

**RESOLUTION # 23-127**

**PASSAIC VALLEY WATER COMMISSION**

**RESOLUTION FOR BUDGET AMENDMENT, CHANGE ORDER NO. 1 FOR PROJECT 22-Q-12 ENTITLED "PROFESSIONAL ENGINEERING SERVICES - CORROSION CONTROL AND MICROBIOLOGICAL TREATMENT" WITH CORNWELL ENGINEERING**

**DATE OF ADOPTION: SEPTEMBER 27, 2023**

Introduced by Commissioner: **RIGO SANCHEZ**

Seconded by Commissioner: **CARMEN DE PADUA**

**WHEREAS**, Project 22-Q-12 entitled "Professional Engineering Services for Corrosion Control and Microbiological Treatment" (the "Project") was awarded to Cornwell Engineering Group, Inc. ("Cornwell") of Newport News, Virginia at PVWC's Commission Meeting dated October 26, 2022 (PVWC Resolution No. 22-107) in accordance with the authorized scope of work, and with reimbursement to be on a time-and-materials basis, not to exceed \$125,000.00; and

**WHEREAS**, at PVWC's request, Cornwell has submitted a proposal (the "Proposal") to request a budget amendment to assist the Commission with additional tasks relating to said Project will focus on PFAS work plan development for PFAS studies and assist Commission in assessing laboratory for operational optimization and modification of organization chart for Department; and

**WHEREAS**, Proposed Change Order No. 1 increases the total adjusted Contract Price by an additional \$55,000.00 which brings the total adjusted Contract Price to \$180,000.00; and

**WHEREAS**, the Water Superintendent has reviewed Cornwell'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 is attached hereto and made a part hereof as **Exhibit A**; and

**WHEREAS**, the Water Superintendent has issued a memorandum describing the additional work and associated 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. 1 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.

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**RECORD OF COMMISSION VOTE ON FINAL PASSAGE**

	<b>AYE</b>	<b>NAY</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
<b>SANCHEZ, R.</b>	<u>X</u>	___	___	___
<b>COTTON, R.</b>	<u>X</u>	___	___	___
<b>DEPADUA, C.</b>	<u>X</u>	___	___	___
<b>KOŁODZIEJ, J.</b>	<u>X</u>	___	___	___
<b>LEVINE, J.</b>	<u>X</u>	___	___	___
<b>VAN RENSALIER, R.</b>	___	___	___	<u>X</u>
<b>FRIEND, G.</b>	<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 September 27, 2023.

  
\_\_\_\_\_  
**LOUIS AMODIO**  
**Administrative Secretary**

## **EXHIBIT A**



Executive Director  
James Mueller

**PASSAIC VALLEY WATER COMMISSION**  
1525 MAIN AVENUE • P.O. BOX 230  
CLIFTON, NEW JERSEY 07011 • (973) 340-4300  
CLIFTON FAX # (973) 340-4321

#### COMMISSIONERS

Gerald Friend, President, Clifton  
Jeffrey Levine, Vice President, Paterson  
Rigoberto Sanchez, Treasurer, Passaic  
Ruby N. Cotton, Secretary, Paterson  
Carmen DePadua, Commissioner, Paterson  
Joseph Kolodziej, Commissioner, Clifton  
Ronald Van Rensalier, Commissioner, Passaic

### **22-Q-12 Professional Engineering Services – Corrosion Control and Microbiological Treatment**

The actual amount that will be needed is \$55,000. The \$55,000 above the original \$125,000 in the project budget is for additional budget spent on PFAS workplan development (~\$8,000), \$13,000 for Nancy Cornwell's past work on laboratory assistance, and \$34,000 for pending work on laboratory assistance.

- The PFAS workplan assistance resulted in budgeting and workplan development for PFAS studies. NJDEP has established state maximum contaminant levels (MCLs) at 13ng/L for PFOS and 14ng/L for PFOA. New USEPA PFAS regulations have been proposed and are scheduled to be finalized by the end of 2023, and water systems will need to comply starting 3 years after the final rule is adopted.
- PVWC (Wendy Simone) asked Cornwell Engineering to assist in assessing their internal laboratory to help determine how to optimize its operation given the recent turnover in personnel. Would like the help of an outside consultant to review and develop our personnel organizational chart and to conduct a laboratory throughput and staffing assessment.

Water Superintendent

Wendy Simone

**EXHIBIT B**

**PASSAIC VALLEY WATER COMMISSION  
AMENDMENT TO AGREEMENT FOR PROFESSIONAL SERVICES  
(PROJECT 22-Q-12)**

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 Cornwell Engineering Group, Inc., a professional firm (hereinafter "PROFESSIONAL" and/or "contractor") having a place of business at 712 Gum Rock Court, Newport News, Virginia 23606.

WHEREAS, this AMENDMENT hereby modifies the original signed and executed agreement (the "AGREEMENT") with PVWC and PROFESSIONAL who was awarded Project 22-Q-12 entitled "Professional Engineering Services for Corrosion Control and Microbiological Treatment" (hereinafter the "PROJECT") at PVWC's Commission Meeting dated October 26, 2022 (PVWC Resolution 22-107); and

WHEREAS, the original scope set forth in the PROFESSIONAL'S proposal for the PROJECT is hereby modified as described in the memorandum issued by the Water Superintendent of which is attached hereto and made a part hereof as **Exhibit A**; and

WHEREAS, the previously approved not-to-exceed total amount of \$125,000.00 for the PROJECT (Resolution No. 22-107) is hereby increased by \$55,000.00 for a revised not-to-exceed total amount of \$180,000.00; 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.

**CORNWELL ENGINEERING GROUP, INC.**

Witness or Attest

By: \_\_\_\_\_  
Secretary

(Seal)

By: \_\_\_\_\_  
Authorized Signatory

**PASSAIC VALLEY WATER COMMISSION**

By: \_\_\_\_\_  
LOUIS AMODIO  
Administrative Secretary

By: \_\_\_\_\_  
GERALD FRIEND  
President