WHEREAS, the Local Public Contracts Law provides for award of the Contract upon receipt of bids and qualifications of bidder therefor; and

WHEREAS, PVWC's Comptroller has certified, with respect hereto, that funds are currently available for said purpose and a copy of the said certification is attached hereto and made a part hereof in above-referenced Exhibit B;

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

- 1. That Contract No. 19-B-22 "Architectural Rehabilitation of PVWC's Main Pump Station, Superintendent's Building, and Jackson Avenue Pump Station, Totowa and Wayne, New Jersey" in the total amount of \$6,664,401.00 in connection with the above described goods and services is hereby awarded to the Awardee.
- 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 19-B-22 as set forth hereinabove.

RECORD OF COMMISSION VOTE ON FINAL PASSAGE

	AYE	NAY	ABSTAIN	ABSEN	T
FRIEND, G.	_X_				
VANNOY, R.				_X_	
LEVINE, J.	<u>_X</u>				
KOLODZIEJ, J.	<u>X</u>				
VAN RENSALIER, R.	<u>X</u>				
RODRIGUEZ, I.				_X_	
SANCHEZ, R.	<u>_X</u>				
Adopted at a	meeting	n of	Passaic	Valley	Water

Adopted at a meeting of Passaic Valley Water
Commission:

President RIGO SANCHEZ Secretary ROBERT VANNOY

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 thereof of the foregoing Resolution duly passed and adopted by a majority of a legal quorum of the full membership of the Passaic Valley Water Commission at its duly noticed and convened meeting of the said Commission on May 15, 2019.

LOUIS AMODIO

Administrative Secretary

ARCHITECTURAL REHABILITATION OF PVWC'S MAIN PUMP STATION, SUPERINTENDENT'S BUILDING, AND JACKSON AVENUE PUMP STATION, TOTOWA AND WAYNE, NEW JERSEY CONTRACT 19-B-22

BILOW GARRETT'S CORRESPONDENCE DATED MARCH 28, 2019

EXHIBIT A

ARCHITECTURAL REHABILITATION OF PVWC'S
MAIN PUMP STATION, SUPERINTENDENT'S BUILDING,
AND JACKSON AVENUE PUMP STATION, TOTOWA
AND WAYNE, NEW JERSEY
CONTRACT 19-B-22

DIRECTOR OF PURCHASING'S MEMORANDUM DATED MARCH 28, 2019

DIRECTOR OF ENGINEERING'S MEMORANDUM DATED MARCH 28, 2019

PVWC'S FINANCIAL CERTIFICATION SHEET

EXHIBIT B

PASSAIC VALLEY WATER COMMISSION INTEROFFICE MEMORANDUM

Date: March 28, 2019

To: Hon. Commissioners

From: J. Duprey

cc: J. Bella

G. Hanley L. Amodio G. Lucianin

Re:

Contract No. 19-B-22 "Architectural Rehabilitation of PVWC's Main Pump Station, Superintendent's Building, and Jackson Avenue Pump Station,

Totowa and Wayne, New Jersey"-One Bid Received

Notwithstanding solicitation of bids to potential bidders, only one (1) bid was received by Passaic Valley Water Commission ("PVWC") on March 26, 2019 for Contract No. 19-B-22 "Architectural Rehabilitation of PVWC's Main Pump Station, Superintendent's Building, and Jackson Avenue Pump Station, Totowa and Wayne, New Jersey"

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

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

The bid environment is subject to many factors, many of which are not subject to the direct knowledge or control of PVWC. The Contract includes relatively specialized and complex construction work, thereby limiting the number of bidders qualified and capable of performing the required Work and who would be willing to satisfy PVWC's public entity bidding requirements.

ARCHITECTURAL REHABILITATION OF PVWC'S
MAIN PUMP STATION, SUPERINTENDENT'S BUILDING,
AND JACKSON AVENUE PUMP STATION, TOTOWA
AND WAYNE, NEW JERSEY
CONTRACT 19-B-22

DIRECTOR OF PURCHASING'S MEMORANDUM DATED MARCH 28, 2019

DIRECTOR OF ENGINEERING'S MEMORANDUM DATED MARCH 28, 2019

PVWC'S FINANCIAL CERTIFICATION SHEET

EXHIBIT B

INTER-OFFICE MEMO

DATE: March 28, 2019

FROM:

Purchasing Department

TO:

