

NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION
PUBLIC COMMISSION MEETING
WEDNESDAY, MARCH 27, 2024

The monthly Public Meeting of the Commission was called to order by Chairman Howard L. Burrell on Wednesday, March 27, 2024 at 9:12 a.m., One F.A. Orechio Drive, Wanaque, New Jersey.

Chairman Howard L. Burrell, Vice Chairman Charles P. Shotmeyer and Commissioner Alan S. Ashkinaze, Commissioner Donald C. Kuser, Commissioner James L. Cassella and Commissioner Terrence J. Duffy were recorded present. Also present were Timothy J. Eustace, Executive Director, William Schaffner, Chief Financial Officer, Michael Broncatello, Comptroller, Kim Diamond, Commission Secretary, Francie McManimon, Esq., Commission Counsel from the law firm of McManimon, Scotland & Baumann, LLC and Dorian Smith, Associate Counsel of the Governor's Authority Unit. Commissioner Cristina N. Cutrone participated via teleconference.

Chairman Burrell asked everyone to stand and recite the Pledge of Allegiance.

Pursuant to the requirements of N.J.S.A. 10:4-6, et seq., Commission Secretary Kim Diamond acknowledged compliance with the statute. Commission Secretary Diamond advised that the provisions of the Open Public Meetings Act have been complied with as to the posting of notice in a public place reserved for such announcement and transmittal to the mass media for publication.

Commission Secretary Kim Diamond read the following resolution:

WHEREAS, *Section 8 of the Open Public Meetings Act, Chapter 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 recently exist.*

NOW, THEREFORE, BE IT RESOLVED, *by the Commissioners of the North Jersey District Water Supply Commission of the State of New Jersey as follows:*

- 1. The public shall be excluded from discussions of the hereinafter-specified subject matters; the general natures of the subject matters to be discussed are Pending Litigation and Contracts;*
- 2. It is anticipated at this time that the above stated subject matters will be ratified during the Public Meeting to follow or as soon thereafter as the reason for discussing the matters in the Executive Conference no longer exists.*
- 3. This Resolution shall take effect immediately.*

Commissioner Ashkinaze offered a motion to adopt the resolution regarding Section 8, Chapter 231, P.L. 1975 of the Open Public Meetings Act; seconded by Commissioner Duffy and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella, Cutrone and Duffy voting in the affirmative. The Public Meeting was recessed at 9:14 a.m.

Chairman Burrell reconvened the Public Meeting at 9:35 a.m.

PUBLIC COMMISSION BUSINESS
ACTION REQUIRED:

Vice Chairman Shotmeyer offered a motion to approve the Public Commission Meeting Minutes of February 28, 2024; seconded by Commissioner Duffy and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella, Cutrone and Duffy voting in the affirmative.

Commissioner Cassella offered a motion to approve the Public Work Session Minutes of February 28, 2024; seconded by Commissioner Cutrone and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella, Cutrone and Duffy voting in the affirmative.

Commissioner Cassella offered a motion to approve the Purchase Requisitions over \$5000 Report for March 2024 in the amount of \$234,530.00; seconded by Commissioner Duffy and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella, Cutrone and Duffy voting in the affirmative.

UNFINISHED BUSINESS:

None

NEW BUSINESS:**Commission Invoices:**

- a. **Invoice #1-239-002 from Stone Hill Construction for Contract #2112 – WSPS HVAC Replacement Project in the amount of \$75,267.79**
Maria Alliegro, Director of Engineering and Chris Clamser, Project Engineer approved invoice 3(a) for payment.
- b. **Invoice #1-228-018 from Stone Hill Construction for Contract #2087 – Clarifier Rehab Basins 1-4 in the amount of \$389,144.01**
Paul Serillo, Senior Director of Facilities, Operations & Engineering and Michael Dox, Electrical Engineer approved invoice 3(b) for payment.
- c. **Invoice #E6Y04000-006 from Jacobs Engineering Group, Inc. for Contract #2111 – Design for Wanaque South Pump Station in the amount of \$4,248.75**
Maria Alliegro, Director of Engineering and Chris Clamser, Project Engineer approved invoice 3(c) for payment.
- d. **Invoice #90380 from Landscape Materials, Inc. for Contract #2083 – Removal of Residuals in the amount of \$36,425.00**
Adam Vandebos, Industrial Waste Water Assistant Manager and Geordie Allegri, Industrial Waste Water Supervisor approved invoice 3(d) for payment.
- e. **Invoice #53561 from RVH Mulch Supply, LLC for Contract #2117 – Residual Removal in the amount of \$10,175.00**
Adam Vandebos, Industrial Waste Water Assistant Manager and Geordie Allegri, Industrial Waste Water Supervisor approved invoice 3(e) for payment.
- f. **Invoice #2075R-5 from Current Elevator Technology, Inc. for Contract #2075R – Modernization of Chemical Building Elevator & Elevator Maintenance in the amount of \$11,875.00**
Maria Alliegro, Director of Engineering and Chris Clamser, Project Engineer approved invoice 3(f) for payment.
- g. **Invoice #643997 from Premier Services/USIC, LLC for Contract #2097 – Underground Locating in the amount of \$3,044.67**
Maria Alliegro, Director of Engineering and James Stachura, Project Engineer approved invoice 3(g) for payment.
- h. **Invoice #145317 from French & Parrello Associates for Contract #2108 – 2023 Regular Dam Inspections in the amount of \$20,620.00**
Maria Alliegro, Director of Engineering and James Stachura, Project Engineer approved invoice 3(h) for payment.
- i. **Invoice #45 from Clean Waters Consulting LLC for Contract #2066 – Reservoir Consulting in the amount of \$350.00**
Maureen Kneser, Director of Lab and Ethan Snyder, Process Specialist/Regulatory Compliance approved invoice 3(i) for payment.
- j. **Invoice #71354 from Suburban Consulting Engineers, Inc. for Contract #2074 – Freshwater Wetlands General Permit in the amount of \$661.00**
Maria Alliegro, Director of Engineering and James Stachura, Project Engineer approved invoice 3(j) for payment.

