

**RESOLUTION #15-1
RESOLUTION OF THE PASSAIC VALLEY WATER
COMMISSION CONCERNING REVIEW OF THE
FINDINGS OF THE LOCAL FINANCE BOARD MADE AT
A MEETING OF SAID BOARD ON NOVEMBER 12, 2014 IN
ACCORDANCE WITH THE PROVISIONS OF N.J.S.A.
40A:5A-7 WITH RESPECT TO A PROJECT FINANCING
OF THE COMMISSION**

DATE OF ADOPTION: January 21, 2015

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

Introduced by Commissioner: **KOLODZIEJ**

Seconded by Commissioner: **DEVITA**

WHEREAS, the findings issued by the Local Finance Board at a meeting of said Board, held on November 12, 2014, with respect to a project financing to be undertaken by the Passaic Valley Water Commission (the "Commission") (the "Local Finance Board Findings") have been filed with the Administrative Secretary of the Commission and a copy of such findings has been received by each member of the governing body of the Commission; and

WHEREAS, N.J.S.A. 40A:5A-7 requires that the governing body of the Commission, within 45 days of receipt of the Local Finance Board Findings, shall certify by resolution to the Local Finance Board that each member thereof has personally reviewed such findings; and

WHEREAS, each member of the Commission has personally reviewed the Local Finance Board Findings, as evidenced by a group affidavit which has been executed by each member of the Commission; and

WHEREAS, failure to comply with this requirement may subject the members of the Commission to the penalty provisions of N.J.S.A. 52:27BB-51; now therefore,

NOW THEREFORE, BE IT RESOLVED, BY PASSAIC VALLEY WATER COMMISSION, in the County of Passaic, New Jersey that:

The Passaic Valley Water Commission hereby states that it has complied with the requirements of N.J.S.A. 40A:5A-7 and does hereby submit a certified copy of this resolution and the required affidavit to the Local Finance Board to evidence such compliance; and

BE IT FURTHER RESOLVED, that the members of the Commission have reviewed the Local Finance Board Findings, and hereby reaffirm their commitment to proceed with the development and implementation of its proposed project financing.

The foregoing is a true copy of a resolution adopted by the governing body of the Passaic Valley Water Commission at a meeting thereof duly called and held on January 21, 2015.



The appropriate officers, employees and officials of Passaic Valley Water Commission are hereby authorized to perform such acts and execute such documents as are necessary to implement the terms and intentions of this Resolution; and

A copy of this Resolution 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	—	—	—	—
LEVINE, J.	—	—	—	—
GRADDY, R.	—	—	—	—
KOŁODZIEJ, R.	—	—	—	—
BAZIAN, M.	—	—	—	—
DEVITA, T.	—	—	—	—
CLEAVES, C.	—	—	—	—

Adopted at a meeting of Passaic Valley Water Commission.

	
_____ President	_____ Secretary
CHRYS TAL CLEAVES	THOMAS P. DE VITA

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





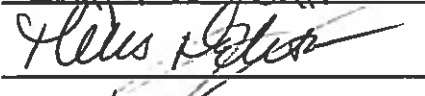


[SEAL]

Group Affidavit Form
Certification of Governing Body

State of New Jersey :
 :SS.
County of Passaic :

We, the members of the governing body of the Passaic Valley Water Commission (the "Commission"), of full age, being duly sworn according to law, upon our oath depose and say:

1. We are duly appointed members of the Commission.
2. We certify that, pursuant to N.J.S.A. 40A:5A-7, we have personally reviewed the finding and recommendations of the Local Finance Board, dated November 12, 2014 on the proposed project financing for the Commission.

<u>Name of Member</u>	<u>Signature</u>
KOLODZIEJ, G	
GRADDY, R.	
LEVINE, J.	
BAZIAN, M.	
CLEAVES, C.	
DEVITA, T.	
SANCHEZ, R.	

Sworn to and subscribed before me
this 21st day of January, 2015



Notary Public of New Jersey

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

Notes:

- (a) This affidavit must be signed by a majority of the full membership of the Commission. Members absent during the review should review and sign later.
- (b) This affidavit must be sent within 45 days of receipt of the Local Finance Board's findings and recommendations on the proposed project financing to:

Patricia Parkin McNamara
Executive Secretary
Local Finance Board
Department of Community Affairs
101 South Broad Street, P.O. Box 803
Trenton New Jersey 08625-0803



GLUCKWALRATH LLP

MEMORANDUM

TO: Louis Amodio

DATE: December 24, 2014

FROM: Howard J. Eichenbaum

cc: G. Hanley, CMW

SUBJECT: PVWC – LFB Resolutions

Attached is a copy of the Local Finance Board November 12, 2014 resolutions. As you may recall, the Commission must formally accept the findings of the Local Finance Board within 45 days of receipt and each member must sign the group affidavit. Such documents are attached.

Please have the resolution adopted at the January meeting (change the date referenced if needed) and then file it and the group affidavit with LFB, with a copy to me. Thank you and best wishes for a great holiday and Happy New Year.

**Local Finance Board
November 12, 2014 Meeting
New Jersey Environmental Infrastructure Trust
Schedule**

- #1 Elizabeth City**
Union - NJSA 58:11B-9(a)
\$5,400,000 Proposed Environmental Infrastructure Trust Loan Program

NJSA 40A:2-26(e)
\$5,400,000 Proposed Non-Conforming Maturity Schedule
- #2 Clinton Town**
Hunterdon - NJSA 58:11B-9(a)
\$2,650,000 Proposed Environmental Infrastructure Trust Loan Program

NJSA 40A:2-26(e)
\$2,650,000 Proposed Non-Conforming Maturity Schedule
- #3 Perth Amboy City**
Middlesex - NJSA 58:11B-9(a)
\$2,760,932 Proposed Environmental Infrastructure Trust Loan Program

NJSA 40A:2-26(e)
\$2,760,932 Proposed Non-Conforming Maturity Schedule
- #4 Millville City**
Cumberland - NJSA 58:11B-9(a)
\$9,822,500 Proposed Environmental Infrastructure Trust Loan Program

NJSA 40A:2-26(e)
\$9,822,500 Proposed Non-Conforming Maturity Schedule
- #5 Passaic Valley Water Commission**
Passaic - NJSA 58:11B-9(a)
\$23,000,000 Proposed Environmental Infrastructure Trust Loan Program

NJSA 40A:5A-6
\$23,000,000 Proposed Project Financing
- #6 Chatham Borough**
Morris - NJSA 58:11B-9(a)
\$1,334,000 Proposed Environmental Infrastructure Trust Loan Program

NJSA 40A:2-26(e)
\$1,334,000 Proposed Non-Conforming Maturity Schedule

NJSA 40A:2-11(c)
\$1,334,000 Proposed Waiver of Down Payment

- #7 Warren Township Sewerage Authority
Somerset - NJSA 58:11B-9(a)
\$3,655,000 Proposed Environmental Infrastructure Trust Loan Program

NJSA 40A:5A-6
\$3,655,000 Proposed Project Financing

NJSA 40A:5A-7
\$3,655,000 Proposed Service Agreement
- #8 Hanover Sewerage Authority
Morris - NJSA 58:11B-9(a)
\$2,400,000 Proposed Environmental Infrastructure Trust Loan Program

NJSA 40A:5A-6
\$2,400,000 Proposed Project Financing
- #9 Stony Brook Regional Sewerage Authority
Mercer - NJSA 58:11B-9(a)
\$8,600,000 Proposed Environmental Infrastructure Trust Loan Program

NJSA 40A:5A-6
\$8,600,000 Proposed Project Financing
- #10 Pequannock, Lincoln Park, Fairfield Sewerage Authority
Morris - NJSA 58:11B-9(a)
\$35,000,000 Proposed Environmental Infrastructure Trust Loan Program

NJSA 40A:5A-6
\$35,000,000 Proposed Project Financing
- #11 Wanaque Valley Regional Sewerage Authority
Passaic - NJSA 58:11B-9(a)
\$5,400,000 Proposed Environmental Infrastructure Trust Loan Program

NJSA 40A:5A-6
\$5,400,000 Proposed Project Financing
- #12 Rahway Valley Sewerage Authority
Union - NJSA 58:11B-9(a)
\$2,600,000 Proposed Environmental Infrastructure Trust Loan Program

NJSA 40A:5A-6
\$2,600,000 Proposed Project Financing
- #13 Hillsborough Township
Somerset - NJSA 40A:2-26(e)
\$1,650,000 Proposed Environmental Infrastructure Trust Loan Program

NJSA 58:11B-9(a)
\$1,650,000 Proposed Non-Conforming Maturity Schedule

#14 Atlantic County Utilities Authority
Atlantic - NJSA 40A:5A-6
\$24,000,000 Proposed Environmental Infrastructure Trust Loan Program

NJSA 58:11B-9(a)
\$24,000,000 Proposed Project Financing

#15 Barnegat Township
Ocean - NJSA 58:11B-9(a)
\$350,000 Proposed Environmental Infrastructure Trust Loan Program

NJSA 40A:2-26(e)
\$350,000 Proposed Non-Conforming Maturity Schedule

Approved by:
The Local Finance Board

Date: November 12, 2014



Patricia Parkin McNamara
Executive Secretary



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO Box 803
TRENTON, NJ 08625-0803

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

RICHARD E. CONSTABLE, III
Commissioner

**LOCAL FINANCE BOARD
RESOLUTION**

WHEREAS, pursuant to N.J.S.A. 58:11B-9 of the New Jersey Environmental Infrastructure Trust Act (N.J.S.A. 58:11B-1 et. seq.), (the "Act"), the Local Finance Board, at its scheduled meeting of November 12, 2014, reviewed applications from various local governments as listed on the attached schedule for approval of loans to be made to the various local governments as listed on the attached schedule from the New Jersey Environmental Infrastructure Trust in the various amounts not to exceed the amounts listed for each local government on the attached schedule plus amounts necessary to provide for capitalized interest and related issuance costs to partially finance the construction of the New Jersey Environmental Infrastructure System Projects and of a bond to be issued by the various local governments as listed on the attached schedule to the New Jersey Environmental Infrastructure Trust to evidence such loan; and

WHEREAS, in conjunction with its review of the application for a loan from the New Jersey Environmental Infrastructure Trust, the Local Finance Board has also reviewed applications from the various local governments as listed on the attached schedule for approval of a matching zero interest loan to be made to the various local governments as listed on the attached schedule from the State of New Jersey, acting through the Department of Environmental Protection, from the applicable Fund (as defined in the regulations promulgated pursuant to the Act, being N.J.A.C. 7:22-3.4.) in the various amounts not to exceed the amount listed for each local government on the attached schedule to partially finance the construction of the Environmental Infrastructure System Projects by the various local governments as listed on the attached schedule and of a bond to be issued by the various local governments as listed on the attached schedule to the State of New Jersey to evidence such loans; and

WHEREAS, the applications submitted to the Local Finance Board outlined the details of the proposed financing of the Environmental Infrastructure System Project to be undertaken by the various local governments as listed on the attached schedule and of the Bonds to be issued by the various local governments as listed on the attached schedule to the Trust and the State to partially finance the Project; and

WHEREAS, the Local Finance Board, at its public hearing on the application, gave consideration to those matters, to the extent applicable, as provided for by law, and examined estimates, computations or calculations made in connection with such submissions and required the production of such papers, documents, witnesses or information and took such action as it had deemed necessary for its review of such submissions,



