

RESOLUTION #14-B-102
RESOLUTION OF PASSAIC VALLEY WATER COMMISSION
DATE OF ADOPTION: OCTOBER 22, 2014

Approved as to form and legality by Law Department on basis of facts set forth by Executive Director, Purchasing, Engineering and Finance Departments.

Introduced by Commissioner: **SANCHEZ**

Seconded by Commissioner: **GRADDY**

WHEREAS, on June 24, 2014 three (3) bids were received by Passaic Valley Water Commission ("PVWC") for Contract No. 12-B-12 (Re-Bid) "Remote Sites SCADA"; and

WHEREAS, the second apparent low bidder, R. Spark, Inc. in a letter dated July 9, 2014 (with attached correspondence dated July 8, 2014 from their proposed subcontractor, Advantech Corporation) asserted that, among other things, that the apparent low bidder, Thomas Controls, Inc. "does not have the expertise to manage or implement this project, primarily due to the lack of qualifications set forth within the specifications", and indicated that the same is the basis for Spark's protest; and

WHEREAS, PVWC's General Counsel therefore determined that a bid protest hearing should be conducted pursuant to the Local Public Contracts Law; and

WHEREAS, PVWC's notice of hearing letter dated July 17, 2014 was sent to all bidders, a hearing was conducted by PVWC on August 5, 2014 at the offices of PVWC as indicated in the Notice, and was attended by appropriate PVWC personnel, Hatch Mott MacDonald, LLC, (the independent consultant retained by PVWC for this project), and representatives for the first and second apparent low bidders, along with Advantech Corporation (the second and third apparent low bidder's proposed subcontractor); and

WHEREAS, Allied Construction Group, Inc. (the third apparent low bidder) confirmed notice of the hearing, but elected not to attend the said hearing; and

WHEREAS, in accordance with the bid specifications and the notice of bidding provided with the bid documents, PVWC considered the rejection of all bids and to re-bid the contract in accordance with the Local public Contracts Law (N.J.S.A. 40A:11-1 et seq.); or, in the alternative, the rejection of one or more of the bids as materially defective, unresponsive, not responsible, or for other reasons required by law, and award the contract to the lowest "responsive, responsible" bidder; and

WHEREAS, based on discussions and issues raised at the hearing, and a review of information and documentation submitted at, and/or subsequent to, the hearing in connection therewith, the lowest responsible bid submitted was determined to be that of R. Spark, Inc. of Somerville, New Jersey (the "Awardee") with respect to said bid, in the amount of \$1,789,636.00; and

WHEREAS, with respect to questions raised by the second low bidder as to Thomas Control's qualifications to perform the Contract, the testimony adduced, as well as the independent expert's unqualified opinion with respect to said testimony, conclusively determined that Thomas controls failed to demonstrate evidence that they have performed similar work at similar sized facilities to PVWC's system included under the Contract; and

WHEREAS, based on the critical importance of maintaining continuous/uninterrupted service to the PVWC system, this deficiency (Thomas control's failure to demonstrate evidence that they have performed similar work at similar sized facilities to PVWC's system included under the Contract) is a material, non-curable defect that renders Thomas Control's bid as non-responsive, which bid is hereby rejected for lawful cause; and

WHEREAS, PVWC's Comptroller has certified, with respect hereto, that funds are currently available for said purpose and said certificate is attached hereto;

NOW, THEREFORE, BE IT RESOLVED, by Passaic Valley Water Commission, in the County of Passaic, New Jersey:

1. That Contract No. 12-B-12 (Re-Bid) "Remote Sites SCADA" in the total amount set forth hereinabove in connection with the above described goods and services is hereby awarded to the Awardee as also set forth hereinabove; and
2. That the appropriate officers of the Commission are hereby authorized to execute the Contract; and implement the terms of said Contract in accordance with this Resolution and the submissions provided in connection therewith, with respect to solicitation for bids made in connection with Contract 12-B-12 (Re-Bid) as set forth hereinabove.

RECORD OF COMMISSION VOTE ON FINAL PASSAGE

	AYE	NAY	ABSTAIN	ABSENT
SANCHEZ, R.	<u> X </u>	_____	_____	_____
LEVINE, J.	<u> X </u>	_____	_____	_____
GRADDY, R.	<u> X </u>	_____	_____	_____
CLEAVES, C.	_____	_____	_____	<u> X </u>
BAZIAN M.	<u> X </u>	_____	_____	_____
DE VITA, T.	<u> X </u>	_____	_____	_____
KOLODZIEJ, G.	<u> X </u>	_____	_____	_____

Adopted at a meeting of Passaic Valley Water Commission.


President
GLORIA KOLODZIEJ


Secretary
CHRYSTAL CLEAVES

This Resolution, when adopted, must remain in the custody of the Administrative Secretary.

CERTIFICATION

I, LOUIS AMODIO, Administrative Secretary of the Passaic Valley Water Commission in the County of Passaic, and the State of New Jersey do hereby certify that the foregoing Resolution is a true copy of a legal quorum of the Original Resolution duly passed and adopted by a majority of the full membership of the Passaic Valley Water Commission at its meeting of October 22, 2014.


LOUIS AMODIO
Administrative Secretary

PASSAIC VALLEY WATER COMMISSION

INTER-OFFICE MEMO

DATE: September 9, 2014

FROM: Purchasing Department
TO: Joseph A. Bella
George T. Hanley
Yitzchak Weiss
RE: Contract # 12-B-12 (Re-Bid)
Remote Sites SCADA

The Purchasing Department has reviewed the above stated Contract for required documents, affirmative action requirements, and the Contract proposal tabulations.

Of the three (3) bids received, the apparent low proposal was submitted by Thomas Controls, Inc., of East Brunswick, New Jersey, in the amount of \$1,600,000.00.

Respectfully submitted,



Linda Beckering
Purchasing Agent

cc: L. Amodio
J. Duprey ✓

Bids Received: June 24,, 2014

BIDDERS	BID DEPOSIT CC- Certified Check CA- Cashier's Check BB- Bid Bond	TOTAL AMOUNT OF CONTRACT	REMARKS
Thomas Controls 18 Connerty Court East Brunswick, New Jersey 08816 gladson@tomaconstruction.com	<input type="checkbox"/> Certified Check <input checked="" type="checkbox"/> Cashier's Check 10% Bid Bond Not to Exceed \$20,000.00	\$1,600,000.00	<input checked="" type="checkbox"/> Business Registration Cert. <input checked="" type="checkbox"/> PVWC Consent of Surety <input type="checkbox"/> Other Consent of Surety <input checked="" type="checkbox"/> Public Works Cont. Cert.
MBT Contracting Corporation 63 Beaver Brook Road - Suite 104-C Lincoln Park, New Jersey 07035 mail@mbtcontracting.us	<input type="checkbox"/> Certified Check <input type="checkbox"/> Cashier's Check <input type="checkbox"/> Bid Bond Not to Exceed \$		<input type="checkbox"/> Business Registration Cert. <input type="checkbox"/> PVWC Consent of Surety <input type="checkbox"/> Other Consent of Surety <input type="checkbox"/> Public Works Cont. Cert.
Automated Control Concepts, Inc. 3535 Route 66 Neptune, New Jersey 07753 aweichert@automated-control.com	<input type="checkbox"/> Certified Check <input type="checkbox"/> Cashier's Check <input type="checkbox"/> Bid Bond Not to Exceed \$		<input type="checkbox"/> Business Registration Cert. <input type="checkbox"/> PVWC Consent of Surety <input type="checkbox"/> Other Consent of Surety <input type="checkbox"/> Public Works Cont. Cert.
Schneider Electric 112 West 34th Street - Suite 908 New York, New York 10120 mark.searles@schneider-electric.com	<input type="checkbox"/> Certified Check <input type="checkbox"/> Cashier's Check <input type="checkbox"/> Bid Bond Not to Exceed \$		<input type="checkbox"/> Business Registration Cert. <input type="checkbox"/> PVWC Consent of Surety <input type="checkbox"/> Other Consent of Surety <input type="checkbox"/> Public Works Cont. Cert.
Layne Christensen Company 210 Kelly Road Quakertown, Pennsylvania 18951 david.ward@layne.com	<input type="checkbox"/> Certified Check <input type="checkbox"/> Cashier's Check <input type="checkbox"/> Bid Bond Not to Exceed \$		<input type="checkbox"/> Business Registration Cert. <input type="checkbox"/> PVWC Consent of Surety <input type="checkbox"/> Other Consent of Surety <input type="checkbox"/> Public Works Cont. Cert.