- k. Invoice #14113066 from PFM Asset Management LLC – Fees for Oversight of Asset Management Program in the amount of \$1,792.16**
William Schaffner, Chief Financial Officer and Michael Broncatello, Comptroller approved invoice 3(k) for payment.
- l. Invoice #68659 from DLB Associates Consulting Engineers for Contract #2063 – Electrical Consulting Services in the amount of \$3,350.00**
Maria Alliegro, Director of Engineering and Chris Clamser, Project Engineer approved invoice 3(l) for payment.
- m. Invoice #91143796 from U.S. Department of the Interior for United States Geological Survey Agreement #23LJJFA28 in the amount of \$44,908.75**
Maria Alliegro, Director of Engineering and James Stachura, Project Engineer approved invoice 3(m) for payment.

Commissioner Duffy offered a motion to approve invoices 3(a) through 3(m); seconded by Commissioner Cassella and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella, Cutrone and Duffy voting in the affirmative.

Resolution – Authorizing the Online Sale of Surplus Vehicles and Equipment

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING THE ONLINE SALE OF SURPLUS VEHICLES
AND EQUIPMENT**

WHEREAS, pursuant to N.J.S.A. 58:5-1 et seq., the North Jersey District Water Supply Commission (“Commission”) is a public body corporate duly organized and existing under and by virtue of the laws of the State of New Jersey, exercising public and essential governmental functions and providing for the public health and welfare, and is engaged in developing raw water sources, storing water and distributing a reliable supply of potable water to its participating municipalities; and

WHEREAS, pursuant to the broad power conferred in N.J.S.A. 58:5-7, the Commission is empowered to dispose of all such property as may no longer be necessary for the uses and purposes for which the Commission was created; and

WHEREAS, the staff of the Commission has identified certain vehicles and equipment (Exhibit “A” attached) that are no longer necessary for the provision of potable water supplies to its member municipalities in accordance with its statutory responsibilities; and

WHEREAS, the Commission desires to dispose of such surplus vehicles and equipment pursuant to a publicly advertised process in order to obtain the fair market value for such vehicles and equipment for the benefit of its member municipalities; and

WHEREAS, the sale and disposition of such surplus vehicles and equipment is necessary for the Commission's efficient operations and the protection of its water supply facilities; and

WHEREAS, the Commission had previously authorized the sale of surplus vehicles and equipment through GovDeals, a state contract online government surplus auction website; and

WHEREAS, the Commission desires to sell the surplus vehicles and equipment identified on Exhibit A through GovDeals.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that the Commission hereby approves and authorizes the sale and disposition of surplus vehicles and equipment identified on Exhibit A attached hereto through GovDeals as follows:

- (1) The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-83453/T2581 in accordance with its terms and conditions.

- (2) The sale will be conducted online and the address of the auction site is govdeals.com.
- (3) The sale is being conducted pursuant to Local Finance Notice 2008-9; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be maintained in the Office of the Executive Director and made available for public inspection.

Commissioner Cassella offered a motion to adopt the resolution authorizing the online sale of surplus vehicles and equipment; seconded by Commissioner Duffy and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella, Cutrone and Duffy voting in the affirmative.

