Minutes of Meeting #585, September 21, 2020 – Stony Brook Regional Sewerage Authority

LOCATION: Via Teleconference, Conference Room, River Road Plant, Princeton, NJ

MEMBERS PRESENT: Downey, Goldfarb, Morehouse, Patel, Switlik, Vilaro-Munet

MEMBERS ABSENT:

CONSULTANTS: Alexander

STAFF PRESENT: Christiano, Doelling, Pchola, Pizarro, Sears

#### 585.01

Chairman Downey opened the regularly scheduled meeting at 7:00 pm. Chairman Downey indicated that pursuant to Section 13 of the Open Public Meetings Act, adequate notice of the time, place of this meeting and the teleconference information was given by filing with the Authority's official newspapers, each Clerk of each municipality and by being posted on the Princeton Bulletin Board and on the Authority's website.

# **585.02** Approval of Minutes

Chairman Downey asked Ms. Pchola to note the changes to the August 24, 2020 Board Meeting minutes. The revised minutes were approved on a motion by Ms. Switlik, seconded by Mr. Patel and passed by a vote of 6 to 0.

#### **585.03 Board Related Activities**

#### **Consultant List**

The consultant list was provided for information. Ms. Pchola stated that there is one (1) amendment to the GHD contract that will be discussed in the Construction Section.

# 585.04 Planning and Administration

Ms. Pchola reported that the most current 12-month average daily flow at the River Road WWTP is 9,459,223 gpd and 10,191,949 gpd including the committed flow for an available capacity of 2,868,051 gpd. The current 12-month average daily flow at the Hopewell WWTP is 250,288 gpd and 250,288 including the committed flow for an available capacity of 49,712 gpd. The current 12-month average daily flow at the Pennington WWTP is 256,345 gpd and 289,394 including the committed flow for an available capacity of 10,606 gpd.

Ms. Pchola reported that the quarterly meter certification was performed by W. G. Malden on September 2 and September 4, 2020. The flow meter for the Princeton Forrestal Connector required adjustment and all other meters were within  $\pm 5\%$ .

Ms. Pchola reported that at the North Ridge Meter Station there was an adjustment carried forward from last month's reported flow adjustment. The August 3, 2020 monthly meter verification found the meter reading 5.97% low. The monthly reported flows for August 1 and August 2, 2020 were adjusted up by 3.83%, the average of the July 1, 2020 verification and August 3, 2020 monthly verification.

Ms. Pchola reported that W.G. Malden performed the quarterly meter certification at the Princeton Forrestal Connector on September 2, 2020. The meter was determined to be reading 5.04% low. The meter was reading 1.05% high during the August 3, 2020 meter verification. Monthly reported flows for August 4 through August 31, 2020 were adjusted up by 1.995%, the average of the August 3, 2020 verification and September 2, 2020 quarterly certification.

Ms. Pchola reported that on August 14, 2020, the River Road Influent flow meter was improperly returned to service following a routine meter verification check, leading to inaccurate flow readings for a three-hour period. The meter was properly returned to service once the error was discovered. Monthly reported flows for August 14, 2020 were substituted with the sum of the River Road billing meters for that day.

Ms. Pchola reported that the Meter Station No.7 flume clogged overnight on August 26, 2020 and was cleared by SBRSA staff on the morning of August 27, 2020. Monthly reported flows for August 26 and August 27, 2020 were substituted with the average of the day before and the day after the clog.

# 585.05 Approval Requests and Actions

Mr. Doelling reported that the Capacity Assurance Program WQM-007 Form for the Hopewell Wastewater Treatment Plant for the second quarter of 2020, April 1, 2020 through June 30, 2020, was submitted to NJDEP on August 30, 2020. A copy of this submittal was provided in the Board report.

Mr. Doelling reported the allocated flow of 1,800 gpd for the six (6) Heritage at Pennington - Phase 2 units approved to connect at last month's Board meeting will be removed from the Pennington WWTP inoperable flow next month. A copy of the letter sent to the Borough of Pennington to enable the Borough to issue a Certificates of Occupancy, as appropriate, for the six (6) units was provided in the Board report.

# 585.06 Regulatory Report

Mr. Doelling gave a brief summary regarding Incinerator bypass events for 2020.

A discussion took place regarding power outages and the number of reported events.

Mr. Doelling reported that he contacted Public Service Electric and Gas (PSE&G). PSE&G indicated that they are not able to notify SBRSA prior to conducting work orders in our service area that may or will cause a disruption of power.

Mr. Doelling is waiting to hear back from PSE&G's engineer who is reviewing the SBRSA record of power anomalies.

Mr. Goldfarb will forward Mr. Doelling contact information for the person at PSE&G responsible for government entities. Mr. Goldfarb suggested inviting this person to a Board meeting to discuss the importance of SBRSA power outage notification.

There were no other Board member comments on the Regulatory Report. The following Regulatory Report is included in the meeting minutes for information.

#### A. Discharge Monitoring Report (DMR)

The Discharge Monitoring Reports for the month of July 2020 were submitted with no violations reported.

August 2020 DMRs are currently being prepared.

The Hopewell and Pennington Semi-annual and Annual Surface Water Discharge Waste Characterization Reports (SWDWCR) were submitted. The results were within the expected ranges for these facilities.

# B. Residuals Discharge Monitoring Report (RDMR)

The June Residuals Discharge Monitoring Reports were submitted. All River Road parameters were compliant with the Air Permit requirements.

The July RDMR is currently being prepared.

The semi-annual Residuals Discharge Monitoring Reports for Hopewell and Pennington were submitted. The results were within the expected ranges for these facilities.

# C. Air Reporting

Two affirmative defenses were submitted to NJDEP during this reporting period. The first reported incident on August 3, 2020 was due to an unexpected instrument malfunction causing a temporary transition through OS1 while recovering the RTO (this was not an emergency bypass event). The second reported event was due to four (4) separate commercial power outages, resulting in an automated interlock emergency bypass event for each unexpected power outage during the week following Tropical Storm Isaias.

| Date     | NJDEP Hotline    | Emergency Bypass Open |
|----------|------------------|-----------------------|
|          | Case #           | (Minutes)             |
| 5-Aug-20 | 20-08-05-2130-47 | 13*                   |
| 6-Aug-20 | 20-08-06-2144-21 | 30                    |
| 7-Aug-20 | 20-08-07-1514-53 | 14                    |
| 8-Aug-20 | 20-08-12-1034-40 | 23                    |
|          | Total            | 80                    |
|          |                  |                       |

\*Bypass closed and transitioned through OS1 during same minute

Thus far in 2020 there have been six (6) emergency bypass events, for a cumulative total of 89 minutes. These events have been reported to NJDEP:

- One affirmative defense was submitted to NJDEP reporting four (4) minutes of Emergency Bypass due to the triggering of a High Scrubber Water Level alarm on January 22, 2020.
- One affirmative defense was submitted to NJDEP reporting five (5) minutes of Emergency Bypass due to a power outage on June 3, 2020.
- One affirmative defense was submitted to NJDEP reporting a total of eighty (80) minutes of emergency bypass due to a series of power outages associated with PSE&G's clean up and repair of power lines, during the week following Tropical Storm Isaias, and occurring on August 5, 2020 through August 8, 2020.

