

RESOLUTION # 23-025

PASSAIC VALLEY WATER COMMISSION

RESOLUTION FOR BUDGET AMENDMENT, CHANGE ORDER NO. 2, FOR PROJECT NO. 21-P-83 ENTITLED "ENGINEERING SERVICES FOR PVWC NOSENZO POND WELLHOUSE PFAS"

DATE OF ADOPTION: FEBRUARY 22, 2023

Introduced by Commissioner: **JOSEPH KOLODZIEJ**

Seconded by Commissioner: **RIGO SANCHEZ**

WHEREAS, Project 21-P-83 entitled "Engineering Services for PVWC Nosenzo Pond Wellhouse PFAS" (the "Project") was awarded to Arcadis U.S., Inc. ("Arcadis") of Fair Lawn, New Jersey at PVWC's Commission Meeting dated September 15, 2021 (PVWC Resolution No. 21-82) in accordance with the authorized scope of work, and with reimbursement to be on a time-and-materials basis, not to exceed \$363,000.00; and

WHEREAS, Change Order No. 1 adopted by the Board in Resolution No. 22-038 further increased the total adjusted Contract Price by \$108,000.00; and

WHEREAS, at PVWC's request, Arcadis has submitted a proposal dated January 24, 2023 (the "Proposal") to request a budget amendment to assist the Commission with additional tasks relating to said Project including overseeing installation of temporary treatment system and startup, permitting temporary system as permanent system to eliminate need for an Administrative Consent Order with the NJDEP and extra design work associated with traditional building for Phase 2 of Project in place of a pre-engineered building; and

WHEREAS, a copy of the Proposal, including a detailed description of the said additional services, is attached hereto and made a part hereof as **Exhibit A**; and

WHEREAS, Proposed Change Order No. 2 further increases the total adjusted Contract Price by an additional \$167,169.00 which brings the total adjusted Contract Price to \$638,169.00; and

WHEREAS, the Director of Engineering has reviewed Arcadis's Proposal and found it to be reasonable, considering the nature and scope of additional Work involved, and has recommended that the said changes to the Project, and additional costs related thereto, be approved; and

WHEREAS, the said changes will be incorporated into an Amendment to Agreement for the Project, the form of which is also attached hereto and made a part hereof as **Exhibit B**; 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 Chief Financial Officer 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 as **Exhibit C**.

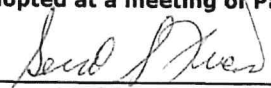
NOW, THEREFORE, BE IT RESOLVED, by Passaic Valley Water Commission, in the County of Passaic, New Jersey:

1. That PVWC hereby approves Change Order No. 2 and awards the changes to the scope of Work for the Project as set forth hereinabove; and
2. That 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 said Amendment to the Agreement, and to perform such other 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 inspection at the office of the Administrative Secretary of Passaic Valley Water Commission.

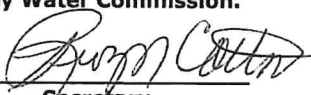
RECORD OF COMMISSION VOTE ON FINAL PASSAGE

	AYE	NAY	ABSTAIN	ABSENT
SANCHEZ, R.	<u>X</u>	—	—	—
COTTON, R.	<u>X</u>	—	—	—
DEPADUA, C.	<u>X</u>	—	—	—
KOLODZIEJ, J.	<u>X</u>	—	—	—
LEVINE, J.	<u>X</u>	—	—	—
VAN RENSALIER, R.	<u>X</u>	—	—	—
FRIEND, G.	<u>X</u>	—	—	—

Adopted at a meeting of Passaic Valley Water Commission.



President
GERALD FRIEND

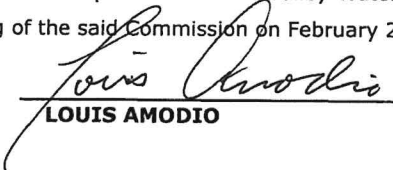


Secretary
RUBY N. COTTON

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 February 22, 2023.



LOUIS AMODIO

EXHIBIT A



Julie Alesandrelli, P.E.
Passaic Valley Water Commission
1525 Main Avenue
Clifton, NJ 07011

Date: January 24, 2023
Our Ref: 30098423
Subject: Nosenzo Wellhouse PFAS Treatment

Arcadis U.S., Inc.
17-17 Route 208 North
Suite 290 West
Fair Lawn
New Jersey 07410
Phone: 201 797 7400
Fax: 201 797 4399
www.arcadis.com

Dear Ms. Alesandrelli,

The purpose of this letter is to request changes to the scope and budget of the Nosenzo Pond Wellhouse Treatment System project for work both completed and planned that were not in the original scope of work. As you know, the Temporary Treatment task (Task 7) is over budget due to a variety of unforeseen occurrences and changes in direction. Also, changes to the design of the full treatment building also require additional budget to Task 5 – Design and Permitting. The changes made and the budget impacts are described below.

Temporary System Installation and Startup

Our scope included 195 hours for bidding and construction administration for the packaged PFAS treatment system. Additional time was spent by Arcadis due to unplanned occurrences including an additional pre-bid site visit, various delays of the Fliteway treatment system, a broken pipe in the wellhouse due to the contractor's solvent welds not holding, incorrect pipe (Schedule 40 rather than Schedule 80) being installed and having to be replaced, processing of a contractor's change order, design of a pipe restraining system, a broken pipe at the lag vessel of Fliteway's treatment system, additional coordination with Fliteway, additional presence at the site due to Fliteway's unavailability, and attendance at an open house event at the site to help answer questions for the public. In the end, Arcadis spent an additional 139 hours on site for inspection and determining the cause of and remedy for these issues. We are requesting \$24,400 be added to our budget for this effort.