Local Finance Board
New Jersey Environmental Infrastructure Trust Loan Program
November 12, 2014

NOW, THEREFORE, BE IT RESOLVED by the Local Finance Board that the cost, terms and conditions of the proposed loans from the New Jersey Environmental Infrastructure Trust and the State of New Jersey, acting through the Department of Environmental Protection, from the applicable Fund to the various local governments as listed on the attached schedule for financing a portion of the cost of the Environmental Infrastructure System Project and the bonds to be issued by the various local governments as listed on the attached schedule to the New Jersey Environmental Infrastructure Trust and the State of New Jersey to evidence such loans are, in light of current market conditions for obligations of similar quality, reasonable and will not materially impair the credit of the various local governments as listed on the attached schedule or substantially reduce the local governments' ability to pay punctually the principal of and interest on its debt and to supply other essential public improvements and services; and

BE IT FURTHER RESOLVED that the Local Finance Board hereby approves the loans to be provided from the New Jersey Environmental Infrastructure Trust and the State of New Jersey from the applicable Fund to the various local governments as listed on the attached schedule Environmental Infrastructure System Projects, and the bonds to be issued to the New Jersey Environmental Infrastructure Trust and the State of New Jersey by the various local governments as listed on the attached schedule to evidence such loans; and

BE IT FURTHER RESOLVED that the passage of this resolution is contingent upon the approval by the Treasurer of the State of New Jersey of the loans, and the terms and conditions thereof, to be issued to the various local governments as listed on the attached schedule by the New Jersey Environmental Infrastructure Trust; and

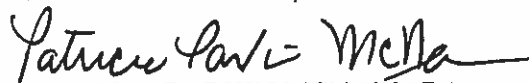
BE IT FURTHER RESOLVED that the Executive Secretary of the Local Finance Board is hereby authorized and directed to certify or endorse such documents or instruments as may be necessary, convenient or desirable in order to carry out the purpose and provisions of the Law and this Resolution; and

BE IT FURTHER RESOLVED that the details of the issuance of any permanent bonds associated with this application as included in the term sheet (closing statement) shall be promptly provided to the Executive Secretary by forwarding a copy of said term sheet (closing statement); and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

APPROVED BY:
THE LOCAL FINANCE BOARD

DATE: November 12, 2014


PATRICIA PARKIN MCNAMARA
EXECUTIVE SECRETARY
LOCAL FINANCE BOARD



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO Box 803
TRENTON, NJ 08625-0803

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

RICHARD E. CONSTABLE, III
Commissioner

**LOCAL FINANCE BOARD
RESOLUTION**

WHEREAS, proposed project financings have been submitted to the Local Finance Board for review pursuant to N.J.S.A. 40A:5A-6 by the various independent local authorities as listed on the attached schedule; and

WHEREAS, the Local Finance Board has held a hearing pursuant to N.J.S.A. 40A:5A-7 on November 12, 2014, to review proposed project financings in various amounts not to exceed the amounts listed for each independent local authority on the attached schedule in connection with applications submitted to the Local Finance Board for participation in the New Jersey Environmental Infrastructure Trust Program; and

WHEREAS, the Local Finance Board has given consideration to those matters, to the extent applicable, as provided for by Law, and has examined estimates, computations or calculations made in connection with such submissions and has required the production of such papers, documents, witnesses or information and taken such action which it has deemed necessary for its review of such submission;

NOW, THEREFORE, BE IT RESOLVED that the Local Finance Board does hereby make the following findings:

- a) that the project costs have been determined by reasonable and accepted methods;
- b) that the method proposed for the funding of the project costs, proposed or maximum terms and provision of the financing and of proposed service contracts are not unreasonable nor impracticable, and would not impose an undue and unnecessary financial burden on the local inhabitants within the Authority's jurisdiction or would not materially impair the ability to pay promptly the principal of and the interest on the outstanding indebtedness thereof or to provide essential public services to the inhabitants thereof;
- c) that the proposed or maximum terms and conditions of the sale are, in light of current market conditions for obligations of similar quality, reasonable;



Local Finance Board
New Jersey Environmental Infrastructure Trust Loan Program
November 12, 2014

BE IT FURTHER RESOLVED that the Local Finance Board does not deem it necessary to make any of the recommendations with regard to this project financing which the Board is authorized to make pursuant to N.J.S.A. 40A:5A-8; and

BE IT FURTHER RESOLVED that the various independent local authorities shall, within 30 days of the closing date of the financing that is the subject of this resolution, file with the Executive Secretary of the Local Finance Board a statement setting forth a complete accounting of the actual issuance costs incurred by the various independent local authorities in undertaking the financing which statement shall include the following: the name of the various independent local authorities; the closing date of the financing; the total amount of the financing; the name of the professionals or others who provided services to the various independent local authorities in undertaking the financing; the estimated dollar amount for each type of issuance cost as set forth in the application submitted by the various independent local authorities to the Local Finance Board with regard to the financing; and the actual dollar amount for each type of issuance cost incurred by the various independent local authorities in undertaking the financing; and

BE IT FURTHER RESOLVED that the details of the issuance of any permanent bonds associated with these applications as included in the term sheets (closing statements) shall be promptly provided to the Executive Secretary by forwarding a copy of said term sheets (closing statements); and

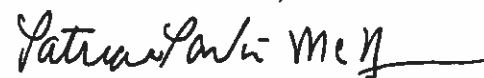
BE IT FURTHER RESOLVED that the Executive Secretary of the Local Finance Board is hereby authorized and directed to certify or endorse such documents or instruments as may be necessary, convenient or desirable in order to carry out the purpose and provisions of the Law and this Resolution; and

BE IT FURTHER RESOLVED that pursuant to N.J.S.A. 40A:5A-7, the governing bodies of the various authorities shall provide to the Executive Secretary within 45 days of receipt of this resolution, the required Authority resolution and affidavit; and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

APPROVED BY:
THE LOCAL FINANCE BOARD

DATE: November 12, 2014


PATRICIA PARKIN MCNAMARA
EXECUTIVE SECRETARY
LOCAL FINANCE BOARD



State of New Jersey
 DEPARTMENT OF COMMUNITY AFFAIRS
 101 SOUTH BROAD STREET
 PO BOX 803
 TRENTON, NJ 08625-0803

CHRIS CIRRISTIE
Governor

KIM GUADAGNO
Lt. Governor

RICHARD E. CONSTABLE, III
Commissioner

**LOCAL FINANCE BOARD
 RESOLUTION**

WHEREAS, officials of the various municipalities as listed on the attached schedule have requested the Local Finance Board to consider approval of a bond ordinance without a down payment provided that an exception to N.J.S.A. 40A:2-11 may be determined by the Local Finance Board as permitted under N.J.S.A. 40A:2-7(d); and

WHEREAS, the various Municipal Clerks have certified that the respective governing bodies passed on first reading certain Bond Ordinances which are included in each individual application submitted to the Local Finance Board by the various municipalities in connection with the New Jersey Environmental Infrastructure Trust Loan Program; and

WHEREAS, the Local Finance Board has reviewed and considered on November 12, 2014, the applications made pursuant to N.J.S.A. 40A:2-7(d) and found the subject ordinances to be in the public interest and for the health, welfare, convenience or betterment of the inhabitants of such local unit; and

WHEREAS, the Local Finance Board has found that the amounts to be expended or financed are not unreasonable or exorbitant and that the issuance of such obligations will not materially impair the credit of such local units or substantially reduce the local units' ability to pay punctually the principal of and interest on the debt and to supply other essential public improvements;

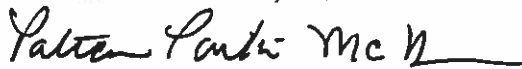
NOW, THEREFORE, BE IT RESOLVED by the Local Finance Board that said Board does hereby give consent to the adoption of such Bond Ordinances without the inclusion of a down payment; and

BE IT FURTHER RESOLVED that the Executive Secretary of the Local Finance Board is hereby authorized and directed to certify or endorse such documents or instruments as may be necessary, convenient or desirable in order to carry out the purpose and provisions of the Law and this Resolution; and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

APPROVED BY THE
 LOCAL FINANCE BOARD

DATE: November 12, 2014


 PATRICIA PARKIN MCNAMARA
 EXECUTIVE SECRETARY
 LOCAL FINANCE BOARD





State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO Box 803
TRENTON, NJ 08625-0803

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

RICHARD E. CONSTABLE, III
Commissioner

**CERTIFICATE OF SECRETARY
OF LOCAL FINANCE BOARD**

I, PATRICIA PARKIN MCNAMARA, Executive Secretary of the Local Finance Board in the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, HEREBY CERTIFY that the within Bond Ordinances approving the issuance of Bond(s) and/or Notes by the various municipalities in accordance with the provisions of N.J.S.A. 40A:2-7(d) have been and are consented to and approved by the Local Finance Board and that this approval is hereby endorsed upon the annexed copies of the resolution pursuant to the authorization and direction of the Local Finance Board.

IN WITNESS WHEREOF, I have hereunto set my hand at Trenton, New Jersey, this 19th day of November, 2014.

PATRICIA PARKIN MCNAMARA
EXECUTIVE SECRETARY
LOCAL FINANCE BOARD





PASSAIC VALLEY WATER COMMISSION

RESOLUTION #15-2

RESOLUTION OF PASSAIC VALLEY WATER COMMISSION

DATE OF ADOPTION: January 21, 2015

Factual Contents certified to by Louis Amodio, Administrative Secretary. Approved as to Form and Legality on basis of facts set forth by George T. Hanley, General Counsel. Entering Executive Closed Session in accordance with Open Public Meetings Act, R.S. 10:4-6 et seq. Pursuant to the Open Public Meetings Act,

COMMISSIONER: KOŁODZIEJ offers the following Resolution for adoption:

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

WHEREAS, the public body is of the opinion that such circumstances presently exist:

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of Passaic Valley Water Commission:

- 1. The public shall be excluded from discussion of the hereinafter specified subject Matters; the general nature of the subject matters being: Financial, Insurance, Personnel, Contracts, Negotiations, Security, and Law: LAW: Summary Aging Reports Contract 14-B-10 "Water Meter Reading and Related Services" Personnel: Administration: other matters as may be discussed *in camera*.**
- 2. It is anticipated at this time that the above-stated subject matter will be ratified During public meeting following or as soon thereafter as the reason for discussion no Longer exists.**
- 3. This Resolution shall take effect immediately.**

Second by COMMISSIONER: DE VITA AYES:6 ABSENT: 1 Time: 12:47 P.M.

RECORD OF COMMISSION VOTE ON FINAL PASSAGE

	AYE	NAY	ABSTAIN	ABSENT
RIGO SANCHEZ				X
JEFFREY LEVINE	X			
RUSSELL GRADY	X			
GLORIA KOŁODZIEJ	X			
MENACHEM BAZIAN	X			
THOMAS P. DE VITA	X			
CHRYSTAL CLEAVES	X			



PRESIDENT
CHRYSTAL CLEAVES



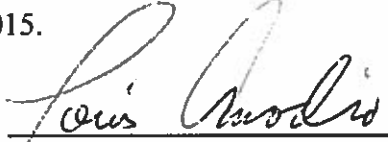
SECRETARY
THOMAS P. DE VITA



PASSAIC VALLEY WATER COMMISSION

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 January 21, 2015.