A Self-Disclosure was filed on August 20, 2020 with NJDEP due to emergency generator operation while commercial power was available. The emergency generator was used due to continuing unreliable commercial power issues during the week following Tropical Storm Isaias. The unreliable commercial power resulted in several emergency generator "false starts," and the depletion of the generator start-up batteries. SBRSA staff have since been instructed that, per the Title V Operating Permit, the emergency generator(s) cannot be used once the primary source of power becomes available. The Self-Disclosure form submitted to NJDEP was provided in the report.

# D. Laboratory

The virtual audit reports for Hopewell and Pennington laboratories by NJDEP Office of Quality Assurance (OQA) were received on August 26, 2020. Written responses to the noted deficiencies were sent to NJDEP, a copy of the response letters were provided in the report.

# 585.07 <u>Safety</u>

Mr. Doelling reported that staff received the 2020 Kleinfelder Annual Inspection Report on September 9, 2020. Staff has been proactive in addressing issues that were anticipated to be in the report. A list of ongoing repairs to these anticipated items was provided to the Board. Additionally, staff is in the process of putting together a scope of work to have painting conducted in the Headworks Building. The noted repairs/projects will be transferred to an official 2020

Inspection Report Tracking List, containing all noted priority one and two items for inclusion in next month's Board report.

Mr. Doelling reported that one (1) employee tested positive for COVID-19 during this reporting period. That employee is under quarantine for fourteen days. Two co-workers were tested and are on a modified schedule until their results are received.

There were no other Board member comments on the Safety Report. The following Safety Report is included in the meeting minutes for information.

# Accident Report

There were zero "Lost Time" and "No Lost Time" accidents/injuries this period. As of September 15, 2020, Stony Brook Regional Sewerage Authority has gone 1524 consecutive days without a "Lost Time" accident. Provided was an up to date graph depicting the historic annual trends of "Lost Time" and "No Lost Time" accidents and injuries.

# Inspections

On August 5, 2020, the Joint Insurance Fund (JIF) conducted an inspection of the River Road facility. Staff has received the Loss Control Report issued by J.A. Montgomery Consulting, the JIF representative (see attached). Identified in the report was a missing "chuck guard" on the drill press and the vertical band saw. Both "chuck guards" were reinstalled and users of the equipment were instructed not to remove the guards.

#### Miscellaneous

Staff continues to attend the weekly COVID-19 web-conference check-in meetings hosted by the New Jersey Association of Environmental Authorities (AEA).

Staff reissued an updated memo to employees reinforcing the published CDC guidelines/recommendations in an attempt to mitigate the spread of COVID-19. The updated memo was provided in the report.

#### 585.08 Litigation

The Litigation Report included that following updates:

Stony Brook Regional Sewerage Authority vs. New Jersey Department of Environmental Protection, Docket No. ELU 14426-17 (NJPDES Permit Appeal) and EER-WQ 11445-18 (Permit Modification Appeal) (Consolidated) (River Road STP)

The Order of Inactivity signed by Judge Caliguire will expire on February 18, 2021. The next telephone conference is scheduled for February 18, 2021.

# **585.09** Operations Report

A discussion took place about the recent odor complaints.

Mr. Doelling reported that staff increased the frequency of lime addition to our biofilters from monthly to weekly in mid-August. Staff is planning to top off all biofilters in October 2020. The sprinkler system for each biofilter is on a timer which is set to come on daily to keep the biofilter media moist.

There were no other Board member comments on the Operations Report. The following Operations Report is included in the meeting minutes for information.

# River Road Facility

The River Road Facility operated well during this reporting period.

The repairs to Incinerator No. 2 began the week of September 14, 2020. The work is being performed by Albertus Energy under a bid contract.

We are pumping down all four chlorine contact tanks and all four re-aeration tanks, individually, to clean them thoroughly before returning them back into service. This work will begin the week of September 21, 2020.

The required Incinerator Operator refresher training is being conducted the week of September 21, 2020. This training is being given remotely in small groups by KEMS over a three (3) day period.

#### **Upstream Facilities**

Both Upstream Facilities operated well during this reporting period.

#### **Odor Report**

The staff received two (2) Odor Complaints from our surrounding area during the month of August. We received two odor complaints during the partial September 2020 reporting period. The full September number will be reported in October 2020.

#### Customer Septage and Sludge Deliveries

The reported quantity of liquid sludge was 11% below the budgeted amount, sludge cake was 16% above the budgeted amount, and gray water was 12% below the budgeted amount for the month of August 2020.

# **585.10 Maintenance**

A discussion took place regarding the Maintenance Report work order lists. The Board decided that the Preventative Maintenance Work Order Lists are no longer required to be included in future Board reports.

There were no other Board member comments on the Maintenance Report. The following Maintenance Report is included in the meeting minutes for information.

A leaking Effluent Flushing Water (EFW) Hydrant located at the River Road Facility between the Final Re-Aeration Tanks was removed from service on August 31, 2020 due to worn seals. The area was excavated, and the hydrant was removed and replaced with a new hydrant from inventory. Once the installation was completed the hydrant was pressure tested and inspected for leaks. On September 1, 2020, the area around the hydrant was backfilled. The hydrant was painted.

On August 24, 2020 the Board Chairman, reported that there was a pothole forming at the Pennington Facility entrance. After further investigation Pave Patrol LLC was contracted to make the necessary repair. On September 2, 2020 Pave Patrol mobilized all necessary equipment to mill, remove and replace the 18 x 9-foot damaged asphalt area.

Highland Industrial Turbine Service was onsite September 2, 2020 to perform routine preventive maintenance on the Turbine Generator and to replace the engine run hour totalizer that had failed while in operation during Hurricane Isaias. After completing routine maintenance of the Turbine Generator, it was placed into operation under a no-load condition to test the new totalizer for proper operation and placed back into standby.

While inspecting and performing routine maintenance of the ash system on the offline Incinerator No. 2 on August 19, 2020, it was found that ash hopper feed screws No. 2 and No. 4 had considerable damage to the drive shaft and end shaft mounting areas. Spare screws from inventory were installed with new drive and tail stub shafts, tail bearings, packings, and seals. The screws were tested and ready for service on September 3, 2020. The damaged screws were sent to Marshall Maintenance for repairs with added improvements to improve durability and placed into inventory as spares.