Resolution – Approving the Reallocation of Capital Budget Appropriations

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT
WATER SUPPLY COMMISSION APPROVING THE
REALLOCATION OF CAPITAL BUDGET APPROPRIATIONS**

WHEREAS, the North Jersey District Water Supply Commission (“Commission”) is a public body corporate duly organized and existing under and by virtue of the laws of the State of New Jersey, exercising public and essential governmental functions and providing for the public health and welfare, and is engaged in developing raw water sources, storing water and distributing a reliable supply of potable water to its participating municipalities; and

WHEREAS, the Commission has recently examined its Capital Budget Appropriations in order to address immediate funding concerns, and determined that there are capital projects with excess funds, and capital projects which are currently underfunded; and

WHEREAS, the Commission has determined that it is necessary to reallocate funds in the Capital Budget Appropriations in order to address the immediate funding concerns; and

WHEREAS, the Commission’s staff has prepared a Capital Budget Reallocation List which would transfer the balances from capital projects with excess funds to capital projects that are currently underfunded, and the Commission desires to approve said Capital Budget Reallocation List.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that the Capital Budget Reallocation List prepared by and on behalf of the Commission, a copy of which is attached hereto as Exhibit A, is hereby approved; and

BE IT FURTHER RESOLVED, that the Executive Director is authorized to implement the transfer of funds as indicated on the Capital Budget Reallocation List; and

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be maintained in the Office of the Executive Director and made available for public inspection.

Vice Chairman Shotmeyer offered a motion to adopt the resolution approving the reallocation of capital budget appropriations; seconded by Commissioner Cassella and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella, Cutrone and Duffy voting in the affirmative.

Resolution – Authorizing the Award and Execution of a Contract with Clean Waters Consulting, LLC for Reservoir & Watershed Management Advisory/Consulting Services

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING THE AWARD AND EXECUTION OF A
CONTRACT WITH CLEAN WATERS CONSULTING, LLC FOR RESERVOIR
& WATERSHED MANAGEMENT ADVISORY/CONSULTING SERVICES**

WHEREAS, the North Jersey District Water Supply Commission (“Commission”) is a public body corporate duly organized and existing under and by virtue of the laws of the State of New Jersey, exercising public and essential governmental functions and providing for the public health and welfare, and is engaged in developing raw water sources, storing water and distributing a reliable supply of potable water to its participating municipalities; and

WHEREAS, the Commission has a responsibility by statute to ensure the safe, secure, and uninterrupted delivery of potable water to more than three million people, which includes the safety and protection of the public and public property pursuant to the Commission's enabling legislation, N.J.S.A. 58:5-1 et seq.; and

WHEREAS, the Commission has determined that it is necessary to retain the services of a professional firm that has expertise in reservoir and watershed management to review, evaluate and recommend actions to preserve the water quality of the Commission's reservoirs addressing algae and microbiology issues as provided in RFP #001-2024 (defined herein) (the "Services"); and

WHEREAS, the Commission is empowered by law to appoint and employ professionals, technical advisors and experts as the Commission may determine to be necessary for its efficient operation; and

WHEREAS, the Commission has been empowered pursuant to its enabling legislation — specifically N.J.S.A. 58:5-20 — to solicit proposals in writing and award contracts after public advertisement; and

WHEREAS, on or about January 30, 2024, the Commission publicly advertised a Request for Proposals for the provision of Reservoir & Watershed Management Advisory/Consulting Services in accordance with requirements and specifications set forth therein ("RFP #001-2024"), and, on or about February 29, 2024, received one proposal from Clean Waters Consulting, LLC ("CWC") for a not-to-exceed amount for the Services of \$30,000 (\$15,000/year) (the "Proposal"); and

WHEREAS, the Commission's evaluation committee reviewed and evaluated the Proposal and determined that CWC is the sole qualified, responsible, and responsive proposal for the Services, and has recommended that CWC be awarded a contract for the Services in accordance with the Commission's enabling legislation and applicable State law; and

WHEREAS, the initial term of the contract shall be two (2) years, and the Commission may, in its sole discretion offer up to two (2) additional one-year extensions under the same terms and conditions; and

WHEREAS, the Commission desires to retain the services of CWC to perform the Services in accordance with the Commission's requirements as set forth in RFP #001-2024, the Proposal, and any applicable laws, rules or regulations; and

WHEREAS, the award of this contract is necessary for the Commission's efficient water treatment operations, the protection of the Commission's water supply facilities, and the health, safety and welfare of the public; and

WHEREAS, the Chief Financial Officer of the Commission has certified that the funds will be available for this contract.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that a contract for a two year term for the Services be awarded to CWC as the sole qualified, responsive, and responsible proposer in accordance with the Commission's enabling legislation and applicable State law, in accordance with RFP #001-2024 for a not-to-exceed amount of \$30,000 (\$15,000/year); and

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare a contract for the Services, incorporating the Commission's requirements as set forth in RFP #001-2024, the Proposal and any applicable law, rule or regulation; and

BE IT FURTHER RESOLVED that the Chairman or Vice Chairman of the Commission is hereby authorized to execute such a contract, including by electronic signature, and the Secretary of the Commission is authorized to attest to the signature of either the Chairman or Vice Chairman; and

BE IT FURTHER RESOLVED that a copy of this resolution and the contract shall be maintained in the Office of the Executive Director and made available for public inspection.