Joseph A. Bella George T. Hanley Yitzchak Weiss

RE: Contract # 19-B-22 "ARCHITECTURAL REHABILITATION OF PVWC'S MAIN PUMP STATION, SUPERINTENDENT'S BUILDING & JACKSON AVE PUMP STATION TOTOWA & WAYNE NJ

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 (1) bid was received, that of Phelps Construction, of Boonton, NJ, in the amount of \$6,664,401.00

Respectfully submitted,

Gregg B. Lucianin Buyer

cc: L. Amodio J. Duprey

19-B-22 "ARCHITECTURAL REHABILITATION OF PVWC'S MAIN PUMP STATION, SUPERINTENDENT'S BUILDING & JACKSON AVE

Bids Recei ived 03/26/2019

REMARKS		Business Registration Cert. PVWC Consent of Surety Other Consent of Surety Public Works Cont. Cert. EEO Certificate	Business Registration Cert. PVWC Consent of Surety Other Consent of Surety Public Works Cont. Cert. EEO Certificate	Business Registration Cert. PVWC Consent of Surety Other Consent of Surety Public Works Cont. Cert.	Business Registration Cert. PVWC Consent of Surety Other Consent of Surety Public Works Cont. Cert.	Business Registration Cert. PVWC Consent of Surety Other Consent of Surety Public Works Cont. Cert.
UNIT COST	TOTAL AMOUNT OF CONTRACT	\$6,664,401.00	_	I	I	
BID DEPOSIT	~	Certified Check Cashier's Check 10% Bid Bond Mot to Exceed \$20,000.00	Certified Check Cashier's Check Bid Bond Not to Exceed	Certified Check Cashier's Check Bid Bond Not to Exceed	Certified Check Cashier's Check Bid Bond Not to Exceed	Certified Check Cashier's Check Bid Bond Not to Exceed
BIDDERS		Phelps Construction Group 315 Wootton St Unit K Boonton, NJ 07005 doug@phelpsconstructiongroup.com	Railroad Construction Group 75-77 Grove St Paterson, NJ 07503 <u>luz@rccmail.net</u>	Ferraro Construction Corp 5 Park Drive Franklin, NJ 07416 laura@ferraroconstruction.com	Hutton Construction Group 41 Village Park Rd Cedar Grove, NJ 07009 hutton@hutton1.com	Allied Construction Group 499 Washington Rd Parlin, NJ 08859 dmurphy@alliedconstructgroup.com

BIDDERS		UNIT COST	REMARKS
	CC- Certified Check CA- Cashier's Check	TOTAL AMOUNT OF CONTRACT	
	BB- Bid Bond		
	Certified Check		Business Registration Cert.
USA General Constractors Corp	Cashier's Check	8	PVWC Consent of Surety
980 Dehart Place	Bid Bond		Other Consent of Surety
Elizabeth, NJ 07202	Not to Exceed	69	Public Works Cont. Cert.
IIIYi@usagcc.com	6		
	Certified Check		Business Registration Cert.
Cypreco Industries, Inc	Cashier's Check	8	PVWC Consent of Surety
1420 9th Ave	Bid Bond		Other Consent of Surety
Neptune, NJ 07753	Not to Exceed	€\$	Public Works Cont. Cert.
etsiricos@cyprecoindustriesinc.com			
	Certified Check		Business Registration Cert.
Northeast Roof Maintenance, Inc	Cashier's Check	8	PVWC Consent of Surety
649 Catherine St	Bid Bond		Other Consent of Surety
Perth Amboy, NJ 08861	Not to Exceed	8	Public Works Cont. Cert.
<u>info@nerm-inc.com</u>	69		
	Certified Check		Business Registration Cert.
Dodge Data & Analytics	Cashier's Check	8	PVWC Consent of Surety
4300 Beltway PI STE 150	Bid Bond		Other Consent of Surety
Arlington, TX 76018	Not to Exceed	s	Public Works Cont. Cert.
dodge.docs@construction.com	ь		
	Certified Check		Business Registration Cert.
Construct Connect, Inc	Cashier's Check	D R	PVWC Consent of Surety
30 Technology Parway South STE 100	Bid Bond		Other Consent of Surety
Norcross, GA 30092	Not to Exceed	φ	Public Works Cont. Cert.
ivy.valencia@constructconnect.com	ď		
	€		

PASSAIC VALLEY WATER COMMISSION INTEROFFICE MEMORANDUM

March 28, 2019 Date:

Hon. Commissioners To:

From: J. Duprey

J. Bella cc:

> G. Hanley L. Amodio G. Lucianin

Re:

Contract No. 19-B-22 "Architectural Rehabilitation of PVWC's Main Pump Station, Superintendent's Building, and Jackson Avenue Pump Station,

Totowa and Wayne, New Jersey"-One Bid Received

Notwithstanding solicitation of bids to potential bidders, only one (1) bid was received by Passaic Valley Water Commission ("PVWC") on March 26, 2019 for Contract No. 19-B-22 "Architectural Rehabilitation of PVWC's Main Pump Station, Superintendent's Building, and Jackson Avenue Pump Station, Totowa and Wayne, New Jersey"

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

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

The bid environment is subject to many factors, many of which are not subject to the direct knowledge or control of PVWC. The Contract includes relatively specialized and complex construction work, thereby limiting the number of bidders qualified and capable of performing the required Work and who would be willing to satisfy PVWC's public entity bidding requirements.

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: 19-B-22 - Phelps Construction Group

Amount of Project or Contract: \$6,664,401.00

1. Acct: # 001-0901-419.95-09 Capital / Bldgs/Structures-Off Site Architectural Rehabilitation of PVWC's Main Pump Station, Superintendent's Building & Jackson Ave Pump Station Totowa & Wayne NJ

Specific Appropriation to which expenditures will be charged: Capital Budget 2019/2020/2021

Other comments:

Date of Certification: 03/28/2019 Certified: \$6,664,401.00

Yitzchak Weiss
Comproller and Chief Financial Officer

YW:gbl

RESOLUTION#19-33

RESOLUTION OF PASSAIC VALLEY WATER COMMISSION CONTRACT AMENDMENT FOR CHANGES IN SCOPE OF PROFESSIONAL SERVICES FOR PROJECT 18-P-48 ENTITLED

"PROFESSIONAL SERVICES FOR W-4 LICENSED OPERATOR"

DATE OF ADOPTION: MAY 15, 2019

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: KOLODZIEJ

Seconded by Commissioner: **LEVINE**

WHEREAS, Project 18-P-48 entitled "Professional Services for W-

4 Licensed Operator" (the "Project") was awarded to Superior Services,

LLC ("Superior Services") of West Caldwell, New Jersey at PVWC's

Commission Meeting dated June 20, 2018 in accordance with the

authorized scope of work, and with reimbursement to be on a time-and-

materials basis, not to exceed \$93,000.00; and

WHEREAS, the Project included professional services for a W-4

Distribution System Licensed Operator (and for a W-3 Distribution

System Licensed Operator for Lodi and North Arlington) to assist PVWC

in satisfying NJDEP regulatory requirements regarding same, as well as

for professional services to assist PVWC in its ongoing efforts related to

lead and copper issues and other water quality issues; and

WHEREAS, Superior Services provided PVWC with ample prior

notice that it would not be offering to provide the W-4 and W-3

Distribution System License-related portion of those professional

services under PVWC's upcoming solicitation for Proposals for new

Project 19-P-48 being issued separately by PVWC under the Year 2019

Fair and Open Process solicitations; and

WHEREAS, Superior Services, however, did indicate that it would

be willing to modify the previously approved scope of work for currently

active Project 18-P-48 to continue to assist PVWC with ongoing efforts

related to lead and copper issues and other water quality issues, and to

also assist PVWC with additional efforts related to compliance with

stringent, time-sensitive requirements set forth in NJDEP's Water Quality Act Regulations for an additional one-year period; and

WHEREAS, Superior Services has, and continues to perform professional services related to the Project consistently and reliably, efficiently and effectively, and PVWC desires a continuation of Superior Services' assistance in modified ongoing efforts related to the above (and except that the W-4 and W-3 Distribution System Licensed Operator services are being outsourced separately by PVWC as cited above); and

WHEREAS, in response to PVWC's request, Superior Services has submitted a proposal dated May 6, 2019, (the "Proposal") to modify the scope and continue providing professional services for an additional one-year period as outlined above, and set forth in the Proposal, a copy of which is attached hereto and made a part hereof as Attachment A to the Amendment to the Agreement included in Exhibit B referenced below; and

WHEREAS, the previously approved not-to-exceed total price of \$93,000.00 is hereby reduced by the amount of \$10,000.00 under the Amendment to the Agreement as set forth herein, for a revised total not-to-exceed price of \$83,000.00 for the Project; and

