



PASSAIC VALLEY WATER COMMISSION

RESOLUTION #22-001

RESOLUTION OF PASSAIC VALLEY WATER COMMISSION

DATE OF ADOPTION: January 19, 2022

Factual Contents certified to by Louis Amodio, Administrative Secretary. Approved as to Form and Legality on basis of facts set forth by Yaacov Brisman, General Counsel. Entering Executive Closed Session in accordance with Open Public Meetings Act, R.S. 10:4-6 et seq. Pursuant to the Open Public Meetings Act,

COMMISSIONER: CARMEN DEPADUA offers the following Resolution for adoption:

WHEREAS, Section 8 of the Open Public Meetings Act, c. 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 presently exist:

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of Passaic Valley Water Commission:

1. The public shall be excluded from discussion of the hereinafter-specified subject Matters; Contracts, Security, Negotiations, Personnel, Law and: other matters as may be discussed *in camera*.
2. It is anticipated at this time that the above-stated subject matters will be ratified During public meeting following or as soon thereafter as the reason for discussion no Longer exists.
3. This Resolution shall take effect immediately.

Second by COMMISSIONER: RUBY N. COTTON Time: 11:41 a.m.

RECORD OF COMMISSION VOTE ON FINAL PASSAGE

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

Adopted at a meeting of Passaic Valley Water Commission.


 President
 RIGO SANCHEZ


 Secretary
 RUBY N. COTTON

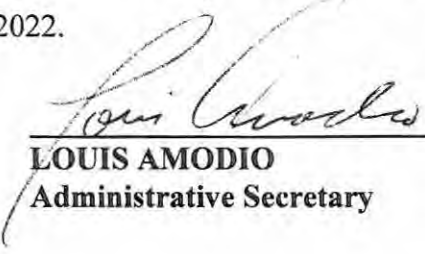
This Resolution, when adopted, must remain in the custody of the Administrative Secretary.



PASSAIC VALLEY WATER COMMISSION

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 of a legal quorum of the Original Resolution duly passed and adopted by a majority of the full membership of the Passaic Valley Water Commission at its meeting of January 19, 2022.


LOUIS AMODIO
Administrative Secretary

RESOLUTION NO. 22-002

PASSAIC VALLEY WATER COMMISSION

**RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF
AN AGREEMENT WITH
NEW JERSEY DEPARTMENT OF TRANSPORTATION
FOR ROUTE 20 DRAINAGE IMPROVEMENTS,
CITY OF PATERSON AND CITY OF CLIFTON,
PASSAIC COUNTY, NEW JERSEY**

**UECA-6-20PATERS-083720
UPC CODE: 083720
CONTRACT ID NUMBER 15-18032**

DATE OF ADOPTION: JANUARY 19, 2022

Introduced by Commissioner: **RUBY N. COTTON**

Seconded by Commissioner: **CARMEN DEPADUA**

WHEREAS, the Commissioner of Transportation, acting for and in the name of the State of New Jersey (the "State") is planning to undertake the design and construction of "Route 20 Paterson Safety Drainage and Resurfacing" in the City of Paterson and the City of Clifton, Passaic County, New Jersey (the "Project"), and

WHEREAS, the Passaic Valley Water Commission (the "PVWC" and/or "Utility") owns and operates an existing water system in the area of the Project; and

WHEREAS, the Project may require the construction of new facilities, and/or protection of existing facilities, and/or relocation and/or adjustment of facilities that are owned and operated by PVWC; and

WHEREAS, the State will, at its sole cost and expense, contract for and cause to be constructed, all items in the NJDOT's contract plans and specifications and as described in the NJDOT Utility Owner Design Authorization Checklist approved by the Passaic Valley Water Commission (PVWC) for the Project related to facilities that are owned and operated by PVWC, and which shall supersede Recitals 15 and 16 of the Utility Engineering and Construction Agreement as stated in the Buy America Commitment Letter; and

WHEREAS, the State will authorize and reimburse PVWC for its actual costs incurred for verification, design, review, approval and inspection of the existing facilities owned and operated by PVWC; and

WHEREAS, PVWC is desirous of entering into an Agreement allowing for the protection, relocation or adjustment of its water system in the Project area and the reimbursement by the State for the expenses incurred by PVWC in connection with such protection, relocation or adjustment; and

WHEREAS, a copy of the Director of Engineering's memorandum dated January 14, 2022 is attached hereto and made a part hereof as Exhibit A; and

WHEREAS, the State's correspondence dated July 13, 2021, the Vendor Identification form, the Buy America Commitment Letter, the Utility Engineering and Construction Agreement (Agreement), the Utility Engineering and Construction Agreement Amendment (Amendment) issued by the State, the NJDOT Utility Owner Design Authorization Checklist and the Utility Plans is attached hereto and made a part hereof as Exhibit B; and

WHEREAS, within the Utility Agreement, the State has expressly acknowledged that PVWC, defined as the Utility thereon, will be afforded the benefit of protections of applicable laws and regulations;

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

1. PVWC and the State have agreed to the terms in the attached Utility Agreement and Amendment and the Utility Agreement and Amendment is hereby authorized and approved.
2. That the appropriate officers and employees of PVWC are hereby authorized and directed to execute the Utility Agreement and implement the terms and conditions of said Utility Agreement in accordance with this Resolution and the submissions provided in connection therewith, all as set forth hereinabove.

RECORD OF COMMISSION VOTE ON FINAL PASSAGE

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

Adopted at a meeting of Passaic Valley Water Commission.



President
RIGO SANCHEZ

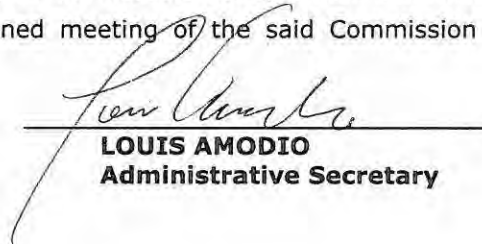


Secretary
RUBY N. COTTON

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 January 19, 2022.



LOUIS AMODIO
Administrative Secretary

PASSAIC VALLEY WATER COMMISSION
PVWC MEMORANDUM DATED JANUARY 14, 2022

EXHIBIT A

PASSAIC VALLEY WATER COMMISSION

INTER-OFFICE MEMORANDUM

Date: January 14, 2022

To: Hon. Commissioners

From: P. Porcaro

cc: Y. Brisman, L. Amodio

Re: Utility Agreement NJDOT for Route 20 Drainage Improvements,
City of Paterson and City of Clifton, Passaic County, New Jersey
UECA-6-20Paters-083720
UPC Code: 083720
Contract ID Number 15-18032

The New Jersey Department of Transportation ("NJDOT") is planning to undertake the design and construction of (the "Project").

This NJDOT Project consists of upgrading the drainage facilities along Route 20 in Paterson and Clifton. There are several PVWC water mains in the area that will be affected by the Project.

The Project will require the construction of new, and/or protection, and/or relocation and/or adjustment of facilities that are owned and operated by PVWC. The NJDOT will, at its sole cost and expense, contract for and cause to be constructed, all items in the NJDOT's contract plans and specifications and as described in the NJDOT Utility Owner Design Authorization Checklist approved by the Passaic Valley Water Commission (PVWC) for the Project related to facilities that are owned and operated by PVWC, and which shall supersede Recitals 15 and 16 of the Utility Engineering and Construction Agreement as stated in the Buy America Commitment Letter.

The NJDOT will be incorporating PVWC's water main requirements into their contract documents. Any costs that PVWC incurs for verification, design, review, approval and inspection of the existing facilities owned and operated by PVWC will be reimbursed by the NJDOT.

Attached is a copy of the referenced Utility Agreement which has been reviewed by the Engineering Department from a technical engineering perspective and found to be acceptable.

It is recommended that, subject to review and approval by the Law Department, that the Utility Agreement be submitted for approval at an upcoming Commission meeting.

PASSAIC VALLEY WATER COMMISSION

EXHIBIT B

- STATE'S CORRESPONDENCE DATED JULY 13, 2021**
- VENDOR IDENTIFICATION FORM**
- BUY AMERICA COMMITMENT LETTER**
- UTILITY ENGINEERING AND CONSTRUCTION AGREEMENT**
- UTILITY ENGINEERING AND CONSTRUCTION AGREEMENT
AMENDMENT**
- NJDOT UTILITY OWNER DESIGN AUTHORIZATION
CHECKLIST**
- UTILITY PLANS**



State of New Jersey

DEPARTMENT OF TRANSPORTATION
P.O. Box 600
Trenton, New Jersey 08625-0600

PHILIP D. MURPHY
Governor

DIANE GUTIERREZ-SCACCETTI
Commissioner

SHEILA Y. OLIVER
Lt. Governor

Date: July 13, 2021

Cindy Reinhardt
Passaic Valley Water Commission
1525 Main Street
Clifton, NJ 07011

Re: UECA-6-20Paters-083720
Route 20 Paterson Safety Drainage and Resurfacing
City of Paterson, City of Clifton; County of Passaic
UECA-6-20Paters-083720
UPC-083720

Dear Ms. Reinhardt,

The New Jersey Department of Transportation's new agreements approved by the Federal Highway Administration are currently in effect. The Utility is being asked to sign simultaneously both the Utility Engineering and Construction Agreement (UECA) and the Utility Engineering and Construction Agreement Amendment (Amendment) with Exhibits 1-10.

Enclosed herewith are four (4) copies of proposed Utility Engineering and Construction Agreement UECA-6-20Paters-083720 covering the understandings between the State of New Jersey Department of Transportation and Passaic Valley Water Commission for the verification, design, protection and/or relocation of certain public works facilities in connection with the design and construction of the above referenced project. We are requesting that your company comply with the Buy America Act.

Please take the following actions:

- Have four (4) copies of the Agreement signed, attested to and embossed with your official seal affixed.
- Type or print the name and title of the signer and attester beneath each signature on the Agreement.

"IMPROVING LIVES BY IMPROVING TRANSPORTATION"
New Jersey Is An Equal Opportunity Employer • Printed on Recycled and Recyclable Paper

- Complete the Vendor Identification Verification form. If the name of the “Utility” provided on the Verification form is not identical to the name of the “Utility” shown on the first paragraph of the Agreement, please make changes to the Agreement so that they **exactly match**.
- Handwrite the utility’s DUNS number in the designated space on the upper right hand of the document. This is a new requirement from the Federal Highway Administration, failure to provide the DUNS No. could result in a delay of receiving payment.
- Return three (3) signed and attested copies of the Agreement to this office. The fourth copy is for your file.
- Complete the attached “Buy America Commitment Letter” acknowledging that the Utility will comply with the Buy America Federal statute 23 U.S.C. 313 and its implementing regulations 23 CFR 635.410 and return with the three signed and attested copies of Agreement to this office.
- The Notification of submission of “FINAL” construction invoice will include “Buy America Certificate of Compliance “(DC-17U). The Final construction Invoice must include the “Buy America Certificate of Compliance”.