Commissioner Duffy offered a motion to adopt the resolution authorizing the award and execution of a contract with Clean Waters Consulting, LLC for reservoir and watershed management advisory/consulting services; seconded by Commissioner Cassella and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella, Cutrone and Duffy voting in the affirmative.

Resolution – Authorizing a Negotiated Contract Award for Contract #2120-R with Tri-Flo International for the Rental of a Contained Shaker System

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION
AUTHORIZING A NEGOTIATED CONTRACT AWARD FOR
CONTRACT #2120-R WITH TRIFLO INTERNATIONAL
FOR THE RENTAL OF CONTAINED SHAKER SYSTEM**

WHEREAS, the North Jersey District Water Supply Commission (“Commission”) is a public body corporate duly organized and existing under and by virtue of the laws of the State of New Jersey, exercising public and essential governmental functions and providing for the public health and welfare, and is engaged in developing raw water sources, storing water and distributing a reliable supply of potable water to its participating municipalities; and

WHEREAS, the Commission has a responsibility by statute to ensure the safe, secure, and uninterrupted delivery of potable water, which includes the safety and protection of the public and public property pursuant to the Commission’s enabling legislation, N.J.S.A. 58:5-1 et seq.; and

WHEREAS, the Commission’s outer lagoon receives discharge flows from the RTF and requires dredging to remove solids which are currently dewatered using two rental belt presses;

WHEREAS, the Commission has determined that it is necessary to rent a self-contained shaker system to process solids produced from dredging the sludge at the Commission’s outer lagoon for a period of thirty (30) days (the “Services”); and

WHEREAS, the Commission is empowered by law to appoint and employ professionals, technical advisors, vendors and experts as the Commission may determine may be necessary for its efficient operations; and

WHEREAS, the Commission has been empowered pursuant to its enabling legislation – specifically N.J.S.A. 58:5-20 – to solicit bids in writing and award contracts after public advertisement; and

WHEREAS, the Commission publicly advertised a Bid Specification (“Bid Specification”) for Contract #2120-R (“Contract #2120R”) for work associated with the Services, all in accordance with the requirements and specifications set forth therein, on January 4, 2024 and February 6, 2024 and received no bids; and

***WHEREAS**, the Commission’s Purchasing Policies and Procedures Manual, (the “Manual”) authorizes the negotiation of a contract on the same terms and conditions established in the bid specifications with any qualified vendor of a contract following a second solicitation where on two occasions no bids have been received; and*

***WHEREAS**, in accordance with the Manual, the Commission reached a negotiated agreement with TriFlo International (“TriFlo”) for the rental of the Triflo ES1000r for the Services for the not-to-exceed amount of \$46,760; and*

***WHEREAS**, the negotiated price has been deemed reasonable and the proposed negotiated contract with TriFlo satisfies in all material respects the requirements set forth in the Bid Specifications; and*

***WHEREAS**, the Commission staff recommends that Contract #2120R be awarded to TriFlo in the amount of \$46,760; and*

WHEREAS, the award of this contract is necessary for the Commission’s efficient water treatment and delivery operations, the protection of the Commission’s water supply facilities, and the health, safety and welfare of the public; and

WHEREAS, the Chief Financial Officer of the Commission has certified that the funds will be available for this contract.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that Contract #2120R for the work associated with the Services be awarded to TriFlo as negotiated in accordance with the Manual in accordance with the Commission’s requirements set forth in Contract #2120R, the Bid Specifications, the Commission’s enabling legislation, and applicable State law, for the total amount of \$46,760; and

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized and directed to prepare a contract for the Services, incorporating the Commission’s requirements as set forth in the Bid Specifications and Contract #2120R and any applicable law, rule or regulation; and

BE IT FURTHER RESOLVED that the Chairman or Vice Chairman of the Commission is hereby authorized and directed to execute such a contract, including by electronic signature, and the Secretary of the Commission is authorized to attest to the signature of either the Chairman or Vice Chairman thereon; and

BE IT FURTHER RESOLVED that a copy of this resolution and the contract shall be maintained in the Office of the Executive Director and made available for public inspection.

Commissioner Duffy offered a motion to adopt the resolution authorizing a negotiated contract award for Contract #2120-R with TriFlo International for the rental of a contained shaker system; seconded by Commissioner Cassella and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella, Cutrone and Duffy voting in the affirmative.