LOUIS AMODIO
Administrative Secretary



PASSAIC VALLEY WATER COMMISSION

RESOLUTION #15- 3

RESOLUTION OF PASSAIC VALLEY WATER COMMISSION

Adopted: January 21, 2015

INTRODUCED BY COMMISSIONER: Bazian

SECOND BY COMMISSIONER: Kolodziej

BE IT RESOLVED, That Passaic Valley Water Commission will hold its Regular Public Meeting

On the **Third Wednesday** of every month; and

BE IT RESOLVED, The public meetings will commence at **12:00 NOON**;

BE IT FURTHER RESOLVED, That Workshop sessions, where deemed necessary, will be

Held as scheduled, with all parties being notified in accordance with law; and

BE IT FURTHER RESOLVED, all meetings will be held at 1525 Main Ave., Clifton, N.J.,

ADOPTED, on call of roll; Ayes: Absent:

	AYE	NAY	ABSTAIN	ABSENT
SANCHEZ, RIGO				<u>X</u>
LEVINE, JEFFREY	<u>X</u>			
GRADDY, RUSSELL	<u>X</u>			
KOLODZIEJ, GLORIA	<u>X</u>			
BAZIAN, MENACHEM	<u>X</u>			
DE VITA, THOMAS	<u>X</u>			
CLEAVES, CHRYSTAL	<u>X</u>			

Chrystal Cleaves

**PRESIDENT
CHRYSTAL CLEAVES**

Thomas P. De Vita

**SECRETARY
THOMAS P. DE VITA**



PASSAIC VALLEY WATER COMMISSION

**This is to certify the within is a true and
Correct copy of action taken by the Board of Passaic
Valley Water Commission at its Reorganization
Meeting held January 21, 2015.**

A handwritten signature in cursive script, appearing to read "Louis Amodio", is written over a horizontal line.

**Louis Amodio,
Administrative Secretary**

RESOLUTION #15-4

RESOLUTION OF PASSAIC VALLEY WATER COMMISSION

Adopted: January 21, 2015

INTRODUCED BY COMMISSIONER; KOLODZIEJ

SECOND BY COMMISSIONER: GRADY

BE IT RESOLVED, That Passaic Valley Water Commission does hereby designate the following Banks and Trust Companies; and their successors or assigns, as official depositories for funds of this Commission:

Capital One Bank M & T Bank
Chase Manhattan Bank Crown Bank
Hudson City Savings Bank

BE IT RESOLVED, that in accordance with existing Statute, the following three signatures be designated as the proper officers to execute all warrants for withdrawal of funds of this Commission: the President, Chief Financial Officer, and any other Commissioner serving in a current term:

Hon. Menachem Bazian Hon. Russel Graddy
Hon. Chrystal Cleaves Hon. Gloria Kolodziej
Hon. Thomas P. DeVita Hon. Jeff Levine
Hon. Rigoberto Sanchez

BE IT FURTHER RESOLVED, that this resolution shall supersede all prior resolutions of this Commission dealing with the withdrawal of Commission funds; and

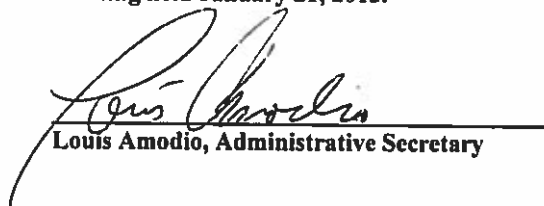
BE IT FURTHER RESOLVED ADOPTED, that this resolution shall become effective immediately upon approval by this Commission.

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


CHRISTAL CLEAVES
PRESIDENT


THOMAS P. DE VITA
SECRETARY

This is to certify the within is a true and Correct copy of action taken by the Board of Passaic Valley Water Commission at its Reorganization Meeting held January 21, 2015.


Louis Amodio, Administrative Secretary

**RESOLUTION #15-5
RESOLUTION OF PASSAIC VALLEY WATER COMMISSION**

Date of Adoption: January 21, 2015

Approved as to form and legality by the Law Department on basis of facts set forth by Yitzchak Weiss, Comptroller/CFO.

Introduced by Commissioner: **KOLODZIEJ**

Seconded by Commissioner: **GRADDY**

WHEREAS, claims of payment by Passaic Valley Water Commission should be first submitted to the Board of Commissioners for consideration before payment, and

WHEREAS, due to the nature of certain claims and timing of particular meetings involved, certain claims should be paid when presented which are statutory and regular in nature, rather than held for the next Commission meeting.

NOW THEREFORE BE IT RESOLVED by the Passaic Valley Water Commission Board of Commissioners that the Chief Financial Officer has the following authority:

Passaic Valley Water Commission does hereby approve the payment between meetings of the following claims for payment, when the same are presented:

- 1) Payroll obligations and withholdings
- 2) Required payments to the North Jersey District Water Supply Commission
- 3) Real estate taxes
- 4) Banks for investment purposes, transfers, and debt service obligations
- 5) Utility Payments
- 6) Postage
- 7) Insurance Costs
- 8) State of New Jersey – Application Fees, Permit Fees, State Surcharges, DEP Fees and License Fees
- 9) Educational conference and registration fees
- 10) Reissue of lost or mutilated checks after stop payment has been enforced
- 11) Employee benefits
- 12) Payments necessary to all vendors that require compliance with the 2006 Prompt Payment Law, Chapter 96, whereby the Commission shall pay the bill not more than 30 calendar days after the billing date to avoid billable late charges
- 13) Replenishment of escrow funds for police traffic control
- 14) Contract invoices that will be more than 30 days old before the next scheduled Commission meeting
- 15) Employee expense reimbursements
- 16) Police traffic control
- 17) Customer refunds
- 18) Invoices that are 60 days or older
- 19) Petty cash funds replenishment
- 20) Settlements/claims authorized by the PVWC Board of Commissioners
- 21) All other bills that require payment outside of Commission meetings must be verbally approved by one Finance Committee member

BE IT FURTHER RESOLVED by the Passaic Valley Water Commission Board of Commissioners that the Chief Financial Officer is hereby authorized and directed to prepare the proper vouchers for payment of the above recited accounts when same is properly presented to him/her for payment, and thereafter said claim shall be transcribed on the next scheduled Bill list to be approved by the Board of Commissioners


(Secretary's Signature)

January 21, 2015
(Date)

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

RESOLUTION #15 -6

RESOLUTION OF PASSAIC VALLEY WATER COMMISSION

Date of Adoption: January 21, 2015

Approved as to form and legality by the Law Department on basis of facts set forth by Yitzchak Weiss, Comptroller/CFO.

Introduced by Commissioner: **KOLODZIEJ**

Seconded by Commissioner: **GRADDY**

Whereas, the Passaic Valley Water Commission (hereinafter "PVWC") has funds segregated for Self-Insurance, Meter Deposits, Contingencies, Bond Construction/Project Fund, Renewal and Replacement Reserves, Operating Reserves, Debt Service Reserve and other related funds (collectively, the Funds"); and

Whereas, the Funds are invested in authorized investments for time periods of up to one year or deposited into interest/dividend bearing accounts; and

Whereas, PVWC is exercising its best efforts to maximize investment returns earned on said funds; and

Whereas, the ability to invest with all New Jersey banking institutions covered by the Governmental Unit Deposit Protection Act ("GUDPA"), N.J.S.A. 17:9-41 et seq. does not currently enable PVWC to seek the best possible rates; and

Whereas, PVWC has requested and received permission from the New Jersey Division of Investment to invest in short-term municipal debt with an issuer rating of "A" or better for a period of not more than 397 days; and

Whereas, the PVWC General Bond Resolution limits the term on certain investments to no more than one year; and

Whereas, PVWC, with the input of its financial advisor, has determined that a fiscally responsible limit on such investments so as to diversify holdings would limit any one credit to \$5,000,000;


Now therefore, be it resolved, by PVWC, in the County of Passaic, New Jersey:

That the Comptroller/CFO of PVWC is hereby authorized to invest the Funds (i) with any New Jersey banking institution covered by GUDPA and (ii) in short-term obligations of New Jersey government agencies which have (A) a final maturity date that is not longer than 12 months from the date of purchase in the case of any Funds that are subject to the General Bond Resolution and 397 days otherwise and (B) an issuer underlying investment grade rating of "A" or better by Moody's, Standard and Poor's, or Fitch. A rating of the bonds or notes is not required. The phrase "short term obligations" includes bonds which have a maturity or redemption date of no longer than 12 months from the date of purchase. The PVWC may jointly purchase any such investments with any municipality, county or authority that is authorized to make such investments. The CFO is hereby authorized to seek the assistance of the PVWC's financial advisor and/or bond counsel when making such purchases and is directed to diversify the PVWC's investment in such notes and bonds, so that no more than \$5,000,000 be invested at any time in any one credit.


Record of Commission vote on final passage:

	<u>Aye</u>	<u>Nav</u>	<u>Abstain</u>	<u>Absent</u>
Sanchez, R.	—	—	—	X
Levine, J.	X	—	—	—
Graddy, R.	X	—	—	—
Kolodziej, G.	X	—	—	—
Bazian, M.	X	—	—	—
DeVita, T.	X	—	—	—
Cleaves, C.	X	—	—	—

Adopted at a meeting of Passaic Valley Water Commission:



President
Chrystal Cleaves



Secretary
Thomas P. De Vita

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 the Original Resolution duly passed and adopted by a majority of the full membership of the Passaic Valley Water Commission at its meeting of January 21, 2015.



RESOLUTION #15-7
RESOLUTION OF PASSAIC VALLEY WATER COMMISSION
DATE OF ADOPTION: 1/21/15

Factual contents certified to by Louis Amodio, Administrative Secretary. Approved as to Form and Legality by George T. Hanley, General Counsel, and Law Department.

COMMISSIONER; BAZIAN offers the following Resolution for Adoption:

WHEREAS, all Public Agencies that award contracts to goods and service vendors and/or construction contractors are required to comply with N.J.S.A. 10:5-31 et seq. and its implementing regulations at N.J.S.A.17:27-1.1 et seq.; and

WHEREAS, the law and regulations are applicable to Public Agencies; and the Division of Contract Compliance and Equal Employment of the New Jersey Department of the Treasury representatives periodically review Public Agency contracting processes to ensure that they are complying with Affirmative Action requirements; and

WHEREAS, the results of such review will be a determination that the agency is performing its statutory functions in a "Satisfactory" or "Unsatisfactory" manner; and

WHEREAS, if the result is "Satisfactory" the agency need only maintain its compliance. If the result is "Unsatisfactory" the agency may be required to make corrections to its process, and may result in the issuance of sanctions or referral to the Attorney General for appropriate enforcement action in cases of continued non-compliance; and

WHEREAS, each Public Agency shall designate an individual to serve as its Public Agency Compliance Officer or ("P.A.C.O"). In accordance with N.J.S.A. 17:27-3.2;

NOW, THEREFORE, BE IT RESOLVED, that Linda Beckering, Is hereby appointed to serve as Public Agency Compliance Officer for Passaic Valley Water Commission;

SECONDED BY COMMISSIONER; KOŁODZIEJ

ADOPTED ON THE ROLL: AYES: NAYS: ABSTAIN: ABSENT:

	AYE	NAY	ABSTAIN	ABSENT
SANCHEZ, RIGO				X
LEVINE, JEFFREY	X			
GRADDY, RUSSELL	X			
KOŁODZIEJ, GLORIA	X			
BAZIAN, MENACHEM	X			
DE VITA, THOMAS	X			
CLEAVES, CHRYSTAL	X			



 PRESIDENT
 CHRYSTAL CLEAVES




 SECRETARY
 THOMAS P. DE VITA

This Resolution when Adopted must remain in the office 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 the Original Resolution duly passed and adopted by a majority of the full membership of the Passaic Valley Water Commission at its meeting of January 21, 2015.