Bids Received: June 24, 2014

BIDDERS	BID DEPOSIT CC- Certified Check CA- Cashier's Check BB- Bid Bond	TOTAL AMOUNT OF CONTRACT	REMARKS
Allied Construction Group 499 Washington Road Parlin, New Jersey 08859 immarcinczyk@alliedconstructiongroup.com	<input type="checkbox"/> Certified Check <input type="checkbox"/> Cashier's Check <input checked="" type="checkbox"/> 10% Bid Bond Not to Exceed \$20,000.00	\$1,996,800.00	<input checked="" type="checkbox"/> Business Registration Cert. <input checked="" type="checkbox"/> PVWC Consent of Surety <input type="checkbox"/> Other Consent of Surety <input checked="" type="checkbox"/> Public Works Cont. Cert.
AK De Rama Industrial Contractors 253 Sheffield Street Norcross, Georgia 30092 barbara.rosalsky@akderama.net	<input type="checkbox"/> Certified Check <input type="checkbox"/> Cashier's Check <input type="checkbox"/> Bid Bond Not to Exceed \$		<input type="checkbox"/> Business Registration Cert. <input type="checkbox"/> PVWC Consent of Surety <input type="checkbox"/> Other Consent of Surety <input type="checkbox"/> Public Works Cont. Cert.
PKF Mark III, Inc. 17 Blacksmith Road - Suite 101 Newtown, Pennsylvania 18940 dwf@pkfm.com	<input type="checkbox"/> Certified Check <input type="checkbox"/> Cashier's Check <input type="checkbox"/> Bid Bond Not to Exceed \$		<input type="checkbox"/> Business Registration Cert. <input type="checkbox"/> PVWC Consent of Surety <input type="checkbox"/> Other Consent of Surety <input type="checkbox"/> Public Works Cont. Cert.
Advantech Corporation 20 Just Road Fairfield, New Jersey 07004 susan@advantechcorp.com	<input type="checkbox"/> Certified Check <input type="checkbox"/> Cashier's Check <input type="checkbox"/> Bid Bond Not to Exceed \$		<input type="checkbox"/> Business Registration Cert. <input type="checkbox"/> PVWC Consent of Surety <input type="checkbox"/> Other Consent of Surety <input type="checkbox"/> Public Works Cont. Cert.
R. Spark, Inc. 7 Commerce Street - Suite 4 Somerville, New Jersey 08876 rspark1234@aol.com	<input type="checkbox"/> Certified Check <input type="checkbox"/> Cashier's Check <input checked="" type="checkbox"/> 10% Bid Bond Not to Exceed \$20,000.00	\$1,789,636.00	<input checked="" type="checkbox"/> Business Registration Cert. <input type="checkbox"/> PVWC Consent of Surety <input checked="" type="checkbox"/> Other Consent of Surety <input checked="" type="checkbox"/> Public Works Cont. Cert.



**Hatch Mott
MacDonald**

111 Wood Avenue South
Iselin, NJ 08830-4112
T 973-379-3400 www.hatchmott.com

September 26, 2014

Mr. James G. Duprey, PE
Passaic Valley Water Commission
1525 Main Avenue
PO Box 230
Clifton, NJ 07011

**RE: Passaic Valley Water Commission
Remote Sites SCADA
Contract No. 12-B-12 (Rebid)**

Dear Mr. Duprey:

Hatch Mott MacDonald (HMM) has undertaken a review of the bids submitted and subsequent related correspondence in connection with the above referenced project. This letter is a summary of our findings associated with our review.

Bids for the project were received by the Commission on June 24, 2014. Three bids were received and the order of the bids was as follows:

Bidder	Total Bid Amount	Order
Thomas Controls 18 Connerty Court East Brunswick, NJ 08816	\$1,600,000.00	Low
R. Spark, Inc. 7 Commerce Street -- Suite 4 Somerville, NJ 08876	\$1,789,636.00	2
Allied Construction Group 499 Washington Road Parlin, NJ 08859	\$1,996,800.00	3

The bids were checked for mathematical accuracy and completeness of submission and there were no apparent mathematical errors or submission omissions for any of the three bidders.

Subsequent to the submission of bids, letters were submitted by R. Spark, Inc. and Advantech Corporation which outlined the basis for a protest of the apparent low bid submitted by Thomas Controls on the project. In response to the bid protest letters, HMM, on behalf of PVWC solicited additional information from all bidders on the project in our letters dated July 9, 2014. The HMM letter of July 9, 2014 requested that each respondent provide evidence of compliance with the following specific requirements of the bid documents:



1.03.2 Qualifications

- 1.03.2.1 The Control System Integrator shall be engaged full time in the design and manufacturer of PLC based control systems. The integrator shall have documented experience in the municipal water and wastewater market during the past ten years.
- 1.03.2.2 The Control System Integrator shall have integrated the SCADA system for two surface water treatment facilities of 120MGD or larger. In addition, the Control System Integrator shall have integrated five SCADA projects using cellular telephone equipment in a similar configuration as to what is proposed on this project.
- 1.03.2.3 The Control System Integrator shall be certified by the Control System Integrators Association or shall have been in continuous business operation for the past 20 years with a minimum of 15 current employees or shall be the manufacturer of the PLC equipment being supplied.
- 1.03.2.4 The Control System Integrator shall be a recognized participant at the highest level (i.e. Rockwell Automation – Solution Partner or equal) in the PLC manufacturer's Integration Network or shall be the manufacturer of the PLC equipment. For PLC manufacturers that do not have a multi-level recognized integrator program, the integration shall be performed by the PLC manufacturer.
- 1.03.2.5 The Control System Integrator shall maintain a UL panel production facility. All custom built control panels used for this project shall be built and tested at the Integrator's panel production facility prior to shipment. All control panels supplied by the Integrator for use on this project shall be UL listed.

Each of the three bidders responded to the HMM inquiry. Thomas Controls responded in their letter dated July 17, 2014 and both R. Spark and Allied Construction responded in their letters dated July 18, 2014. It is important to note that both R. Spark and Allied Construction intended to utilize the services of Avantech Corporation as their Control System Integrator (as a subcontractor) and therefore their response submittals were nearly identical in terms of supporting documentation.

PVWC issued invitations for a Notice of Hearing to Consider Rejection and/or Awarding of Contract 12-B-12 (Re-Bid) "Remote Sites SCADA" in their letter dated July 15, 2014 and the hearing was held on August 5, 2014 at the Commission office in Clifton, NJ. Follow-up submittals were made by Jonah B. Kimmelstiel (on behalf of Thomas Controls) and Thomas Controls that provided additional responses and supporting information.

A review of the documentation submitted by R. Spark and Allied Construction Group in their letters dated July 18, 2014 indicates that their Control System Integrator subcontractor would meet all of the qualification requirements outlined in the bid

Mr. James G. Duprey | Page 2 | September 26, 2014



documents. The remaining discussion will focus on whether the information that Thomas Controls has submitted meets the intent of the requirements of the qualifications outlined in the bid documents.

Section 1.03.2.1 addresses the issue of experience working in the municipal water and wastewater market for the last 10 years. Thomas has submitted documentation in their letters dated July 17, 2014 and follow-up documentation associated with the purchase of Integrated Systems and Controls that appear to demonstrate compliance with this section of the qualifications.

In an e-mail dated August 1, 2014, HMM requested additional information from Thomas Controls to address Section 1.03.1.2 of the qualifications, which covered past experience working on projects similar to the 120 MGD PVWC Little Falls Water Treatment Plant. The Thomas letters of July 17, 2014 and August 4, 2014 provided information on water and wastewater projects worked on by Thomas Controls. It should be noted that none of the references provided by Thomas Controls meet the 120 MGD requirement for a surface water treatment plant of Section 1.03.2.2. However, several of the project references meet or exceed the capacity requirement, but were for wastewater facilities. As shown below, only one of those facility references would provide us with a response in connection with Thomas Controls' performance on the subject project.

We contacted several of the references provided by Thomas Controls and the results of our reference checks are as follows:

Reference Facility: Miles Township Water Authority – 25 MGD Water Treatment Plant.
Contact – Dave Swisher, HDR Engineering (814) 238-7117

Mr. Swisher noted that the instrumentation and controls work on the project was performed by Integrated Systems and Controls, Inc. (the firm purchased by Thomas Controls) in 2008. He reported that the controls system programming had a lot of issues and they had difficulty actually making it a functional system to control the filtration plant as a whole. The system was subsequently programmed by another system integrator and the General Contractor paid the cost of the reprogramming work.

Reference Facility: Westchester County Pump Station and Plant Rehabilitation – 120 MGD Plant Capacity. Contact Ed Kowalski, Malcolm Pirnie (914) 539-1524
Mr. Kowalski indicated that Thomas Controls had performed acceptable work on this project.

Reference Facility: Jefferson Township Water Authority – 110 MGD Water Treatment Plant. Contact: Rich Tuttle (973) 208-1645.

Mr. Tuttle indicated that he had never heard of Thomas Controls, nor had they worked for Jefferson Township. In addition, HMM is aware that their system is a well supply system and we believe it has a capacity that is less than 5 MGD.

Reference Facility: Passaic Valley Sewerage Commission – 300 MGD Wastewater Treatment Plant. No reference provided, but HMM spoke to Mr. John Mayia (973) 817-

Mr. James G. Duprey | Page 3 | September 26, 2014



5796. Mr. Mayia declined to provide any information on the performance of Thomas Controls on the on-going or past project.

