
William Schaffner, Chief Financial Officer approved invoice 3(f) for payment.
- g. **Various Invoices from The BNY Mellon – NJ Infrastructure Bank Bond Trustee Fees in the amount of \$7,450.00**  
William Schaffner, Chief Financial Officer approved invoice 3(g) for payment.
- h. **Invoice #0820597 from GZA GeoEnvironmental, Inc. for Contract #1061 – Shooting Range Site Remediation in the amount of \$1,900.00**  
Maria Alliegro, Director of Engineering and Les Malytskyy, Engineering Project Manager approved invoice 3(h) for payment.
- i. **Invoice #0819444 from GZA GeoEnvironmental, Inc. for Contract #2079 – Pompton Dam Spillway Apron Investigation in the amount of \$22,740.00**  
Maria Alliegro, Director of Engineering and Les Malytskyy, Engineering Project Manager approved invoice 3(i) for payment.
- j. **Invoice #47621 from RVH Mulch Supply, LLC for Contract #2059 – Residual Removal in the amount of \$25,575.00**  
Lewis Schneider, Director of Operations/Licensed Operator and Doug Delorie, Manager of Residuals approved invoice 3(j) for payment.

- k. Invoice E6X94200022 from Jacobs Engineering Group, Inc. for Contract #2052 – Construction Administration for RTF in the amount of \$4,798.48**  
Maria Alliegro, Director of Engineering and Les Malytskyy, Engineering Project Manager approved invoice 3(k) for payment.
- l. Various Invoices from Jacobs Engineering Group, Inc. for Contract #2061 – General Consulting Engineering Services in the amount of \$16,862.50**  
Maria Alliegro, Director of Facilities, Chris Clamser, Project Engineer and Les Malytskyy, Engineering Project Manager approved invoice 3(l) for payment.
- m. Invoice #E6X96100017 from Jacobs Engineering Group, Inc. for Contract #2062 – Design of Interconnection with Newark in the amount of \$3,574.25**  
Maria Alliegro, Director of Facilities and James Stachura, Project Engineer approved invoice 3(m) for payment.

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

**Resolution – Authorizing a Sole Source Contract Award to Ecosystem Consulting Service, A Division of GZA GeoEnvironmental, Inc., for Inspection and Repair of the Commission’s Aeration System**

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY  
COMMISSION AUTHORIZING A SOLE SOURCE CONTRACT AWARD TO  
ECOSYSTEM CONSULTING SERVICE, A DIVISION OF GZA  
GEOENVIRONMENTAL, INC., FOR INSPECTION AND REPAIR OF THE  
COMMISSION’S AERATION SYSTEM**

**WHEREAS**, the North Jersey District Water Supply Commission (the “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**, inspection and repair of the Commission’s watershed aeration compression system (the “Aeration System”) is necessary because five (5) of the Aeration System’s aerators are no longer oriented as intended in their original design, yet the Aeration System is an essential part of the Commission’s reservoir management, helping to maintain its raw water quality and mitigate bacterial and other issues; and

**WHEREAS**, the required inspections and repairs include: (1) having a three (3)-person scuba crew inspect each of the five (5) aerators of the Aeration System; (2) restoring each of same to their original vertical position as necessary; and (3) installing and replacing additional buoyancy flotation bags for stability as necessary (collectively, the “Services”); and

**WHEREAS**, multiple vendors were investigated, but only Ecosystem Consulting Service (“ECS”), a division of GZA GeoEnvironmental, Inc. (“GZA”), had the specific parts and professionals needed for the Services, as ECS was the original designer of the Aeration System, has been making periodic assessments and repairs to same for almost twenty (20) years and uniquely possesses in-depth knowledge and expertise as it relates to the Aeration System; and

**WHEREAS**, the Commission is in receipt of a proposal dated August 12, 2021 from ECS in the amount of \$33,200.00 for performance of the Services (the “Proposal”), which is attached hereto and incorporated herein; and

**WHEREAS**, as a result of the foregoing and pursuant to the recommendation memorandum from the Commission staff, Executive Order #37, and Section 1(G) of the Commission’s Purchasing Policies and Procedures Manual, the Commission has determined that ECS constitutes a sole source provider of the Services; 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 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 be awarded to ECS, a division of GZA for the Services for a total contract amount of \$33,200.00; and

**BE IT FURTHER RESOLVED** that the Executive Director and General Counsel are hereby authorized to prepare a contract for the performance of the Services, incorporating the Commission's requirements and the Proposal submitted by ECS; 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 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 a sole source contract award to Ecosystem Consulting Service, a division of GZA GeoEnvironmental, Inc., for inspection and repair of the Commission's aeration system; seconded by Commissioner Cassella and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo, Kuser, Garofalo and Cassella voting in the affirmative.