The Agreement’s date is to be left blank. Said date will be established and entered by the Commissioner upon final Departmental action.

When ready, the Designer will forward to you the approved Utility Owner Design Authorization (Check List) with a schematic drawing indicating the location of your existing and proposed facilities, and the current proposed highway plans to assist you in developing:

- A. Owner plans.
- B. Owner cost estimate.
- C. Pre-construction notice time.
- D. Estimated construction time to accomplish your proposed work.

Also, enclosed herewith are four (4) copies of proposed Utility Engineering and Construction Agreement Amendment with Exhibits 1 thru 10 to UECA-6-20Paters-083720 covering the understandings between the State of New Jersey Department of Transportation and Passaic Valley Water Commission for the required Federal Regulations pursuant to 2 C.F.R. 200 and 2 C.F.R. 200 Appendix II and implementing regulations of the Federal Highway Administration’s procurement requirements.

The Amendment template and Exhibits have been reviewed and approved by the Federal Highway Administration for use by the Department of Transportation with utilities within New Jersey. This Amendment is only for the listed project above.

Please take the following actions:

- Have four (4) copies of the Agreement signed, attested to and embossed with your official seal affixed.

- Type or print the name and title of the signer and attester beneath each signature on the Agreement.
- Handwrite the utility's DUNS number in the designated space on the upper right hand of the document. This is a new requirement from the Federal Highway Administration, failure to provide the DUNS No. could result in a delay of receiving payment.
- Return three (3) signed and attested copies of the Agreement to this office. The fourth copy is for your file.

The Agreement's date is to be left blank. Said date will be established and entered by the Commissioner upon final Departmental action.

When ready, the Project Management Specialist will send you an executed copy for your use.

Should you have any questions, please contact Sunay Pandya, Asst. Project Manager at (609) 963-1095, email: sunay.pandya@dot.nj.gov.

Sincerely,

Sunay Pandya
Project Management Specialist I
Division of Project Management, Team D

Enclosures
c: Project File

9/19/12 (VENDORID)

Re: Route 20 Paterson Safety Drainage and Resurfacing

VENDOR IDENTIFICATION VERIFICATION

New Jersey Vendor Identification Number: 226002470 00
(Including Location Code, if appropriate)

Federal Vendor Identification Number: 226002470

Corporate Name and Address Associated with the Vendor Identification Number on file
with the New Jersey Department of Treasury:

Passaic Valley Water Commission
1525 Main Avenue, Clifton, New Jersey 07011

Form Completed by: Patrick Porcaro (Signature)
Patrick Porcaro 1/12/2022
(Name) (Date)
(Phone No.) (Fax No.)

Note: 1. To verify your Vendor ID name or number, write or phone "OMB Vendor Control", PO Box 221, Trenton NJ 08625 (Office) (609) 292-7184 or (609) 633-8183 and FAX at (609) 984-5210

Note: 2. Modify the first Paragraph of the Agreement to exactly match the name above.



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

COMMISSIONERS

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

January 10, 2022

NJDOT
1035 Parkway Avenue
P.O. Box 600
Trenton NJ 08625-0600
E&O Building
ATTN: NJDOT Project Manager

Re: Buy America Commitment Letter
1525 Main Street, Clifton, NJ 07011
Route 20 Paterson Safety Drainage and Resurfacing
City of Paterson, City of Clifton; Passaic County
UECA-6-20Paters-083720
UPC Code: 083720
Contract ID No.: 15-18032
DUNS No. for Utility: 06-427-9839

Dear Vandna Patel:

The NJDOT will, at its sole cost and expense, contract for and cause to be constructed, all items in the NJDOT's contract plans and specifications and as described in the NJDOT Utility Owner Design Authorization Checklist approved by the Passaic Valley Water Commission (PVWC) for the Project related to facilities that are owned and operated by PVWC, and which shall supersede Recitals 15 and 16 of the Utility Engineering and Construction Agreement.

☐ **Passaic Valley Water Commission** acknowledges that all steel and iron products that will be used for permanent incorporation for the subject will comply with Buy America Federal Regulations U.S.C. 313 and 23 CFR 635.410. This requires that such products will be made from steel and iron that it is melted and manufactured in the United States, and that the application of coatings which protect or enhance the value of the material are performed in the United States.

Passaic Valley Water Commission will maintain records from all suppliers, fabricators and manufacturers verifying the same, and will comply with its Buy America Assurance Plan dated _____, which has been submitted to and approved by the New Jersey Department of Transportation.

☐ **Passaic Valley Water Commission** has an Assurance Plan on file with NJDOT Utility Management.

OR

☒ **Passaic Valley Water Commission** acknowledges that no iron and/or steel materials will be installed and/or supplied by the Utility and that the only work to be performed would be labor for engineering, project management, flagging and/or construction inspection, therefore, an Assurance Plan is not required at this time.

Very truly yours,

Patrick Porcaro

Patrick Porcaro
Director of Engineering
973-340-4355
pporcaro@pvwc.com

cc: Y. Brisman, L. Amodio, Hon. Commissioners

Administrative Secretary
Louis Amodio

General Counsel
Yaacov Brisman

UECA MUNICIPAL AMENDMENT W/ or W/O STATE CONTRACTOR(NEW 2017)

Route 20 Paterson Safety Drainage and Resurfacing
City of Paterson, City of Clifton, Passaic County

Passaic Valley Water Commission

UECA No.: UECA-6-20Paters-083720]

Contract Billing No.:

UPC Code: 083720

Contract ID No.: 15-18032

DUNS No. for Utility: 06-427-9839

THIS AMENDMENT AGREEMENT made this _____ day of _____, between **COMMISSIONER of TRANSPORTATION**, acting for and in the name of the **STATE OF NEW JERSEY**, hereinafter called the "State", and the Passaic Valley Water Commission, hereinafter called the "Utility".

WHEREAS, the State and Utility have already agreed upon but not fully executed a Utility Agreement before July 1, 2017; and

WHEREAS, the State has determined that federal financial assistance or grants have been or will be expended in the design and construction of this Project, and;

WHEREAS, as of July 1, 2017, 2 C.F.R. 200 and 2 C.F.R. 200, Appendix II are mandated to be part of any procurement based on federal financial assistance; and

WHEREAS, 2 C.F.R. 200 requires other federal regulations to be followed and adhered to in construction projects using federal financial assistance; and

WHEREAS, before entering into additional phases of the Utility's work, an amendment to the original agreement must be executed;

WHEREAS, the Utility is owned by Passaic Valley Water Commission and as such must follow the Passaic Valley Water Commission's procurement laws and policies;

NOW THEREFORE, State and Utility, for the mutual benefits to be obtained agree as follows:

GENERAL CONDITIONS

- (1) The agreed upon but unexecuted agreement before July 1, 2017 is being executed simultaneous with this Amendment.

UECA MUNICIPAL AMENDMENT W/ or W/O STATE CONTRACTOR(NEW 2017)

Route 20 Paterson Safety Drainage and Resurfacing
City of Paterson, City of Clifton, Passaic County

Passaic Valley Water Commission

UECA No.: UECA-6-20Paters-083720]

Contract Billing No.:

UPC Code: 083720

Contract ID No.: 15-18032

DUNS No. for Utility: 06-427-9839

- (2) The previous Agreement is superceded to the extent that it conflicts with the Amendment, all non-conflicting provisions shall remain in full force and effect.

AMENDMENTS

- (3) This paragraph amends UECAMUNS paragraph 10.

After receipt of the Utility's plans, estimates, and schedules, the State will develop a "Utility Agreement Modification". The Utility Agreement Modification, may include a Utility Agreement Plan, but it will set forth in detail the proposed Scope of Work to be performed by the Utility, the anticipated schedules, estimates, project duration and benchmarks, and funding ceilings to accomplish the utility work in the Project by the Utility and/or its contractor to be reimbursed by the State. Separate Utility Agreement Modifications can be performed for the design work and the construction work if a Utility is contracting with firms outside of the Utility to consult with the State in the Preliminary Design process. If the construction is to be performed by the State's Contractor, the Utility Modification will

UECA MUNICIPAL AMENDMENT W/ or W/O STATE CONTRACTOR(NEW 2017)

Route 20 Paterson Safety Drainage and Resurfacing
City of Paterson, City of Clifton, Passaic County

Passaic Valley Water Commission

UECA No.: UECA-6-20Paters-083720]

Contract Billing No.:

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indicate within the Scope of Work any duties of inspection or verification being retained by the Utility.

- (4) This paragraph amends UECAMUNS paragraph 13.

State will request, by certified mail, the Utility to submit final invoices for costs incurred by the Utility upon: (a) completion of design; (b) completion of the utility work; or (c) cancellation of the Project. Final construction invoice shall be submitted along with the Certificate of Compliance (DC17U). (Exhibit 1). All such invoices shall be submitted to the State monthly and the State shall not accept invoices for payment submitted after a sixty (60) day period. In no event will the State reimburse the Utility for costs not included in invoices submitted to the State after the sixty (60) days period following notice. In compliance with 2 C.F.R. 200.309, the Utility shall not charge to this Agreement costs incurred after the period of performance of the project.

- (5) This paragraph amends UECAMUNS paragraph 14. All matters pertaining to subcontracted work, billing, estimates,

UECA MUNICIPAL AMENDMENT W/ or W/O STATE CONTRACTOR(NEW 2017)

Route 20 Paterson Safety Drainage and Resurfacing
City of Paterson, City of Clifton, Passaic County

Passaic Valley Water Commission

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Contract Billing No.:

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DUNS No. for Utility: 06-427-9839

survey control, extra work items, and inspection responsibility shall be in accordance with the Memorandum of Record dated January 10, 2013, entitled "Procedures Governing Estimation of Costs, Requirements During Construction and Billing the New Jersey Department of Transportation for Public Utility Work", and in accordance with the federal regulations at 23 C.F.R. Subpart A and 2 C.F.R. 200 Subpart E and with it being understood that where the State's Regulations are in conflict with the Federal Regulations, the Federal Regulations shall govern. Disallowed costs are those charges determined to not be allowed in accordance with the applicable Federal cost principles or other conditions contained in this agreement. The matter of "Credit for Expired Service Life" has been considered for all items and where allowances apply, same are hereinafter specified in description of items and the cost summary.