Reference Facility: Scranton Sewer Authority – 60 MGD Wastewater Treatment Plant. Contact: Jerry Loftus, Pennoni Associates (570) 824-2200

Mr. Loftus indicated that he was unwilling to comment on the project at this time.

Reference Facility: Stony Brook Regional Sewerage Authority – 60 MGD Wastewater Treatment Plant. Contact: Bob Kunert.

The reference indicated that the project included only one PLC panel. Given the size of Contract No. 12-B-12 (Rebid), this project is not relevant.

Reference Facility: Brodhead Creek Regional Authority, Stroudsburg, PA – 4.5 MGD Wastewater Treatment Plant. Contact: Dave Reder: (570) 421-2270. The reference contact indicated that their “Command and Control left something to be desired”. In addition, Mr. Reder noted that Thomas did not maintain a full-time presence and project staffing was spread too thin.

Reference Facility: Bergen County Utilities Authority WWTP – 85 MGD WWTP. While this is a significant sized facility, the information provided by Thomas Controls notes that “No SCADA Performed Under Contract”. Therefore, this project reference is not applicable.

All of the other reference projects provided by Thomas Controls were either very small facilities or provided references at Tomar Construction, which we believe is affiliated with Thomas Controls.

Section 1.03.2.3 requires the Control System Integrator to be certified by CSIA or have been in continuous operation for the past 20 years with a minimum of 15 employees or the manufacturer of the PLC equipment being supplied. In their letters dated July 17, 2014 and follow-up documentation associated with the purchase of Integrated Systems and Controls, Thomas Controls, in combination with its previous acquisition of Integrated Systems and Controls appears to demonstrate compliance with this section of the qualifications.

Section 1.03.2.4 requires the Control System Integrator to be a recognized participant at the highest level in the PLC manufacturer’s Integration Network or shall be the manufacturer of the PLC equipment. On page 3 of their July 17, 2014 letter Thomas indicates that they are currently pursuing certification through Rockwell Automation (specified PLC manufacturer) and in the event that they are unable to obtain certification by the time of technical submittals “...we will have no choice but to appoint a Solution Provider Partner to the satisfaction of the PVWC come time for technical submittals.” By agreeing to utilize a Solution Partner, Thomas Controls would comply with this qualifications provision, but PVWC would not know ahead of time who that Solution Partner would be, nor does it appear that one had been assigned at the time of the bid. The bid documents included a space for naming the Control System Integrator, who would now be different if Thomas Controls engaged a Solution Partner.



The last qualification requirement under Section 1.03.2.5 is that the Control System Integrator maintain a UL panel production facility. In their July 17, 2014 letter, Thomas indicates that their offices in East Brunswick contains a UL certified panel shop and that all control panels supplied by Thomas Controls will be UL listed.

Based upon our evaluation, it does not appear that Thomas Controls meets the requirements of Qualifications Section 1.03.2.2, which covers past experience working on two surface water treatment facilities of 120 MGD or larger. During the bidding process, HMM did not receive any questions or comments from Thomas Controls indicating that the Qualifications requirements for similar projects listed in the Specifications were unreasonable. The check of references provided by Thomas Controls did not demonstrate successful experience with a potable water treatment facility of the magnitude associated with PVWC's Little Falls Water Treatment Plant. Many of the referenced individuals refused to answer questions regarding Thomas' performance, while two others gave negative evaluations. One reference facility was not remotely similar to the description provided by Thomas and the referenced individual never heard of Thomas. Furthermore, most of the references provided by Thomas Controls were for relatively small projects.

In conclusion, after the appropriate inquiry of references and information provided by Thomas Controls, HMM is unable to conclude that Thomas Controls has met the experience requirements set forth in the bid documents. Given that the SCADA project involves over 300 I/O points for the 11 remote locations and 7,800 I/O points and 12 RTUs for the LFWTP and represents an important component with respect to PVWC's ability to properly operate the vital facilities, Thomas' inability to demonstrate the experience necessary to properly build the system is a very important omission in their bid submissions. Should the Commission's legal counsel determine that the failure of Thomas Controls, Inc. to meet the experience requirements noted above is sufficient legal grounds to reject their bid as non-compliant, we recommend that PVWC reject the bid from Thomas Controls and award the project to the second low bidder, R. Spark, Inc. We have reviewed the bid submitted by R. Spark, Inc. and their supplemental documents (including relevant experience of their subcontractor, Advantech) and find that their bid is compliant with the bid submission requirements, including the qualifications of the Control System Integrator. In addition, both R. Spark, Inc. and Advantech have successfully completed projects designed by HMM and Advantech has in-depth knowledge of the control system at the PVWC Little Falls Water Treatment Plant.

Based upon the critical importance of maintain continuous/uninterrupted service to the PVWC system, the Commission should carefully consider the issue of Thomas Controls not demonstrating evidence that they have performed similar work at similar sized facilities to the PVWC system included under Contract No. 12-B-12 (Rebid).



Hatch Mott
MacDonald

Should you have any questions concerning the summary provided herein, please do not hesitate to contact us.

Very truly yours,

Hatch Mott MacDonald

A handwritten signature in black ink, reading "Mark A. Tompeck". The signature is written in a cursive, flowing style.

Mark A. Tompeck, PE, DBIA
Senior Vice President | Water Practice Leader
T 973.912.2526 F 973.912.2455
mark.tompcek@hatchmott.com

**RESOLUTION #14-104
RESOLUTION OF PASSAIC VALLEY WATER COMMISSION
STATE CONTRACT #M0483-08-r-39975
PROCUREMENT OF COMPUTER EQUIPMENT**

DATE OF ADOPTION: OCTOBER 22, 2014

Approved as to form and legality by Law Department on basis of facts set forth by Executive Director, Purchasing, Engineering and Finance Departments.

Introduced by Commissioner: LEVINE

Seconded by Commissioner: SANCHEZ

WHEREAS, PVWC requires the procurement of two (2) new computers for PVWC's camera software; and

WHEREAS, in accordance with N.J.S.A. 40A:11-12, PVWC may purchase goods or services under contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, PVWC has elected to procure the said computer equipment in the total amount of \$3,118.30 from Dell Marketing, L.P. of Round Rock, Texas (the "Awardee") under State Contract #M0483-08-r-39975 (herein the "State Contract"), and a copy of a memorandum dated October 3, 2014 from PVWC's Director of Purchasing, along with other relevant correspondence, is attached hereto and made a part hereof as Exhibit A; and

WHEREAS, N.J.S.A. 40A:11-12 of the Local Public Contracts Law provides for the awarding of said contract to the Awardee; and

WHEREAS, the Executive Director and the Director of Engineering have reviewed the above-referenced memorandum and concur with the Director of Purchasing's recommendations, (and the General Counsel has reviewed the proposed purchase as to form and legality); and

WHEREAS, PVWC's Comptroller has certified, with respect hereto, that funds are currently available for said purpose and said

certificate is attached hereto and made a part hereof in above-referenced Exhibit A;

NOW, THEREFORE, BE IT RESOLVED, by Passaic Valley Water Commission, in the County of Passaic, New Jersey;

1. That the purchase of the above-referenced computers under the State Contract is hereby awarded to the Awardee in the total amount of \$3,118.30; and
2. That the appropriate officers and employees of PVWC are hereby authorized and directed to perform such acts and execute such documents as are consistent herewith, with respect to said procurement under the State Contract as set forth hereinabove.

RECORD OF COMMISSION VOTE ON FINAL PASSAGE

	AYE	NAY	ABSTAIN	ABSENT
SANCHEZ, R.	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
LEVINE, J.	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
GRADDY, R.	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
CLEAVES, C.	<u> </u>	<u> </u>	<u> </u>	<u> X </u>
BAZIAN M.	<u> </u>	<u> </u>	<u> X </u>	<u> </u>
DE VITA, T.	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
KOLODZIEJ, G.	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

Adopted at a meeting of Passaic Valley Water Commission.


President
GLORIA KOLODZIEJ


Secretary
CHRYSTAL CLEAVES

This Resolution, when adopted, must remain in the custody of the Administrative Secretary.

CERTIFICATION

I, LOUIS AMODIO, Administrative Secretary of the Passaic Valley Water Commission in the County of Passaic, and the State of New Jersey do hereby certify that the foregoing Resolution is a true copy of a legal quorum of the Original Resolution duly passed and adopted by a majority of the full membership of the Passaic Valley Water Commission at its meeting of October 22, 2014.