Provided in the report were several graphs that monitor our monthly progress. The current monthly open work requests stand at seventeen (17). On the Preventive Maintenance graphs, we currently are averaging six (6) days overdue and the number of overdue units is approximately three (3).

In addition to the graphs, provided was a list of completed Work Orders and Preventive Maintenance for the month of August 2020.

# 585.11 Construction Report

Mr. Doelling indicated that the Odor Sampling and Evaluation summary of the results from TRC

were provided in the Construction Report. Most of the odors were reported as moderate to weak.

Mr. Doelling reported that on September 11, 2020, SBRSA received authorization to advertise Contract 19-2 River Road WWTP UV Disinfection and Filtration Project. This letter was provided in the Board report. The contract was advertised on September 15, 2020. The pre-bid meeting is scheduled for October 14, 2020 and the receipt of bids is scheduled for October 29, 2020. It is anticipated that the project will be awarded at the November 16, 2020 Board Meeting.

Mr. Doelling reported that on August 7, 2020 GHD submitted the provided Amendment Request for mechanical and electrical engineering design associated with the SBRSA requested out-of-scope items in the lump sum amount of \$19,996 for the River Road Storage Hopper Feed Screw Replacement Project. Staff recommended approval of Resolution 2020-075, Resolution Authorizing Amendment No. 1 to the "No Political Contributions Allowed" Contract to GHD for the Design of the Sludge Cake Storage Hopper Screw Replacement Project for additional design services for an amended total contract amount of \$72,580. Resolution 2020-075 was moved by Mr. Morehouse, seconded by Ms. Switlik.

Mr. Goldfarb requested that staff report the original estimated construction cost of a project, and when there is an amendment to the design services, include the revised construction cost to highlight the cost associated with the design change.

Resolution 2020-075 was passed by a roll call vote of 6 to 0. Resolution 2020-075 follows.

# Resolution Authorizing Amendment No. 1 to the "No Political Contributions Allowed" Contract to GHD for the Design of the Sludge Cake Storage Hopper Screw Replacement Project

#### Resolution No. 2020-075

**WHEREAS**, the Stony Brook Regional Sewerage Authority (SBRSA) entered into a contract with GHD for design services associated with the replacement the Sludge Cake Storage Hopper Screws as a contract that does not allow for political contributions to the Authority or its members ("No Political Contributions Allowed" contract) pursuant to the provisions of N.J.S.A. 19:44A-20.4 et seq.; and

**WHEREAS,** GHD submitted a detailed proposal dated December 2, 2019 outlining the tasks included for the design of Sludge Cake Storage Hopper Screw Replacement Project and an Agreement indicating they will provide the design on a lump sum basis not to exceed \$52,584 without prior written permission from Stony Brook Regional Sewerage Authority; and

**WHEREAS**, during project development, SBRSA staff requested several additional out-of-scope items on this project; and

**WHEREAS**, the additional work includes the conversion of the receiving and sludge cake storage hopper screw drive units from DC to AC, the addition of level monitoring in the sludge cake storage hopper, integration of the new level monitoring devices and alarm signals with the existing

sludge cake control panel, and surface preparation and recoating of the interior and exterior of the sludge cake storage hopper.

**WHEREAS**, the labor hours and level of effort required for mechanical and electrical engineering design of these out-of-scope items on this project has exceeded the amount anticipated; and

**WHEREAS,** GHD has submitted a request for an Amendment dated August 7, 2020, necessary to address the SBRSA requested out of scope items, in the lump sum amount of \$19,996, for a total amended contract amount of \$72,580; and

WHEREAS, GHD has on file with SBRSA a Business Entity Disclosure Certification which certifies that GHD its subsidiaries, assigns or principals controlling in excess of 10% of the company has neither made a contribution that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44A-16, in the one (1) year period preceding the award of the contract that would, pursuant to P.L. 2004, c.19, affect its eligibility to perform this contract, nor will it make a reportable contribution during the term of the contract to a municipal political party committee of a governing body that appoints members to the Authority including, Princeton, South Brunswick Township, West Windsor Township, Hopewell Borough, Hopewell Township, and Pennington Borough, when the contract is awarded, or to any municipal candidate committee of any candidate for or holder of municipal elective public office of any such municipality when the contract is awarded, and

**WHEREAS,** the Stony Brook Regional Sewerage Authority has sufficient funds in the Unrestricted Fund Balance for this work.

**NOW THEREFORE, BE IT RESOLVED** that the Board of the Stony Brook Regional Sewerage Authority authorizes the Secretary to amend the contract with GHD through Amendment No. 1 as described herein; and,

**BE IT FURTHER RESOLVED** that the Business Disclosure Entity Certifications and the Determination of Value be placed on file with this resolution.

| Recorded Vote:        | <u>AYE</u> | <u>NO</u> | <u>ABSTAIN</u> | <u>ABSENT</u> |
|-----------------------|------------|-----------|----------------|---------------|
| Gale D. Downey        | X          |           |                |               |
| David A. Goldfarb     | X          |           |                |               |
| C. Schuyler Morehouse | X          |           |                |               |
| Bharat Patel          | X          |           |                |               |
| Pamela Switlik        | X          |           |                |               |
| Miguel Vilaro-Munet   | X          |           |                |               |
|                       |            |           |                |               |

Mr. Doelling reported that the Contract 17-1, Pennington WWTP Upgrade and Expansion Project is 91.7% complete. The work completed during this reporting period is listed in the provided report. On September 2, 2020, a letter was sent to the contractor emphasizing the construction issues and the importance of completing this project. A copy of this letter was also sent to the bonding company. The letter was provided in the report.

Mr. Doelling reported on two (2) change order for this project. Change Order No. 11 is for the Labor and Material to Install Three Bollards to Protect the New Public Service Electric and Gas (PSE&G) Transformer for in the amount of \$5,481.35.

The project scope included the installation of a new transformer to provide power to the Pennington WWTP. The plans and specifications call for the abandonment of the existing pole mounted transformer, and the installation of a new at-grade transformer, per PSE&G requirements. The Contractor was responsible for preparation of a stone pad at grade and the installation of conduit for the new transformer. The installation of the precast base and the transformer was to be performed by PSE&G.

After the work was completed and the transformer installed by PSE&G, the PSE&G inspector informed the Authority that due to the proximity to the roadway, bollards would be needed to protect the transformer. The bollards were not included in the original design.

Approval of Change Order No. 11 will compensate the Contractor for the labor and materials necessary to install the three required bollards.

Mr. Doelling recommended approval of Change Order No. 12 in the amount of \$16,528.36 for the Labor and Material to install (2) Two 12" Gate Valves on the Influent Piping to Each Orbal Tank. The project scope included the installation of two gate valves at the face of each Orbal Tank. During planning and layout of the proposed work, it was discovered that installation of these valves would necessitate multiple influent bypass pumping events. The installation of one additional valve upstream of each Orbal Tank would eliminate the need for multiple bypasses and plant process interruptions. In addition, these valves increase the safety during construction, and afterwards, by eliminating flow from the piping extending to each offline Orbal Tank. With the valves in place preventative maintenance and more frequent valve exercise can be accommodated without flooding an offline tank.

