

RESOLUTION # 23-053

RESOLUTION OF PASSAIC VALLEY WATER COMMISSION

**RESOLUTION TO EXTEND CONTRACT NO. 22-P-80
"ELECTRONIC AND CREDIT CARD PAYMENTS"**

DATE OF ADOPTION: APRIL 26, 2023

Introduced by Commissioner: **RIGO SANCHEZ**

Seconded by Commissioner: **JOSEPH KOLODZIEJ**

WHEREAS, Project No. 22-P-80 entitled "Electronic and Credit Card Payments" (the "PROJECT"), was awarded to CARDChoice Merchant Services, LLC. (CARDChoice) of Fairfield, New Jersey (the "AWARDEE") at PVWC's Commission Meeting of April 26, 2023, with a reimbursement to be on a Take-and-Pay, Tim-and Materials basis, not to exceed \$332,500 for services related to the Project, which cost appears reasonable considering the nature and scope of work involved; 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 pursuant to N.J.S.A. 40A:11-15 (16) (the "LCPL"), were subsequently adopted by PVWC; and

WHEREAS, CARDChoice has, and continues to, provide professional services related to the Project consistently, reliably, effectively and efficiently, and continuation of these services is necessary for CARDChoice to continue assisting PVWC in their daily billing payment processing operations; 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, a copy of the Vendor's correspondence (dated April 19, 2023 agreeing to a 1-year extension of the Contract (under the terms and conditions of the Contract Documents), is attached hereto and made a part hereof as **Exhibit A**; and

WHEREAS, PVWC's Chief Financial Officer 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 B**;

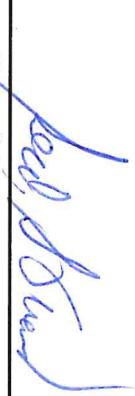

NOW, THEREFORE, BE IT RESOLVED, by Passaic Valley Water Commission, in the County of Passaic, New Jersey:

1. That PVWC hereby authorizes and awards a contract extension to the terms as set forth hereinabove; and
2. 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; 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 shall be placed on file and made available for public inspection at the office of the Administrative Secretary of Passaic Valley Water Commission.

RECORD OF COMMISSION VOTE ON FINAL PASSAGE

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

Adopted at a meeting of Passaic Valley Water Commission.

	
President	Secretary
GERALD FRIEND	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 April 26, 2023.


LOUIS AMODIO
Administrative Secretary

EXHIBIT A

Bresemann, Lisa

From: Ray McGrogan <rmcgrogan@cardchoice.com>
Sent: Wednesday, April 19, 2023 1:17 PM
To: Bresemann, Lisa
Cc: Guido S. Weber, Esq.; Steve Kleinberg
Subject: Re: Extension of Agreement - 22-P-80

Hello Lisa,
Yes, we are willing to extend the contract and would prefer the 12-month extension. Secondly, we are currently in discussions regarding the excessive insurance amounts with Guido. Can we agree to have the insurance requirements adjusted to be more in line with the scope of the RFP? We are open to continuing our prior discussions with Guido and outlining what our insurance agent recommended. Thank you again for your time!

Ray McGrogan
President / CEO
CardChoice International

Tel: (866) 350-3200 Ext-2248
9 Law Drive | Fairfield | NJ | 07004
rmcgrogan@cardchoice.com | www.cardchoice.com

[To schedule a meeting, please click here.](#)

From: Bresemann, Lisa <lbresemann@PVWC.com>
Sent: Wednesday, April 19, 2023 1:01 PM
To: Ray McGrogan <rmcgrogan@cardchoice.com>
Cc: Guido S. Weber, Esq. <gweber@weberdowdlaw.com>
Subject: Extension of Agreement - 22-P-80

Good afternoon,

As you are aware, our contract with CARDChoice is coming to an end. We would like to know if you are possibly amenable to extending this contract for a potential period of 6 months to one year. If you are agreeable to this, kindly indicate this in writing as soon as possible.

Regards,

Lisa Bresemann
Purchasing Agent
Passaic Valley Water Commission
lbresemann@pvwc.com
P: 973.340.4315
F: 973.340.4314



"Great things in business are never done by one person. They're done by a team of people." – Steve Jobs

EXHIBIT B

OFFICE OF THE COMPTROLLER

CERTIFICATION OF AVAILABILITY OF FUNDS

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

Description of Project or Contract:	22-P-80 – Contract Extension “Electronic and Credit Card Payments”
Amount of Project or Contract:	
CARDChoice Merchant Services, LLC -	\$332,500.00
1. Acct: # 001-0601-416-72-25	Credit Card Services
Specific Appropriation to which expenditures will be charged: Budget 2023//2024	
Other comments: One Year Contract Commencing April 2023	
Date of Certification: April 26, 2023	
Certified: \$332,500.00	

Yitzchak Weiss
Comptroller and Chief Financial Officer

YW:lb