Resolution – Authorizing Change Order #1 to Contract #2087 with Stone Hill Contracting Co., Inc. for Work Associated with Clarifier Rehabilitation in Basins 1-4

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING CHANGE ORDER #1 TO CONTRACT #2087
WITH STONE HILL CONTRACTING CO., INC. FOR WORK ASSOCIATED
WITH CLARIFIER REHABILITATION IN BASINS 1-4**

WHEREAS, the North Jersey District Water Supply Commission (the “Commission”) is a public body corporate duly organized and existing under and by virtue of the laws of the State of New Jersey, exercising public and essential governmental functions and providing for the public health and welfare, and is engaged in developing raw water sources, storing water and distributing a reliable supply of potable water to its participating municipalities; and

WHEREAS, the Commission determined that it is necessary to retain the services of a qualified contractor to provide services in connection with the rehabilitation of the Commission’s mixing and sedimentation Basins 1 through 4 in accordance with the Bid Specification for Contract #2087 (the “Bid Specification”) issued by the Commission (the “Services”); and

WHEREAS, the Commission has been empowered pursuant to its enabling legislation – specifically N.J.S.A. 58:5-20 – to solicit proposals in writing and award contracts after public advertisement; and

WHEREAS, on or about December 28, 2021, the Commission publicly advertised the Bid Specification for Contract #2087 (“Contract #2087”) for work associated with the Services in accordance with the requirements and specifications set forth therein, and subsequently received three (3) bids from interested vendors on or about March 3, 2022; and

WHEREAS, the Commission’s evaluation committee reviewed and evaluated the bids and determined that Stone Hill Contracting Co., Inc. (“Stone Hill”), who submitted a bid to perform the Services for a total not-to-exceed amount of \$19,493,986.00 (the “Bid”), submitted the lowest conforming bid, that the price in the Bid is reasonable, necessary and appropriate, and had recommended that Stone Hill be awarded a contract in accordance with the Commission’s enabling legislation and applicable State law; and

WHEREAS, by Resolution #2053 dated April 27, 2022, the Commission authorized the award and execution of Contract #2087 (“Contract #2087”) with Stone Hill for the work associated with the Services; and

WHEREAS, while performing work on Basin 4 as part of the Services, the first basin to be rehabilitated, Stone Hill discovered additional areas in need of rehabilitation and related work, as well as some design inconsistencies, that could not be identified before construction was underway; and

WHEREAS, the additional work includes, but is not limited to, Structural Steel Supports, Hex Wrap Support, Grating Replacement, Stop Log Resizing, Electrical Modifications, Extension of Project Supervision, Additional Crack Injection and Basin Protective Coatings (the “Additional Work”); and

WHEREAS, Stone Hill submitted a proposal for the Additional Work in the not-to-exceed amount of \$1,926,859.49 (“Change Order #1”); and

WHEREAS, Commission staff have examined Stone Hill’s requested Change Order #1 to the Contract #2087, have determined that the goods and fees set forth therein are reasonable, necessary and appropriate, and recommends that the Commission approve Change Order #1 to Contract #2087; and

WHEREAS, the award of this Change Order #1 is necessary for the Commission’s efficient water treatment operations, the protection of the Commission’s water supply facilities, and the health, safety, and welfare of the public; and

WHEREAS, the Chief Financial Officer of the Commission has certified that the funds will be available for this Change Order #1.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that Change Order #1 to Contract #2087 with Stone Hill in the amount not-to-exceed \$1,926,859.49 is hereby approved.

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare Change Order #1 to Contract #2087 in accordance with Stone Hill’s proposal and this resolution, with all other terms and conditions of Contract #2087, to remain unchanged.

BE IT FURTHER RESOLVED that the Chairman or Vice Chairman of the Commission is hereby authorized to execute Change Order #1 to Contract #2087, including by electronic signature, and the Secretary of the Commission is authorized to attest to the signature of either the Chairman or Vice Chairman.

BE IT FURTHER RESOLVED that a copy of this resolution shall be maintained in the Office of the Executive Director and made available for public inspection.

Commissioner Duffy offered a motion to adopt the resolution authorizing change order #1 to Contract #2087 with Stone Hill Contracting Co., Inc. for work associated with clarifier rehabilitation in basins 1-4; seconded by Commissioner Cassella and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella, Cutrone and Duffy voting in the affirmative.

Resolution – Authorizing the Award and Execution of Contract #2125 with LJS Electric, Inc. for HVAC Services Contract

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING THE AWARD AND EXECUTION OF
CONTRACT #2125 WITH LJS ELECTRIC, INC. FOR HVAC SERVICES
CONTRACT**

WHEREAS, the North Jersey District Water Supply Commission (“Commission”) is a public body and corporate duly organized and existing under and by virtue of the laws of the State of New Jersey, exercising public and essential governmental functions and providing for the public health and welfare, and is engaged in developing raw water sources, storing water and distributing a reliable supply of potable water to its participating municipalities; and

WHEREAS, the Commission has a responsibility by statute to ensure the safe, secure, and uninterrupted delivery of potable water to more than three million people, which includes the safety and protection of the public and public property pursuant to the Commission’s enabling legislation, N.J.S.A. 58:5-1 et seq.; and