Approval of Resolution No. 2020-069, Authorizing the Approval of Change Order No. 12 for the Labor and Material to Install Two Gate Valves on the Orbal Influent Piping.

Mr. Morehouse stated that Resolution 2020-068 and 2020-069 were discussed during the Construction Committee meeting. Mr. Morehouse recommended approval of Change Order No. 11 and noted that the work for Change Order No. 12 has already been completed. Resolutions 2020-068 and 2020-069 were moved by Mr. Morehouse, seconded by Mr. Vilaro-Munet and passed by a roll call vote of 6 to 0. Resolution 2020-068 and 2020-069 follow.

# Resolution Authorizing the Approval of Change Order No. 11 for the Labor and Material to Install Three Bollards to Protect the PSE&G Transformer for the Pennington WWTP Upgrade and Improvements Project, Contract 17-1

# **Resolution No. 2020-068**

- **WHEREAS,** on April 13, 2018, the Stony Brook Regional Sewerage Authority (SBRSA) issued a Notice to Bidders seeking the receipt of sealed public bids for the "Pennington WWTP Upgrade and Expansion Project, Contract 17-1"; and
- **WHEREAS,** the SBRSA, at its June 25, 2018 Board meeting, awarded the Pennington WWTP Upgrade and Expansion Project, Contract 17-1, to CMS Construction, Inc. (CMS) in the amount of \$9,669,500; and
- WHEREAS, the SBRSA at its February 25, 2019 Board meeting approved Change Order No. 1 in the amount of \$19,509.37; and at its February 25, 2019 Board meeting approved Change Order No. 2 in the amount of \$12,145.42; and at its March 25, 2019 meeting approved Change Order No. 3 in the amount of \$1,015.30, and Change Order No. 4 in the amount of \$11,447.33, and Change Order No. 5 in the amount of \$3,652.22; and at its October 28, 2019 meeting approved Change Order No. 6 in the amount of \$1,864.80 and Change Order No. 7 in the amount of \$5,589.62; and at its March 24, 2020 meeting approved Change Order No. 8 in the amount of \$21,909.58; and at its August 24, 2020 meeting approved Change Order No. 9 in the amount of \$8,953.31, and Change Order No. 10 in the amount of \$8,366.84; the resulting adjusted contract amount is \$9,763,953.79; and
- **WHEREAS**, the original project scope included the installation of a new transformer to provide power to the Pennington WWTP; and
- **WHEREAS,** in accordance with the project plans and specifications, the new transformer is to be installed at grade per PSE&G requirements; and
- **WHEREAS**, the project plans and specifications did not provide for any protection around the transformer; and
- **WHEREAS,** PSE&G deemed protection around the transformer necessary due to the new transformer's proximity to the roadway; and
- **WHEREAS,** PSE&G required that three (3) bollards be installed to protect the transformer; and
- **WHEREAS,** CMS Construction Inc. was asked to submit a change order request for the materials and labor to install the bollards; and
- **WHEREAS,** CMS Construction Inc. submitted a change order request to provide the necessary labor and material to install three (3) bollards in the amount of \$5,481.35 and

**WHEREAS,** the abovementioned changes to Contract 17-1 are more fully set forth and incorporated within the August 28, 2020 Contract Change Order No. 11 document in the amount of \$5,481.35 resulting in an adjusted contract amount of \$9,769,435.14; and

**WHEREAS**, the contract completion date for the project shall remain unchanged as a result of Change Order No. 11; and

**WHEREAS**, the CFO has certified funds are available from the unrestricted fund balance; and

**NOW, THEREFORE, BE IT RESOLVED** by the Stony Brook Regional Sewerage Authority as follows:

- 1. The Executive Director is authorized and directed to execute Change Order No. 11 with CMS Construction, Inc. in the amount of \$5,481.35 resulting in an adjusted contract amount of \$9,769,435.14.
- 2. This Resolution shall take effect immediately; and

**BE IT FUTHER RESOLVED** that the Executive Director, staff, and consultants are authorized to take all appropriate measures to ensure that all appropriate documents, are provided by the Contractor.

| Recorded Vote:        | <u>AYE</u> | <u>NO</u> | <u>ABSTAIN</u> | <u>ABSENT</u> |
|-----------------------|------------|-----------|----------------|---------------|
| Gale D. Downey        | X          |           |                |               |
| David A. Goldfarb     | X          |           |                |               |
| C. Schuyler Morehouse | X          |           |                |               |
| Bharat Patel          | X          |           |                |               |
| Pamela Switlik        | X          |           |                |               |
| Miguel Vilaro-Munet   | X          |           |                |               |
|                       |            |           |                |               |

Resolution Authorizing the Approval of Change Order No. 12 for the Labor and Material to Install Two Gate Valves on the Orbal Influent Piping for the Pennington WWTP Upgrade and Improvements Project, Contract 17-1

**Resolution No. 2020-069** 

**WHEREAS,** on April 13, 2018, the Stony Brook Regional Sewerage Authority (SBRSA) issued a Notice to Bidders seeking the receipt of sealed public bids for the "Pennington WWTP Upgrade and Expansion Project, Contract 17-1"; and

**WHEREAS,** the SBRSA, at its June 25, 2018 Board meeting, awarded the Pennington WWTP Upgrade and Expansion Project, Contract 17-1, to CMS Construction, Inc. (CMS) in the amount of \$9,669,500; and