(6) This paragraph also amends UECAMUNS paragraph 14.

UECA MUNICIPAL AMENDMENT W/ or W/O STATE CONTRACTOR(NEW 2017)

Route 20 Paterson Safety Drainage and Resurfacing
City of Paterson, City of Clifton, Passaic County

Passaic Valley Water Commission

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The State, FHWA, or their agents, shall be entitled to perform an audit at the following times: during the performance of the work or during a period of up to three years after project close out. All accounts and records shall be kept in accordance with accounting system that meets the requirements of 2 C.F.R. 200.301-200.303 and 2 C.F.R. 200 Subpart F and will facilitate and effective audit in accordance with the Single Audit Act of 1984, as amended (31 U.S.C. §§ 7501-7507). All State audit procedures shall be in conformance with State Treasury Circular Letter 04-04-OMB Single Audit Policy for Receipts of Federal Grants, State Grants and State Aid; State Grant Compliance Supplement; and Treasury Circular 07-07-OMB; and New Jersey Treasury Circular OMB-15-08-OMB "Single Audit Policy for Subrecipients of Federal Grants, State Grants, and State Aid."

- (7) This paragraph also amends UECAMUNS paragraph 14.

The Utility acknowledges that changes in payment due to the Utility resulting from audits performed by the State shall be made as follows:

UECA MUNICIPAL AMENDMENT W/ or W/O STATE CONTRACTOR(NEW 2017)

Route 20 Paterson Safety Drainage and Resurfacing
City of Paterson, City of Clifton, Passaic County

Passaic Valley Water Commission

UECA No.: UECA-6-20Paters-083720]

Contract Billing No.:

UPC Code: 083720

Contract ID No.: 15-18032

DUNS No. for Utility: 06-427-9839

A. In the event of overpayment by the State, the Utility shall refund the amount of such overpayment within thirty days of the request by the State. In the event the Utility fails to comply with said request, the State is hereby authorized to deduct such overpayment from other monies due the Utility under the terms of this Agreement or any other agreement between the State and the Utility. Furthermore, the Utility expressly understands and agrees that the provisions of this section shall in no way be construed to relieve the Utility from any liability, or preclude the State from taking any other actions as are available to it under any other provisions of this Agreement or otherwise at law. The terms of this section shall survive the expiration or termination of the Agreement.

B. In the event of underpayment by the State, the State shall pay sufficient funds to the Utility to correct the underpayment as soon as is practicable.

UECA MUNICIPAL AMENDMENT W/ or W/O STATE CONTRACTOR(NEW 2017)

Route 20 Paterson Safety Drainage and Resurfacing
City of Paterson, City of Clifton, Passaic County

Passaic Valley Water Commission

UECA No.: UECA-6-20Paters-083720]

Contract Billing No.:

UPC Code: 083720

Contract ID No.: 15-18032

DUNS No. for Utility: 06-427-9839

C. The Utility shall include in the Final Invoice the following release clause:

"In consideration of the requested payment of this Final Invoice, the Passaic Valley Water Commission hereby releases the State of New Jersey and the New Jersey Department of Transportation, their agents, officers and employees, from all claims and liabilities arising from work done or services performed under this Agreement."

(8) This paragraph amends UECAMUNS paragraph 14. Payment to the Utility for a Final Invoice does not waive either the right of the State to establish adjustments and to collect overpayments that are disclosed by audits performed subsequent to payment of the Final Invoice, or the right of the Utility to underpayments based upon adjustments disclosed by said audits.

(9) This paragraph amends UECAMUNS paragraph 14. Closeout Reports. The Utility shall submit a Project Closeout report no later than 90 days after the period of

UECA MUNICIPAL AMENDMENT W/ or W/O STATE CONTRACTOR(NEW 2017)

Route 20 Paterson Safety Drainage and Resurfacing
City of Paterson, City of Clifton, Passaic County

Passaic Valley Water Commission

UECA No.: UECA-6-20Paters-083720]

Contract Billing No.:

UPC Code: 083720

Contract ID No.: 15-18032

DUNS No. for Utility: 06-427-9839

performance end date. The report will be in a form satisfactory to the State and shall, at a minimum, comply with the requirements of 2 C.F.R. 200.343 and allow the State to comply as well.

- (10) NEW PARAGRAPH. The State may, in its sole discretion terminate this agreement for cause or for convenience pursuant to the Standard Specification or if the State, USDOT or FHWA determined that termination of this Agreement is in the public interest.

PROCUREMENT REQUIREMENTS FOR UTILITY AND ITS SUBCONTRACTS

- (11) As the Utility is wholly owned and operated by Passaic Valley Water Commission, all procurements shall abide by the expressed Federal, State, and local requirements dealing with conflicts of interest in procurement. Utility, if using Municipal personnel to perform in whole or in part this Agreement, shall follow all Federal, State, and local laws relating to discrimination against any employee or applicant for employment because of race, color, religion, sex, sexual orientation, gender identity, or national origin.

UECA MUNICIPAL AMENDMENT W/ or W/O STATE CONTRACTOR(NEW 2017)

Route 20 Paterson Safety Drainage and Resurfacing
City of Paterson, City of Clifton, Passaic County

Passaic Valley Water Commission

UECA No.: UECA-6-20Paters-083720]

Contract Billing No.:

UPC Code: 083720

Contract ID No.: 15-18032

DUNS No. for Utility: 06-427-9839

- (12) If the Utility will be publicly bidding for contractors to perform the work contained in this Agreement and its Amendments and any Utility Agreement Modification, Utility shall exchange for review and approval all bid documents prior to advertisement for review and conformance with the Procurement requirements expressed herein. Bidding procedures shall conform to the 2007 Standard Specification for Bridge and Road Construction and any Baseline Document Changes ("BDC") and Special Provisions as designated by the State, incorporated herein by reference. The State or FHWA shall have the authority to accept or reject the proposed documents for bidding on the basis of this Agreement and Amendment and the procedures of the Standard Specifications, Baseline Document Changes, and Special Provisions.
- (13) In order to be a recipient of federal financial assistance, the State must comply with all of the federal requirements, as applicable, to the type of work performed by the State, and in turn the Utility

UECA MUNICIPAL AMENDMENT W/ or W/O STATE CONTRACTOR (NEW 2017)

Route 20 Paterson Safety Drainage and Resurfacing
City of Paterson, City of Clifton, Passaic County

Passaic Valley Water Commission

UECA No.: UECA-6-20Paters-083720]

Contract Billing No.:

UPC Code: 083720

Contract ID No.: 15-18032

DUNS No. for Utility: 06-427-9839

performing work on behalf of the State. This list is
attached at Exhibit 2.

- (14) If the Utility is assisting in the preparation of plans and specifications during the engineering phases of the Project, the Utility is subject to these provisions in obtaining a subconsultant to perform the work.
- (15) If the Utility will only provide inspections, and will not subcontract for that work, the Utility is responsible for the compliance with all applicable federal, state and local laws.
- (16) If the Utility is obtaining engineering or design services as a consultant, Utility will abide by the Brooks Act (40 U.S.C. §§ 1101-1104) as implemented in 23 U.S.C. 112(b)(2) or equivalent qualifications based requirements as approved by State or FHWA.
- (17) If the Utility is not performing the construction work under this Agreement, the State is obligated to comply with all applicable federal procurement procedures in obtaining its contract to perform the work contained in this Agreement.

UECA MUNICIPAL AMENDMENT W/ or W/O STATE CONTRACTOR(NEW 2017)

Route 20 Paterson Safety Drainage and Resurfacing
City of Paterson, City of Clifton, Passaic County

Passaic Valley Water Commission

UECA No.: UECA-6-20Paters-083720]

Contract Billing No.:

UPC Code: 083720

Contract ID No.: 15-18032

DUNS No. for Utility: 06-427-9839

- (18) If the Utility is performing engineering or construction work with the aid of subcontractors or subconsultants under this Agreement with estimates and reimbursements under the appropriate Utility Agreement Modification, Utility shall include in any solicitation for bids, Requests for Proposals of work, or materials as negotiated:

"The Recipient (State), in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that for any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."

- (19) Utility will comply with the parameters of 49 C.F.R. Part 26, Disadvantaged Business Enterprises Program, in its procurement of subcontractors and subconsultants to make

UECA MUNICIPAL AMENDMENT W/ or W/O STATE CONTRACTOR(NEW 2017)

Route 20 Paterson Safety Drainage and Resurfacing
City of Paterson, City of Clifton, Passaic County

Passaic Valley Water Commission

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Contract Billing No.:

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all applicable good faith efforts. Requirements are set forth at Exhibit 3.

(20) If after the scope of work is determined and a Disadvantaged Business Enterprises goal ("DBE goal") is established by the State's DBE unit, the individual DBE goal shall be listed in the Utility Agreement Modification relating to the engineering or construction work for which the goal is being established. If it is determined that the DBE goal is 0%, the DBE goal shall still be listed in the Utility Agreement Modification.

(21) State, as a requirement of receiving federal financial assistance, is obligated to require Utility to abide by and include in any contracts by the Utility with its subcontractors and subconsultants the attached Exhibit 4 and Exhibit 5.

(22) Bonding and insurance requirements shall be set forth in the Utility Modification Agreement based on the type of Project, estimated costs, whether work is to be constructed by the Utility, and whether or not the Utility is self-insured.

UECA MUNICIPAL AMENDMENT W/ or W/O STATE CONTRACTOR(NEW 2017)

Route 20 Paterson Safety Drainage and Resurfacing
City of Paterson, City of Clifton, Passaic County

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(23) After July 1, 2017, State became responsible to include every engineering and construction contract and its grants the requirements of 2 C.F.R. 200 and 2 C.F.R. 200, Appendix II. Utility shall be responsible for the compliance with these federal regulatory provisions and comply by following:

- A. Federal Mandatory Equal Opportunity Language on Federal Aid Project, Authority Subject to 41 C.F.R. Part 200 and 2 C.F.R. Part 200 Appendix II. (Exhibit 6).
- B. Federal Form 1273, Prevailing Wage (Exhibit 7) and Supplementary State Provisions at Exhibit 8.
- C. If any federal funds subject to 37 C.F.R. §401.2 are used to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that "funding agreement" the Utility must comply with the requirements of 37 C.F.R. part 401 "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts, and Cooperative Agreements," and any implementing regulations issued by the federal agency or State.
- D. In addition to the Debarment and Suspension requirements of the System for Award Management and the New Jersey List of Debarred Contractors as explained in Form 1273, Utility shall follow Exhibit 8.
- E. Byrd Anti-Lobbying Amendment (31 U.S.C. 1352) and requirements of submission of documents to State at Exhibit 9.
- F. If materials used in performance of this contract are listed on the Procurement of Recovered Materials at 2

UECA MUNICIPAL AMENDMENT W/ or W/O STATE CONTRACTOR(NEW 2017)

Route 20 Paterson Safety Drainage and Resurfacing
City of Paterson, City of Clifton, Passaic County

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C.F.R. 200.322, Utility shall comply with all requirements therein.