LOUIS AMODIO
Administrative Secretary

STATE OF NEW JERSEY
DEPARTMENT OF THE TREASURY
DIVISION OF PURCHASE & PROPERTY
CONTRACT COMPLIANCE AUDIT UNIT
EEO MONITORING PROGRAM

Print Form

Submit by Email

Designation Of Public Agency Compliance Officer (P.A.C.O)

The designated Public Agency Compliance Officer (P.A.C.O.) is:

Public Agency:	<u>Passaic Valley Water Commission</u>	Telephone:	<u>973-340-4315</u>
Name:	<u>Linda Beckering</u>	Fax:	<u>973-340-5584</u>
Title:	<u>Purchasing Agent</u>	Email:	<u>lbeckering@pvwc.com</u>
Business Address:	<u>1525 Main Avenue</u>		
	<u>Clifton, New Jersey 07011</u>		

Current Highest Elected or Appointed Official: Chrystal Cleaves

No Person currently serving as the P.A.C.O.

The P.A.C.O will be appointed at the next Board/Council meeting. A copy of the resolution designating the appointee will be sent to the Division of Purchase & Property, Contract Compliance Audit Unit, EEO Monitoring Program.

Additional technical assistance is required.

Public Agency Official Signature:

Chrystal Cleaves

Please mail or fax form to:

* Po Box 236 * Trenton * New Jersey * 08625 * Phone: 609-292-5473 * Fax: 609-292-1102 * www.state.nj.us/treasury/contract_compliance

RESOLUTION # 15-8
RESOLUTION OF PASSAIC VALLEY WATER COMMISSION
DATE OF ADOPTION: JANUARY 21, 2015

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: **DE VITA**

Seconded by Commissioner: **KOLODZIEJ**

WHEREAS, Passaic Valley Water Commission ("PVWC") has solicited for professional services (or extraordinary unspecifiable Services) for Project No. 15-P-8 entitled "Professional Services for Public Auditor" (hereinafter the "Project"), with said solicitation and procurement of responses (and evaluation of same) undertaken through a fair and open process, as defined in N.J.S.A. 19:44A-20.7 (hereinafter the "Fair and Open Process Law"); and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(i) and the Fair and Open Process Law require that notice, with respect to contracts for professional services (or extraordinary unspecifiable services), procured through a fair and open process and awarded without competitive bids, must be publicly advertised; and

WHEREAS, following public advertisement as required by New Jersey law, in accordance with an appropriate form of notice, and placement of the said notice on the official website of PVWC, as well as in the official newspaper of PVWC and any other such publications as may have been deemed appropriate, PVWC has received a response to provide professional services (or extraordinary unspecifiable services) related to the Project from at least one (1) professional (or provider of extraordinary unspecifiable services) provider; and

WHEREAS, each response received for the Project has been evaluated by PVWC's Chief Financial Officer and Comptroller based on criteria as set forth in the request for responses for the Project; and

WHEREAS, based on the said evaluation of the two (2) responses received, the firm of Ferraioli, Wielkocz, Cerullo & Cuva, P.A. of Pompton Lakes, New Jersey (the "Awardee") was determined to be the most professionally qualified and capable of performing the required services with respect to the Project and its response received December 2, 2014 (hereinafter the "Response"); and

WHEREAS, the Response(s), copies of which are on file in the office of the Administrative Secretary and available for inspection as indicated on Exhibit B attached hereto and made a part hereof, will be incorporated into the Contract, the form of which is also attached hereto and made a part hereof (the "Contract") as Exhibit A; and

WHEREAS, it is in the best interest of PVWC, its users and constituent municipalities to engage, or continue to engage, the services of the Awardee(s) at this time; and

WHEREAS, the services to be rendered pursuant hereto constitute professional services (or extraordinary unspecifiable services) within the meaning and intent of the Local Public Contracts Law; and

WHEREAS, in the event that a specific not-to-exceed amount has been established in the Response, and PVWC has subsequently accepted the same, PVWC's Comptroller has certified, with respect hereto, that funds are currently available for said purpose and said certificate is attached hereto; and

WHEREAS, the said response, or responses to the Project and solicitation are also on file in the office of the Administrative Secretary and available for public inspection;

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

1. That PVWC hereby awards the Contract to the Awardee in accordance with N.J.S.A. 40A:11-1 et seq. and N.J.S.A. 19:44A-


20.7, and in accordance with said Responses, for services related to the Project; 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

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

Adopted at a meeting of Passaic Valley Water Commission.



President
CHRYSTAL CLEAVES



Secretary
THOMAS P. DE VITA

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 January 21, 2015.



LOUIS AMODIO
Administrative Secretary

PASSAIC VALLEY WATER COMMISSION

**Solicitations for Professional Services
(or Extraordinary Unspecifiable Services)**

Form of Contract in Blank

EXHIBIT A

FORM OF AGREEMENT

PASSAIC VALLEY WATER COMMISSION
FORM OF AGREEMENT FOR PROFESSIONAL SERVICES

THIS AGREEMENT (hereinafter "AGREEMENT") made as of _____, 20__ between PASSAIC VALLEY WATER COMMISSION ("PVWC"), a Public Utility Company organized pursuant to its enabling statute (N.J.S.A. 40:62-108 et seq.), having its principal place of business at 1525 Main Avenue, Clifton, New Jersey 07011 and Ferraioli, Wielkotz, Cerullo & Cuva, P.A. a professional firm (hereinafter "PROFESSIONAL" and/or "contractor") having a place of business at 401 Wanaque Avenue, Pompton Lakes, New Jersey 07442.

WHEREAS, PVWC desires professional services as applicable, to assist PVWC in its ongoing efforts related to Project No. 15-P-8 entitled "Professional Services for Public Auditor" (hereinafter the "PROJECT"); and

WHEREAS, PVWC requires Professional Services to assist it in implementing the PROJECT; and:

WHEREAS, PROFESSIONAL represents that it has the experience and the required professional knowledge to provide the professional services, and/or extraordinary unspecifiable services, as applicable (hereinafter "PROFESSIONAL SERVICES"), and as required by PVWC in this regard as set forth in the "Public Notice", "Table of Contents", and the "Request for Proposals" of the "Request for Proposals for Professional Services (or Extraordinary Unspecifiable Services)", and Appendices A, B, C, & F of the Solicitation (and including, where applicable, Appendix D with additional technical and other requirements attached thereto); all of which, along with a copy of the PROFESSIONAL'S proposal dated December 2, 2014, are collectively referred to herein as the "PROPOSAL", and, along with ranking methodology (Appendix E), are attached hereto and made a part hereof as Exhibit A; and

WHEREAS, the AGREEMENT shall be for the period of time as set forth in Appendix D where applicable, or where not otherwise set forth in Appendix D, the Agreement shall be for up to a one year period of time commencing on the Effective Date of this AGREEMENT as defined in Paragraph 19 herein, and for any extended periods authorized by PVWC.

WHEREAS, PVWC and PROFESSIONAL are desirous of entering into a consulting agreement to cover the PROFESSIONAL SERVICES authorized by PVWC and required for the PROJECT; and

NOW, THEREFORE, in consideration of the mutual promises herein, PVWC and PROFESSIONAL agree that the terms and conditions of this AGREEMENT are the following:

1. PROFESSIONAL shall provide the PROFESSIONAL SERVICES authorized by PVWC and required for the PROJECT. PROFESSIONAL'S obligations under this AGREEMENT are solely for the benefit of PVWC and no other party is intended to benefit or have rights hereunder.

2. PROFESSIONAL shall perform the PROFESSIONAL SERVICES as defined under this AGREEMENT at a level customary for competent and prudent professional service providers, all as applicable, performing such services at the time and place where the services are provided ("STANDARD OF CARE"). These services will be provided by professional service providers in the appropriate disciplines, and by other professionals and individuals skilled in other technical disciplines, as appropriate. PROFESSIONAL shall be responsible for the professional quality, technical accuracy, timely completion and the coordination of all aspects of its services including reports and other deliverables and services provided under this AGREEMENT. The services to be performed by PROFESSIONAL shall conform to the generally accepted codes and regulations applicable to the subject PROJECT. PROFESSIONAL agrees to indemnify and hold PVWC harmless from all losses and damages resulting from PROFESSIONAL'S failure to meet the STANDARD OF CARE. Further, PROFESSIONAL shall correct and re-perform any services not conforming to the required STANDARD OF CARE without additional compensation and cost to PVWC, (including, but not limited to pending written or oral testimony, reports, etc., which might occur from activities resulting from the performance of this AGREEMENT

which were caused by PROFESSIONAL'S performance). In addition, PROFESSIONAL shall indemnify and hold harmless PVWC and its officers, agents and employees of PVWC from and against any losses, claims, damages, or liabilities to which PVWC may become subject insofar as they arise out of or are based upon the performance by the PROFESSIONAL, hereunder.

3. The cost of services for the PROJECT shall be invoiced by the PROFESSIONAL on a Time-and-Materials basis, not to exceed \$40,250.00. PROFESSIONAL shall invoice PVWC its services hereunder after completion thereof and on the basis of reports and accompanying documents, if appropriate, on a monthly basis, including therein information as to progress in performance as against one hundred percent (100%) completion thereof and also showing amounts previously compensated hereunder, as against the total authorization. When the billing amount for actual work performed and costs incurred during the period covered by the invoice is less than \$1,000 the PROFESSIONAL shall add the service and costs to the next billing cycle. To the extent items appearing on invoices presented by PROFESSIONAL are not contested, PVWC will remit payment of the invoice as it can reasonably process same in the normal course of business and barring any failure of systems related thereto or unusual staffing shortages. If at any time it appears to PROFESSIONAL that the proposed scope of services to be performed on the different aspects of any PROJECT will exceed that which was authorized by PVWC, PROFESSIONAL shall clearly indicate same in its continuing written reports. The PROJECT shall be invoiced separately. Each invoice shall include a breakdown of hours expended along with the names of individual expending said hours, along with a breakdown of charges from subcontractors where applicable and out-of-pocket expenses chargeable to the PROJECT. Each invoice shall include a summary sheet including total amount billed for the time period covered by the invoice and the time period covered, total amount billed to date, total not-to-exceed dollar amount for cost of services (said amounts as set forth or defined in Paragraph 3 herein), and balance remaining.

4. PROFESSIONAL shall be responsible to PVWC for any subcontractors and outside associates or professional it engages to assist it in the performance of the services required under this AGREEMENT.

5. PVWC will provide to PROFESSIONAL all available information, including previous reports and any other data in its possession relevant to the subject PROJECT. Further, PVWC will be responsible for providing PROFESSIONAL access to all public and private property in connection with services to be performed for the PROJECT.