- WHEREAS, the SBRSA at its February 25, 2019 Board meeting approved Change Order No. 1 in the amount of \$19,509.37; and at its February 25, 2019 Board meeting approved Change Order No. 2 in the amount of \$12,145.42; and at its March 25, 2019 meeting approved Change Order No. 3 in the amount of \$1,015.30, and Change Order No. 4 in the amount of \$11,447.33, and Change Order No. 5 in the amount of \$3,652.22; and at its October 28, 2019 meeting approved Change Order No. 6 in the amount of \$1,864.80 and Change Order No. 7 in the amount of \$5,589.62; and at its March 24, 2020 meeting approved Change Order No. 8 in the amount of \$21,909.58; and at its August 24, 2020 meeting approved Change Order No. 9 in the amount of \$8,953.31, and Change Order No. 10 in the amount of \$8,366.84; and assuming Change Order No. 11 in the amount of \$5,481.35 is approved at the September 21, 2020 meeting, the resulting adjusted contract amount is \$9,769,435.14; and
- **WHEREAS,** the original project scope included the installation of two gate valves on the influent line at the face of each Orbal Tank at the Pennington WWTP; and
- **WHEREAS**, during planning and layout of the proposed work, it was discovered that installation of these valves would necessitate multiple influent bypass pumping events; and
- **WHEREAS**, the installation of one additional valve upstream of each Orbal Tank influent line would eliminate the need for multiple bypasses and plant process interruptions; and
- **WHEREAS,** the two proposed valves will increase the safety during construction, and afterwards, by eliminating flow from the piping extending to each offline Orbal Tank; and
- **WHEREAS**, the two proposed valves will also accommodate preventative maintenance and more frequent valve exercise without flooding an offline tank; and
- **WHEREAS,** CMS Construction Inc. was asked to submit a change order request for the materials and labor the two valves; and
- **WHEREAS,** CMS Construction Inc. submitted a change order request to provide the necessary labor and material to install the two valves in the amount of \$16,528.36 and
- **WHEREAS,** the abovementioned changes to Contract 17-1 are more fully set forth and incorporated within the August 28, 2020 Contract Change Order No. 12 document in the amount of \$16,528.36 resulting in an adjusted contract amount of \$9,785,963.50; and
- **WHEREAS**, the contract completion date for the project shall remain unchanged as a result of Change Order No. 12; and
- **WHEREAS,** the CFO has certified funds are available from the unrestricted fund balance; and
- **NOW, THEREFORE, BE IT RESOLVED** by the Stony Brook Regional Sewerage Authority as follows:

- 1. The Executive Director is authorized and directed to execute Change Order No. 12 with CMS Construction, Inc. in the amount of \$16,528.36 resulting in an adjusted contract amount of \$9,785,963.50.
- 2. This Resolution shall take effect immediately; and

**BE IT FUTHER RESOLVED** that the Executive Director, staff, and consultants are authorized to take all appropriate measures to ensure that all appropriate documents, are provided by the Contractor.

| Recorded Vote:        | <u>AYE</u> | <u>NO</u> | <u>ABSTAIN</u> | <u>ABSENT</u> |
|-----------------------|------------|-----------|----------------|---------------|
| Gale D. Downey        | X          |           |                |               |
| David A. Goldfarb     | X          |           |                |               |
| C. Schuyler Morehouse | X          |           |                |               |
| Bharat Patel          | X          |           |                |               |
| Pamela Switlik        | X          |           |                |               |
| Miguel Vilaro-Munet   | X          |           |                |               |
|                       |            |           |                |               |

A discussion took place regarding the Pennington WWTP Upgrade and Expansion Project.

# **Small Capital Projects**

Mr. Doelling reported that the preconstruction meeting for Contract 20-3, Modified Aeration (MA) Clarifier No. 2 Improvements was held on September 15, 2020 and J.P. Smith Contractors, Inc. has been given the notice to proceed.

# **Process Control/SCADA**

Mr. Doelling reported that the Plant Influent low-side flow meter recently removed from service and delivered to the ABB factory for evaluation has been calibrated back to the high range and returned with a 0.01% error. The returned meter was placed into inventory on September 18, 2020.

A discussion took place about the TRC Odor Sampling and Evaluation Study.

There were no other Board member comments on the Construction Report. The following Construction Report is included in the meeting minutes for information.

# Studies/General

**Hopewell Facilities Process Evaluation/Planning Study:** Kleinfelder submitted the final Hopewell Wastewater Treatment Plant Facility Planning Study on September 8, 2020.

**River Road WWTP Phosphorous Impact Modeling Study:** There has been no additional action from NJDEP on the study.

**NJPDES Permits**: There has been no new correspondence from NJDEP regarding the issuance of a final permit, for the Hopewell WWTP, that incorporates the removal of nitrate limits and other minor changes we requested.

Staff has provided Kleinfelder with requested information for the renewal application for the River Road WWTP NJPDES permit which is due January 1, 2021. The existing permit will expire on June 30, 2021.

#### **Miscellaneous Repair:**

Instrumentation staff completed the following list of unscheduled repairs during the previous reporting period.

# River Road WWTP

- Resolved a communication error that caused all of the nitrification aerators to shut down in a fault state.
- Mechanical bar screen No. 1 in the Headworks building was shutting down on a zeromotion fault. It was found to be a failed proximity switch. The alarm is non-critical, so the controls were programmed to bypass the alarm until replacement switches arrive.
- Reloaded the configuration in the programmable logic controller (PLC) for mechanical bar screen no. 2 at the Headworks building after a power blip caused the PLC to release its volatile memory.
- Reestablished communication with various control systems after network issues caused some devices to "forget" or not recognize the network.
- o A power blip caused the uninterruptible power supply (UPS) for the CEMS no. 1 analytical equipment to fail. The UPS was replaced.

# • Pennington WWTP

 Examined new dissolved oxygen (DO) probe mounting locations in the new Orbal Tanks and worked with the Operations department to design a floatation system for the probes.

# • Hopewell WWTP

- Replaced valves, tubing, piping, and peristaltic pump heads for the sodium hypochlorite feed system.
- o Cleaned the sodium hypochlorite injection point.
- South Brunswick Pump Station
  - o Lowered the analog input signal filtering time on the variable frequency drive (VFD) for sewage pump no. 2 due to hunting oscillation at lower flows.

# **Information Technology**

Preventative maintenance was completed for all devices and services.

#### General:

On September 9, 2020, the River Road location experienced a network issue. The issue was a spanning-tree loop that essentially created a denial-of-service attack. A spanning-tree loop is caused when two or more switches loop into each other creating feedback messages causing certain devices to have network interface failures. During this outage the PLCs at the Chemical, Filter, Odor Control, and Headworks Buildings all dropped from the network. Steps are being

taken to prevent such an issue from occurring again.

# **River Road WWTP Operation Building Structured Cabling Project:**

The cabling project is 99% complete. Final steps include replacing a misaligned conduit run and the termination of the fiber-optics across the plant.

During the past reporting period all of the new *Office Network* switches have been installed and connected. All end-users are now using the new cabling and switches for workstations and phones. The old network cabinet has been removed from the CFO's office.

# **585.12 Finance**

# Payment of Bills and Claims

Mr. Goldfarb moved for approval of Resolution 2020-070 for the payment of bills and claims in the amount of \$939,198.82 with two signatures instead of three. The motion was seconded by Mr. Patel and passed by a roll call vote of 6 to 0. Resolution 2020-070 follows.