- (24) Utility shall also comply with the requirements of the State's receipt of federal financial assistances concerning:

- A. Drug Free Workplace (Exhibit 10)
- B. State of New Jersey Treasury Circular 07-05-OMB, Grant Agreements and Agency Contracts incorporated by reference herein. Any federal statutes or regulations that conflict with this circular shall control.
- C. Department of Transportation Code of Vendor Ethics

- (25) The Utility shall recognize and agree that both the initial provision of funding and the continuation of such funding under the Agreement is expressly dependent upon the availability to the Department of funds appropriated by the State Legislature from State and/or Federal revenue or such other funding sources as may be applicable. A failure of the Department to make any payment under this Agreement or to observe and perform any condition on its part to be performed under the Agreement as a result of the failure of the Legislature to appropriate funds shall not in any manner constitute a

UECA MUNICIPAL AMENDMENT W/ or W/O STATE CONTRACTOR (NEW 2017)

Route 20 Paterson Safety Drainage and Resurfacing
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breach of the Agreement by the Department or in event of default under the Agreement and the Department shall not be held liable for any breach of the Agreement because of the absence of available funding appropriations. In addition, future funding shall not be anticipated from the Department beyond the duration of the award period set forth in the Agreement/ Utility Modification Agreement in no event be construed as a commitment by the Department to expend funds beyond the termination date/Project completion date set in the Agreement/Utility Modification Agreement.

UECA MUNICIPAL AMENDMENT W/ or W/O STATE CONTRACTOR(NEW 2017)

Route 20 Paterson Safety Drainage and Resurfacing
City of Paterson, City of Clifton, Passaic County

Passaic Valley Water Commission

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Contract Billing No.:

UPC Code: 083720

Contract ID No.: 15-18032

DUNS No. for Utility: 06-427-9839

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be
duly executed the day and year first written above.

CERTIFICATION

I hereby certify that I am an authorized representative of the Utility and have all
necessary authority to execute this Agreement and to bind the Utility to all
obligations arising from this Agreement. I fully understand that the Department of
Transportation will rely upon this certification in accepting my execution of this
Agreement for the Utility.

ATTEST:

PASSAIC VALLEY WATER COMMISSION

BY: _____

Louis Amodio
Administrative Secretary

BY: _____

President

ATTEST:

STATE OF NEW JERSEY
DEPARTMENT OF
TRANSPORTATION

By: _____

Anika James
Department of Transportation
DATE:

BY: _____

Paul F. Schneider, Director
Capital Program Support

This aforementioned Agreement has
been reviewed and APPROVED AS TO FORM:

GURBIR S. GREWAL
ATTORNEY GENERAL OF NEW JERSEY

Recommended:

Vandna Patel
Project Management Specialist Team D

By: _____

Nonee Lee Wagner
Deputy Attorney General

DATE:

DATE: _____

Work done by State's Contractor

Route 20 Paterson Safety Drainage and
Resurfacing

City of Paterson, City of Clifton

County of Passaic

Passaic Valley Water Commission

UECA-6-20Paters-083720

UPC Code: 083720

Contract ID No.: 15-18032

DUNS No. for Utility: 06-427-9839

THIS AGREEMENT made this _____ day of _____, _____, between the COMMISSIONER OF TRANSPORTATION, acting for and in the name of the STATE OF NEW JERSEY, hereinafter called the "State", and the Passaic Valley Water Commission, hereinafter called the "Utility".

WHEREAS, State is about to undertake the design and construction of Route 20 Paterson Safety Drainage and Resurfacing located in City of Clifton, City of Paterson, Passaic County, hereinafter called the "Project"; and

WHEREAS, the Project may require the construction of new, and/or the protection, relocation and/or adjustment of facilities of the existing water system which is owned and operated by the Utility; and

WHEREAS, Utility's legal right to occupy public right-of-way, subject to the conditions imposed by the State, is in no way mitigated by this Agreement; and

WHEREAS, Utility is not obligated by State law or agreement to relocate its own facilities at its own expense for this type of Project; and

WHEREAS, the provisions of the State's Accommodation of Utilities within Highway Right-of-Way N.J.A.C. 16:25 and Code of Federal Regulations, 23 C.F.R. 645, Subpart B are applicable.

NOW THEREFORE, State and Utility, for the mutual benefits to be obtained, agree as follows:

- (1) The State and Utility shall cooperate in developing plans and cost estimates for their respective work necessitated by the Project.
- (2) The Utility shall designate a responsible representative to coordinate its effort with those of the State.
- (3) The State will, at its sole cost and expense, contract for and cause to be constructed, all items indicated in the State's contract plans and specifications for the Project, related to existing and proposed facilities owned and operated by the Utility.
- (4) The State will authorize and reimburse the Utility for its actual costs for design, review, approval and inspection, for the protection, relocation or adjustment of its existing facilities necessary to accomplish the Project.
- (5) The Utility's preliminary engineering design costs for correspondence, meetings and exchanges of engineering information are eligible for reimbursement and the State will accept billing of these costs after this Agreement is fully executed and issued.

Work done by State's Contractor

Route 20 Paterson Safety Drainage and
Resurfacing

City of Paterson, City of Clifton

County of Passaic

Passaic Valley Water Commission

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- (6) The Utility shall disclose and verify its existing facilities at no cost to State within the Project limits identifying the facility type, size and operating potentials.
- (7) The State will indicate the existing and proposed utility facilities, owned and operated by the Utility, and to be constructed by the State, in State's contract documents for the Project.
- (8) When the State proceeds to develop the Project plans, the State and Utility shall jointly identify potential conflicts between the Utility's facilities and the Project, and shall jointly develop a scheme for the protection, relocation, rearrangement and/or betterment of facilities in accordance with N.J.A.C. 16:25 Utility Accommodation to accomplish the Project.
- (9) Subsequent to the development of the above scheme with the approval of the State and concurrence of the Utility, the State will issue a "Utility Owner Design Authorization (Check List)" describing the utility work and authorizing the State's designer to finalize design plans, estimates, and schedules necessary to construct new, and/or protect, relocate, and/or rearrange facilities in concert with the Project, and incorporate them into the State's Project contract documents.
- (10) The State will develop a "Utility Agreement Modification" which may include a Utility Agreement Plan outlining work "To be performed by State's contractor at State Expense", estimated cost for field engineering, inspection and/or valve turning operations to be performed by Utility's personnel. This will be issued in the person of the Executive Regional Manager Team D (NJDOT).
- (11) The purpose of this Agreement is to cover all the required utility facility construction, protection, relocation, and rearrangement work necessitated by the Project; however, it is agreed that the State, in the person of the Executive Regional Manager Team D (NJDOT), will issue modifications to this Agreement to cover unanticipated work, resulting from Project activities and/or field conditions.
- (12) State will supply the Utility with a copy of the contract plans and specifications when the Project is advertised.
- (13) The State will request, by certified mail, the Utility to submit final invoices for costs incurred by the Utility upon; (a) completion of design; (b) completion of the utility work; or (c) cancellation of the Project. All such invoices shall be submitted to the State within sixty (60) days of this request. The State may not accept invoices for payment submitted after the sixty (60) day period.

Work done by State's Contractor

Route 20 Paterson Safety Drainage and
Resurfacing

City of Paterson, City of Clifton

County of Passaic

Passaic Valley Water Commission

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- (14) All matters pertaining to subcontracted work, billing, estimates, survey control, extra work items and inspection responsibility shall be in accordance with the Memorandum Of Record dated January 10, 2013, entitled: "Procedures Governing Estimation of Costs, Requirements During Construction and Billing the New Jersey Department of Transportation for Public Utility Work", and in accordance with the Federal Regulations 23 CFR 645, Subpart A and with it being understood that where the State's Regulations are in conflict with the Federal Regulations, the Federal Regulations shall govern. Billing shall be based on accounting methods used by the Utility in conformity with the system of accounts adopted and prescribed by the Division of Local Government Services of the State of New Jersey. The matter of "Credit for Expired Service Life" has been considered for all items and where allowances apply, same are hereinafter specified in description of items and the cost summary.
- (15) The Utility will comply with the Buy America Federal Regulation requirements U.S.C. 313 and 23 CFR 635.410, for all steel and iron materials furnished by the Utility and its Subcontractors for permanent incorporation in this Project. Under this requirement, all manufacturing processes for steel and iron products shall occur in the United States including all melting, rolling, extruding, machining, bending, grinding, drilling and coating. The Utility Company shall submit a Buy America Commitment letter at the time of execution of this Agreement affirmatively stating that the Utility is committed to complying with all the requirements of the Buy America Federal Regulations, and that the Utility will comply with its approved Buy America Assurance Plan. The Utility's Buy America Assurance Plan shall indicate how the Utility will ensure that only materials that comply with the Federal Buy America requirements will be used for permanent incorporation into this Project. This will include how the Utility will maintain the records of certification from suppliers, fabricators and manufacturers verifying compliance with Buy America Federal Regulations. The State reserves the right to audit such records at the completion of the Project. The lack of these documents will be justification for rejection of the steel and/or iron product thus resulting in nonpayment for all work performed by the Utility.
- With the Final Construction Invoice submission, the Utility shall submit a "Buy America Certification of Compliance" certifying that:
- All steel and iron products provided for permanent incorporation in the Project, were made from steel and iron that was melted and manufactured in the United States including the application of coatings which protect or enhance the value of the material.**
- Or if any material does not comply with these requirements, the Utility will indicate what material does not comply. The State may require the Utility to remove and replace material that does not comply with the Buy America requirements, at no expense to the Department and may deny the Utility reimbursement for all the relocation costs incurred by the Utility.
- (16) The Utility shall perform the work, specified herein, with its own forces wherever possible and only have that portion of the work performed by a consultant or contractor that the Utility is

Work done by State's Contractor

Route 20 Paterson Safety Drainage and
Resurfacing

City of Paterson, City of Clifton

County of Passaic

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not adequately staffed or equipped to perform with its own forces.