WHEREAS, the Commission has determined that it is necessary to retain the services of a qualified firm with expertise in HVAC maintenance, repair and installation to provide quarterly preventative maintenance visits and services for the Commission’s HVAC facilities and equipment in accordance with the Bid Specification for Contract #2125 (“Bid Specification”) issued by the Commission (the “Services”); and

WHEREAS, the Commission has been empowered pursuant to its enabling legislation — specifically N.J.S.A. 58:5-20 — to solicit proposals in writing and award contracts after public advertisement; and

WHEREAS, on or about January 23, 2024, the Commission publicly advertised the Bid Specification for Contract #2125 for work associated with the Services in accordance with the requirements and specifications set forth therein (“Contract #2125”) and subsequently received five (5) bids on or about February 28, 2024 (the “Bids”); and

WHEREAS, one of the Bids was disqualified for a fatal flaw in accordance with the Bid Specifications and the Commission’s Purchasing Policies and Procedures Manual; and

WHEREAS, the Commission's evaluation committee reviewed and evaluated the remaining four (4) compliant Bids and determined that LJS Electric, Inc. ("LJS"), who submitted a bid to perform the Services in year 1 of Contract #2125 for \$55,740, in year 2 for \$57,500, in year three for \$59,400 and in year 4 for \$61,400 for the total not-to-exceed amount of \$234,040 which includes the base bid of \$154,040.00 plus an annual allowance of \$20,000 for HVAC repairs per the Bid Specification (the "LJS Bid"), submitted the lowest, conforming bid and that the LJS Bid is reasonable, necessary and appropriate; and

WHEREAS, the initial term of the contract shall be one (1) year, and the Commission may, in its sole discretion offer up to three (3) additional one-year extensions under the same terms and conditions; and

WHEREAS, the Commission desires to retain the services of LJS to perform the Services in accordance with the Commission's requirements as set forth in the Bid Specification, Contract #2125, the LJS Bid, and any applicable laws, rules, or regulations, and recommends that LJS be awarded a contract in accordance with the Commission's enabling legislation and applicable State law; and

WHEREAS, the award of Contract #2125 is necessary for the Commission's efficient water treatment and delivery operations, the protection of the Commission's water supply facilities, and the health, safety, and welfare of the public; and

WHEREAS, the Chief Financial Officer of the Commission has certified that the funds will be available for this contract.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that Contract #2125 for the Services, for a one year term with up to three additional one-year extensions, be awarded to LJS, as the lowest, responsive, conforming bidder in accordance with the Commission's requirements set forth in the Bid Specification, Contract #2125, the LJS Bid, the Commission's enabling legislation, and applicable State law for the not-to-exceed amount of \$55,740 for year 1, \$57,500 for year 2, \$59,400 for year 3, and \$61,400 year 4, for the total not-to-exceed amount of \$234,040.00; and

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare Contract #2125 for the Services, incorporating the Commission's requirements as set forth in the Bid Specification, Contract #2125, the LJS Bid, and any applicable law, rule, or regulation; and

BE IT FURTHER RESOLVED that the Chairman or Vice Chairman of the Commission is hereby authorized to execute Contract #2125, including by electronic signature, and the Secretary of the Commission is authorized to attest to the signature of either the Chairman or Vice Chairman; and

BE IT FURTHER RESOLVED that a copy of this resolution and Contract #2125 shall be maintained in the Office of the Executive Director and made available for public inspection.

Commissioner Duffy offered a motion to adopt the resolution authorizing the award and execution of Contract #2125 with LJS Electric, Inc. for HVAC services contract; seconded by Commissioner Cassella and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella, Cutrone and Duffy voting in the affirmative.

Resolution – Authorizing Amendment No. 4 to Contract #2061 with Jacobs Engineering, Inc. for General Consulting Engineering Services

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING AMENDMENT NO. 4 TO CONTRACT #2061
WITH JACOBS ENGINEERING, INC. FOR GENERAL CONSULTING
ENGINEERING SERVICES**

WHEREAS, the North Jersey District Water Supply Commission ("Commission") is a public body corporate duly organized and existing under and by virtue of the laws of the State of New Jersey, exercising public and essential governmental functions and providing for the public health and welfare, and is engaged in developing raw water sources, storing water and distributing a reliable supply of potable water to its participating municipalities; and

WHEREAS, the Commission has previously determined there was a need to retain a firm specializing in engineering services to provide general consulting engineering services for the Commission on multiple projects (the "General Consulting Engineering Services"); and

WHEREAS, the Commission is empowered by law to appoint and employ professionals, technical advisors, and experts as the Commission may determine may be necessary for its efficient operation; and

WHEREAS, on or about July 16, 2019, the Commission publicly advertised a request for qualifications and proposals for the General Consulting Engineering Services, and received proposals from interested parties; and