# **Resolution Regarding Payment of Bills and Claims**

Resolution No. 2020-070

**WHEREAS**, the Stony Brook Regional Sewerage Authority received certain claims against it by way of voucher; and

**WHEREAS**, the staff and Authority members have reviewed said claims.

**NOW, THEREFORE, BE IT RESOLVED** by Stony Brook Regional Sewerage Authority that these claims in the total amount of \$939,198.82 be approved for payment with checks bearing two authorized signatures instead of three authorized signatures.

| <u>AYE</u> | <u>NO</u>             | <u>ABSTAIN</u>        | <u>ABSENT</u>         |
|------------|-----------------------|-----------------------|-----------------------|
| X          |                       |                       |                       |
| X          |                       |                       |                       |
| X          |                       |                       |                       |
| X          |                       |                       |                       |
| X          |                       |                       |                       |
| X          |                       |                       |                       |
|            | X<br>X<br>X<br>X<br>X | X<br>X<br>X<br>X<br>X | X<br>X<br>X<br>X<br>X |

#### Treasurer's Report

Mr. Sears reported net income for the nine-months of 2020 fiscal year, ending August 31, 2020, was \$1,015,611. The Authority has total cash and investments of \$14,816,059. The current construction projects balance is \$2,849,764. There are sufficient funds for these projects. The outstanding bond principal balance is \$18,891,356.

# Monthly Sludge Business Analysis

Mr. Sears reported the net income figure for the month of July is \$122,461 and the cumulative net income is \$1,129,978.

Mr. Sears reported that a Finance Committee meeting was held on September 9, 2020. A discussion took place regarding the future debt service concerns and the overall budget increase for the 2021 budget. The total 2021 budget request is for \$16,293,825 which is an increase of \$439,299 or 2.8% greater than the 2020 budget. The Participants charge of \$13,719,825 will increase by \$269,000 or 1.96%. The participants charge average increase over the past 5 years was 2.1% and 1.2% over the past 10 years.

Mr. Sears reported that on September 18, 2020 staff gave the opportunity for all the participant Chief Financial Officers (CFO) to comment and discuss the 2021 budget. Ms. Sandra Webb who represents Princeton and Pennington Borough was in attendance. Staff discussed the 2021 Budget and the 5-Year Capital Plan.

Mr. Sears recommended approval of Resolution 2020-072 the introduction of the 2021 Authority Budget due to the State of New Jersey by October 1, 2020.

Mr. Goldfarb stated that the staff presented the 2021 Budget to the Finance Committee (FC) with no increase to the participants and therefore the appropriation request was significantly less. The FC suggested that staff revise the budget to include a 2% increase to the participant's annual charge. The reasoning for this was SBRSA has large capital projects planned in the near future. The five (5) year capital plan projected some significant increases in the future years and to moderate the large increases in the future, the FC recommended staff increase the participants charge for fiscal year 2021 where the staff originally recommended no increase to the participants.

Resolution 2020-072, 2021 Authority Budget was moved by Mr. Goldfarb, seconded by Mr. Patel, and passed by a roll call vote of 6 to 0. Resolution 2020-072 follows.

# 2021 AUTHORITY BUDGET RESOLUTION Stony Brook Regional Sewerage Authority Resolution # 2020-072

**FISCAL YEAR: 2021 FROM:** December 1, 2020 **TO:** November 30, 2021

WHEREAS, the Annual Budget and Capital Budget for the Stony Brook Regional Sewerage Authority for the fiscal year beginning, December 1, 2020 and ending, November 30, 2021 has been presented before the governing body of the Stony Brook Regional Sewerage Authority at its open public meeting of September 21, 2020; and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$16,293,825, Total Appropriations, including any Accumulated Deficit if any, of \$16,293,825 and Total Unrestricted Net Position utilized of \$0.00; and

WHEREAS, the Capital Budget as introduced reflects Total Capital Appropriations of \$1,800,000 and Total Unrestricted Net Position planned to be utilized as funding thereof, of \$1,800,000; and

WHEREAS, the schedule of rates, fees and other charges in effect will produce sufficient revenues, together with all other anticipated revenues to satisfy all obligations to the holders of bonds of the Authority, to meet operating expenses, capital outlays, debt service requirements, and to provide for such reserves, all as may be required by law, regulation or terms of contracts and agreements; and

WHEREAS, the Capital Budget/Program, pursuant to N.J.A.C. 5:31-2, does not confer any authorization to raise or expend funds; rather it is a document to be used as part of the said Authority's planning and management objectives. Specific authorization to expend funds for the purposes described in this section of the budget, must be granted elsewhere; by bond resolution, by a project financing agreement, by resolution appropriating funds from the Renewal and Replacement Reserve or other means provided by law.

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Stony Brook Regional Sewerage Authority, at an open public meeting held on September 21, 2020 that the Annual Budget, including all related schedules, and the Capital Budget/Program of the Stony Brook Regional Sewerage Authority for the fiscal year beginning, December 1, 2020 and ending, November 30, 2021 is hereby approved; and

BE IT FURTHER RESOLVED, that the anticipated revenues as reflected in the Annual Budget are of sufficient amount to meet all proposed expenditures/expenses and all covenants, terms and provisions as stipulated in the said Authority's outstanding debt obligations, capital lease arrangements, service contracts, and other pledged agreements; and

BE IT FURTHER RESOLVED, that the governing body of the Stony Brook Regional Sewerage Authority will consider the Annual Budget and Capital Budget/Program for adoption on November 16, 2020.

| F   | Recorded Vote           |                       |                             |
|-----|-------------------------|-----------------------|-----------------------------|
| Aye | Nay                     | Abstain               | Absent                      |
| X   |                         |                       |                             |
| X   |                         |                       |                             |
| X   |                         |                       |                             |
| X   |                         |                       |                             |
| X   |                         |                       |                             |
| X   |                         |                       |                             |
|     | Aye<br>X<br>X<br>X<br>X | X<br>X<br>X<br>X<br>X | Aye Nay Abstain X X X X X X |

Mr. Sears stated that the Participant Debt Service Adjustment (PDSA) ends after the 2022 fiscal year.

A discussion took place regarding the future expansion of the River Road WWTP.

Mr. Sears recommended approval of Resolution 2020-067, Appointing a Temporary Qualified Purchasing Agent (QPA), to appoint Lisa Walker as the temporary QPA for a period of one (1) year. Having a QPA allows the authority to retain a bid limit of \$44,000.00.

Mr. Goldfarb indicated that the reason for this resolution is because Mr. Sears will be moving on to his next endeavor. Mr. Goldfarb thanked Mr. Sears for all his work and stated that it has been a pleasure working with him. Mr. Goldfarb expressed that he could not have asked for anything more for a CFO.

Resolution 2020-067 was moved by Mr. Goldfarb, seconded by Mr. Patel and passed by a roll call vote of 6 to 0. Resolution 2020-067 follows.