**Resolution – Authorizing the Award and Execution of a Contract with Scott Testing Inc. for Work Associated with the Electrical Distribution Analysis and Testing 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 SCOTT TESTING INC. FOR WORK ASSOCIATED WITH  
THE ELECTRICAL DISTRIBUTION ANALYSIS AND TESTING 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 Electrical Distribution Analysis and Testing Services (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 July 1, 2021, the Commission publicly advertised a Bid Specification for Contract #2082 ("Contract #2082") for work associated with Electrical Distribution Analysis and Testing Services in accordance with the requirements and specifications set forth therein and subsequently received one bid proposal on or about August 25, 2021 from Scott Testing Inc. ("Scott Testing") to perform the Services for the not-to-exceed amount of \$235,079.00 (the "Bid"); and

**WHEREAS**, the Commission has examined the Bid and determined that the services and fees set forth therein are reasonable, necessary and appropriate, and has recommended that Scott Testing be awarded a contract as the sole and lowest conforming bid for the Services in accordance with the Commission's enabling legislation and applicable State law; and

**WHEREAS**, the Commission desires to retain the services of Scott Testing to perform the Services in accordance with the Commission's requirements as set forth in Contract #2082, the Bid, 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 Contract #2082 for the work associated with the Electrical Distribution Analysis and Testing Services be awarded to Scott Testing as the sole and lowest conforming bidder in accordance with the Commission's enabling legislation and applicable State law, for an amount the not-to-exceed \$235.079.00; 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 Contract #2082, the Bid, 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 Garofalo offered a motion to adopt the resolution authorizing the award and execution of a contract with Scott Testing Inc. for work associated with the electrical distribution analysis and testing services; seconded by Commissioner Cassella and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo, Kuser, Garofalo and Cassella voting in the affirmative.

**Resolution – Authorizing Change Order No. 1 and Extension No. 1 to Contract #2060 JBL Electric, Inc. (D/B/A 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 CHANGE ORDER NO. 1 AND EXTENSION  
NO. 1 TO CONTRACT #2060 JBL ELECTRIC, INC. (D/B/A 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 previously determined that it is necessary to retain the services of a licensed electrical contracting firm experienced in the repair and installation of 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 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 August 15, 2019, the Commission publicly advertised a Request for Proposals and Qualification Statements for work associated with the Electrical Services in accordance with requirements and specifications set forth therein ("RFP #009-2019"), and subsequently received one proposal ("Proposal") on or about September 25, 2019 from JBL Electric Inc., doing business as, McPhee Electric ("McPhee Electric"); and

**WHEREAS**, on or about October 23, 2019, the Commission adopted Resolution No. 1886 awarding McPhee Electric a contract for the provision of work associated with the Electrical Services for a base contract amount not to exceed \$400,000.00 for a two-year term, representing \$200,000.00 per year, on time and material basis as per the rate sheet in the Proposal ("Contract #2060"); and

**WHEREAS**, Contract #2060 is renewable for two additional one-year terms under the same terms and conditions as the original contract; and

**WHEREAS**, by the end of Year 1 of Contract #2060, due to the timing of the work orders and lead-time of equipment deliveries, there remained over \$40,000 of unexpended funds in the Year 1 budget, which funds could not automatically be carried over to the Year 2 budget; and

**WHEREAS**, due to the invoicing structure of Contract #2060, the Year 2 (2021) budget was encumbered with the unexpended funds from Year 1; and

**WHEREAS**, in order to offset this carry-over encumbrance while still fulfilling the work orders necessary to be completed, the Commission's Engineering staff has recommended to add \$75,000 to the existing \$200,000 budget of Year 2 (2021) ("Change Order No. 1"); and

**WHEREAS**, the Commission also recommends renewing the term of Contract #2060 for an additional one-year term (Year 3) on the same terms and conditions set forth in Contract #2060 and allocating the same base amount of \$200,000 for the renewal term ("Extension No. 1"); and