WHEREAS, the Executive Director and the Director of Engineering have reviewed Superior Services' Proposal for modifying the scope and continuing to provide professional services set forth in the Proposal for an additional one-year period as outlined above and find it to be reasonable, considering the nature and scope of professional services involved, and have recommended that the said services, and additional costs related thereto, be approved, and a copy of the Executive Director's and the Director of Engineering's memorandum dated May 6, 2019 is attached hereto and made a part hereof as Exhibit A; and

WHEREAS, the said modifications will be incorporated into an amendment to the agreement for the Project (the "Amendment to the

Agreement"), a form of which is attached hereto and made a part hereof as Exhibit B; and

WHEREAS, the General Counsel has reviewed the Amendment to the Agreement, and the above-referenced PVWC memorandum (as to form and legality), and concurs with the Executive Director and the Director of Engineering's recommendations; and

WHEREAS, the additional 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, PVWC's Comptroller has certified, with respect hereto, that funds are currently available for said purpose and said certificate is attached hereto 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 approves the Amendment to the Agreement for the Project, and the appropriate officials of PVWC, and such other officers, employees and officials of PVWC, on behalf of PVWC, are hereby authorized to execute and enter into the Amendment to the Agreement for the Project, and to perform such other acts and execute such documents as are necessary to implement the terms and intentions of this Resolution; and
- 2. 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 inspection at the office of the Administrative Secretary of Passaic Valley Water Commission.

RECORD OF COMMISSION VOTE ON FINAL PASSAGE

	AYE	NAY	ABSTAIN	ABSENT
FRIEND, G.	_X_			
VANNOY, R.				_X_
LEVINE, J.	X			
KOLODZIEJ, J.	X	330		
VAN RENSALIER, R.	X			
RODRIGUEZ, I.				_X_
SANCHEZ, R.	X			
	(-1	25 (25 (25 (25 (25 (25 (25 (25 (25 (25 (

Adopted at a meeting of Passaic Valley Water, Commission.

President RIGO SANCHEZ Secretárý ROBERT VANNOY

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 thereof of the foregoing Resolution duly passed and adopted by a majority of a legal quorum of the full membership of the Passaic Valley Water Commission at its duly noticed and convened meeting of the said Commission on May 15, 2019.

LOUIS AMODIO

(per

Administrative Secretary

AMENDMENT TO THE AGREEMENT FOR PROJECT 18-P-48 ENTITLED "PROFESSIONAL SERVICES FOR W-4 LICENSED OPERATOR"

PVWC'S EXECUTIVE DIRECTOR'S AND DIRECTOR OF ENGINEERING'S MEMORANDUM DATED May 6, 2019

EXHIBIT A

PASSAIC VALLEY WATER COMMISSION INTEROFFICE MEMORANDUM

Date: May 6, 2019

To: Hon. Commissioners

From: J. Bella & Duprey

C: G. Hanley

L. Amodio G. Lucianin

Re: Request for the Commission to Authorize and Approve an Amendment to the

Agreement for Project 18-P-48 entitled "Professional Services for W-4 Licensed

Operator" (the "Project")

Summary

It is recommended that an amendment to the agreement for the above-referenced Project be approved. This amendment would enable Superior Services, LLC ("Superior Services") of West Caldwell, New Jersey to modify the previously approved scope of work for Project 18-P-48 as set forth in more detail below.

At PVWC's request, Superior Services would continue assisting PVWC with ongoing efforts related to lead and copper issues and other water quality issues, and to assist PVWC with additional efforts related to compliance with stringent, time-sensitive requirements set forth in NJDEP's Water Quality Act Regulations for an additional one-year period (with the exclusion of the W-4 and W-3 license-related portion of those professional services for reasons set forth below).

The previously approved not-to-exceed total price of \$93,000.00 would be reduced by the amount of \$10,000.00 for the Amendment to the Agreement as set forth herein, for a revised total not-to-exceed price of \$83,000.00 for the Project.

Background

Project 18-P-48 entitled "Professional Services for W-4 Licensed Operator" (the "Project") was awarded to Superior Services, LLC ("Superior Services") of West Caldwell, New Jersey at PVWC's Commission Meeting dated June 20, 2018 in accordance with the authorized scope of work, and with reimbursement to be on a time-and-materials basis, not to exceed \$93,000.00.

The Project included professional services for a W-4 (and W-3 for Lodi and North Arlington) Distribution System Licensed Operator to assist PVWC in satisfying NJDEP regulatory requirements regarding same, as well as for professional services to assist PVWC in its ongoing efforts related to lead and copper issues and other water quality issues.