LOUIS AMODIO
Administrative Secretary

PASSAIC VALLEY WATER COMMISSION

**STATE CONTRACT #M0483-08-r-39975
PROCUREMENT OF COMPUTER EQUIPMENT**

**PVWC'S PURCHASING DEPARTMENT
MEMORANDUM DATED OCTOBER 3, 2014
PVWC's FINANCIAL CERTIFICATION SHEET
AND OTHER RELEVANT CORRESPONDENCE**

EXHIBIT A

PASSAIC VALLEY WATER COMMISSION

**STATE CONTRACT #M0483-08-r-39975
PROCUREMENT OF COMPUTER EQUIPMENT**

**PVWC'S PURCHASING DEPARTMENT
MEMORANDUM DATED OCTOBER 3, 2014
PVWC's FINANCIAL CERTIFICATION SHEET
AND OTHER RELEVANT CORRESPONDENCE**

EXHIBIT A

PASSAIC VALLEY WATER COMMISSION

INTER-OFFICE MEMO

DATE: October 3, 2014

FROM: Purchasing Department

TO: Joseph A. Bella
George T. Hanley
Yitzchak Weiss

RE: State Contract Purchase – Contract # M0483-08-r-39975
Computers and Monitors

The Maintenance Department requires two (2) client PC's for the new camera software (see attached e-mail).

The State Contract purchase would be from Dell Marketing, L.P., of Round Rock, Texas, in the amount of \$3,118.30. The Finance Department has "Certified the Availability of Funds" (attached).

Respectfully submitted,



Linda Beckering
Purchasing Agent

cc: L. Amodio ✓
J. Duprey ✓
J. Gallagher
M. Marotta

OFFICE OF THE COMPTROLLER

CERTIFICATION OF AVAILABILITY OF FUNDS

It is hereby certified that subject to Commission approval of future Budgets, with respect to multi-budget year contracts, there are or will be sufficient available funds for expenditures to be incurred as result of any contract or commitment to be entered into by Passaic Valley Water Commission as follows:

Description of Project or Contract: **State Contract Purchase M0483-08-r-39975
Dell Marketing, L.P.**

Amount of Project or Contract: \$ 3,118.30

1. Acct: # 001-0604-416-65-03 Computer Equipment

Specific Appropriation to which expenditures will be charged: Budget 2014

Other comments: Single Purchase: October 2014
Computer Equipment

Date of Certification: 10/03/2014 Certified: \$ 3,118.30


Yitzhak Weiss

Comptroller and Chief Financial Officer

YW:lb

TERM CONTRACT SEARCH BY TNUMBER


[Click Here](#) to search more Term Contracts

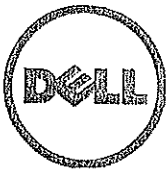
T-Number	Title	Vendor	Contract #
M0003_11-r-21493	SOFTWARE LICENSE & RELATED SER	DELL MARKETING LP	77003
M0483_08-r-39975	WSCA COMPUTER CONTRACT	DELL MARKETING LP	70256

TOP



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QUOTATION

Quote #:

Customer #:

Contract #:

CustomerAgreement #:

Quote Date:

Date: 9/18/2014

Customer Name:

691287875

130247748

09/18/2014

PASSAIC VALLEY WATER COMMISSIO

Thanks for choosing Dell! Your quote is detailed below; please review the quote for product and informational accuracy. If you find errors or desire certain changes please contact your sales professional as soon as possible.

Sales Professional Information

SALES REP:

Email Address:

RICHARD A TAGLE

Richard.Tagle@Dell.com

PHONE:

Phone Ext:

1800 - 4563355

7285922

GROUP: 1 QUANTITY: 2 SYSTEM PRICE: \$1,529.16 GROUP TOTAL: \$3,058.32

Description	Quantity
Alienware Aurora-R4 (225-2262)	2
Intel(R) Core(TM) i7-4820K Proc (4-cores, 10MB Cache, Overclocked up to 4.2 GHz w/ Turbo Boost) (338-BDSX)	2
8GB Quad Channel DDR3 at 1600MHz (317-8671)	2
No Keyboard (330-6518)	2
If accessories are purchased, they may ship separately (320-7810)	2
NVIDIA(R) GeForce(R) GTX 760Ti with 2GB GDDR5 (490-BBQE)	2
2TB SATA 6Gb/s (7,200RPM) 64MB Cache (342-3694)	2
Standard Chassis in Matte Stealth Black with an 875W Power Supply (for Ivy bridge processor) (403-BBES)	2
Windows 7 Home Premium 64 bit, English, w/Media (421-5702)	2
Alienware Documentation - English (331-4881)	2
Dell Resource DVD with Application Backup (331-4885)	2
My Dell (421-4652)	2
DataSafe Local BackUp (420-9691)	2
Alienware Product Survey Application (421-8808)	2
Windows 7 Browser Search for Alienware (421-9378)	2
Dell Digital Delivery Client (421-4047)	2
No Mouse (330-6517)	2
AlienFX Color, Quasar Blue (313-8750)	2
Document Reader Included (410-0565)	2
Single Drive: 24X CD/DVD burner (DVD+/-RW) w/double layer write capability (318-1455)	2
Integrated 7.1 Channel Audio (313-9776)	2
No Option Included (340-ACQQ)	2
Alienware Aurora with Standard Liquid Cooling (412-AACR)	2
Alienhead 3D (421-1424)	2
Software: Microsoft Office 2013 Trial (630-AAAU)	2
Dell Hardware Warranty Plus On-Site Service, Initial Year (994-4453)	2
Next Business Day Parts and Labor On-Site Response, Initial Year (994-4473)	2
1 Year Limited Warranty (950-3337)	2

No Warranty, Year 2 and 3 (950-9797)	2
Warranty Support, Initial Year (906-5260)	2
No Option Included (340-ACQQ)	2
Thank you for Choosing Dell (800-BBEV)	2
(*)	1

SOFTWARE & ACCESSORIES

GROUP TOTAL: \$59.98

Product	Quantity	Unit Price	Total
Logitech Wireless Combo MK320 (A4051230)	2	\$29.99	\$59.98

COMMENT

-DISCOUNT/COUPON APPL

*Total Purchase Price:	\$3,118.30
Product Subtotal:	\$3,118.30
Tax:	\$0.00
Shipping & Handling:	\$0.00
State Environmental Fee:	\$0.00
Shipping Method:	LTL 5 DAY OR LESS
	(* Amount denoted in \$)

Statement of Conditions

The information in this document is believed to be accurate. However, Dell assumes no responsibility for inaccuracies, errors, or omissions, and shall not be liable for direct, indirect, special, incidental, or consequential damages resulting from any such error or omission. Dell is not responsible for pricing or other errors, and reserves the right to cancel orders arising from such errors. Dell may make changes to this proposal including changes or updates to the products and services described, including pricing, without notice or obligation.

Terms of Sale

This quote is valid for 30 days unless otherwise stated. Unless you have a separate written agreement that specifically applies to this order, your order will be subject to and governed by the following agreements, each of which are incorporated herein by reference and available in hardcopy from Dell at your request:

If this purchase is for your internal use only: Dell's Commercial Terms of Sale (www.dell.com/CTS), which incorporate Dell's U.S. Return Policy (www.dell.com/returnpolicy) and Warranty (www.dell.com/warrantyterms).

If this purchase is intended for resale: Dell's Reseller Terms of Sale (www.dell.com/resellerterms).

If this purchase includes services: in addition to the foregoing applicable terms, Dell's Service Terms (www.dell.com/servicecontracts/global).

If this purchase includes software: in addition to the foregoing applicable terms, your use of the software is subject to the license terms accompanying the software, and in the absence of such terms, then use of the Dell-branded application software is subject to the Dell End User License Agreement - Type A (www.dell.com/AEULA) and use of the Dell-branded system software is subject to the Dell End User License Agreement - Type S (www.dell.com/SEULA).

You acknowledge having read and agree to be bound by the foregoing applicable terms in their entirety. Any terms and conditions set forth in your purchase order or any other correspondence that are in addition to, inconsistent or in conflict with, the foregoing applicable online terms will be of no force or effect unless specifically agreed to in a writing signed by Dell that expressly references such terms.

Additional Terms for Public Customers

If you are a department, agency, division, or office of any district, state, county or municipal government within the United States ("Public Customer"), the following terms ("Public Customer Terms") apply in addition to the foregoing terms: A. If any portion of the foregoing terms and conditions (or any

terms referenced therein) is prohibited by law, such portion shall not apply to you. Notwithstanding anything to the contrary, the End User License Agreements shall take precedence in all conflicts relevant to your use of any software. B. By placing your order, you confirm that (1) you are a contracting officer or other authorized representative of Public Customer with authority to bind the Public Customer to these terms and conditions, and (2) you have read and agree to be bound by these terms and conditions.

Pricing, Taxes, and Additional Information

All product, pricing, and other information is valid for U.S. customers and U.S. addresses only, and is based on the latest information available and may be subject to change. Dell reserves the right to cancel quotes and orders arising from pricing or other errors. Sales tax on products shipped is based on your "Ship To" address, and for software downloads is based on your "Bill To" address. Please indicate any tax-exempt status on your PO, and fax your exemption certificate, including your Customer Number, to the Dell Tax Department at 800-433-9023. Please ensure that your tax-exemption certificate reflects the correct Dell entity name: Dell Marketing L.P. Note: All tax quoted above is an estimate; final taxes will be listed on the invoice. If you have any questions regarding tax please send an e-mail to Tax_Department@dell.com.