Permit Package System as Permanent System

On October 5, 2022, representatives from PVWC, NJDEP, and Arcadis held a virtual meeting during which it was agreed that since the treatment system was purchased by PVWC and continues to produce treated water that meets the PFOS MCL, a standard permit application would be submitted for the temporary treatment system, thereby removing its status of "temporary". This would allow PVWC to be in compliance with the PFOS MCL and cease issuing public notices. The treatment building currently being designed that will incorporate manganese treatment will be permitted separately at a later date. In the meantime, the package system designed and installed will be in compliance. This change in direction required the addition of several tasks to the scope of the project:

1. Permit application and Engineer's Report to be completed and submitted to NJDEP.

Julie Alesandrelli
PVWC
January 24, 2023

2. A set of 9 drawings to be created for the package PFAS treatment system as requested by NJDEP to be included in the permit application.
3. Piping improvements to be designed as requested by NJDEP to ensure 5 minutes of chlorine contact time before the water leaves the Nosenzo site.

Several calls with DEP and PVWC leading up to the October 5th call (April 27, 2022, June 2, 2022, and July 5, 2022) were also outside the scope of the temporary system design as were assistance with updates to the Remedial Measures Report and Draft ACO.

As of January 15, 2023, the above efforts have totaled 310 hours, or \$43,144. It is anticipated that an additional 70 hours, or \$12,250, will be needed to incorporate comments from PVWC on the draft permit application submitted on 12/30/22, to finalize and send the application to DEP, to prepare for and participate in a call with DEP to discuss their comments, and to incorporate comments from NJDEP on the permit application. Therefore, we are requesting \$55,394 be added to our budget for this effort.

Treatment Building

In August 2022, PVWC requested that the new treatment building being designed for the PFAS and manganese treatment be a traditional building attached to the existing building rather than a separate pre-engineered building. The original proposal included time for our specialty disciplines to review and provide feedback on the design being provided by the pre-engineered building manufacturer. Changing to a traditional building requires much more involvement from our structural, electrical, instrumentation, and architectural engineers than was originally proposed. The table below shows our proposed budget increase for Task 5 – Design and Permitting based on an average salary rate of \$165/hour:

	Original Hours	Revised Hours	Change in Hours	Requested additional budget (\$)
Structural	30	282	252	\$41,580
Electrical	40	85	45	\$7,425
Instrumentation	40	123	83	\$13,695
Architectural	12	107	85	\$15,675
TOTAL	122	597	475	\$78,375

Progress Meetings

To continue progress meetings for an additional 7 months (current schedule for completion of design drawings is July 2023), we request additional funds of \$9,000 for Task 4 – Progress Meetings.

Julie Alesandrelli
PVWC
January 24, 2023

Summary

Below is a table summarizing our request for additional funds as described above.

Task No.	Task Description	Hours	Budget Change
4	Progress Meetings	49	\$9,000
5	Design and Permitting	475	\$78,375
7	Temporary System Installation and Startup	139	\$24,400
7	Permit Package System as Permanent System	380	\$55,394
	TOTAL	1043	\$167,169

If you require any additional information regarding the services described above or would like to discuss the project further, please do not hesitate to contact us.

Sincerely,
Arcadis U.S., Inc.



Michael L. Mondello, P.E., PMP
Project Manager

Email: michael.mondello@arcadis.com
Direct line: 201-398-4354

EXHIBIT B

**PASSAIC VALLEY WATER COMMISSION
AMENDMENT TO AGREEMENT FOR PROFESSIONAL SERVICES
(PROJECT 21-P-83)**

THIS AMENDMENT TO AGREEMENT (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 Arcadis U.S., Inc. a professional firm (hereinafter "PROFESSIONAL" and/or "contractor") having a place of business at 17-17 Route 208 North, Fair Lawn, New Jersey 07410.

WHEREAS, this AMENDMENT hereby modifies the original signed and executed agreement (the "AGREEMENT") with PVWC and PROFESSIONAL who was awarded Project 21-P-83 entitled "Engineering Services for PVWC Nosenzo Pond Wellhouse PFAS" (hereinafter the "PROJECT") at PVWC's Commission Meeting dated September 15, 2021 (PVWC Resolution 21-82); and

WHEREAS, the original scope set forth in the PROFESSIONAL'S proposal for the PROJECT is hereby modified as set forth in PROFESSIONAL's proposal dated July 27, 2021, a copy of which is attached hereto and made a part hereof as Exhibit A; and

WHEREAS, the previously approved not-to-exceed total amount of \$471,000.00 for the PROJECT under Change Order No. 1 (Resolution No. 22-038) is hereby increased by \$167,169.00 for a revised not-to-exceed total amount of \$638,169.00; and

WHEREAS, the PROFESSIONAL will be reimbursed (on a time-and-materials, not-to-exceed basis) for the said additional professional services; and

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

ARCADIS U.S., INC..

Witness or Attest

By: _____
Secretary
(Seal)

By: _____
Authorized Signatory

PASSAIC VALLEY WATER COMMISSION

By: _____
LOUIS AMODIO
Administrative Secretary

By: _____
GERALD FRIEND
President

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: "Professional Services- Arcadis U.S. Inc.
Feasibility Study & Design for (PFAS) Nosenzo Pond Wellhouse"

Professional Services for Project # 21-P-83 - Change Order #2

Amount of Project or Contract: \$638,169.00

1. Acct: # 001-0901-419-95-10

Other comments: Change Order # 2 increase of \$167,169.00

Date of Certification: 2/22/2023

Yitzchak Weiss
Comptroller and Chief Financial Officer

YW:lb