**WHEREAS**, in order to align the renewal term of Contract #2060 with the Commission's budgetary year, Commission staff, and with written consent of McPhee Electric, recommend to modify Extension No. 1 to run from November 2021 to December 31, 2022, without altering any other terms and conditions of the Contract #2060; and

**WHEREAS**, Commission staff have examined Change Order No. 1 and Extension No.1 to Contract #2060 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. 1 and Extension No.1 to Contract #2060; and

**WHEREAS**, this Change Order No. 1 and Extension No.1 to Contract #2060 are 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 and Extension No.1 to Contract #2060.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the North Jersey District Water Supply Commission that Change Order No. 1 to Contract #2060 with McPhee Electric is hereby approved, increasing the base contract amount for Year 2 (2021) of Contract #2060 to the not-to-exceed amount of \$275,000.

**BE IT FURTHER RESOLVED** that the renewal and Extension No. 1 for Year 3 (2022) for Contract #2060 is hereby approved under the same terms and conditions of the original contract, providing for a base contract amount not to exceed \$200,000 for Year 3

**BE IT FURTHER RESOLVED** that the Executive Director and General Counsel are hereby authorized to prepare Change Order No. 1 for Year 2 (2021) of Contract #2060 and the Extension No. 1 for Year 3 (2022) for Contract #2060, as detailed in this resolution.

**BE IT FURTHER RESOLVED** that the Chairman or Vice Chairman of the Commission is hereby authorized to execute Change Order No. 1 and Extension No.1 to Contract #2060 and the Secretary of the Commission is authorized to attest to the signature of either the Chairman or the Vice Chairman.

**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 Garofalo offered a motion to adopt the resolution authorizing change order no. 1 and extension no. 1 to Contract #2060 with JBL Electric, Inc. (D/B/A/ McPhee Electric) for the provision of electrical contracting services; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo, Kuser, Garofalo and Cassella voting in the affirmative.

**Resolution – Authorizing a Sole Source Contract Award to PerkinElmer Health Science Inc. for the Replacement of the Commission's Inductively Coupled Plasma Mass Spectrometry (ICP/MS) System and Flow Injection Mercury (FIM) System**

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY  
COMMISSION AUTHORIZING A SOLE SOURCE CONTRACT AWARD TO  
PERKINELMER HEALTH SCIENCES INC. FOR THE REPLACEMENT OF  
THE COMMISSION’S INDUCTIVELY COUPLED PLASMA MASS  
SPECTROMETRY (ICP/MS) SYSTEM AND FLOW INJECTION MERCURY  
(FIM) SYSTEM**

**WHEREAS**, the North Jersey District Water Supply Commission (the “**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**, replacement of the Commission’s inductively coupled plasma mass spectrometry system (the “ICP/MS System”) and flow injection mercury system (the “FIM System”) is necessary because both the ICP/MS System and the FIM System are antiquated, have limited maintenance support, and have degraded in functionality overtime; and

**WHEREAS**, the ICP/MS System and the FIM System are essential parts of the Commission’s reservoir management, helping it to maintain its raw water quality and enabling it to perform necessary water samples to comply with State and federal regulatory water quality standards; and

**WHEREAS**, the required replacements include: (1) replacement of the ICP/MS System; (2) replacement of the FIM System; and (3) necessary training, shipping and handling (collectively, the “Services”); and

**WHEREAS**, multiple vendors were investigated, but only PerkinElmer Health Sciences Inc. (“PerkinElmer”) had the specific parts needed for the Services, which must all be purchased from PerkinElmer to ensure maximum functionality and warranty coverage for both the ICP/MS System and the FIM System; and

**WHEREAS**, the majority of the scope items for the Services are covered by New Jersey State Contract T0115 (the “State Contract”) and therefore are subject to the pricing discounts negotiated therein;

**WHEREAS**, the Commission is in receipt of a proposal dated July 12, 2021 from PerkinElmer in the total amount of \$182,577.75 for performance of the Services, which includes an amount of \$136,347.75 for scope items covered under the State Contract, plus an amount of \$38,095.00 for scope items not covered under the State Contract (the “Proposal”), which is attached hereto and incorporated herein; and

**WHEREAS**, as a result of the foregoing and pursuant to the recommendation memorandum from the Commission Staff, Executive Order #37, and Section 1(G) of the Commission’s Purchasing Policies and Procedures Manual, the Commission has determined that PerkinElmer constitutes both a sole source provider and State Contract provider of the Services; 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 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 be awarded to PerkinElmer for the Services for a total contract amount not to exceed \$182,577.75; and

**BE IT FURTHER RESOLVED** that the Executive Director and General Counsel are hereby authorized to prepare a contract for the performance of the Services, incorporating the Commission’s requirements and the Proposal submitted by PerkinElmer; 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 shall be maintained in the Office of the Executive Director and made available for public inspection.