For certain products shipped to end-users in California, a State Environmental Fee will be applied to your invoice. Dell encourages customers to dispose of electronic equipment properly.

All information supplied to PASSAIC VALLEY WATER COMMISSIO for the purpose of this proposal is to be considered confidential information belonging to Dell.

About Dell

Dell Inc. listens to customers and delivers innovative technology and services they trust and value. Uniquely enabled by its direct business model, Dell is a leading global systems and services company and No. 34 on the Fortune 500. For more information, visit www.dell.com.

Privacy Policy

Dell respects your privacy. Across our business, around the world, Dell will collect, store, and use customer information only to support and enhance our relationship with your organization, for example, to process your purchase, provide service and support, and share product, service, and company news and offerings with you. Dell does not sell your personal information. For a complete statement of our Global Privacy Policy, please visit dell.com/privacy.

Beckering, Linda

From: Marotta, Mike
Sent: Thursday, September 18, 2014 2:20 PM
To: Beckering, Linda
Subject: FW: QUOTE REQUEST: Client PC for PVWC
Attachments: Quote_651626476.html

I never received this

From: Marotta, Mike
Sent: Wednesday, May 01, 2013 10:15 AM
To: Gallagher, Jim; Beckering, Linda
Subject: FW: QUOTE REQUEST: Client PC for PVWC

These are the 2 client PC's I need for the new camera software. One is a replacement for a broken one and the other will be in stock.

Please order ASAP, we only can view ½ of the camera's.

Thank you,

From: [Richard Tagle@Dell.com](mailto:Richard.Tagle@Dell.com) [<mailto:Richard.Tagle@Dell.com>]
Sent: Tuesday, April 30, 2013 3:56 PM
To: [Nate Hearne@DELL.com](mailto:Nate.Hearne@DELL.com)
Cc: Marotta, Mike
Subject: RE: QUOTE REQUEST: Client PC for PVWC

Hi Naté,

The Alienware Aurora is the only option through our segment that will support dual graphics cards (dual PCIe x16 slots). The XPS 8500 only has a single PCIe x16 slot. I've attached a quote based on the specs below. The Aurora uses an 875 watt power supply. Outside of a server, we don't have the option for server grade drives in desktops. However, the Aurora does have a recovery partition. Please let me know if you have any questions.

Thank you,

Richard Tagle
Deli | Executive Sales
Schedule: 8:00a - 5:00p CST Monday - Friday

How am I doing? Please contact my manager, Greg.M.Smith@dell.com with feedback.

From: Hearne, Nate
Sent: Tuesday, April 30, 2013 11:18 AM
To: Tagle, Richard
Cc: Marotta, Mike
Subject: QUOTE REQUEST: Client PC for PVWC

Hi Richard,

Mike would like an XPS 8500 that includes the specs listed below. The CN is 17794527.

Thank you,

From: Janille Mahadeo [<mailto:jmahadeo@millenniuminc.com>]
Sent: Monday, April 29, 2013 7:59 AM
To: Marotta, Mike
Subject: Client PC

Hey Mike,

Hope all is well! This is the specs that is needed for the client PC. Let me know If you have any questions.

Intel Quadcore I7/3770 - 3.3GHz X 4 - 6MB Cache
Ivy Bridge Motherboard with Dual 16X PCIE slots
8GB DDRIII 1600Mhz Memory 2 X 4GB
500GB WD 7200RPM Drive 32MB Cache - Server Grade - 60GB OS Partition
Dual GT 640 – 4GB – DDR5 – 2 X DVI-I – 1 HDMI
Gigabit Lan port
6 X USB 2.0 + 2 X USB 3.0
24X DVDRW/CDRW
Integrated Audio
Logitech Keyboard and Mouse
Mid Tower Tower with 700W 80+ Quiet Coolermaster P/S

Best Regards,
Janille Mahadeo
Account Manager

Millennium Communications Group Inc.
11 Melanie Lane, Unit 13
East Hanover, NJ 07
Cell: 973-885-0711
Fax: 973-503-0111
www.millenniuminc.com

RESOLUTION #14-105
RESOLUTION OF PASSAIC VALLEY WATER COMMISSION
DATE OF ADOPTION: OCTOBER 22, 2014

Approved as to form and legality by Law Department on basis of facts set forth by Executive Director, Purchasing, Engineering and Finance Departments.

Introduced by Commissioner: **SANCHEZ**

Seconded by Commissioner: **GRADDY**

WHEREAS, notwithstanding solicitation of bids to potential bidders, only one (1) bid was received by Passaic Valley Water Commission ("PVWC") on July 15, 2014 for Contract No. 14-B-14 "Furnish and Deliver Products and Appurtenances for Standard Method 9223 Testing", which bid was rejected for lawful cause, and the contract was subsequently re-solicited for bids; and

WHEREAS, in the second solicitation for bids, and again notwithstanding solicitation of bids to potential bidders, on August 19, 2014 no bids were received for the Contract; and

WHEREAS, in the third solicitation for bids, and again notwithstanding solicitation of bids to potential bidders, on September 16, one (1) bid was received by PVWC for Contract No. 14-B-14 (2nd Re-Bid) "Furnish and Deliver Products and Appurtenances for Standard Method 9223 Testing"; and

WHEREAS, said bid has been reviewed by the Executive Director, Director of Engineering, Director of Purchasing, (and Counsel as to form and legality), and a memorandum from the Director of Engineering dated October 1, 2014, along with other relevant correspondence, is attached hereto and made a part hereof; and

WHEREAS, the Local Public Contracts Law provides for the awarding of said contract upon receipt of bid and qualifications of bidder therefor; and

WHEREAS, the responsible bid submitted for this contract was that of Idexx Labs, Inc. of Westbrook, Maine (the "Awardee") with respect to said bid in the amount of \$135,520.50; and

WHEREAS, PVWC's Comptroller has certified, with respect hereto, that funds are currently available for said purpose and said certificate is attached hereto;


NOW, THEREFORE, BE IT RESOLVED, by Passaic Valley Water Commission, in the County of Passaic, New Jersey:

1. That Contract No. 14-B-14 (2nd Re-Bid) "Furnish and Deliver Products and Appurtenances for Standard Method 9223 Testing" in the total amount set forth hereinabove in connection with the above described goods and services is hereby awarded to the Awardee as also set forth hereinabove; and
2. That the appropriate officers of the Commission are hereby authorized to execute the Contract; and implement the terms of said Contract in accordance with this Resolution and the submissions provided in connection therewith, with respect to solicitation for bids made in connection with Contract 14-B-14 (2nd Re-Bid) as set forth hereinabove.

RECORD OF COMMISSION VOTE ON FINAL PASSAGE

	AYE	NAY	ABSTAIN	ABSENT
SANCHEZ, R.	<u>X</u>	___	___	___
LEVINE, J.	<u>X</u>	___	___	___
GRADDY, R.	<u>X</u>	___	___	___
CLEAVES, C.	___	___	___	<u>X</u>
BAZIAN M.	<u>X</u>	___	___	___
DE VITA, T.	<u>X</u>	___	___	___
KOLODZIEJ, G.	<u>X</u>	___	___	___

Adopted at a meeting of Passaic Valley Water Commission.

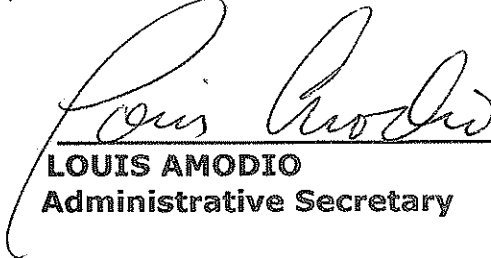

President
GLORIA KOLODZIEJ


Secretary
CHRYSTAL CLEAVES

This Resolution, when adopted, must remain in the custody of the Administrative Secretary.

CERTIFICATION

I, LOUIS AMODIO, Administrative Secretary of the Passaic Valley Water Commission in the County of Passaic, and the State of New Jersey do hereby certify that the foregoing Resolution is a true copy of a legal quorum of the Original Resolution duly passed and adopted by a majority of the full membership of the Passaic Valley Water Commission at its meeting of October 22, 2014.



LOUIS AMODIO
Administrative Secretary

**PASSAIC VALLEY WATER COMMISSION
INTEROFFICE MEMORANDUM**

Date: October 1, 2014

To: Hon. Commissioners

From: J. Duprey

cc: J. Bella
G. Hanley
L. Amodio
L. Beckering

Re: Contract No. 14-B-14 (Re-Bid) "Furnish and Deliver Products and Appurtenances for Standard Method 9223 Testing"-One Bid Received

Notwithstanding solicitation of bids to potential bidders, only one (1) bid was received by Passaic Valley Water Commission ("PVWC") on July 15, 2014 for Contract No. 14-B-14 "Furnish and Deliver Products and Appurtenances for Standard Method 9223 Testing", which bid was rejected for lawful cause, and the contract was subsequently re-solicited for bids.