6. Both PVWC and PROFESSIONAL understand that the goal of this AGREEMENT is to complete all phases of the subject PROJECT in a reasonably expeditious fashion. To this end each pledges to the other full cooperation.

7. The services to be performed under this AGREEMENT for the PROJECT shall be deemed to be completed when the scope of work authorized by PVWC for the PROJECT has satisfactorily been fulfilled.

8. By notice in writing at any time, PVWC may change the general scope of services required by PROFESSIONAL as set forth herein. In such event an equitable adjustment, if appropriate, in compensation shall be agreed to in writing prior to PROFESSIONAL'S performing the changed services.

9. PROFESSIONAL shall hold secret and confidential all information designated by PVWC as confidential. PROFESSIONAL shall not reveal any designated confidential information to a third party unless the disclosing party was lawfully possessed with the information before receipt of same from the party claiming confidentiality and whose information has been designated as described herein as being confidential, or applicable law, regulation, court order or any agency of competent jurisdiction requires its disclosure; or the failure to disclose the information would pose an imminent and substantial threat to human health or the environment.

10. PROFESSIONAL shall maintain insurance against the following risk during the term of this AGREEMENT:

a) Worker's Compensation in statutory amounts and Employer's Liability for PROFESSIONAL'S employees' for the PROJECT for related injuries or disease; and

b) General Liability and Automobile Liability (each including excess coverage as required) and each in the amount of not less than \$1,000,000 for personal injury or property damage to third parties which arises from PROFESSIONAL'S performance under this AGREEMENT; and

c) Professional Liability in the amount of not less than \$1,000,000 for legal obligations arising out of PROFESSIONAL'S failure to meet the STANDARD OF CARE or other items covered under such Professional Liability policy.

PROFESSIONAL shall provide to the PVWC certificates of insurance as to each of the above which evidence that the policies are in effect.

11. This AGREEMENT shall be interpreted in accordance with the laws of the State of New Jersey and any litigation/arbitration relating to the AGREEMENT shall be venued in New Jersey. In the event of litigation, the parties agree and consent to the action being initiated in the Superior Court of New Jersey, Passaic County.

12. PROFESSIONAL represents that it is an independent professional and not an employee of PVWC.

13. If a dispute or complaint arises concerning this AGREEMENT, PVWC and PROFESSIONAL will negotiate a resolution of the dispute. Should negotiations be unsuccessful, the resolution of the dispute shall be submitted to arbitration in accordance with the current Construction Industry Arbitration Rules of the American Arbitration Association and the arbitration proceeding shall be venued in New Jersey. Any decision rendered by the arbitrators shall be final. Judgment may be entered upon the decision in any court having jurisdiction. The decision shall not be subject to modification or appeal except to the extent permitted by Sections 10 and 11 of the Federal Arbitration Act (9 U.S.C. 10, 11). Notwithstanding the aforementioned, disputes which have a total value (exclusive of interest) in excess of the dollar amount for cost of services (said dollar amount as stipulated in paragraph 3 herein) shall not be arbitrated but shall be litigated.

14. All notices required or intended under this AGREEMENT may be delivered in person, by facsimile or express mail. All notices shall be effective upon the date of receipt by the parties. Notices shall be delivered or sent to the other party at the address appearing in this AGREEMENT. An address may only be changed by written notice to the other party.

15. During the performance of this contract, the contractor agrees as follows:

a) The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation and gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will ensure that equal employment opportunity is afforded to such applicants in recruitment and employment, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such equal employment opportunity shall include but not be limited to the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth the provisions of this nondiscrimination clause.

b) The contractor or subcontractor, where applicable, will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

c) The contractor or subcontractor, where applicable, will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or workers' representative of the

contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

d) The contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq. as amended and supplemented from time to time and the Americans with Disabilities Act.

e) The contractor or subcontractor agrees to make good faith efforts to afford equal employment opportunities to minority and women workers consistent with good faith efforts to meet targeted county employment goals established in accordance with N.J.A.C. 17:27-5.2, or Good faith efforts to meet targeted county employment goals determined by the Division, pursuant to N.J.A.C. 17:27-5.2.

f) The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

g) The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personal testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

h) In conforming with the applicable employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

i) The contractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one of the following three documents:

- Letter of Federal Affirmative Action Plan Approval
- Certificate of Employee Information Report
- Employee Information Report Form AA302

j) The contractor and its subcontractor shall furnish such reports or other documents to the Division of Public Contracts Equal Employment Opportunity Compliance as may be requested by the Division from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Division of Public Contracts Equal Employment Opportunity Compliance for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.

16. This AGREEMENT is subject to termination at the conclusion of all of the Contract work, time being of the essence as described herein, unless extended by the mutual agreement of the Parties. PVWC retains the right to terminate the PROFESSIONAL upon 15 days' notice to the PROFESSIONAL, which notice shall be effective when given to the PROFESSIONAL in writing at the PROFESSIONAL'S place of business by way of certified mail return receipt requested and regular mail. No other Notice shall be necessary. Should termination under this Article take place, the PROFESSIONAL shall be entitled to compensation for all authorized Contract work completed satisfactorily to the date of termination. PVWC shall be the sole judge of satisfactory work.

17. This AGREEMENT, including any schedules, attachments and referenced documents, is the entire agreement between PVWC and PROFESSIONAL. Any prior or contemporaneous agreements, promises, negotiations or representations not expressly stated herein are of no force and effect. Any changes to this AGREEMENT shall be in writing and signed by the PVWC and PROFESSIONAL.

18. A waiver or breach of any term, condition or covenant by a party shall not constitute a waiver or breach of any other term, condition or covenant. If any

court of competent jurisdiction declares a provision of the AGREEMENT invalid, illegal or otherwise unenforceable, the remaining provisions of the AGREEMENT shall remain in full force and effect.

19. The effective date of this AGREEMENT shall be as of the date set forth hereinabove, or where such date is not indicated, the effective date of the AGREEMENT shall be when the last of the two parties is in full possession of a fully executed AGREEMENT document.

20. PROFESSIONAL'S hourly rates for technical and related support services and non-labor expenses shall be as set forth in the PROPOSAL.

21. PROFESSIONAL understands and agrees that upon submission to PVWC and upon receipt of proper payment as provided for in this AGREEMENT, any reports, data, logs or other information provided to PVWC pursuant to the terms and conditions of this AGREEMENT (and which are not designated in accordance with Paragraph 9 of this AGREEMENT as being confidential) are deemed to be non-proprietary to the extent that PVWC, in its sole discretion, may utilize the information submitted for whatever purposes it deems necessary or desirable without seeking permission from PROFESSIONAL, and without providing any additional compensation to PROFESSIONAL; provided, however, that PVWC shall have sole responsibility for use of such work products in applications for which they may not originally have been intended. Reports, data, logs and other information provided to PVWC by PROFESSIONAL shall become the property of PVWC provided, however, that PROFESSIONAL shall have unrestricted right to their use.

22. PVWC designates the Executive Director, or the Comptroller and Chief Financial Officer, of the PVWC as its designated representative having authority to give instructions, receive information, define PVWC'S policies, and make decisions with respect to the scope of the work to be performed. PVWC reserves the right to change these designees from time to time and will notify PROFESSIONAL of any change(s) in writing.

23. Except as otherwise approved by PVWC, for the PROJECT, PVWC will be responsible for furnishing all approvals and permits from governmental authorities and other entities having jurisdiction over the scope of the work to be performed and approvals from others as may be necessary for the timely completion of the said work, including payment of all permit fees.

24. This AGREEMENT may be executed in several counterparts and all so executed documents shall constitute one agreement, binding on all the parties hereto, notwithstanding that all the parties are not signatory to the original or the same counterpart.

IN WITNESS WHEREOF, the parties hereto have made and executed this AGREEMENT by their duly authorized officers, and have affixed their corporate seals, as of the day and year shown on the cover page.

**FERRAIOLI, WIELKOTZ,
CERULLO & CUVA, PA**

Witness or Attest

By: _____
Secretary

(Seal)

By: _____
Authorized Signatory

PASSAIC VALLEY WATER COMMISSION

By: _____
LOUIS AMODIO
Administrative Secretary

By: _____
GLORIA KOLODZIEJ
President

PASSAIC VALLEY WATER COMMISSION
ATTACHMENT "A"
PROFESSIONAL'S PROPOSAL

PASSAIC VALLEY WATER COMMISSION

**Solicitations for Professional Services
(or Extraordinary Unspecifiable Services)**

Responses Submitted by Awardee(s)

EXHIBIT B

(On File in the Office of the Administrative Secretary)

RESOLUTION #15-~~8~~ 9
RESOLUTION OF PASSAIC VALLEY WATER COMMISSION
DATE OF ADOPTION: JANUARY 21, 2015

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: **DE VITA**

Seconded by Commissioner: **KOLODZIEJ**

WHEREAS, notwithstanding solicitation of bids to potential bidders, only one (1) bid was received by Passaic Valley Water Commission ("PVWC") on December 23, 2014 for Contract 14-B-11 "Furnish and Deliver Water Meters and Appurtenances"; and

WHEREAS, said bid has been reviewed by the Executive Director, Director of Engineering, Director of Purchasing, (and General Counsel as to form and legality); and

WHEREAS, in accordance with the Specifications and the Invitation to Bidders provided with respect to the above-referenced contract, the Commission has retained the authority, *inter alia*, to reject the one bid received and thereafter to re-bid the said contract in accordance with the Local Public Contracts Law; and

WHEREAS, the Commissioners of PVWC have considered the recommendations of PVWC's Law Department, Director of Purchasing, Director of Engineering, and Executive Director and have determined that it is appropriate and in the best interest of PVWC, its users and constituent municipalities, to adopt same as its act;

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

1. That the single bid received by PVWC on December 23, 2014, with respect to the Contract is hereby rejected; and
2. That the appropriate officials and employees of the Commission be and are hereby directed to solicit new bids for Contract 14-B-11 "Furnish and Deliver Water Meters

and Appurtenances"; in accordance with these findings and applicable law, and to perform such acts and execute such documents as are necessary to implement the terms and intentions of this Resolution 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>	___	___	___
KOLODZIEJ, G.	<u> X </u>	___	___	___
BAZIAN M.	<u> X </u>	___	___	___
DE VITA, T.	<u> X </u>	___	___	___
CLEAVES, C.	<u> X </u>	___	___	___

Adopted at a meeting of Passaic Valley Water Commission.



President
CHRystal CLEAVES



Secretary
THOMAS P. DE VITA

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 January 21, 2015.



LOUIS AMODIO
Administrative Secretary

PASSAIC VALLEY WATER COMMISSION

INTER-OFFICE MEMO

DATE: December 30, 2014

FROM: Purchasing Department
TO: Joseph A. Bella
George T. Hanley
Yitzchak Weiss
RE: Contract # 14-B-11
Furnish and Deliver Water Meters and Appurtenances

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 Neptune Technology Group, Inc., of Tallassee, Alabama, in the amount of \$2,628,774.10.