- (17) The intention of this Agreement is that facilities which are removed, relocated, or disrupted will be replaced in such a manner that shall result in services being restored to the status and degree of use as existed prior to said changes. The Utility and the State agree to jointly use their best efforts to relocate, adjust and/or abandon the existing facilities and construct any new facilities without detrimentally affecting or interrupting services to the Utility's customers. In the event during construction of the Project it is necessary to detrimentally affect or interrupt services, the Utility shall be notified at least 48 hours in advance, unless the particular circumstances dictate less notice.
- (18) The design of utility facilities intended to be constructed by the State for the Utility shall be approved by the Utility before the State includes such facilities in the State's contract documents before the Project is advertised.
- (19) In no case will the State pay for betterment of facilities nor will the State pay any costs for work performed for the sole benefit or convenience of the Utility, the State's contractor, or the Utility's contractor.
- (20) Utility facilities constructed under the terms of this Agreement shall become the sole property of the Utility and the Utility shall be solely responsible for their operation, repair, and maintenance.
- (21) The State will obtain and bear the cost of all permits, environmental or otherwise, relating to the construction of new, and/or the protection, relocation and/or rearrangement of existing facilities, as necessitated by the Project, whether the necessary utility work is within or outside of the highway right-of-way. However, should the Utility choose to install facilities that constitute betterment, then it is the sole responsibility of the Utility to obtain the permits necessary for said betterment. It is further understood that should the Utility desire to install additional facilities, at a future date within the highway right-of-way, the Utility shall obtain the appropriate Utility Permit from the authority having jurisdiction over the highway. This Agreement is the Utility Permit for the work authorized herein.
- (22) Subject to provisions of the New Jersey Tort Claims Act, N.J.S.A. 59:1-et seq., the State will be responsible for personal injuries and property damage caused by the actions of the State, its employees or agents which arises out of this Agreement. Any claim for such personal injury or property damage must be filed in accordance with N.J.S.A. 59:8-1 et seq.
- (23) Subject to the provisions of the New Jersey Tort Claims Act, N.J.S.A. 59:1-1 et. Seq., the Utility will be responsible for personal injuries and property damage caused by the actions of

UECAMUNS (3-05-2018)

Work done by State's Contractor

Route 20 Paterson Safety Drainage and
Resurfacing

City of Paterson, City of Clifton

County of Passaic

Passaic Valley Water Commission

UECA-6-20Paters-083720

UPC Code: 083720

Contract ID No.: 15-18032

DUNS No. for Utility: 06-427-9839

the Utility, its employees or agents which arises out of this Agreement. Any claim for such personal injury or property damage must be filed in accordance with N.J.S.A. 59:8-1 et seq.

- (24) The State has estimated the Utility's engineering costs for the Project and will adjust these costs to reflect the actual costs incurred by the Utility by issuing the appropriate Utility Agreement Modification.
- (25) The Utility's engineering costs incurred for the Project are eligible for reimbursement as of December 5, 2014, and are estimated to be \$5,000.00.

UECAMUNS (3-05-2018)

Work done by State's Contractor

Route 20 Paterson Safety Drainage and
Resurfacing
City of Paterson, City of Clifton
County of Passaic
Passaic Valley Water Commission
UECA-6-20Paters-083720
UPC Code: 083720
Contract ID No.: 15-18032
DUNS No. for Utility: 06-427-9839

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed the date and year first written above.

ATTEST:

PASSAIC VALLEY WATER
COMMISSION

Louis Amodio
Administrative Secretary

By: _____
President

ATTEST:

STATE OF NEW JERSEY
DEPARTMENT OF TRANSPORTATION

Anika James, Secretary
Department of Transportation

By: _____
Paul F. Schneider, Director
Capital Program Support

Date: _____

This aforementioned Agreement has been
reviewed and approved as to form.

Recommended:

GURBIR S. GREWAL
ATTORNEY GENERAL OF NEW JERSEY

Date:

By: _____
Nonee Lee Wagner
Deputy Attorney General

Vandna Patel, Project Manager Team D
(PM date & PM's typed name then Sign on-line
above name)

Date: _____

**NEW JERSEY DEPARTMENT OF TRANSPORTATION
UTILITY OWNER DESIGN AUTHORIZATION (CHECKLIST)**

PROJECT NAME: Route 20 Safety-Drainage-Pavement		MUNICIPALITY: City of Paterson		COUNTY: Passaic
UTILITY OWNER: Passaic Valley Water Commission - Water		AGREEMENT NO: UECA-6-20Paters-083720		UPC CODE: 083720
Item No:	Location	Existing Facilities	Proposed Facilities	NJDOT Remarks/Authorization
1, 9	Route 20 Station 8029+45, Right to Station 8029+59, Right	12" CI	Install 75 L.F. of 12" CL54 DIP (vertical relocation) between Station 8028+92 and Station 8029+75 using existing gate valves - Use 45-degree bends to offset water main over proposed drainage, all joints restrained by Field Lok gaskets, concrete thrust blocks at bends - Install 12x8" tee, 10 LF of 8" CL54 DIP with restrained joints and thrust block Install 30 LF of 6" CL54 DIP for hydrant branch, hydrant valve, valve box and lid and hydrant Install fire hydrant, gate valve, valve box and lid at Station 8028+95, Right Install 2-12" Insertion Valves, valve boxes and lids Install 1-8" Insertion Valve, valve box and lid	
<u>DESIGNER</u> I certify that this document depicts the In Kind replacement of the existing facilities and that all betterments are indicated. Prepared by: _____ Signature _____ Date _____ Print Name: Colleen M. Richwall, P.E. Design Firm: Taylor Wiseman & Taylor		<u>UTILITY OWNER</u> I certify that this document depicts the In Kind replacement of the existing facilities and that all betterments are indicated. Utility Concurrence Signature <u>Patrick Porcaro</u> Date <u>1/4/2022</u> Print Name: Patrick Porcaro, P.E. Print Title: Director of Engineering		<u>NJDOT</u> The Utility is approved to proceed with their plans and estimates for the work described herein. Signature _____ Date _____ Print Name: Vandna Patel Project Manager
<u>Final Design Acceptance</u> Signature _____ Date _____		<u>Final Design Acceptance</u> Signature <u>Patrick Porcaro</u> Date <u>1/4/2022</u>		<u>Final Design Acceptance</u> Signature _____ Date _____

**NEW JERSEY DEPARTMENT OF TRANSPORTATION
UTILITY OWNER DESIGN AUTHORIZATION (CHECKLIST)**

PROJECT NAME: Route 20 Safety-Drainage-Pavement		MUNICIPALITY: City of Paterson		COUNTY: Passaic
UTILITY OWNER: Passaic Valley Water Commission - Water			AGREEMENT NO: UECA-6-20Paters-083720	UPC CODE: 083720
Item No:	Location	Existing Facilities	Proposed Facilities	NJDOT Remarks/Authorization
1,9 (cont.)	Route 20 Station 8029+45, Right to Station 8029+59, Right	12" CI	Remove and/or abandon existing facilities (12" CI) Remove existing fire hydrant or cut and cap abandoned hydrant branch at each end.	
2, 9	Route 20 Station 89+95, Left to Station 90+32, Left	8" CI	Install 40 L.F. of 8" CL54 DIP (vertical relocation) between Station 89+95 and Station 90+32 Use 45-degree bends to offset water main below proposed drainage, all joints restrained using Field Lok gaskets, concrete thrust blocks at bends Remove and/or abandon existing facilities (8" CI)	
3, 9	Route 20 Station 93+40, Left to Station 93+41, Right	8" CI	Install 35 L.F. of 6" CL54 DIP between Station 93+40 and Station 93+41 Restrain all joints using Field Lok gaskets and concrete thrust block at tee Install 8" gate valve, valve box and lid at Station 93+41, Right Install 8" Insertion Valve, valve box and lid Remove and/or abandon existing facilities (6" fire line)	

**NEW JERSEY DEPARTMENT OF TRANSPORTATION
UTILITY OWNER DESIGN AUTHORIZATION (CHECKLIST)**

PROJECT NAME: Route 20 Safety-Drainage-Pavement		MUNICIPALITY: City of Paterson		COUNTY: Passaic
UTILITY OWNER: Passaic Valley Water Commission - Water			AGREEMENT NO: UECA-6-20Paters-083720	UPC CODE: 083720
Item No:	Location	Existing Facilities	Proposed Facilities	NJDOT Remarks/Authorization
4, 9	Route 20 Station 104+12, Left to Station 110+38, Left	6" CI	Install fire hydrant, gate valve, valve box and lid at Station 104+15, Left Install 40 L.F. of 6" CL54 DIP (vertical relocation) between Station 104+16 and Station 104+28 using existing gate valves • Restrain all joints using Field Lok gaskets and concrete thrust block at tee Install 75 L.F. of 6" CL54 DIP (vertical relocation) between Station 104+64 and Station 105+30 using existing gate valves • Use 45-degree bends to offset water main above proposed drainage, all joints restrained using Field Lok gaskets, concrete thrust blocks at bends Install 45 L.F. of 6" CL54 DIP (vertical relocation) between Station 110+15 and Station 110+38 using existing gate valves • Use 45-degree bends to offset water main above proposed drainage, all joints restrained using Field Lok gaskets, concrete thrust blocks at bends Install 3-6" Insertion Valves, valve boxes and lids Remove and/or abandon existing facilities (6" CI)	
5	Route 4 Station 23+27, Left to Station 24+38, Left	12" Pipe	Reset manhole at Route 4 Station 24+34, Left	