In the second solicitation for bids, (and again notwithstanding solicitation of bids to potential bidders), on August 19, 2014 no bids were received for Contract 14-B-14 (Re-Bid) "Furnish and Deliver Products and Appurtenances for Standard Method 9223 Testing".

in the third solicitation for bids, (and again notwithstanding solicitation of bids to potential bidders), on September 16, one (1) bid was received by PVWC for Contract No. 14-B-14 (2nd Re-Bid) "Furnish and Deliver Products and Appurtenances for Standard Method 9223 Testing".

The Law Department has requested that an explanation be provided regarding why only one (1) bid was received for the above-referenced bid, re-bid, and second re-bid Contract.

The advertisement for this Contract and the posting of the said notice on PVWC's website were properly accomplished. The goods and services specified in the bid documents are not proprietary and in cases where specific products and/or methods are named in the bid documents, the specifications clearly state "or equal" products and/or methods will be considered if offered by the Contractor.

The bid environment is subject to many factors, many of which are not subject to the direct knowledge or control of PVWC. These items are produced and distributed by a relatively limited number of suppliers willing to satisfy PVWC's public entity bidding requirements, thereby limiting the number of bidders qualified and capable of performing the required Work.

PASSAIC VALLEY WATER COMMISSION

INTER-OFFICE MEMO

DATE: October 1, 2014

FROM: Purchasing Department

TO: Joseph A. Bella
George T. Hanley
Yitzchak Weiss

RE: **Contract # 14-B-14 (2nd Re-Bid)**
Products and Appurtenances for Standard Method 9223 Testing

The Purchasing Department has reviewed the above stated Contract for required documents, affirmative action requirements, and the Contract proposal tabulations. The Finance Department has certified the availability of funds (see attached).

One bid was received, that of **IDEXX Distribution, Inc.**, of Westbrook, Maine, in the amount of **\$135,520.50**.

Respectfully submitted,


Linda Beckering
Purchasing Agent

cc: L. Amodio
J. Duprey✓

OFFICE OF THE COMPTROLLER

CERTIFICATION OF AVAILABILITY OF FUNDS

It is hereby certified that subject to Commission approval of future Budgets, with respect to multi-budget year contracts, there are or will be sufficient available funds for expenditures to be incurred as result of any contract or commitment to be entered into by Passaic Valley Water Commission as follows:

Description of Project or Contract: 14-B-14 (2nd Re-Bid) Idexx Distribution, Inc.

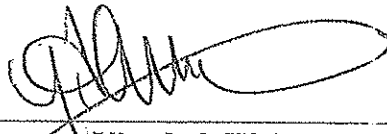
Amount of Project or Contract: \$ 135,520.50

1. Acct: # 001-3504-425-60-012 Supplies / Lab Chemical

Specific Appropriation to which expenditures will be charged: Budget 2014/2015/2016

Other comments: Two (2) Years - Contract Commencing: October 2014
Products and Appurtenances for Standard Method 9223 Testing

Date of Certification: 10/01/2014 Certified: \$ 135,520.50



Yitzchak Weiss
Comptroller and Chief Financial Officer

YW:lb

Contract # 14-B-14 (2nd Re-Bid)
Products and Appurtenances for Standard Method 9223 Testing

Bids Received: Septemmbber 16, 2014

BIDDERS	BID DEPOSIT CC- Certified Check CA- Cashier's Check BB- Bid Bond	TOTAL AMOUNT OF CONTRACT	REMARKS
Idexx Distribution Corporation 1 Idexx Drive Westbrook, Maine 04092 iamie-brunelle@idexx.com	<input type="checkbox"/> Certified Check	\$135,520.50	<input checked="" type="checkbox"/> Business Registration Cert.
	<input type="checkbox"/> Cashier's Check		<input type="checkbox"/> PVWC Consent of Surety
	<input type="checkbox"/> 10% Bid Bond		<input type="checkbox"/> Other Consent of Surety
	<input type="checkbox"/> Not to Exceed		<input type="checkbox"/> Public Works Cont. Cert.
	\$		
	<input type="checkbox"/> Certified Check		<input type="checkbox"/> Business Registration Cert.
	<input type="checkbox"/> Cashier's Check		<input type="checkbox"/> PVWC Consent of Surety
	<input type="checkbox"/> Bid Bond		<input type="checkbox"/> Other Consent of Surety
	<input type="checkbox"/> Not to Exceed		<input type="checkbox"/> Public Works Cont. Cert.
	\$		
	<input type="checkbox"/> Certified Check		<input type="checkbox"/> Business Registration Cert.
	<input type="checkbox"/> Cashier's Check		<input type="checkbox"/> PVWC Consent of Surety
	<input type="checkbox"/> Bid Bond		<input type="checkbox"/> Other Consent of Surety
	<input type="checkbox"/> Not to Exceed		<input type="checkbox"/> Public Works Cont. Cert.
	\$		
	<input type="checkbox"/> Certified Check		<input type="checkbox"/> Business Registration Cert.
	<input type="checkbox"/> Cashier's Check		<input type="checkbox"/> PVWC Consent of Surety
	<input type="checkbox"/> Bid Bond		<input type="checkbox"/> Other Consent of Surety
	<input type="checkbox"/> Not to Exceed		<input type="checkbox"/> Public Works Cont. Cert.
	\$		

RESOLUTION #14-106
RESOLUTION OF PASSAIC VALLEY WATER COMMISSION
DATE OF ADOPTION: OCTOBER 22, 2014

Approved as to form and legality by Law Department on the basis of facts set forth by Executive Director, Purchasing, and Finance Departments.

Introduced by Commissioner: **SANCHEZ**

Seconded by Commissioner: **GRADDY**

WHEREAS, Passaic Valley Water Commission ("PVWC") previously procured proprietary software and awarded a maintenance contract to Sungard Public Sector to maintain the said proprietary software system currently in use at PVWC, and the said six-month maintenance contract was due for renewal on October 1, 2014; and

WHEREAS, a copy of the Director of Purchasing's memorandum dated October 2, 2014 recommending renewal of the maintenance contract with Sungard Public Sector (hereinafter also "Sungard") in accordance with N.J.S.A. 40A:11-5 (dd) relating to proprietary software and/or hardware, along with Sungard's breakdown of applications and related fees, is attached hereto and made a part hereof as Exhibit A; and

WHEREAS, the contract extension, which commences October 1, 2014 and ends on or about March 31, 2014 is in the total amount of \$54,772.98; and

WHEREAS, the Executive Director and the Director of Engineering have reviewed the above-referenced correspondence and concur with the Director of Purchasing's recommendations, (and the General Counsel has reviewed same as to form and legality); and

WHEREAS, PVWC's Comptroller has certified, with respect hereto, that funds are currently available for said purpose and said certificate is attached hereto and made a part hereof in Exhibit B; and

WHEREAS, it is in the best interest of PVWC, its users and constituent municipalities to engage, or continue to engage, the services of Sungard Public Sector (the "Awardee") with regard to the Contract at this time;

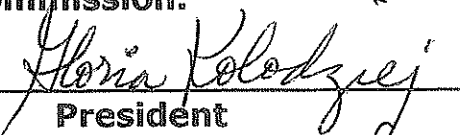
NOW, THEREFORE, BE IT RESOLVED, by Passaic Valley Water Commission, in the County of Passaic, New Jersey:

1. That PVWC hereby awards a six-month Contract commencing as of October 1, 2014, for the renewal of the maintenance of PVWC's proprietary software system to the Awardee in connection with the above-described goods and services in the total amount of \$54,772.98; and
2. That an appropriate official of PVWC, on behalf of PVWC, is hereby authorized and directed to execute the Contract hereby awarded to the Awardee and the Secretary of PVWC to attest to the Contract and such other officers, employees and officials of PVWC are hereby authorized to perform such acts and execute such documents as are necessary to implement the terms and intentions of this Resolution, and
3. That this matter shall be advertised as required by New Jersey law, in accordance with an appropriate form of notice, and a copy of this Resolution and Agreement shall be placed on file and made available for public inspection at the office of the Administrative Secretary of Passaic Valley Water Commission.

RECORD OF COMMISSION VOTE ON FINAL PASSAGE

	AYE	NAY	ABSTAIN	ABSENT
SANCHEZ, R.	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
LEVINE, J.	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
GRADDY, R.	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
CLEAVES, C.	<u> </u>	<u> </u>	<u> </u>	<u> X </u>
BAZIAN M.	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
DE VITA, T.	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
KOLODZIEJ, G.	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

Adopted at a meeting of Passaic Valley Water Commission.

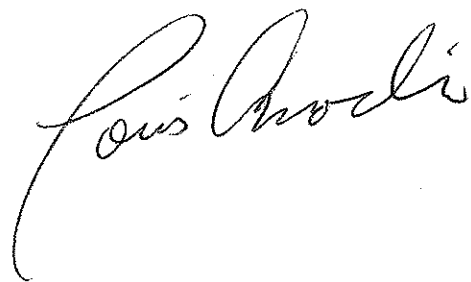

President
GLORIA KOLODZIEJ


Secretary
CHRYSTAL CLEAVES

This Resolution, when adopted, must remain in the custody of the Administrative Secretary.