WHEREAS, by Resolution No. 1889 dated November 20, 2019, the Commission authorized the award of a contract (“Contract #2061”) for General Consulting Engineering Services to Jacobs Engineering, Inc. (“Jacobs”) for a two (2) year term, reserving the right, in the Commission’s sole discretion, to extend the contract for up to two (2) additional, consecutive, one (1) year terms under the same terms and conditions; and

WHEREAS, the General Consulting Engineering Services are performed from year-to-year, with the Commission funding Contract #2061 through the Commission’s Engineering Operating budget, with a not-to-exceed amount of \$250,000 per year; and

WHEREAS, additional work relating to compliance with the America’s Water Infrastructure Act of 2018/Risk and Resilience Assessment and related certification to get United States Environmental Protection Agency (“USEPA”) required an additional budget of \$50,000 for Contract Year 1 (2020); and

WHEREAS, on July 22, 2020, the Commission authorized Amendment No. 1 to Contract #2061 via Resolution No. 1931, which increased the not-to-exceed amount for Contract Year 1 (2020) to \$300,000.00; and

WHEREAS, for Contract Year 2 (2021), as it became necessary for Jacobs to provide additional engineering services on certain items, the Commission Staff recommended issuing a contract amendment in the amount of \$150,000, increasing the not-to-exceed amount of Contract #2061 from \$250,000 to \$400,000 for Contract Year 2 (2021) (“Amendment No. 2”) so that Jacobs may continue to provide engineering services through the end of 2021, which was approved on August 25, 2021, via Resolution No. 2002; and

WHEREAS, on or about November 17, 2021, the Commission adopted Resolution No. 2020, authorizing a one-year extension of Contract #2061 under the same terms and conditions as outlined in Contract #2061 and reserving the right to extend the contract for a second renewal under the same terms and conditions; and

WHEREAS, on or about October 26, 2022, the Commission adopted Resolution No. 2086, authorizing a second renewal option and one-year extension of Contract #2061 under the same terms and conditions as outlined in Contract #2061; and

WHEREAS, on or about December 20, 2023, the Commission adopted Resolution No. 2173, amending the termination date of Contract #2061 from December 31, 2023 to April 30, 2024 under the same terms and conditions as the original contract to provide for the completion of the Work Order #22 for the Design for the Orechio and Chemical Building Generator Replacement, which includes preparation of 100% design drawings and specifications, an engineering cost estimate, and support for the PSE&G service upgrade request and DCA permit application (the “Work Order #22 Services”) (“Amendment No. 3”); and

WHEREAS, while proceeding with the Work Order #22 Services, Jacobs determined, via a desktop analysis, that the Chemical Building’s existing air intake and exhaust fans are not adequate for the proposed generator; and

WHEREAS, Jacobs needs to prepare the design for the new exhaust fan and intake louver systems as additional work under the scope of work for Contract #2061 (the “Additional Work”); and

WHEREAS, Jacobs presented the Commission with a proposal for the Additional Work in the not-to exceed amount of \$24,870 (the “Proposal”); and

WHEREAS, the Commission staff reviewed the Proposal and determined that the terms set forth therein are reasonable, necessary and appropriate, and have recommended that the Commission approve the Proposal providing for the Additional Work under Contract #2061 (“Amendment #4”); and

WHEREAS, the award of Amendment #4 is necessary for the efficient operation of the Commission; and

WHEREAS, the Chief Financial Officer of the Commission has certified that the funds are available for this Amendment No. 4 to Contract #2061.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that Amendment #4 to Contract #2061 with Jacobs Engineering, Inc. is

hereby approved amending scope of work to include the Additional Work for the not-to exceed amount of \$24,870; and

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare Amendment No. 4 to Contract #2061, with all other terms and conditions of Contract #2061, as amended, to remain unchanged; and

BE IT FURTHER RESOLVED that Chairman or Vice Chairman of the Commission is hereby authorized to execute Amendment No. 4 to Contract #2061, and the Secretary of the Commission is authorized to attest to the signature of either the Chairman or the Vice Chairman; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be maintained in the Office of the Executive Director and made available for public inspection.

Commissioner Duffy offered a motion to adopt the resolution authorizing Amendment No. 4 to Contract #2061 with Jacobs Engineering, Inc. for general consulting engineering services; seconded by Commissioner Cassella and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella, Cutrone and Duffy voting in the affirmative.