Superior Services provided PVWC with ample prior notice that it would not be offering the W-4 and W-3 license-related portion of those professional services under PVWC's upcoming solicitation for Proposals for new Project 19-P-48 being issued by PVWC separately under the Year 2019 Fair and Open Process solicitations.

Superior Services, however, did indicate that it would be willing to modify the previously approved scope of work for currently active Project 18-P-48 to continue to assist PVWC with ongoing efforts related to lead and copper issues and other water quality issues, and to assist PVWC with additional efforts related to compliance with stringent, time-sensitive requirements set forth in NJDEP's Water Quality Act Regulations for an additional one-year period.

Superior Services has, and continues to perform professional services related to the Project consistently and reliably, efficiently and effectively, and PVWC desires a continuation of Superior Services' assistance in ongoing efforts related to the above (with the exclusion of the W-4 and W-3 Distribution System Licensed Operator services).

In response to PVWC's request, Superior Services has submitted a proposal dated May 6, 2019, (the "Proposal") to modify the scope of work to continue providing professional services for an additional one-year period as outlined above, for a total revised not-to-exceed price of \$83,000.00 for the Project; all as set forth in the Proposal, a copy of which is included as Attachment A to the Amendment to the Agreement included in Exhibit B.

Superior Services' Proposal has been reviewed and found to be reasonable, considering the nature and scope of professional services involved.

Subject to review and approval by the Law Department, the said changes will be incorporated into an Amendment to Agreement for the Project, the form of which is attached hereto.

AMENDMENT TO THE AGREEMENT FOR PROJECT 18-P-48 ENTITLED "PROFESSIONAL SERVICES FOR W-4 LICENSED OPERATOR"

THE AMENDMENT TO THE AGREEMENT AND SUPERIOR SERVICES" PROPOSAL DATED MAY 6, 2019

EXHIBIT B

PASSAIC VALLEY WATER COMMISSION AMENDMENT TO THE AGREEMENT (PROJECT 18-P-48)

THIS CONTRACT AMENDMENT FOR ADDITIONAL PROFESSIONAL SERVICES (hereinafter "Amendment") 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 Superior Services, LLC, a professional firm (hereinafter "PROFESSIONAL") having a place of business at 56 Stonybrook Road, West Caldwell, New Jersey 07006.

WHEREAS, the Amendment hereby modifies the previously signed and executed agreement (the "Agreement") with PVWC and PROFESSIONAL to amend the previously approved scope of work for currently active Project 18-P-48 to continue to assist PVWC with ongoing efforts related to lead and copper issues and other water quality issues, and to assist PVWC with additional efforts related to compliance with stringent, time-sensitive requirements set forth in DEP's Water Quality Act Regulations for an additional one-year period, with the exception that the W-4 and W-3 licensed operator services will now be outsourced by PVWC under a professional services project separate and apart from this Project 18-P-48.

WHEREAS, at PVWC's request, Professional has submitted a proposal dated May 6, 2019 (the "Proposal") which Proposal hereby amends the Agreement to modify the scope and for continuation of professional services for an additional one-year period as set forth in the Proposal, and a copy of the Proposal, including a breakdown of the scope and additional costs related thereto, is attached hereto and made a part hereof as Attachment A; and

WHEREAS, the previously approved not-to-exceed total price of \$93,000.00 is hereby reduced by the amount of \$10,000.00 for the Amendment to the Agreement as set forth herein, for a revised total not-to-exceed price of \$83,000.00 for the Project.

All other provisions of the AGREEMENT remain in full force and effect.

SUPERIOR SERVICES, LLC

Witness or	Attest			
By:Secret	ary	Ву: _	Authorized Signatory	
	(Seal)			
		PAS	SAIC VALLEY WATER CO	MMISSIO
LOUIS	AMODIO strative Secretary	By: _	RIGO SANCHEZ President	 g

AMENDMENT TO THE AGREEMENT FOR PROJECT 18-P-48 ENTITLED "PROFESSIONAL SERVICES FOR W-4 LICENSED OPERATOR"

CONTRACT AMENDMENT FOR ADDITIONAL PROFESSIONAL SERVICES

SUPERIOR SERVICES' PROPOSAL DATED MAY 6, 2019

ATTACHMENT A

AMENDMENT TO THE AGREEMENT FOR PROJECT 18-P-48 ENTITLED "PROFESSIONAL SERVICES FOR W-4 LICENSED OPERATOR"

CONTRACT AMENDMENT FOR ADDITIONAL PROFESSIONAL SERVICES

PVWC'S FINANCIAL CERTIFICATION SHEET

EXHIBIT C