Designer Initials: _____

Project Manager Initials: _____

Utility Owner Initials: PP

**NEW JERSEY DEPARTMENT OF TRANSPORTATION
UTILITY OWNER DESIGN AUTHORIZATION (CHECKLIST)**

PROJECT NAME: Route 20 Safety-Drainage-Pavement		MUNICIPALITY: City of Paterson		COUNTY: Passaic
UTILITY OWNER: Passaic Valley Water Commission - Water			AGREEMENT NO: UECA-6-20Paters-083720	UPC CODE: 083720
Item No:	Location	Existing Facilities	Proposed Facilities	NJDOT Remarks/Authorization
6, 9	Route 20 Station 194+05, Left to Station 201+01, Left	6" CI 8" CI	Install 8" cap for abandoned 8" water main at Station 194+41 Install 40 L.F. of CL54 DIP for hydrant branch between Station 194+43 and Station 194+44 • Use 90-degree bend, remove tee, all joints restrained using Field Lok gaskets, concrete thrust blocks at 90-degree bend Install 30 L.F. of CL54 DIP for hydrant branch between Station 197+57 and Station 197+58 • Install 12x6 tee, all joints restrained using Field Lok gaskets, concrete thrust block at tee Install 20 L.F. of 12" CL54 DIP between Station 197+49 and Station 197+69 using existing gate valves • Include require fittings, all joints restrained using Field Lok gaskets, concrete thrust blocks at bend Install 20 L.F. of CL54 DIP for hydrant branch between Station 201+00 and Station 201+01 • Install 12x6 tee, all joints restrained using Field Lok gaskets, concrete thrust block at tee Install 3 fire hydrants, gate valves, valve boxes and lids at: • Route 20 Station 194+44 • Route 20 Station 197+68 • Route 20 Station 201+01 Remove 3 existing fire hydrants Remove and/or abandon existing facilities (6" CI & 8" CI)	

**NEW JERSEY DEPARTMENT OF TRANSPORTATION
UTILITY OWNER DESIGN AUTHORIZATION (CHECKLIST)**

PROJECT NAME: Route 20 Safety-Drainage-Pavement		MUNICIPALITY: City of Paterson		COUNTY: Passaic
UTILITY OWNER: Passaic Valley Water Commission - Water		AGREEMENT NO: UECA-6-20Paters-083720		UPC CODE: 083720
Item No:	Location	Existing Facilities	Proposed Facilities	NJDOT Remarks/Authorization
7, 9	5 th Avenue Station 30+00, Left to Station 32+80, Left	6" CI 8" CI	Install fire hydrant, gate valve, valve box and lid at Station 31+83 Install 15 L.F. of CL54 DIP from water main to fire hydrant • Install 8x6 tee, all joints restrained using Field Lok gaskets, concrete thrust block at tee Install 115 L.F. of 8" CL54 DIP (vertical relocation) between Station 31+70 and Station 32+80 using existing gate valves • Use 45-degree bends to offset water main above proposed drainage, all joints restrained using Field Lok gaskets, concrete thrust blocks at bends Reset 2 Water Valves Remove existing fire hydrant Remove and/or abandon existing facilities (6" CI & 8" CI)	

**NEW JERSEY DEPARTMENT OF TRANSPORTATION
UTILITY OWNER DESIGN AUTHORIZATION (CHECKLIST)**

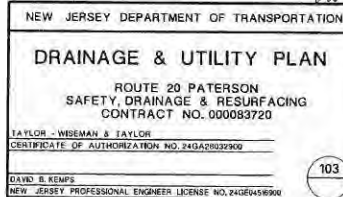
PROJECT NAME: Route 20 Safety-Drainage-Pavement		MUNICIPALITY: City of Paterson		COUNTY: Passaic
UTILITY OWNER: Passaic Valley Water Commission - Water			AGREEMENT NO: UECA-6-20Paters-083720	UPC CODE: 083720
Item No:	Location	Existing Facilities	Proposed Facilities	NJDOT Remarks/Authorization
8, 9	Route 20 Station 201+44, Left to Station 204+51, Left	6" CI 8" CI 12" CI	Install 95 L.F. of 8" CL54 DIP (vertical relocation) between Station 201+44 and Station 201+93 using existing gate valves - All joints restrained using Field Lok gaskets, concrete thrust blocks at bends Install 30 L.F. of 12" CL54 DIP (vertical relocation) between Station 201+66 and Station 201+99 using existing gate valves - Use 45-degree bends to offset water main above proposed drainage, all joints restrained using Field Lok gaskets, concrete thrust blocks at bends Install fire hydrant, gate valve, valve box and lid at Station 204+51 Install 2-8" Insertion Valves, valve boxes and lids Install 1-12" Insertion Valve, valve box and lid Reset 3 Water Valves Remove existing fire hydrant or cut and cap abandoned hydrant branch at each end Remove and/or abandon existing facilities (6" CI, 8" CI, & 12" CI)	
General Notes: 1. All distances, stations, offsets, lengths or units are approximate (plus or minus). 2. No Interruption of service planned. 3. No Seasonal Time Constraints. 4. No Betterment. 5. Construction to be done by NJDOT Contractor, approved by Passaic Valley Water Commission.				

Designer Initials: _____

Project Manager Initials: _____

Utility Owner Initials: PP

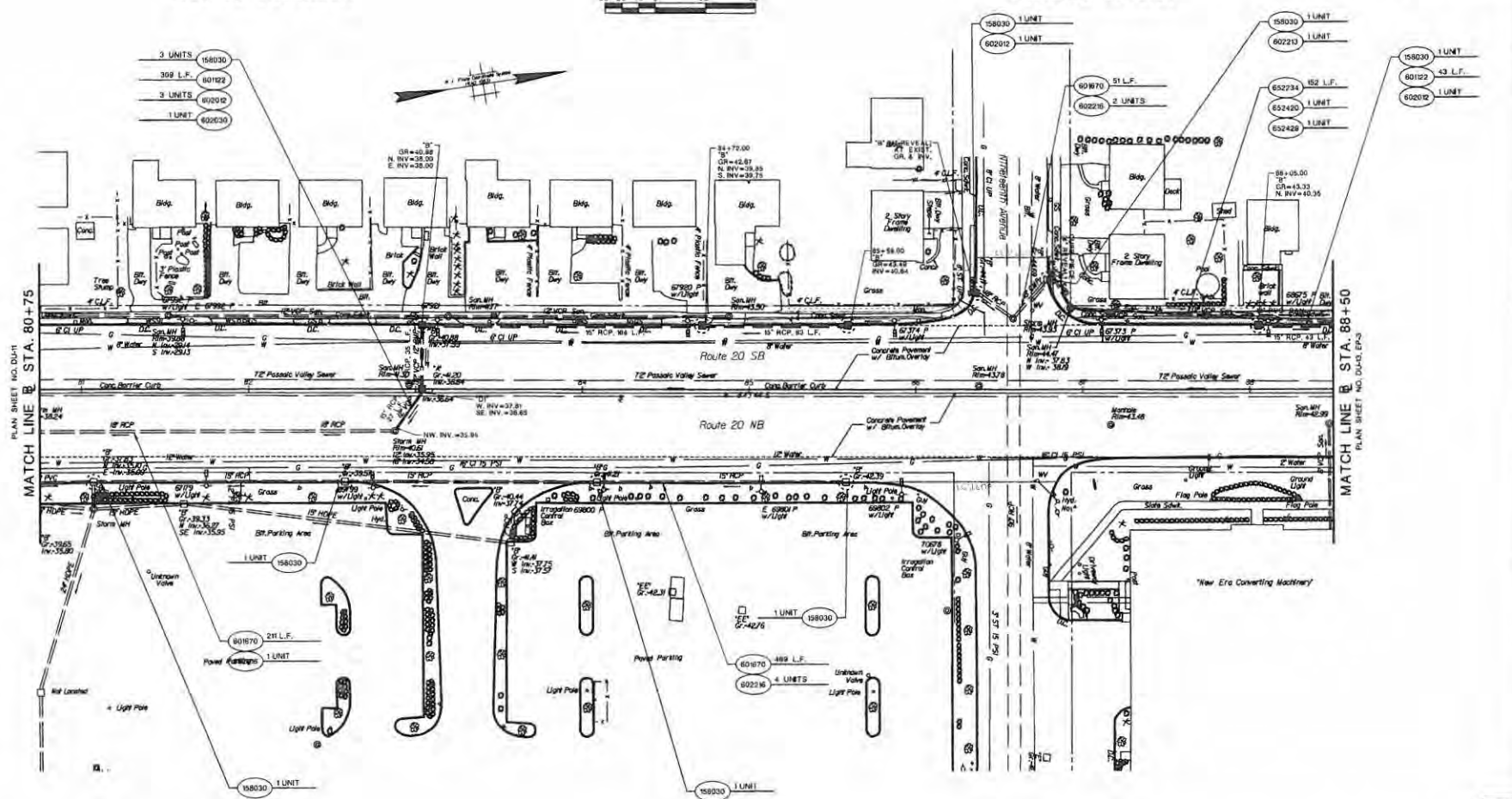
PASSAIC COUNTY





CITY OF PATERSON

PASSAIC COUNTY



ITEM NO.	TO BE CONSTRUCTED	CONTRACT QUANTITY
602010M	CURB PIECE	1 UNIT
602020M	CLEANING DRAINAGE STRUCTURE	7 UNIT
602030M	INLET, TYPE D-1	1 UNIT
601022P	15" REINFORCED CONCRETE PIPE	352 L.F.
158030M	INLET FILTER TYPE 2, 2' X 4'	10 UNIT
604070M	CLEANING EXISTING PIPE, 12" TO 24" DIAMETER	731 L.F.
602010M	INLET, TYPE B	5 UNIT
652234P	12" POLYETHYLENE GLASS REINFORCED PIPE	162 L.F.
652420M	MANHOLE SANITARY SEWER	1 UNIT
652420M	RECONSTRUCTED MANHOLE SANITARY SEWER USING NEW CASTING	1 UNIT