CERTIFICATION

I, LOUIS AMODIO, Administrative Secretary of the Passaic Valley Water Commission in the County of Passaic, and the State of New Jersey do hereby certify that the foregoing Resolution is a true copy of a legal quorum of the Original Resolution duly passed and adopted by a majority of the full membership of the Passaic Valley Water Commission at its meeting of October 22, 2014.



PASSAIC VALLEY WATER COMMISSION
RENEWAL OF SIX-MONTH CONTRACT FOR MAINTENANCE OF
PVWC'S PROPRIETARY SOFTWARE SYSTEM

DIRECTOR OF PURCHASING'S MEMORANDUM
DATED OCTOBER 2, 2014
AND
SUNGARD'S BREAKDOWN OF APPLICATIONS
AND RELATED FEES
DATED SEPTEMBER 4, 2014

EXHIBIT A

PASSAIC VALLEY WATER COMMISSION

**RENEWAL OF SIX-MONTH CONTRACT FOR MAINTENANCE OF
PVWC'S PROPRIETARY SOFTWARE SYSTEM**

PVWC'S FINANCIAL CERTIFICATION SHEET

EXHIBIT B

PASSAIC VALLEY WATER COMMISSION
RENEWAL OF SIX-MONTH CONTRACT FOR MAINTENANCE OF
PVWC'S PROPRIETARY SOFTWARE SYSTEM

DIRECTOR OF PURCHASING'S MEMORANDUM
DATED OCTOBER 2, 2014

AND

SUNGARD'S BREAKDOWN OF APPLICATIONS
AND RELATED FEES
DATED SEPTEMBER 4, 2014

EXHIBIT A

PASSAIC VALLEY WATER COMMISSION

INTER-OFFICE MEMO

DATE: October 2, 2014

FROM: Purchasing Department
TO: Joseph A. Bella
George T. Hanley
Yitzchak Weiss
RE: System Software Annual Maintenance

Our six (6) month maintenance contract with Sungard Public Sector is due for renewal on October 1, 2014 (breakdown of applications and fees for each is attached). The total amount for renewal is \$54,772.98. The Finance Department has certified the availability of funds (attached).

As proprietary software, this award without bidding is provided for under LCPL 40A:11-5 (dd).

Respectfully submitted,



Linda Beckering
Purchasing Agent

cc: L. Amodio
J. Duprey ✓

SUNGARD PUBLIC SECTOR

1000 Business Center Drive
Lake Mary, FL 32746
800-727-8088
www.sungardps.com

Invoice

Company	Document No	Date	Page
LG	87506	04/Sep/2014	1 of 3

Bill To: Passaic Valley Water
1525 Main Avenue
CLIFTON, NJ 07011
United States
Attn: Linda Beckering 973-340-4315

Ship To: Passaic Valley Water
1525 Main Avenue
CLIFTON, NJ 07011
United States
Attn: Linda Beckering 973-340-4315

Customer Grp/No.	Customer Name	Customer PO Number	Currency	Terms	Due Date
2181LG	Passaic Valley Water		USD	NET30	04/Oct/2014

SKU Code/Description/Comments	Units	Rate	Extended
Contract No. 00000814.0			
Selectron Credit Card Payment I/F - CIS Maintenance Start: 01/Oct/2014, End: 31/Mar/2015	1.00	252.35	252.35
CIS Voice Response Interface - Selectron Maintenance Start: 01/Oct/2014, End: 31/Mar/2015	1.00	638.60	638.60
Contract No. 00001293			
QRep End User Maintenance Start: 01/Oct/2014, End: 31/Mar/2015	1.00	133.90	133.90
Contract No. 090324			
QRep Catalogs for K1 & KL Maintenance Start: 01/Oct/2014, End: 31/Mar/2015	2.00	162.84	325.68
Contract No. 09776			
OnePoint Point of Sale Maintenance Start: 01/Oct/2014, End: 31/Mar/2015	1.00	885.13	885.13
Contract No. 20011068			
CIS Voice Response Selectron Maintenance Start: 01/Oct/2014, End: 31/Mar/2015	1.00	868.63	868.63
Contract No. 20040233			
NAVI - Continuing Property Records Maintenance Start: 01/Oct/2014, End: 31/Mar/2015	1.00	6,277.12	6,277.12
NAVI - WorkOrders/Fac Mgmt. Maintenance Start: 01/Oct/2014, End: 31/Mar/2015	1.00	0.00	0.00
NAVI - Cash Receipts Maintenance Start: 01/Oct/2014, End: 31/Mar/2015	1.00	1,611.62	1,611.62
NAVI - Customer Information Systems Maintenance Start: 01/Oct/2014, End: 31/Mar/2015	1.00	12,890.86	12,890.86
NAVI-GMBA Maintenance Start: 01/Oct/2014, End: 31/Mar/2015	1.00	6,348.15	6,348.15
Naviline-Land/Parcel Management Maintenance Start: 01/Oct/2014, End: 31/Mar/2015	1.00	1,682.64	1,682.64

Page Total 31,914.68

SUNGARD PUBLIC SECTOR

1000 Business Center Drive
Lake Mary, FL 32746
800-727-8088
www.sungardps.com

Invoice

Company	Document No	Date	Page
LG	87506	04/Sep/2014	2 of 3

Bill To: Passaic Valley Water
1525 Main Avenue
CLIFTON, NJ 07011
United States
Attn: Linda Beckering 973-340-4315

Ship To: Passaic Valley Water
1525 Main Avenue
CLIFTON, NJ 07011
United States
Attn: Linda Beckering 973-340-4315

Customer Grp/No.	Customer Name	Customer PO Number	Currency	Terms	Due Date
1 2181LG	Passaic Valley Water		USD	NET30	04/Oct/2014

Id	SKU Code/Description/Comments	Units	Rate	Extended
1	NAVI-Accounts Receivable Maintenance Start: 01/Oct/2014, End: 31/Mar/2015	1.00	2,242.61	2,242.61
2	NAVI-PURCHASING INVENTORY Maintenance Start: 01/Oct/2014, End: 31/Mar/2015	1.00	3,485.47	3,485.47
3	NAVI-Payroll/Personnel Maintenance Start: 01/Oct/2014, End: 31/Mar/2015	1.00	2,207.10	2,207.10
4	NAVI-DMS - Document Management Services Maintenance Start: 01/Oct/2014, End: 31/Mar/2015	1.00	530.25	530.25
5	Catalogs for CPJ,CRJ,CXJ,GMJ,LXJ,MRJ,PIJ,PRJ,WFJ Maintenance Start: 01/Oct/2014, End: 31/Mar/2015	9.00	163.36	1,470.24
Contract No. 20040668				
6	Click2Gov Core Module Embedded (2) Maintenance Start: 01/Oct/2014, End: 31/Mar/2015	1.00	901.41	901.41
7	Click2Gov Customer Information Module Maintenance Start: 01/Oct/2014, End: 31/Mar/2015	1.00	2,905.32	2,805.32
Contract No. 20040771				
8	NAVI - Contact Management Maintenance Start: 01/Oct/2014, End: 31/Mar/2015	1.00	4,220.26	4,220.26
9	Q-Rep Web Intranet Maintenance Start: 01/Oct/2014, End: 31/Mar/2015	20.00	30.69	613.80
Contract No. 9900189				
	QRep Administrator Maintenance Start: 01/Oct/2014, End: 31/Mar/2015	1.00	170.46	170.46
	QRep End User Maintenance Start: 01/Oct/2014, End: 31/Mar/2015	3.00	170.46	511.38
Contract No. 9900648				
	Retrofit Modification Option Maintenance Start: 01/Oct/2014, End: 31/Mar/2015	21.00	50.00	1,050.00

Page Total 20,208.30

SUNGARD PUBLIC SECTOR

1000 Business Center Drive
Lake Mary, FL 32746
800-727-8088
www.sungardps.com

Invoice

Company	Document No	Date	Page
LG	87506	04/Sep/2014	3 of 3

Bill To: Passaic Valley Water
1525 Main Avenue
CLIFTON, NJ 07011
United States
Attn: Linda Beckering 973-340-4315

Ship To: Passaic Valley Water
1525 Main Avenue
CLIFTON, NJ 07011
United States
Attn: Linda Beckering 973-340-4315

Customer Grp/No.	Customer Name	Customer PO Number	Currency	Terms	Due Date
2181LG	Passaic Valley Water		USD	NET30	04/Oct/2014

o	SKU Code/Description/Comments	Units	Rate	Extended
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Remit Payment To: SunGard Public Sector Inc.
Bank of America
12709 Collection Center Drive
Chicago, IL 60693

Subtotal	52,122.98
Sales Tax	0.00
Invoice Total	52,122.98
Payment Received	0.00
Balance Due	52,122.98