Respectfully submitted,



Linda Beckering
Purchasing Agent

cc: L. Amodio
J. Duprey ✓

Contract # 14-B-11
Water Meters and Appurtenances

Bids Received: December 23, 2014

BIDDERS	BID DEPOSIT CC- Certified Check CA- Cashier's Check BB- Bid Bond	TOTAL AMOUNT OF CONTRACT	REMARKS
Senses 5 Iverness Court Forked River, New Jersey 08731 bill.roth@sensus.com	<input type="checkbox"/> Certified Check <input type="checkbox"/> Cashier's Check <input type="checkbox"/> Bid Bond <input type="checkbox"/> 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.
Atlantic Water Works 702 Joine Avenue Long Branch, New Jersey 07740 kgriffin@atlanticwaterworks.com	<input type="checkbox"/> Certified Check <input type="checkbox"/> Cashier's Check <input type="checkbox"/> Bid Bond <input type="checkbox"/> 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.
Neptune Technology Group 29 Candlewood Circle Marlton, New Jersey 08053 acrocetti@neptuneig.com	<input type="checkbox"/> Certified Check <input checked="" type="checkbox"/> Cashier's Check <input type="checkbox"/> Bid Bond <input type="checkbox"/> Not to Exceed \$20,000.00	\$2,628,774.10	<input checked="" type="checkbox"/> Business Registration Cert. <input checked="" type="checkbox"/> PVWC Consent of Surety <input type="checkbox"/> Other Consent of Surety <input type="checkbox"/> Public Works Cont. Cert.
Badger Meter Company 4545 W. Brown Deer Road Milwaukee, Wisconsin 53224 tszafanski@badgermeter.com	<input type="checkbox"/> Certified Check <input type="checkbox"/> Cashier's Check <input type="checkbox"/> Bid Bond <input type="checkbox"/> Not to Exceed \$	No Bid Letter	<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.
Mueller Systems 8 Prince Andrew Court Marlton, New Jersey 08053 sbrewer@muellersystems.com	<input type="checkbox"/> Certified Check <input type="checkbox"/> Cashier's Check <input type="checkbox"/> Bid Bond <input type="checkbox"/> 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.

RESOLUTION #15-10
RESOLUTION OF PASSAIC VALLEY WATER COMMISSION
DATE OF ADOPTION: January 21, 2015

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: DE VITA

Seconded by Commissioner: KOLODZIEJ

WHEREAS, on December 9, 2014 two (2) bids were received by Passaic Valley Water Commission ("PVWC") for Contract No. 14-B-30 "Furnish and Deliver Water Service Boxes and Roadway Boxes"; and

WHEREAS, said bids have been reviewed by the Executive Director, Director of Purchasing, and the Director of Engineering, (and the General Counsel as to form and legality) and a memorandum dated January 5, 2015 from the Director of Engineering, along with other relevant correspondence, is attached hereto and made a part hereof; and

WHEREAS, the Contract Documents for this multiple bid item contract allow for award of items separately, in groups of any number of items, or award of the entire contract to one bidder, and the Local Public Contracts Law provides for the awarding of said contract upon receipt of bids and qualification of bidders therefore; and

WHEREAS, based on the evaluation of all bids, the lowest responsible responsive bid submitted was that of Capital Supply Construction Products of Pompton Plains, New Jersey (the "Awardee") in the amount of \$150,323.90; and

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

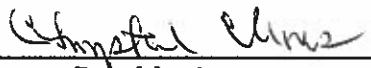
NOW, THEREFORE, BE IT RESOLVED, by Passaic Valley Water Commission, in the County of Passaic, New Jersey:

1. That Contract No. 14-B-30 "Furnish and Deliver Water Service Boxes and Roadway Boxes", 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.
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-30 as set forth hereinabove.


RECORD OF COMMISSION VOTE ON FINAL PASSAGE

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

Adopted at a meeting of Passaic Valley Water Commission.



 President
 CHRYSTAL CLEAVES



 Secretary
 THOMAS P. DE VITA

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 January 21, 2015.



LOUIS AMODIO
Administrative Secretary

**PASSAIC VALLEY WATER COMMISSION
INTEROFFICE MEMORANDUM**

Date: January 5, 2015

To: Hon. Commissioners

From: J. Bella & J. Duprey

cc: G. Hanley
L. Amodio
L. Beckering

Re: Contract 14-B-30 "Furnish and Deliver Water Service Boxes and Roadway Boxes"-Two Bids Received

Two (2) bids were received on December 9, 2014 for Contract 14-B-30 "Furnish and Deliver Water Service Boxes and Roadway Boxes".

The Law Department has requested that an explanation be provided regarding why only two (2) bids were received for the above-referenced 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. This product is 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

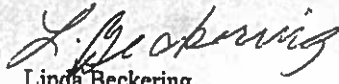
DATE: December 30, 2014

FROM: Purchasing Department
TO: Joseph A. Bella
George T. Hanley
Yitzchak Weiss
RE: Contract # 14-B-30
Furnish and Deliver Water Service Boxes and Roadway Boxes

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).

Of the two (2) bids received, the lowest responsive and responsible proposal was submitted by Capital Supply Construction Products, Inc., of Denville, New Jersey, in the amount of \$150,323.90.

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-30 Capital Supply Construction Products, Inc.

Amount of Project or Contract: \$ 150,323.90
1. Acct: # 001-0000-131-01-00 Inventory

Specific Appropriation to which expenditures will be charged: Capital Budget
2015/2016/2017

Other comments: Two (2) Year Contract Commencing: January 2015
Furnish and Deliver Water Service Boxes and Roadway Boxes

Date of Certification: 12/30/2014 Certified: \$ 150,323.90



Vitzhak Weiss
Comptroller and Chief Financial Officer

YW:lb

Contract # 14-B-30
Furnish and Deliver Water Service Boxes

Bids Received: December 9, 2014

BIDDERS	BID DEPOSIT CC- Certified Check CA- Cashier's Check BB- Bid Bond	TOTAL AMOUNT OF CONTRACT	REMARKS
Capitol Supply Construction Products 149 Old Turnpike Road Wayne, New Jersey 07470 michaelgrieco@capitolupplyconstruction.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	\$150,323.90	<input checked="" type="checkbox"/> Business Registration Cert. <input checked="" type="checkbox"/> PVWC Consent of Surety <input type="checkbox"/> Other Consent of Surety <input type="checkbox"/> Public Works Cont. Cert.
Water Works Supply 660 Route 23 North Pompton Plains, New Jersey 07444 timrey1977@gmail.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	\$146,823.00	<input checked="" type="checkbox"/> Business Registration Cert. <input checked="" type="checkbox"/> PVWC Consent of Surety <input type="checkbox"/> Other Consent of Surety <input type="checkbox"/> Public Works Cont. Cert.
	<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.
	<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.
	<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.

Contract #14-B-30
Furnish and Deliver Water Service Boxes and Roadway Boxes

Bid Item	Description	Stipulated Quantity	Water Works Supply Co.		Capitol Supply Construction Products Inc.	
			Unit \$	Totals	Unit \$	Totals
1	Services Boxes 2 1/2" Service Boxes with Lids Height Range 33"-48"	600	\$40.00	\$24,000.00	\$26.47	\$15,882.00
2	2 1/2" Service Boxes with Lids Height Range 40"-60"	600	\$44.00	\$26,400.00	\$29.41	\$17,646.00
3	2 1/2" Service Box Enlarged Base	100	\$10.00	\$1,000.00	\$9.35	\$935.00
4	"Inner" Type Repair Lids for Bid Items 1 and 2	300	\$7.50	\$2,250.00	\$8.75	\$2,625.00
5	"Outer" Type Repair Lids for Bid Items 1 and 2	300	\$7.50	\$2,250.00	\$8.75	\$2,625.00
6	Valve Boxes Two-piece Slide Type with Lids 27"-37"	150	\$42.25	\$6,337.50	\$50.57	\$7,585.50
7	Two-Piece Slide Type with Lids 39"-59"	150	\$66.65	\$9,997.50	\$61.36	\$9,204.00
8	Two-Piece Slide Type with Lids 63"-83"	150	\$94.85	\$14,227.50	\$99.43	\$14,914.50
9	Valve Box Extension (Paving Adapters) 1" Valve Box Risers without Lid	1500	\$5.55	\$8,325.00	\$5.68	\$8,520.00
10	1 1/2" Valve Box Risers without Lid	500	\$7.75	\$3,875.00	\$6.25	\$3,125.00
11	2" Valve Box Risers with Lids	250	\$16.35	\$4,087.50	\$12.78	\$3,195.00
12	Slide Type Adapters Range 2 1/2" - 8" without Lid	900	\$16.65	\$14,985.00	\$16.48	\$14,832.00
13	Plastic Coil Meter Boxes 15" Diameter 42" Deep Meter Box for 5/8" x 3/4" or full 3/4" meter	10	\$296.55	\$2,965.50	\$337.33	\$3,373.30
14	18" Diameter 42" Deep Meter Box 1" Meter	10	\$461.25	\$4,612.50	\$524.68	\$5,246.80
15	24" Diameter 42" Deep Meter Box 1 1/2" Meter	10	\$944.65	\$9,446.50	\$1,074.58	\$10,745.80
16	27" Diameter 42" Deep Meter Box for 2" Meter	10	\$1,206.35	\$12,063.50	\$1,372.23	\$13,722.30
			SUBTOTALS	\$148,823.00		\$134,177.20
17	Cast Iron Frames, Lids, and Lid Keys for Plastic Coil Meter Boxes Frame & Cover 18" Size	10	No Bid		\$490.67	\$4,906.70
18	Frame & Cover 24" Size	10	No Bid		\$562.67	\$5,626.70
19	Frame & Cover 30" Size	10	No Bid		\$561.33	\$5,613.30
				\$148,823.00		\$150,323.90

RESOLUTION #15-11
RESOLUTION OF PASSAIC VALLEY WATER COMMISSION
DATE OF ADOPTION: JANUARY 21, 2015

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: DE VITA

Seconded by Commissioner: KOLODZIEJ

WHEREAS, on November 18, 2014 two (2) bids were received by PVWC for Contract No. 14-B-35 "Furnish and Deliver Dump Truck"; and

WHEREAS, said bids have been reviewed by the Executive Director, Director of Engineering, Director of Purchasing, (and Counsel as to form and legality) and a memorandum dated January 5, 2015 from the Director of Engineering, along with other relevant correspondence, is attached hereto and made a part hereof; and

WHEREAS, the bid submitted by Frank's Truck Center, Inc. (dba Meadowlands freightliners) of Lyndhurst, New Jersey contained material exceptions and qualifications to the Bid Documents, citing that the information they included with their bid for the dump truck they would be offering was subject to "engineering review and option availability" and further stated that the time frame for delivery from the date that the order is placed by PVWC would be 150 to 180 days, in lieu of the 90-day turnaround time for delivery required by the Bid Documents, all of which are in contravention of the Local Public Contracts Law and the Bid Documents; and

WHEREAS, these material non-curable defects (Frank Truck Center's including material exceptions and qualifications to the Bid Documents in their bid) thereby disqualifies their bid; and

WHEREAS, Beyer Ford, LLC of Morristown, New Jersey, the second numerical low bidder for this contract, forwarded

correspondence dated December 11, 2014 to PVWC requesting that they be permitted to withdraw their bid; and

WHEREAS, the Commissioners of PVWC have considered the recommendations of PVWC's Law Department, Director of Purchasing, Director of Engineering, and Executive Director and have determined that it is appropriate and in the best interest of PVWC, its users and constituent municipalities, to adopt same as its act;

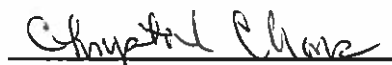
NOW, THEREFORE, BE IT RESOLVED, by Passaic Valley Water Commission, in the County of Passaic, New Jersey:

1. That both of the two (2) bids received by PVWC on November 18, 2014, with respect to the Contract are hereby rejected for reasons cited hereinabove; and
2. That the appropriate officials and employees of the Commission be and are hereby directed to solicit new bids for Contract 14-B-35 "Furnish and Deliver Dump Truck"; in accordance with these findings and applicable law, and to perform such acts and execute such documents as are necessary to implement the terms and intentions of this Resolution 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>	—	—	—
KOLODZIEJ, G.	<u>X</u>	—	—	—
BAZIAN M.	<u>X</u>	—	—	—
DE VITA, T.	<u>X</u>	—	—	—
CLEAVES, C.	<u>X</u>	—	—	—

Adopted at a meeting of Passaic Valley Water Commission.