Commissioner Garofalo offered a motion to adopt the resolution authorizing a sole source contract award to PerkinElmer Health Sciences Inc. for the Replacement of the Commission's Inductively Coupled Plasma Mass Spectrometry (ICP/MS) System and Flow Injection Mercury (FIM) System; seconded by Commissioner Cassella and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo, Kuser, Garofalo and Cassella voting in the affirmative.

**Resolution – Authorizing Extension No. 1 and Change Order No. 1 to Contract #2055 with Carus LLC for Potassium Permanganate**

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY  
COMMISSION AUTHORIZING EXTENSION NO. 1 AND CHANGE ORDER  
NO. 1 TO CONTRACT #2055 WITH CARUS LLC FOR POTASSIUM  
PERMANGANATE**

**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 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**, in response to the Commission's advertisement for public bids, bids for the furnishing and delivery of Potassium Permanganate were received and publicly opened on October 1, 2019, and Carus LLC ("Carus") was the sole responsible and complying bidder for the furnishing and delivery of Potassium Permanganate at the price of three dollars and nineteen cents (\$3.19) per pound; and

**WHEREAS**, by resolution No. 1884 dated October 23, 2019, the Commission authorized the award and execution of Contract #2055 with Carus for the furnishing and delivery of Potassium Permanganate, wherein the term was two (2) years, with the Commission reserving the right to renew the contract for up to two (2) consecutive, one (1) year extensions under the same terms and conditions; and

**WHEREAS**, the Commission having been satisfied with Carus, on August 17, 2021, relayed the Commission's request to Carus to invoke its first renewal option and one (1) year extension for Contract #2055 under the same terms and conditions ("Extension No. 1"); and

**WHEREAS**, on August 23, 2021, Carus notified the Commission that it cannot extend Contract #2055 for an additional year without price relief; and

**WHEREAS**, Carus has represented that it has experienced increased costs from Covid-19 related disruptions including with raw materials suppliers, transportation, and manufacturing costs; and

**WHEREAS**, Carus respectfully requests Extension No. 1 with price relief for the aforementioned reasons, and proposes to supply the Potassium Permanganate at the delivered price of three dollars and fifty-two cents (\$3.52) per pound effective November 25, 2021 through November 24, 2022; and

**WHEREAS**, at the request of the Commission, Carus submitted Change Order No. 1 to Contract #2055 for the price increase from \$3.19/lb. to \$3.52/lb. ("Change Order No. 1"); and

**WHEREAS**, Commission staff have examined Carus's requested Change Order No. 1 to Contract #2055 with Extension No.1 and have determined that the goods and fees set forth therein are reasonable, necessary and appropriate, and have recommended that the Commission approve Change Order No. 1 to Contract #2055; and

**WHEREAS**, the award of this Change Order No. 1 to Contract #2055 with Extension No. 1 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 Contract #2055 with Extension No.1.



**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the North Jersey District Water Supply Commission that Extension No. 1. and Change Order No. 1 to Contract #2055 with Carus are hereby approved, increasing the price from \$3.19/lb. to \$3.52/lb. for Potassium Permanganate during the one-year renewal term; and

**BE IT FURTHER RESOLVED** that the Executive Director and General Counsel are hereby authorized to prepare the renewal for Contract #2055, incorporating Change Order No. 1, with all other terms and conditions of Contract #2055, to remain unchanged; and

**BE IT FURTHER RESOLVED** that the Chairman or Vice Chairman of the Commission is hereby authorized to execute the renewal for Contract #2055 incorporating Change Order No. 1, 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.

Commissioner Cassella offered a motion to adopt the resolution authorizing extension no. 1 and change order no. 1 to Contract #2055 with Carus LLC for potassium permanganate; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo, Kuser, Garofalo and Cassella voting in the affirmative.