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1000 Business Center Drive
Lake Mary, FL 32746
800-727-8088
www.sungardps.com

Invoice

Company	Document No	Date	Page
LG	87436	04/Sep/2014	1 of 1

Bill To: Passaic Valley Water
1525 Main Avenue
CLIFTON, NJ 07011
United States
Attn: Linda Beckering 973-340-4315

Ship To: Passaic Valley Water
1525 Main Avenue
CLIFTON, NJ 07011
United States
Attn: Linda Beckering 973-340-4315

Customer Grp/No.	Customer Name	Customer PO Number	Currency	Terms	Due Date
1 2181LG	Passaic Valley Water		USD	NET30	04/Oct/2014

lo	SKU Code/Description/Comments	Units	Rate	Extended
	Contract No. 20020713			
	Electronic Learning Pass (HELP) Card-LF Maintenance Start: 01/Oct/2014, End: 31/Mar/2015	1.00	2,650.00	2,650.00
Page Total				2,650.00

emit Payment To: SunGard Public Sector Inc.
Bank of America
12709 Collection Center Drive
Chicago, IL 60693

Subtotal	2,650.00
Sales Tax	0.00
Invoice Total	2,650.00
Payment Received	0.00
Balance Due	2,650.00

PASSAIC VALLEY WATER COMMISSION

**RENEWAL OF SIX-MONTH CONTRACT FOR MAINTENANCE OF
PVWC'S PROPRIETARY SOFTWARE SYSTEM**

PVWC'S FINANCIAL CERTIFICATION SHEET

EXHIBIT B

OFFICE OF THE COMPTROLLER

CERTIFICATION OF AVAILABILITY OF FUNDS

It is hereby certified that subject to Commission approval of future Budgets, with respect to multi-budget year contracts, there are or will be sufficient available funds for expenditures to be incurred as result of any contract or commitment to be entered into by Passaic Valley Water Commission as follows:

Description of Project or Contract : **Sungard Public Sector**

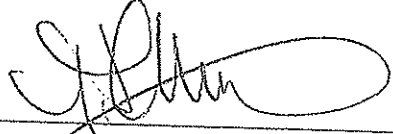
Amount of Project or Contract: \$ 54,772.98

1. Acct: # 001-0901-419-95-02 Capital / Pre-Paid Service Contracts

Specific Appropriation to which expenditures will be charged: Capital Budget 2014-2015

Other comments: Six (6) Contract Commencing: October 2014
System Software Annual Maintenance

Date of Certification: 10/02/2014 Certified: \$ 54,772.98



Yitzchak Weiss
Comptroller and Chief Financial Officer

YW:lb

RESOLUTION 14-107
PASSAIC VALLEY WATER COMMISSION

RESOLUTION AUTHORIZING AND DIRECTING THE EXECUTIVE DIRECTOR, CHIEF ENGINEER AND GENERAL COUNSEL OF THE PASSAIC VALLEY WATER COMMISSION (“PVWC”) TO FILE THE NECESSARY PAPERS, AND TAKE OTHER NECESSARY ACTION TO PETITION THE DEPARTMENT OF ENVIRONMENTAL PROTECTION OF THE STATE OF NEW JERSEY (“DEP”) AND THE DEP COMMISSIONER TO STAY FURTHER PROCEEDINGS OR ACTION REGARDING THE PLANNING OR IMPLEMENTATION OF THE PROJECTS RELATING TO ADDRESSING THE REQUIREMENTS OF EPA RULES AND THE ADMINISTRATIVE CONSENT ORDER ISSUED BY THE DEP, PURSUANT THERETO, RELATING TO THE LEVINE, GREAT NOTCH AND NEW STREET RESERVOIRS (“THE PROJECTS”)

DATE OF ADOPTION: October 22, 2014

Introduced by Commissioner: LEVINE

Seconded by Commissioner: CLEAVES

WHEREAS, the cost, environmental and cultural impacts of the above-mentioned Projects promise to impose major burdens on the individual and commercial communities of PVWC’s Owner Cities and Wholesale and Retail customers constituting approximately 800,000 customers; and

WHEREAS, the impact of these Projects on numerous surrounding communities constitutes a major potential impact, both aesthetically and economically, and;

WHEREAS, it is perceived by a significant segment of the public, which PVWC serves, that they have had insufficient information, input and participation in the Projects whose current cost-estimates exceed \$100 million dollars;

NOW THEREFORE BE IT RESOLVED THAT:

1. The Passaic Valley Water Commission shall file the appropriate papers and take the appropriate action to petition the New Jersey Department of Environmental Protection and its Commissioner for a stay in the proceedings including but not limited to, consideration of revisions to the existing Administrative Consent Order (“ACO”), as amended (NEA 080001-1605002) to which PVWC is subject; until 2016 or upon completion of the review of the 40 CFR Parts 9, 141, and 142 – National Primary Drinking Water Regulations: Long Term 2 Enhanced Surface Water Treatment Rule (“LT2”) regulations of the United States Department of

Environmental Protection ("EPA"), whichever is later, relating to the Projects set forth hereinabove; and

2. The Executive Director, Chief Engineer, General Counsel and such other Officers, Agents and/or Employees of PVWC, as are necessary, shall assist in that effort to the extent necessary to accomplish same in an expeditious manner.

RECORD OF COMMISSION VOTE ON FINAL PASSAGE

	AYE	NAY	ABSTAIN	ABSENT
SANCHEZ, R.	<u>X</u>	—	—	—
LEVINE, J.	<u>X</u>	—	—	—
GRADDY, R.	<u>X</u>	—	—	—
CLEAVES, C.	<u>X</u>	—	—	—
BAZIAN, M.	<u>X</u>	—	—	—
DE VITA, T.	<u>X</u>	—	—	—
KOŁODZIEJ, G.	<u>X</u>	—	—	—

Adopted at a meeting of Passaic Valley Water Commission.

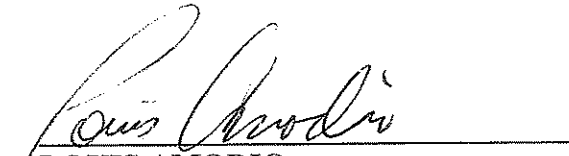

GLORIA KOŁODZIEJ
President


CHRYSTAL CLEAVES
Secretary

This Resolution, when adopted, must remain in the custody of the Administrative Secretary.

CERTIFICATION

I, LOUIS AMODIO, Administrative Secretary of the Passaic Valley Water Commission in the County of Passaic, and the State of New Jersey do hereby certify that the foregoing Resolution is a true copy of a legal quorum of the Original Resolution duly passed and adopted by a majority of the full membership of the Passaic Valley Water Commission at its meeting of October 22, 2014.


LOUIS AMODIO
Administrative Secretary

c: L. Beckering
J. Bello
J. Duprey
G. Hanley
Y. Weiss
File

LOUIS AMODIO
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES DEC. 22, 2016

2015 AUTHORITY BUDGET RESOLUTION

Passaic Valley Water Commission

(Name)

FISCAL YEAR: FROM: January 1, 2015 TO: December 31, 2015

WHEREAS, the Annual Budget and Capital Budget for the Passaic Valley Water Commission for the fiscal year beginning, January 1, 2015 and ending, December 31, 2015 has been presented before the governing body of the Passaic Valley Water Commission at its open public meeting of October 22, 2014; and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$ 88,946,644, Total Appropriations, including any Accumulated Deficit if any, of \$ 79,199,178 and Total Unrestricted Net Position utilized of \$ 0; and

WHEREAS, the Capital Budget as introduced reflects Total Capital Appropriations of \$ 33,664,000 and Total Unrestricted Net Position planned to be utilized as funding thereof, of \$ 9,621,000; and

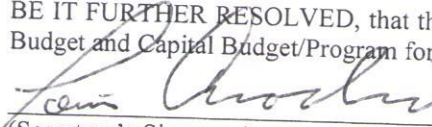
WHEREAS, the schedule of rates, fees and other charges in effect will produce sufficient revenues, together with all other anticipated revenues to satisfy all obligations to the holders of bonds of the Authority, to meet operating expenses, capital outlays, debt service requirements, and to provide for 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 Passaic Valley Water Commission, at an open public meeting held on October 22, 2014 that the Annual Budget, including all related schedules, and the Capital Budget/Program of the Passaic Valley Water Commission for the fiscal year beginning, January 1, 2015 and ending, December 31, 2015 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 Passaic Valley Water Commission will consider the Annual Budget and Capital Budget/Program for adoption on December 17, 2014.


(Secretary's Signature)

October 22, 2014
(Date)

Governing Body Member:	Recorded Vote			
	Aye	Nay	Abstain	Absent
Sanchez, Rigo	X			
Levine, Jeffrey	X			
Graddy, Russel	X			
Cleaves, Chrystal	X			
Bazian, Menachem	X			
DeVita, Thomas P.	X			
Kolodziej, Gloria	X			