President
CHRystal CLEAVES




Secretary
THOMAS P. DE VITA

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 January 21, 2015.



LOUIS AMODIO
Administrative Secretary

PASSAIC VALLEY WATER COMMISSION

INTER-OFFICE MEMO

DATE: December 3, 2014

FROM: Purchasing Department


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

RE: Contract # 14-B-35
Dump Truck

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

Two (2) bids were received. The apparent low bid by Frank's Truck Center was determined to be non-conforming, and the second bidder, Beyer Ford, requested to have their proposal withdrawn.

Respectfully submitted,



Linda Beckering
Purchasing Agent

cc: L. Amodio ✓
J. Duprey ✓

Contract # 14-B-35
Dump Truck

Bids Received: November 18, 2014

BIDDERS	BID DEPOSIT CC- Certified Check CA- Cashier's Check BB- Bid Bond	TOTAL AMOUNT OF CONTRACT	REMARKS
Brown's Hunterdon Mack 963 Route 173 Bloomsbury, New Jersey 08804 cbrow@browntruckgroup.com	<input type="checkbox"/> Certified Check <input type="checkbox"/> Cashier's Check <input type="checkbox"/> Bid Bond <input type="checkbox"/> 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.
DeLuxe International Trucks, Inc. 600 South River Street Hackensack, New Jersey 07601 bob_pepe@verizon.net	<input type="checkbox"/> Certified Check <input type="checkbox"/> Cashier's Check <input type="checkbox"/> Bid Bond <input type="checkbox"/> 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.
Frank's Truck Center, Inc. 325 riant Way Lyndhurst, New Jersey 07071 fmpezzolla@frankstruckcenter.com	<input type="checkbox"/> Certified Check <input type="checkbox"/> Cashier's Check <input type="checkbox"/> Bid Bond <input type="checkbox"/> 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.
	<input type="checkbox"/> Certified Check <input type="checkbox"/> Cashier's Check <input checked="" type="checkbox"/> 10% Bid Bond <input type="checkbox"/> Not to Exceed \$	\$110,988.00	<input checked="" 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.
	<input type="checkbox"/> Certified Check <input type="checkbox"/> Cashier's Check <input type="checkbox"/> Bid Bond <input type="checkbox"/> 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.

Contract # 14-B-35
Dump Truck

Bids Received: November 18, 2014

BIDDERS	BID DEPOSIT CC- Certified Check CA- Cashier's Check BB- Bid Bond	TOTAL AMOUNT OF CONTRACT	REMARKS
Brian Hoskins Ford 2601 E. Lincoln Highway Coatesville, Pennsylvania 19320 610-384-4242	Certified Check Cashier's Check Bid Bond Not to Exceed \$		Business Registration Cert. PWWC Consent of Surety Other Consent of Surety Public Works Cont. Cert.
SMF, Inc. 1226 Little Gap Road Palmerton, Pennsylvania 18071 gedris@smftruck.com	Certified Check Cashier's Check Bid Bond Not to Exceed \$		Business Registration Cert. PWWC Consent of Surety Other Consent of Surety Public Works Cont. Cert.
H.A. Dehart & ?Son, Inc. 311 Crown Point Road Thorofare, New Jersey 08086 becky@hadehart.com	Certified Check Cashier's Check Bid Bond Not to Exceed \$		Business Registration Cert. PWWC Consent of Surety Other Consent of Surety Public Works Cont. Cert.
Beyer Ford 31 Williams Parkway East Hanover, New Jersey 07936 psilietti@beyerfleet.com	Certified Check Cashier's Check 10% Bid Bond Not to Exceed \$	\$111,782.55	No Business Registration Cert. N/A PWWC Consent of Surety Other Consent of Surety Public Works Cont. Cert.
Swenson Spreader LLC 127 Walnut Street Lindenwood, Illinois 61049 dsage@swensonsproducts.com	Certified Check Cashier's Check Bid Bond Not to Exceed \$		Business Registration Cert. PWWC Consent of Surety Other Consent of Surety Public Works Cont. Cert.

RESOLUTION #15-12
RESOLUTION OF PASSAIC VALLEY WATER COMMISSION
DATE OF ADOPTION: JANUARY 21, 2015

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: DE VITA

Seconded by Commissioner: KOLODZIEJ

WHEREAS, on November 18, 2014 two (2) bids were received by PVWC for Contract No. 14-B-36 "Furnish and Deliver Loader Backhoe"; and

WHEREAS, said bids have been reviewed by the Executive Director, Director of Engineering, Director of Purchasing, (and Counsel as to form and legality) and a memorandum dated January 5, 2015 from the Director of Engineering, 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 bids and qualification of bidders therefor; and

WHEREAS, the lowest responsible bid submitted for this contract was that of Trico Equipment Services, Inc. of Vineland, New Jersey (the "Awardee") with respect to said bid in the amount of \$137,636.00; 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 14-B-36 "Furnish and Deliver Loader Backhoe" in the total amount of \$137,636.00 in connection with the above

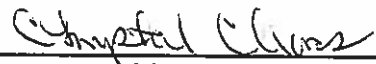
described goods and services is hereby awarded to the Awardee.

- 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-36 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>	—	—	—
KOŁODZIEJ, G.	<u>X</u>	—	—	—
BAZIAN M.	<u>X</u>	—	—	—
DE VITA, T.	<u>X</u>	—	—	—
CLEAVES, C.	<u>X</u>	—	—	—

Adopted at a meeting of Passaic Valley Water Commission.

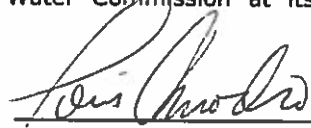

 President
CHRISTAL CLEAVES


 Secretary
THOMAS P. DE VITA

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 January 21, 2015.


 LOUIS AMODIO
 Administrative Secretary

**PASSAIC VALLEY WATER COMMISSION
INTEROFFICE MEMORANDUM**

Date: January 5, 2015
To: Hon. Commissioners
From: J. Bella & J. Duprey
cc: G. Hanley
L. Amodio
L. Beckering
Re: Contract 14-B-36 "Furnish and Deliver Loader Backhoe"- Two Bids Received for this Contract

Notwithstanding solicitation of bids to potential bidders, two (2) bids were received by PVWC on November 18, 2014 for Contract 14-B-36 "Furnish and Deliver Loader Backhoe.

The Law Department has requested that an explanation be provided regarding why only two (2) bids were received for the above-referenced Contract.

The advertisement for this Contract and the posting of the said notice on PVWC's website were properly accomplished for the bidding process.

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 goods and services are provided by a relatively limited number of vendors, thereby limiting the number of bidders qualified and capable of meeting the requirements of the contract, and which appear willing to satisfy PVWC's public entity bidding requirements.

PASSAIC VALLEY WATER COMMISSION

INTER-OFFICE MEMO

DATE: December 3, 2014

FROM: Purchasing Department
TO: Joseph A. Bella
George T. Hanley ✓
Yitzchak Weiss
RE: Contract # 14-B-36
Loader Backhoe

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).

Of the two (2) bids received, the lowest responsive and responsible proposal was submitted by Trico Equipment Services, Inc., of Vineland, New Jersey, in the amount of \$137,636.00.

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-36 - Trico Equipment Services, Inc.

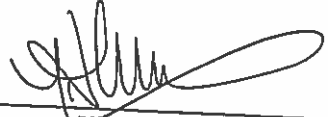
Amount of Project or Contract: \$ 137,636.00

1. Acct: # 001-0901-419-95-04 Capital / Vehicles

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

Other comments: One Hundred Eighty (180) Days Contract Commencing: December
Loader Backhoe 2014

Date of Certification: 12/03/2014 Certified: \$ 137,636.00



Yitzhak Weiss
Comptroller and Chief Financial Officer

YW:lb

Contract # 14-B-36
Loader Backhoe

Bids Received: November 18, 2014

BIDDERS	BID DEPOSIT CC- Certified Check CA- Cashier's Check BB- Bid Bond	TOTAL AMOUNT OF CONTRACT	REMARKS
Jesco 1275 Bloomfield Avenue Fairfield, New Jersey 07004 frichard.odjema@jesco.us	<input type="checkbox"/> Certified Check <input type="checkbox"/> Cashier's Check <input checked="" type="checkbox"/> 10% Bid Bond <input type="checkbox"/> Not to Exceed \$	\$143,050.00	<input checked="" 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.
Trico Equipmnt 200 Bomont Place Totowa, New Jersey 07512 elemcke@tricoequipment.com	<input type="checkbox"/> Certified Check <input type="checkbox"/> Cashier's Check <input checked="" type="checkbox"/> 10% Bid Bond <input type="checkbox"/> Not to Exceed \$	\$137,636.00	<input checked="" 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.
	<input type="checkbox"/> Certified Check <input type="checkbox"/> Cashier's Check <input type="checkbox"/> Bid Bond <input type="checkbox"/> 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.
	<input type="checkbox"/> Certified Check <input type="checkbox"/> Cashier's Check <input type="checkbox"/> Bid Bond <input type="checkbox"/> 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.
	<input type="checkbox"/> Certified Check <input type="checkbox"/> Cashier's Check <input type="checkbox"/> Bid Bond <input type="checkbox"/> 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.