# STONY BROOK REGIONAL SEWERAGE AUTORITY RESOLUTION APPOINTING A TEMPORARY QUALIFIED PURCHASING AGENT

**Resolution No. 2020-067** 

**WHEREAS**, the position of the appointed Qualified Purchasing Agent (QPA) for SBRSA will be vacant as of October 2, 2020; and

WHEREAS, it is in the best interest of the Authority to have a QPA; and

WHEREAS, N.J.S.A 40A:11-9g and N.J.A.C. 5:34-5.5 et seq., states if the person appointed as the Qualified Purchasing Agent for a contracting unit no longer performs such duties, the governing body or chief executive officer, as appropriate to the form of government, may appoint, for a period not to exceed one year commencing from the date of vacancy, a person who does not possess a qualified purchasing agent certificate to serve as a temporary purchasing agent. Any person so appointed may, with the approval of the director, be reappointed as a temporary purchasing agent for a maximum of one additional year following the end of the first temporary appointment. No contracting unit shall employ a temporary purchasing agent for more than two consecutive years; and

**WHEREAS**, Lisa Walker, Staff Accountant is currently enrolled at the Rutgers Division of Continuing Studies Center for Government Services for pubic purchasing; and

**NOW, THEREFORE, BE IT RESOLVED**, that the governing body of the SBRSA appoints Lisa Walker as the Temporary Qualified Purchasing Agent for a period of one year, to exercise the duties of a purchasing agent pursuant to N.J.S.A. 40A:11-9a, to be assigned the authority, responsibility, and accountability of the purchasing activity of the contracting unit.

| RECORDED VOTE:  | <u>AYE</u>  | <u>NO</u> | <u>ABSTAIN</u> | <u>ABSENT</u> |
|---|-------------|-----------|----------------|---------------|
| Gale D. Downey David A. Goldfarb C. Schuyler Morehouse Bharat Patel | X<br>X<br>X |           |                |               |
| Dilarat Fater   | Λ           |           |                |               |

Pamela Switlik X Miguel Vilaro-Munet X

Mr. Sears recommended approval of Resolution 2020-073 to amend Resolution 2020-046 and Award Contract for a Deferred Compensation Plan Provider. At the June Board Meeting Resolution 2020-046 was passed. The State of New Jersey advised staff that Resolution 2020-046 did not specifically list the vendors who received request for proposal (RFP), and the list is a requirement for approval by the State of New Jersey. Resolution 2020-073 includes the list of vendors who received the RFP. This will allow us to change our 457 provider. The changeover is anticipated to now take place in November 2020. Resolution 2020-073 was moved by Mr. Goldfarb, seconded by Mr. Patel and passed by a roll call vote of 6 to 0. Resolution 2020-073 follows.

# RESOLUTION AMENDING RESOLUTION 2020-046 AND AWARDING CONTRACT FOR A DEFERRED COMPENSATION PLAN PROVIDER

**Resolution. No. 2020-073** 

**WHEREAS**, on June 22, 2020, SBRSA adopted Resolution 2020-046 authorizing the award of a contract for a deferred compensation plan provider; and

**WHEREAS**, is it necessary to amend Resolution 2020-046 to specifically identify the providers; and

**WHEREAS**, the Stony Brook Regional Sewerage Authority (hereinafter referred to as the "Authority") by resolution is adopting a Deferred Compensation Plan (hereinafter referred to as the "Plan") for the purpose of making available to eligible Authority employees the accrual of tax benefits under a Section 457 Deferred Compensation Plan; and

WHEREAS, the Economic Growth and Tax Relief Reconciliation Act of 2001, the 2005 final regulations issued under the Uniformed Services Employment and Reemployment Rights Act of 1994, the Pension Protection Act of 2006, final Treasury Regulation §1.457-4, the Heroes Earnings Assistance and Relief Tax Act of 2008, the Worker, Retiree and Employer Recovery Act of 2008 and the Small Business Act of 2010 amended sections of the Internal Revenue Code (the "Code") and the rules and/or regulations issued thereunder affecting Section 457 Deferred Compensation Plans (cumulatively referred to as the "Acts and Regulations"); and

**WHEREAS,** the Authority desires its Plan to conform the Code and Treasury regulations brought about by the Acts and Regulations; and

**WHEREAS**, the Authority desires to adopt a Plan that conforms with the changes in the Code and Treasury regulations resulting from the Acts and Regulations; and

**NOW, THEREFORE BE IT RESOLVED** by the Stony Brook Regional Sewerage Authority that Resolution 2020-046 is hereby amended to direct as follows:

1. That the Authority hereby adopts Plan 92-PD-Lincoln-121316; and

- 2. Lincoln Retirement Services, LLC (hereinafter referred to as "Lincoln") has agreed to be the provider of the Deferred Compensation Program for Authority employees and Authority retirees; and
- 3. Lincoln will provide for the benefit of the participants the Alliance LincOn account; and
- 4. In accordance with N.J.A.C. 5:37-7.1(a) the Stony Brook Regional Sewerage Authority solicited proposals for a Deferred Compensation Plan and Service Agreement from three (3) providers of deferred compensation services; Met Life, Prudential and Lincoln Financial. The only vendor responding to the request for proposals was Lincoln. SBRSA staff reviewed the proposal submitted and spoke with a representative of the responding company. Lincoln was selected based on the information provided in their proposal indicating their high level of service, features and flexibility of the investment options for plan participants.
- 5. There has been no collusion, or evidence or appearance of collusion, between any local official and a representative of Lincoln in the selection of a provider pursuant to N.J.A.C. 5:37 5.7.
- 6. The Finance Director or Executive Director is authorized to execute an Administrative Services Agreement with Lincoln (92-SA-Lincoln-121316) and such other agreements as are necessary to implement the Deferred Compensation Program. It is implicitly understood that there is to be no cost or contribution by the Authority to the program; and
- 7. The Finance Director or Executive Director is authorized to serve as the "Administrator" of the plan, represent the Authority, and execute individual deferred compensation agreements with each said employee; and
- 8. That a certified copy of this resolution shall be forwarded to the Director of the Division of Local Government Services at P.O. Box 803; Trenton, NJ 08625-0803.

| Recorded Vote:        | <u>AYE</u> | <u>NO</u> | <b>ABSTAIN</b> | <u>ABSENT</u> |
|-----------------------|------------|-----------|----------------|---------------|
| Gale D. Downey        | X          |           |                |               |
| David A. Goldfarb     | X          |           |                |               |
| C. Schuyler Morehouse | X          |           |                |               |
| Bharat Patel          | X          |           |                |               |
| Pamela Switlik        | X          |           |                |               |
| Miguel Vilaro-Munet   | X          |           |                |               |

Mr. Sears recommended approval of Resolution 2020-741, Authorizing the Award of a "No Political Contributions Allowed" Contract(s) for Non-Professional Service Vendors. Resolution 2020-074 was moved by Mr. Goldfarb, seconded by Mr. Patel and passed by a roll call vote of 6 to 0. Resolution 2020-074 follows.