Resolution – Authorizing a Sole Source Contract Award to Polygone Systems for the Deployment of Certain Technology and Equipment for the Removal of Microplastics within the Reservoir and the Residual Facility in Pursuit of a Leap Grant

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING A SOLE SOURCE CONTRACT AWARD TO
POLYgone SYSTEMS FOR THE DEPLOYMENT OF CERTAIN
TECHNOLOGY AND EQUIPMENT FOR THE REMOVAL OF
MICROPLASTICS WITHIN THE COMMISSION WATERBODIES IN PURSUIT
OF A LEAP GRANT**

WHEREAS, the North Jersey District Water Supply Commission (“Commission”) is a public body corporate duly organized and existing under and by virtue of the laws of the State of New Jersey, exercising public and essential governmental functions and providing for the public health and welfare, and is engaged in developing raw water sources, storing water and distributing a reliable supply of potable water to its participating municipalities; and

WHEREAS, the Commission has a responsibility by statute to ensure the safe, secure, and uninterrupted delivery of potable water to more than three million people which includes the safety and protection of the public and public property pursuant to the Commission’s enabling legislation, N.J.S.A. 58:5-1 et seq.; and

WHEREAS, with the latest emphasis in water treatment being the removal of microplastics, and the potential for future regulation of such, the Commission is attempting to prepare for impacts and study removal technologies; and

WHEREAS, Polygone Systems (“Polygone”) is an innovative company launched in 2021 focused on the removal of microplastics; and

WHEREAS, Polygone has developed a novel “Plastic Hunter” technology for the removing of microplastics from water bodies using Artificial Root; and

WHEREAS, there are no other known commercial products for removing microplastics from waterbodies; and

WHEREAS, the Commission has determined to join Polygone in an application to the New Jersey Division of Local Government Services for a Local Efficiency Achievement Program (“LEAP”) grant through the deployment and utilization of certain technology and equipment to determine its effectiveness at microplastic removal within the Commission’s waterbodies, including, the Wanaque Reservoir and, potentially the WSPS intake channel and Wanaque Treatment Plant through the deployment of Polygone’s “Plastic Hunter” technology and Artificial Root (the “Services”); and

WHEREAS, the Commission is empowered by law to appoint and employ professionals, technical advisors and experts as the Commission may determine to be necessary for its efficient operation; and

WHEREAS, The LEAP grant requires a cash contribution of 25% of the project value with preliminary estimates of the cost for Services between \$250,000.00 and \$300,000.00 thereby requiring a Commission contribution in the amount of approximately \$62,500.00 to \$75,000.00; and

WHEREAS, as a result of the foregoing and pursuant to the recommendation memorandum from the Commission Staff, Executive Order #37, and Section 1(G) of the Commission's Purchasing Policies and Procedures Manual (the "Manual"), the Commission has determined that Polygone constitutes a sole source provider of the Services; and

WHEREAS, the award of this contract is necessary for the Commission's efficient water treatment operations, the protection of the Commission's water supply facilities, and the health, safety and welfare of the public; and

WHEREAS, the Chief Financial Officer of the Commission has certified that the funds will be available for this contract, insofar as applicable.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission, that Polygone be designated as the sole source provider for the Services in accordance with the Manual and that a contract be awarded to Polygone for the Services for a total contract amount not to exceed \$75,000.00; and

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare a contract for the performance of the Services; and

BE IT FURTHER RESOLVED that the Chairman or Vice Chairman of the Commission is hereby authorized to execute such a contract and the Secretary of the Commission is authorized to attest to the signature of either the Chairman or Vice Chairman; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be maintained in the Office of the Executive Director and made available for public inspection.

Commissioner Duffy offered a motion to adopt the resolution authorizing a sole source contract award to Polygone Systems for the deployment of certain technology and equipment for the removal of microplastics within the reservoir and the residuals facility in pursuit of a Leap Grant; seconded by Commissioner Cassella and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella, Cutrone and Duffy voting in the affirmative.

Wanaque North Operating Account:

Upon Chief Financial Officer Schaffner's certification of the attached bills and payroll transfers as being proper and accurate, Commissioner Cassella offered a motion to approve the Wanaque North Operating Account in the amount of \$5,468,767.11; seconded by Commissioner Duffy and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella, Cutrone and Cutrone voting in the affirmative. Vice Chairman Shotmeyer abstained on check #68150.

Wanaque South Operating Account:

Upon Chief Financial Officer Schaffner's certification of the attached bills and payroll transfers as being proper and accurate, Commissioner Duffy offered a motion to approve the Wanaque South Operating Account in the amount of \$2,689,546.83; seconded by Commissioner Cassella and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella, Cutrone and Duffy voting in the affirmative.

Wanaque South Joint Venture Operating Account:

Upon Chief Financial Officer Schaffner's certification of the attached bills and payroll transfers as being proper and accurate, Commissioner Duffy offered a motion to approve the Wanaque South Joint Venture Operating Account in the amount of \$678,628.65; seconded by Commissioner Cassella and approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella, Cutrone and Duffy voting in the affirmative.

There being no further business, Commissioner Ashkinaze offered a motion to adjourn the meeting at 9:42 a.m.; seconded by Commissioner Cassella and unanimously approved

PUBLIC COMMISSION MEETING

MARCH 27, 2024

with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella, Cutrone and Duffy voting in the affirmative.

Respectfully submitted,

Kim Diamond
Commission Secretary