**Resolution – Authorizing Extension No. 1 and Change Order No. 1 to Contract #2056 with Polydyne Inc. for Liquid Polymer**

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY  
COMMISSION AUTHORIZING EXTENSION NO. 1 AND CHANGE ORDER  
NO. 1 TO CONTRACT #2056 WITH POLYDYNE INC. FOR LIQUID POLYMER**

**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 for the chemical known as Liquid Polymer (Clarifloc C-379) (“Liquid Polymer”) 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**, in response to the Commission’s advertisement for public bids, bids for the furnishing and delivery of Liquid Polymer were received and publicly opened on October 1, 2019, and Polydyne, Inc. (“Polydyne”) was the sole responsible and complying bidder for the furnishing and delivery of Liquid Polymer at the price of seven dollars and forty-one cents (\$7.41) per gallon; and

**WHEREAS**, by resolution No. 1884 dated October 23, 2019, the Commission authorized the award and execution of Contract #2056 with Polydyne for the furnishing and delivery of Liquid Polymer, wherein the term was two (2) years, with the Commission reserving the right to renew the contract for up to two (2) consecutive, one (1) year extensions under the same terms and conditions; and

**WHEREAS**, the Commission having been satisfied with Polydyne, on August 17, 2021, relayed the Commission’s request to Polydyne to invoke its first renewal option and one (1) year extension for Contract #2056 under the same terms and conditions (“**Extension No. 1**”); and

**WHEREAS**, on September 7, 2021, Polydyne notified the Commission that it cannot extend Contract #2056 for an additional year without price relief; and

**WHEREAS**, Polydyne has represented that it has experienced increased costs from Covid-19 related disruptions including with raw materials suppliers, transportation, and manufacturing costs; and

**WHEREAS**, Polydyne respectfully requests Extension No. 1 with price relief for the aforementioned reasons, and proposes to supply the Liquid Polymer at the delivered price of eight dollars and thirty-six cents (\$8.36) per gallon effective November 25, 2021 through November 24, 2022; and

**WHEREAS**, at the request of the Commission, Polydyne submitted Change Order No. 1 to Contract #2056 for the price increase from \$7.41/gal to \$8.36/gal (“Change Order No. 1”); and

**WHEREAS**, Commission staff have examined Polydyne’s requested Change Order No. 1 to Contract #2056 with Extension No.1 and have determined that the goods and fees set forth therein are reasonable, necessary and appropriate, and have recommended that the Commission approve Change Order No. 1 to Contract #2056; and

**WHEREAS**, the award of this Change Order No. 1 to Contract #2056 with Extension No. 1 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 Contract #2056 with Extension No.1.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the North Jersey District Water Supply Commission that Extension No 1. and Change Order No. 1 to Contract #2056 with Polydyne are hereby approved, increasing the price from \$7.41/gal to \$8.36/gal for Liquid Polymer during the one-year renewal term; and

**BE IT FURTHER RESOLVED** that the Executive Director and General Counsel are hereby authorized to prepare the renewal for Contract #2056, incorporating Change Order No. 1, with all other terms and conditions of Contract #2056, to remain unchanged; and

**BE IT FURTHER RESOLVED** that the Chairman or Vice Chairman of the Commission is hereby authorized to execute the renewal for Contract #2056 incorporating Change Order No. 1, 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.

Commissioner Cassella offered a motion to adopt the resolution authorizing extension no. 1 and change order no. 1 to Contract #2056 with Polydyne Inc. for liquid polymer; seconded by Commissioner Garofalo and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo, 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, Vice Chairman Shotmeyer offered a motion to approve the Wanaque North Operating Account in the amount of \$4,481,777.67; seconded by Commissioner Cassella and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo, 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 Cassella offered a motion to approve the Wanaque South Operating Account in the amount of \$728,579.77; seconded by Commissioner Kuser and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo, 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 Cassella offered a motion to approve the Wanaque South Joint Venture Operating Account in the amount of \$484,870.97; seconded by Commissioner Kuser and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo, Kuser, Garofalo and Cassella voting in the affirmative.

**PUBLIC COMMISSION MEETING**

**SEPTEMBER 22, 2021**

There being no further business, Commissioner Ashkinaze offered a motion to adjourn the meeting at 9:35 a.m.; seconded by Commissioner Cassella and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo, Kuser, Garofalo and Cassella voting in the affirmative.

Respectfully submitted,

Kim Diamond  
Commission Secretary