RESOLUTION # 15-13
RESOLUTION OF PASSAIC VALLEY WATER COMMISSION
DATE OF ADOPTION: JANUARY 21, 2015

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: DE VITA

Seconded by Commissioner: KOLODZIEJ

WHEREAS, under Contract 12-B-42 "Printing and Mailing Services" (the "Contract"), Matrix Imaging of Sanborn, New York ("Matrix") provided, and continues to provide, printing and mailing services under this 2-year contract with the Passaic Valley Water Commission ("PVWC") consistently and reliably and effectively and efficiently on an as-needed basis with the Contract commencing February 20, 2013; and

WHEREAS, under the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq. as amended April 17, 2000 (the "Act"), certain discretionary provisions enabled under said Act, including extensions to existing contracts under N.J.S.A. 40A:11-15, were subsequently adopted by PVWC; and

WHEREAS, under N.J.S.A. 40A:11-15, extensions to existing contracts provide for up to two (2) additional years for contracts which are two (2) years or less, (for a total contract duration not to exceed four (4) years), with recommended actions concerning any and all such extensions subject to PVWC approval through Resolutions; and

WHEREAS, the currently active Contract, otherwise scheduled to end on or about February 19, 2015, includes a provision whereby PVWC may elect to allow said Contract to expire at the end of the time stipulated, or to extend the contract time by annual or semi-annual periods, for a total contract duration not to exceed the maximum allowable set forth hereinabove; and

WHEREAS, under the provisions of the Contract, the Contractor is required to maintain and extend all insurance and performance bonds, and any other bonds, and to continue to provide goods and services under the extended contract under the terms and conditions of the existing contract; and

WHEREAS, it is, therefore, in the best interests of PVWC, its users and constituent municipalities to extend the Contract for a 2-year period of time beginning February 20, 2015 and ending on February 19, 2017; all as indicated in the Director of Engineering's memorandum dated January 15, 2015, a copy of which is attached hereto and made a part hereof, as Exhibit A; and

WHEREAS, a copy of the Director of Purchasing's memorandum dated January 15, 2015, along with the Contractor's correspondence dated January 15, 2015 agreeing to a 2-year extension of the Contract (under the terms and conditions of the Contract Documents) and other relevant correspondence, is attached hereto and made a part hereof as Exhibit B; and

WHEREAS, the unit quantities stipulated under the original 2-year Contract are hereby adjusted and reestablished for this 2-year extended portion of the Contract, and, based on the appropriate adjustment of the unit prices currently in effect under the Contract (in accordance with the provisions of N.J.S.A. 40A:11-15 and as set forth in the contract documents) and the resulting negotiated increase of zero (0) percent to said unit prices, the total amount of this extended portion of the Contract equates to \$240,653.40; and

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

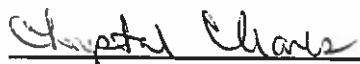
NOW, THEREFORE, BE IT RESOLVED, by Passaic Valley Water Commission, in the County of Passaic, New Jersey:

1. That PVWC hereby authorizes and awards a 2-year extension to Contract 12-B-42 "Printing and Mailing Services" to Matrix Imaging of Sanborn, New York commencing February 20, 2015 and expiring on February 19, 2017; all in accordance with N.J.S.A. 40A:11-15; and in an amount not to exceed \$240,653.40.
2. That the terms of this 2-year extension to the Contract are embodied in this Resolution and Exhibit A which is incorporated herein as the amendment to the Contract.
3. That appropriate officers of the Commission are hereby authorized and directed to execute this Contract extension as set forth hereinabove and implement the terms of this extended Contract in accordance with this Resolution and the submissions provided in connection herewith, and the Secretary of PVWC to attest to this Contract extension 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.
4. 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 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> </u>	<u> </u>	<u> </u>	<u> X </u>
LEVINE, J.	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
GRADDY, R.	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
KOLOZIEJ, G.	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
BAZIAN M.	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
DE VITA, T.	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
CLEAVES, C.	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

Adopted at a meeting of Passaic Valley Water Commission.



President
CHRystal CLEAVES




Secretary
THOMAS P. DE VITA

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 January 21, 2015.



LOUIS AMODIO
Administrative Secretary

PASSAIC VALLEY WATER COMMISSION

**2-YEAR EXTENSION OF CONTRACT 12-B-42
"PRINTING AND MAILING SERVICES"**

**DIRECTOR OF ENGINEERING'S MEMORANDUM
DATED JANUARY 15, 2015**

EXHIBIT A

PASSAIC VALLEY WATER COMMISSION

INTER-OFFICE MEMORANDUM

Date: January 15, 2015
To: G. Hanley
From: J. Duprey
CC: J. Bella
Subject: 2-Year Extension of Contract 12-B-42 "Printing and Mailing Services"

Under Contract 12-B-42 "Printing and Mailing Services" Matrix Imaging (the "Contractor") of Sanborn, New York has, and continues to, provide goods and services consistently and reliably and effectively and efficiently on an as-needed basis with the said contract commencing on February 20, 2013. This 2-year contract, which is otherwise scheduled to end on or about February 19, 2015, includes a provision whereby PVWC may elect to allow the said contract to expire at the end of the time stipulated, or to extend the contract time by annual or multi-annual periods, for a total contract duration of not more than four (4) years, including extensions. A 2-year extension would result in an overall contract duration of four (4) years which would be permissible under the Local Public Contracts Law N.J.S.A. 40A:11-15 because it would not exceed the maximum allowable.

Attached is a copy of the Director of Purchasing's memorandum dated January 15, 2015 along with the Contractor's correspondence dated January 15, 2015 agreeing to a 2-year extension of the contract under the terms and conditions of the Contract Documents.

It is recommended that, subject to review and approval by the Law Department, Contract 12-B-42 be extended for a 2-year period of time beginning February 20, 2015 and ending on February 19, 2017. Based on the re-establishment of the unit quantities for the 2-year extension, and adjustments of the unit prices [by an negotiated and agreed-to escalation Index⁽¹⁾ adjustment of zero (0) percent], all in accordance with the provisions of N.J.S.A. 40A:11-15, the total amount of the extended portion of the contract equates to \$240,653.40.

Note: (1) In accordance with N.J.S.A. 40A:11-15, the Index Rate is the rate of annual percent increase, rounded to the nearest half-percent, in the Implicit Price Deflator for State and Local Government Purchases of Goods and Services, computed and published quarterly by the United States Department of Commerce, Bureau of Economic Analysis.

PASSAIC VALLEY WATER COMMISSION

**2-YEAR EXTENSION OF CONTRACT 12-B-42
"PRINTING AND MAILING SERVICES"**

**DIRECTOR OF PURCHASING'S MEMORANDUM
DATED JANUARY 15, 2015 AND
CONTRACTOR'S CORRESPONDENCE
DATED JANUARY 15, 2015**

EXHIBIT B

PASSAIC VALLEY WATER COMMISSION

INTER-OFFICE MEMO

DATE: January 15, 2015

FROM: Purchasing Department
TO: Joseph A. Bella
George T. Hanley
Yitzchak Weiss
RE: Contract # 12-B-42
Printing and Mailing Services

The above referenced contract is due to expire 02/19/2015. In accordance with the provisions of N.J.S.A. 40A:11 et seq., L1999, C 440, we have the option to extend this contract for up to another two (2) years.

The current contractor, **Matrix Imaging, Inc.**, has agreed to a two (2) year extension at no increase in cost. The Finance Department has "Certified the Availability of Funds" (documentation attached).

Current Contract Amount (Two Years) = \$240,653.40

Extension Amount (Two Years) = \$240,653.40

Respectfully submitted,


Linda Beckering
Purchasing Agent

cc: L. Amodio ✓
J. Duprey ✓

Beckerling, Linda

From: Rich Profeta <richpro@matriximaging.com>
Sent: Thursday, January 15, 2015 3:16 PM
To: Beckerling, Linda
Subject: FW: contract renewal

Linda,

Thank you for call the other day about the contract renewal and Matrix will be willing to extend for 2 additional years at the same prices.

Please advise the correct procedure from here, thank you.

Rich Profeta
Matrix Imaging Solutions, Inc.
6341 Inducon Drive East
Sanborn, NY 14132
Phone 800-675-9505 ext 225
Fax 716-504-9720
www.matriximaging.com

This email and any files transmitted with it may contain confidential or privileged information which is intended only for use by the individual or entity to which the transmission is addressed. If you are not the intended recipient, you are hereby notified that any disclosure, dissemination, copying or distribution of this information is strictly prohibited. If you have received this email in error, please notify us by telephone at (800) 675-9505 immediately. Thank you.

**LPCL - Current "Index Rate" – In Effect As Of Thursday, January 1, 2015,
12 Noon**

**Recently Completed Quarter Calculation= 1.5%
(3rd Qtr-July, August, and September 2014)**

Scheduled update: April, 2015

The index rate is based on the most *recently completed quarter calculation* and the calculation from the same quarter of the previous year. The rate of change between the quarters of the two years is the "rate."

Note: The most *recently completed quarter calculation* is effective as of noon on the date posted.

The Division makes every effort to post the most recently completed quarter calculation as close to the scheduled update. However, if a contract is due to expire near the end of a quarter, a local contracting unit can check the calculation using the data from the U.S. Department of Commerce's Bureau of Economic Analysis' website at:

<http://www.bea.gov/national/nipaweb/SelectTable.asp?Selected=Y>

Page update: January 1, 2015

PASSAIC VALLEY WATER COMMISSION



1525 Main Avenue
 P.O. Box 230
 Clifton, NJ 07011
 (973) 340-4300
 FAX (973) 340-5584

224607

PURCHASE ORDER #

ACCT # _____

03/20/13

DATE _____

The Passaic Valley Water Commission is Exempt from NJ Sales Tax - Exemption I.D. 22-800247C

TO: MATRIX IMAGING, INC.
 341 INDUCON DRIVE EAST
 SANBORN, NY 14132

SHIP TO: PASSAIC VALLEY WATER COMMISSION
 COMMERCIAL DEPARTMENT
 1525 MAIN AVENUE
 CLIFTON, NJ 07011

LINE ITEM	QUANTITY ORDERED	DESCRIPTION	PLEASE DO NOT CHARGE STATE SALES TAX	
			UNIT PRICE	AMOUNT
		CONTRACT 12-B-42 EFFECTIVE DATE: 02/20/13 EXPIRATION DATE: 02/19/15 NOT TO EXCEED: 240653.40		

<p>Claimant's (Vendor) Certification</p> <p>I do solemnly declare and certify under the penalties of the law that the within bill is correct in all its particulars; that the articles have been furnished or services rendered as stated therein; that no bonus has been given or received by any person or persons with the knowledge of this claimant in connection with the above claim; that the amount therein stated is justly due and owing; and that the amount is a reasonable one.</p> <p>Signature _____ Date _____ Title _____</p>	<p>MUNICIPAL CERTIFICATION</p> <p>I hereby certify that the claim specified herein is for article received, personal services actually rendered or amounts expended for the Passaic Valley Water Commission, and that the articles received, personal services actually rendered or accounts expended for the Passaic Valley Water Commission and that the article received were in accordance with the specifications and amounts appearing on the purchase requisition.</p> <p>Signature _____ Date _____ Title _____</p>	<p>PURCHASE AUTHORIZED</p> <p><i>J. DeCherney</i> SIGNATURE PURCHASING AGENT TITLE _____</p> <p>PAYMENT RECORD</p> <p>DATE _____ CHECK NO. _____</p>
---	---	--

681850 6/00

PLEASE SIGN & RETURN

PASSAIC VALLEY WATER COMMISSION

**2-YEAR EXTENSION OF CONTRACT 12-B-42
"PRINTING AND MAILING SERVICES"**

PVWC'S FINANCIAL CERTIFICATION

EXHIBIT C

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: **12-B-42 (2 Year Extension)**
Matrix Imaging Solutions, Inc.

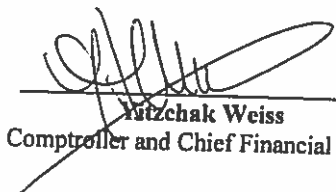
Amount of Project or Contract: \$ 240,653.40

1. Acct: # 001-0601-416-70-21 Purchases / Water Bills – Bank Payments

Specific Appropriation to which expenditures will be charged: Budget 2015/2016/2017

Other comments: Two (2) Year Contract Commencing: February 2015
Printing and Mailing Services

Date of Certification: 01/15/2015 Certified: \$ 240,653.40



Yitzchak Weiss
Comptroller and Chief Financial Officer

YW:lb