NO WORK ON THIS SHEET

NEW JERSEY DEPARTMENT OF TRANSPORTATION

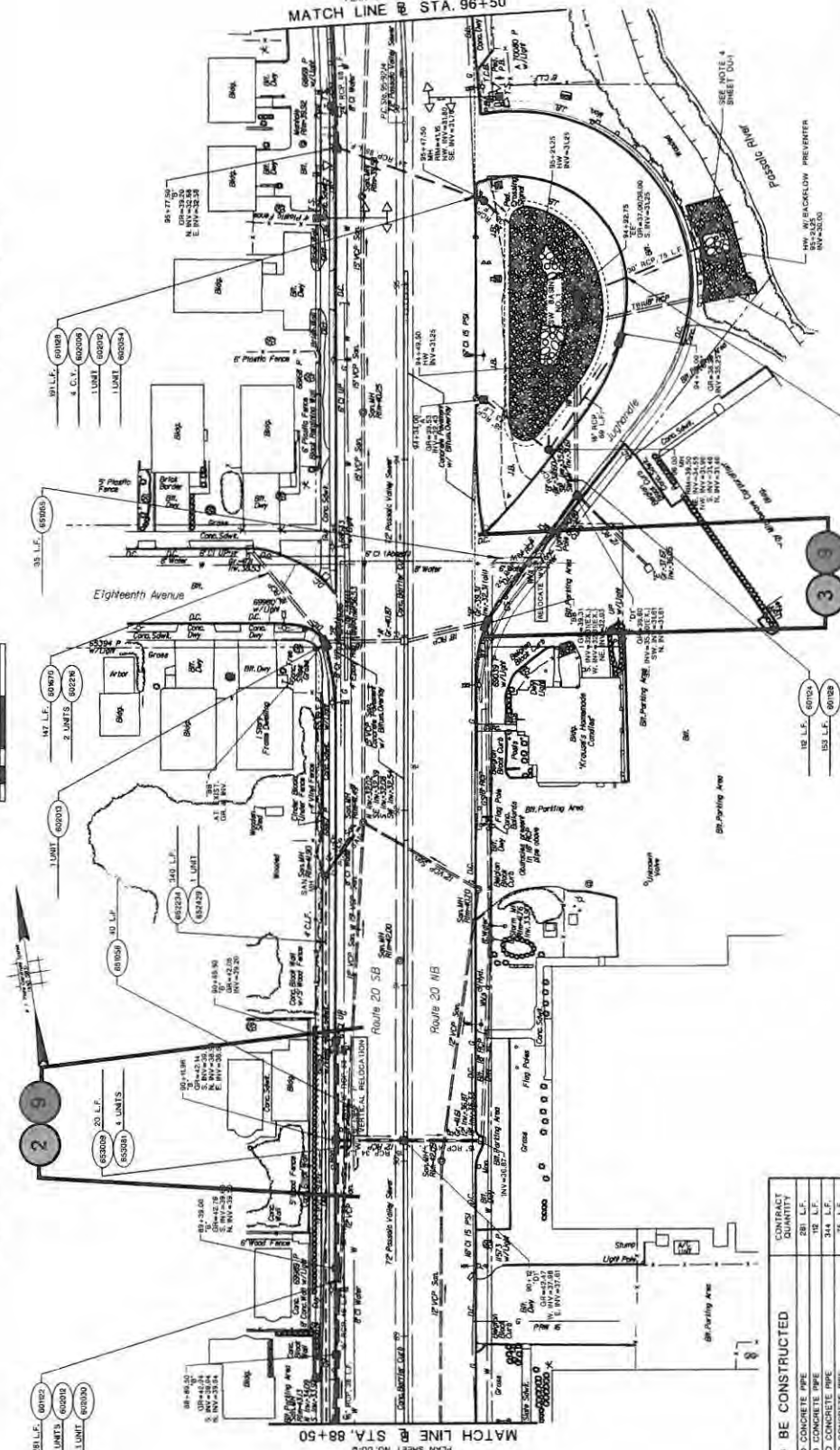
DRAINAGE & UTILITY PLAN

ROUTE 20 PATERSON
SAFETY, DRAINAGE & RESURFACING
CONTRACT NO. 000083720

TAYLOR - WISEMAN & TAYLOR
CERTIFICATE OF AUTHORIZATION NO. 240A20032900

DAVID S. KENIS
NEW JERSEY PROFESSIONAL ENGINEER LICENSE NO. 2400419000

CITY OF PATERSON PASSAIC COUNTY



NEW JERSEY DEPARTMENT OF TRANSPORTATION

DRAINAGE & UTILITY PLAN

ROUTE 20 PATERSON
 SANITARY SEWER & DRAINAGE
 SAFETY, MAINTENANCE & REPAIRING
 CONTRACT NO. 00083720

DESIGNED BY: TAYLOR WISEMAN & TAYLOR
 CHECKED BY: TAYLOR WISEMAN & TAYLOR
 DATE: 10/1/00
 NEW JERSEY PROFESSIONAL ENGINEER LICENSE NO. 248626000

105

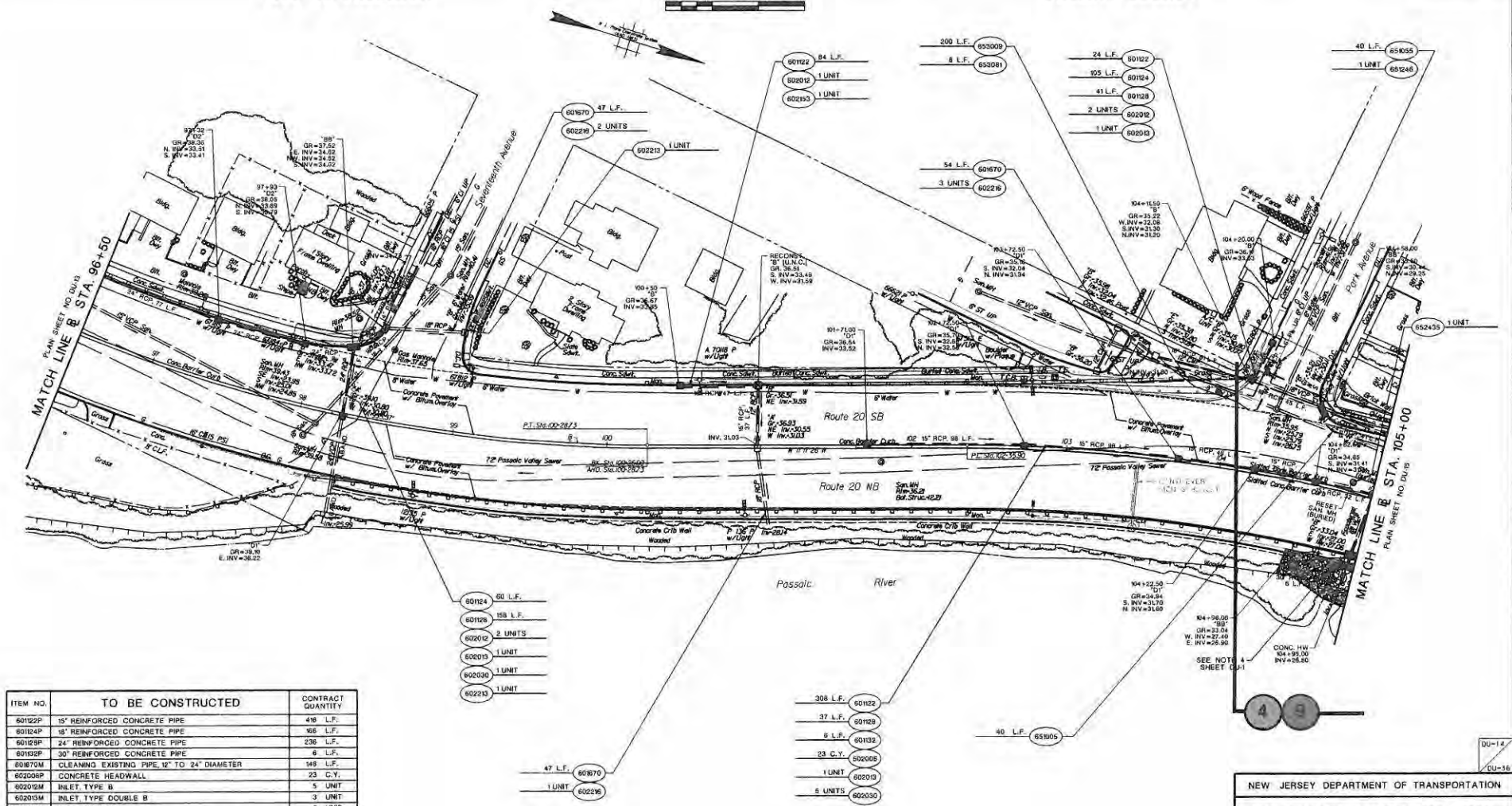
ITEM NO.	TO BE CONSTRUCTED	CONTRACT QUANTITY
60100P	36" REINFORCED CONCRETE PIPE	18 L.F.
60100P	36" REINFORCED CONCRETE PIPE	18 L.F.
60100P	36" REINFORCED CONCRETE PIPE	34 L.F.
60100P	36" REINFORCED CONCRETE PIPE	73 L.F.
60100P	CLEANING EXISTING PIPE 36" TO 24" DIAMETER	147 L.F.
60000P	CONCRETE HEADWALL	38 C.F.
60000P	INLET, TYPE A	1 UNIT
60000P	INLET, TYPE B	3 UNITS
60000P	INLET, TYPE C	1 UNIT
60000P	INLET, TYPE D	1 UNIT
60000P	MANHOLE, 4' DIAMETER	1 UNIT
60000P	MANHOLE, 5' DIAMETER	1 UNIT
60000P	CLEANING DRAINAGE STRUCTURE	1 UNIT
60000P	2" DUCTILE IRON VALVE, SIZE 30"	1 UNIT
60000P	2" DUCTILE IRON WATER PIPE, CLASS 14	30 L.F.
60000P	2" GAS MAIN	30 L.F.
60000P	GAS SERVICE CONNECTION	4 UNITS



CITY OF PATERSON

PASSAIC COUNTY

STATE	FEDERAL PROJECT P.O.
N.J.	***



ITEM NO.	TO BE CONSTRUCTED	CONTRACT QUANTITY
60122P	15" REINFORCED CONCRETE PIPE	416 L.F.
60124P	18" REINFORCED CONCRETE PIPE	166 L.F.
60128P	24" REINFORCED CONCRETE PIPE	236 L.F.
60132P	30" REINFORCED CONCRETE PIPE	6 L.F.
60187M	CLEANING EXISTING PIPE 12" TO 24" DIAMETER	145 L.F.
60205P	CONCRETE HEADWALL	23 C.Y.
60201M	INLET TYPE B	5 UNIT
60201M	INLET TYPE DOUBLE B	3 UNIT
60203M	INLET TYPE D-1	6 UNIT
60215M	RECONSTRUCTED INLET TYPE B USING NEW CASTING	1 UNIT
60223M	CURB PIECE	2 UNIT
60225M	CLEANING DRAINAGE STRUCTURE	6 UNIT
60265P	8" DUCTILE IRON WATER PIPE CLASS 54	80 L.F.
60248M	FIRE HYDRANT	1 UNIT
60243M	RESET MANHOLE, SANITARY SEWER USING NEW CASTING	1 UNIT
60300P	8" GAS MAIN	200 L.F.
60308M	GAS SERVICE CONNECTION	8 UNIT