# Resolution Authorizing the Award of a "No Political Contributions Allowed" Contract(s) for Non-Professional Service Vendors

**Resolution No. 2020-074** 

**WHEREAS**, the Stony Brook Regional Sewerage Authority has a need to acquire goods or services as a no political contribution allowed contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and,

**WHEREAS**, the purchasing agent has determined and certified in writing that the value of each contract (by purchase orders) will likely exceed \$17,500; and,

**WHEREAS,** the term of this contract is 12 months. Commencing on December 1, 2019 and ending November 30, 2020 and may be extended as approved by this governing body; and,

WHEREAS, the attached list of vendors has completed and submitted a Business Entity Disclosure Certification which certifies that each vendor has not made any reportable contributions to a political or candidate committee served by the Stony Brook Regional Sewerage Authority in the previous one year, and that the contract will prohibit the (attached list of vendors) from making any reportable contributions through the term of the contract; and,

WHEREAS, the Authority has Funds available in its current budget.

**NOW THEREFORE, BE IT RESOLVED** that the Stony Brook Regional Sewerage Authority authorizes the attached list of vendors to enter into contracts by purchase order; and,

**BE IT FURTHER RESOLVED** that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

| Recorded Vote:        | <u>AYE</u> | <u>NO</u> | <u>ABSTAIN</u> | <u>ABSENT</u> |
|-----------------------|------------|-----------|----------------|---------------|
| Gale D. Downey        | X          |           |                |               |
| David Goldfarb        | X          |           |                |               |
| C. Schuyler Morehouse | X          |           |                |               |
| Bharat Patel          | X          |           |                |               |
| Pamela Switlik        | X          |           |                |               |
| Miguel Vilaro-Munet   | X          |           |                |               |

| Year 2020 No Political Contribution Allowed Contracts: |                 |  |  |
|--|-----------------|--|--|
| Company Name Service                                   |                 |  |  |
| Franklin Miller Inc.                                   | Headworks Parts |  |  |

# 585.13 Personnel Report

Ms. Pchola reported that one (1) Operator V had resigned on September 3, 2020, he was moving out of state. Mr. Sears' last day is October 2, 2020. Ms. Pchola thanked Mr. Sears for dedication and for always keeping staff informed of the latest purchasing policies in addition to working to educate staff. Ms. Pchola stated that it has been an extreme pleasure working with Mr. Sears and we will miss him...for sure.

Ms. Pchola reported she has started conducting interviews for the Director of Finance position.

Mr. Sears stated that he will make himself available to staff and his replacement after his resignation.

#### **585.14** Correspondence

For information only.

# 585.15 Old Business

There was nothing to report.

#### **585.16** New Business

Ms. Pchola reported that the Schwing Pump Parts contract was advertised on two (2) separate occasions and the Authority did not receive any responsive bids on either occasion. As reviewed by our attorney and in accordance with N.J.S.A. 40A:11-5(3), the Authority recommends award of this contract to Schwing Bioset through Resolution 2020-071, Authorizing Award of Contract for Schwing Pump Parts. The total for this 12-month contract is \$407,215.89.

This contract does not require SBRSA to purchase the listed parts; it only guarantees the price for the parts that we may need to purchase. It is expected that the actual amount we spend for the year will be significantly less than the total bid amount. New Schwing Pumps were installed in 2018 and inventory parts for the pumps were purchased in 2019. Additional purchases over the last several months were approximately \$55,000. Resolution 2020-071 was moved by Mr. Goldfarb and seconded by Mr. Patel.

Mr. Goldfarb recommended the parts list be attached to the resolution.

Dr. Downey asked for a motion on the revised Resolution 2020-071 that would include the part list in the amount of \$407,215.89. The revised resolution was moved by Mr. Goldfarb, seconded by Mr. Patel and passed by a roll call vote of 6 to 0. Resolution 2020-071 follows.

# RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR SCHWING PUMP PARTS

**Resolution No. 2020-071** 

**WHEREAS,** the Stony Brook Regional Sewerage Authority duly advertised, according to law, for bids for Schwing Pump parts on two separate occasions, namely July 15, 2020, and September 9, 2020; and

WHEREAS, the Authority did not receive any responsive bids on either return date; and

**WHEREAS,** pursuant to the provisions of N.J.S.A.40A:11-5(3), a contract may be negotiated if, after bids are solicited on two occasions, no bids are received on both occasions, provided that the Authority finds that certain conditions are met in accord with the provisions of 40A:11-5(3); and

**WHEREAS,** after no bids were received on two occasions, the Authority entered into negotiations with Schwing Bioset, having offices at 350 SMC Drive Somerset, WI 54025, for the purchase of those replacement pump parts specified in the bid specifications, in the manner provided by law; and

**WHEREAS,** the Authority desires to award a contract to Schwing Bioset for the purchase of replacement Schwing Pump parts; and

**WHEREAS**, the CFO has certified funds are available in the 2020 Budget Parts line account 5000-4525.

**NOW THEREFORE BE IT RESOLVED,** by the Stony Brook Regional Sewerage Authority as follows:

- 1. Pursuant to the provisions of N.J.S.A. 40A:11-5(3), the Authority hereby finds that a reasonable effort has been made to first determine that the same or equivalent materials or supplies are not available from an agency or authority of the United States, the State of New Jersey, the County of Mercer or any municipality in close proximity; and that the terms, conditions, restrictions and specifications set forth in the negotiated contract are not substantially different from those which were the subject of competitive bidding; and that no minor amendment or modification of any of the terms, conditions, restrictions and specifications are proposed to be included in the contract with Schwing Bioset.
- 2. The Stony Brook Regional Sewerage Authority hereby awards a contract for \$407,215.89 to Schwing Bioset for the purchase of replacement pump parts. The contract does not require the purchase of the listed parts; it only guarantees the price for the parts that the Authority may need to purchase. The Executive Director is hereby authorized to execute a one-year contract for the procurement of Schwing pump replacement parts.

- 3. The Authority's staff and consultants are hereby authorized to take all other actions necessary or desirable to effectuate the terms and conditions of this Resolution.
- 4. This Resolution shall take effect as provided by law.

| Recorded Vote:        | AYE | NO | ABSTAIN | ABSENT |
|-----------------------|-----|----|---------|--------|
| Gale D. Downey        | X   |    |         |        |
| David Goldfarb        | X   |    |         |        |
| C. Schuyler Morehouse | X   |    |         |        |
| Bharat Patel          | X   |    |         |        |
| Pamela Switlik        | X   |    |         |        |
| Miguel Vilaro-Munet   | X   |    |         |        |
|                       |     |    |         |        |

# 585.17 Open to the Public

Chairman Downey opened the public portion of the meeting. As there was no one from the public present or on the teleconference, the public portion of the meeting was closed.

# 585.18 And such other issues as may come before the Board

# 585.19 Adjournment

As there was no further business to come before the Board, the meeting was adjourned at 8:26 p.m. on a motion by Ms. Switlik, seconded by Mr. Patel and passed by unanimous vote.

Respectfully Submitted,

Antonia Pchola Secretary

Recorded and Written by Angela Christiano October 19, 2020