NEW JERSEY DEPARTMENT OF TRANSPORTATION

DRAINAGE & UTILITY PLAN

ROUTE 20 PATERSON
SAFETY, DRAINAGE & RESURFACING
CONTRACT NO. 000083720

TAYLOR WISEMAN & TAYLOR
CERTIFICATE OF AUTHORIZATION NO. 24G00039900

DAVID B. REMPS
NEW JERSEY PROFESSIONAL ENGINEER LICENSE NO. 24G00039900

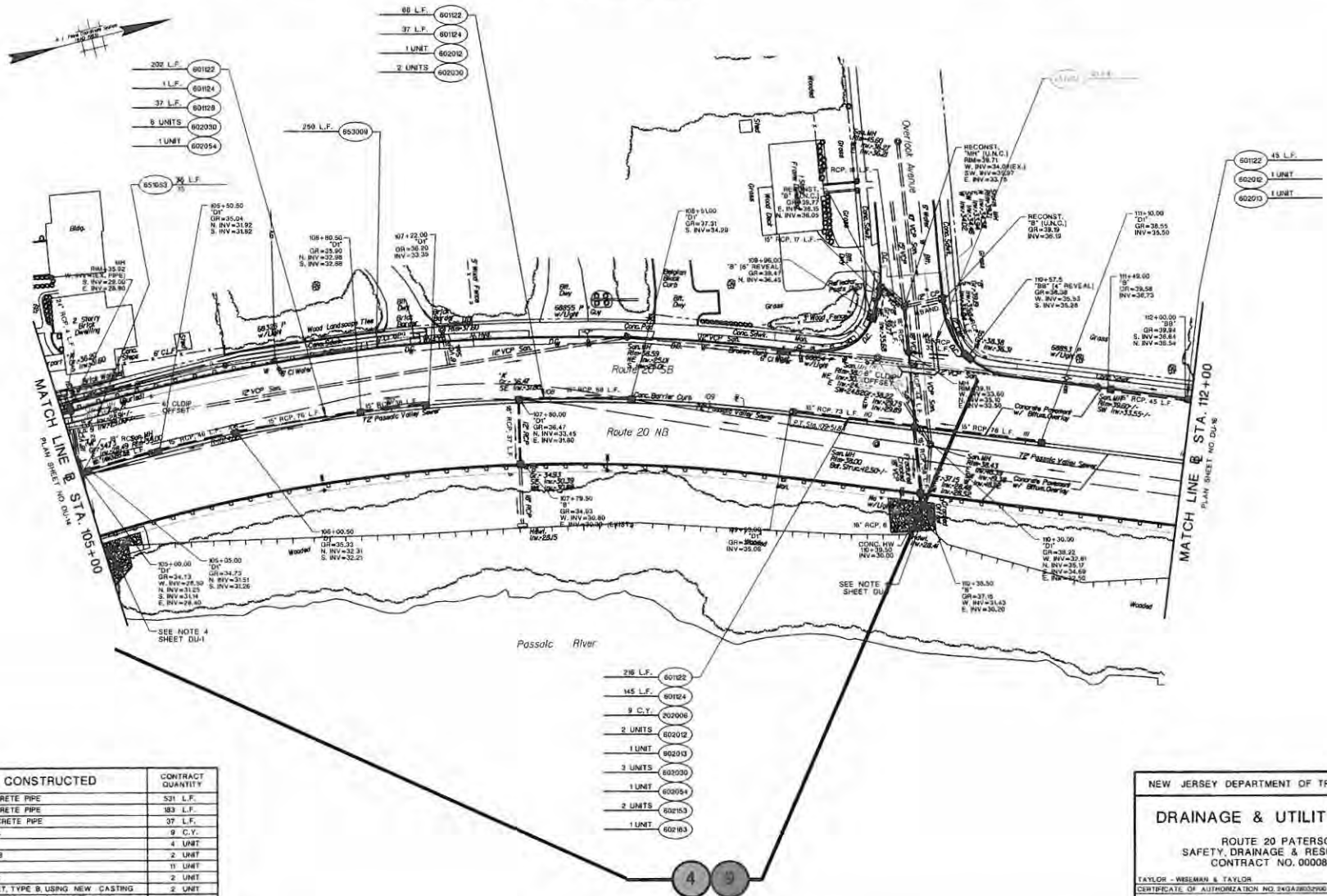
106



CITY OF PATERSON

PASSAIC COUNTY

STATE	FEDERAL PROJECT NO.
N.J.	###



ITEM NO.	TO BE CONSTRUCTED	CONTRACT QUANTITY
60122P	18" REINFORCED CONCRETE PIPE	531 L.F.
60124P	24" REINFORCED CONCRETE PIPE	183 L.F.
60128P	24" REINFORCED CONCRETE PIPE	37 L.F.
60200P	CONCRETE HEADWALL	9 C.V.
60202M	INLET, TYPE B	4 UNIT
60203M	INLET, TYPE DOUBLE B	2 UNIT
60203OM	INLET, TYPE D1	11 UNIT
602054M	MANHOLE, 4' DIAMETER	2 UNIT
602153M	RECONSTRUCTED INLET, TYPE B USING NEW CASTING	2 UNIT
602153M	RECONSTRUCTED MANHOLE USING NEW CASTING	1 UNIT
653009P	6" GAS MAIN	250 L.F.

218 L.F.	60122
145 L.F.	60124
9 C.V.	60200
2 UNITS	60202
1 UNIT	60203
3 UNITS	60205
1 UNIT	60209
2 UNITS	60213
1 UNIT	60215

NEW JERSEY DEPARTMENT OF TRANSPORTATION

DRAINAGE & UTILITY PLAN

ROUTE 20 PATERSON
SAFETY, DRAINAGE & RESURFACING
CONTRACT NO. 000083720

TAYLOR WISEMAN & TAYLOR
CERTIFICATE OF AUTHORIZATION NO. 243A0002900

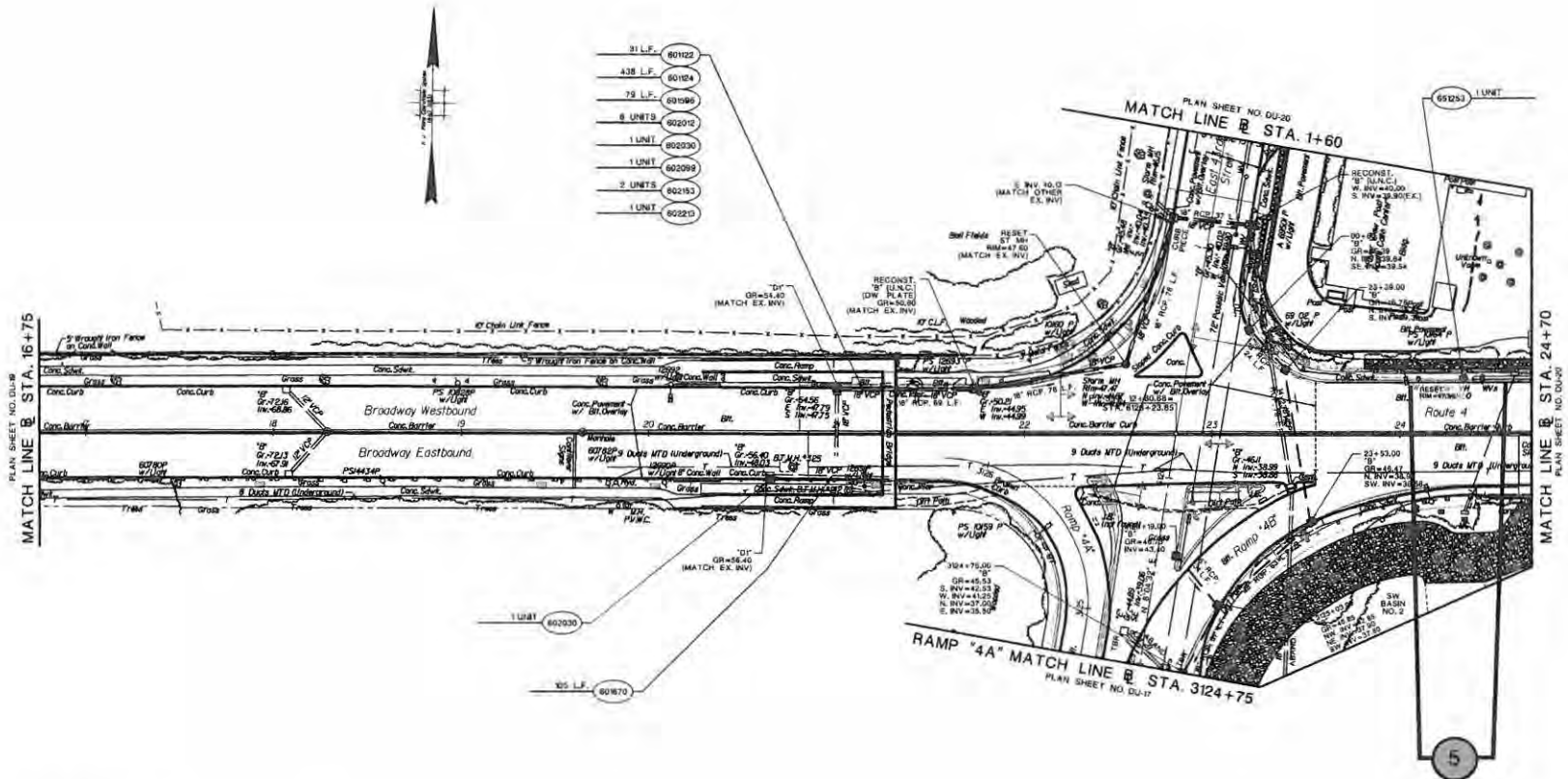
DAVID B. KEMP
NEW JERSEY PROFESSIONAL ENGINEER LICENSE NO. 2400418900

CITY OF PATERSON

PASSAIC COUNTY

STATE	FEDERAL PROJECT NO.
N.J.	444

30' 20' 10' 0' 30' 60'



ITEM NO.	TO BE CONSTRUCTED	CONTRACT QUANTITY
60122P	18" REINFORCED CONCRETE PIPE	31 L.F.
60124P	18" REINFORCED CONCRETE PIPE	438 L.F.
60126P	18" X 23" REINFORCED CONCRETE ELLIPTICAL PIPE, CLASS HE-18	79 L.F.
60127M	CLEANING EXISTING PIPE, 18" TO 24" DIAMETER	905 L.F.
60202M	INLET, TYPE B	6 UNIT
60203M	INLET, TYPE D-1	2 UNIT
60209M	RESET EXISTING CASTING	1 UNIT
60215M	RECONSTRUCTED INLET, TYPE B USING NEW CASTING	2 UNIT
60227M	CURB PIECE	1 UNIT
60235M	RESET WATER MANHOLE	1 UNIT

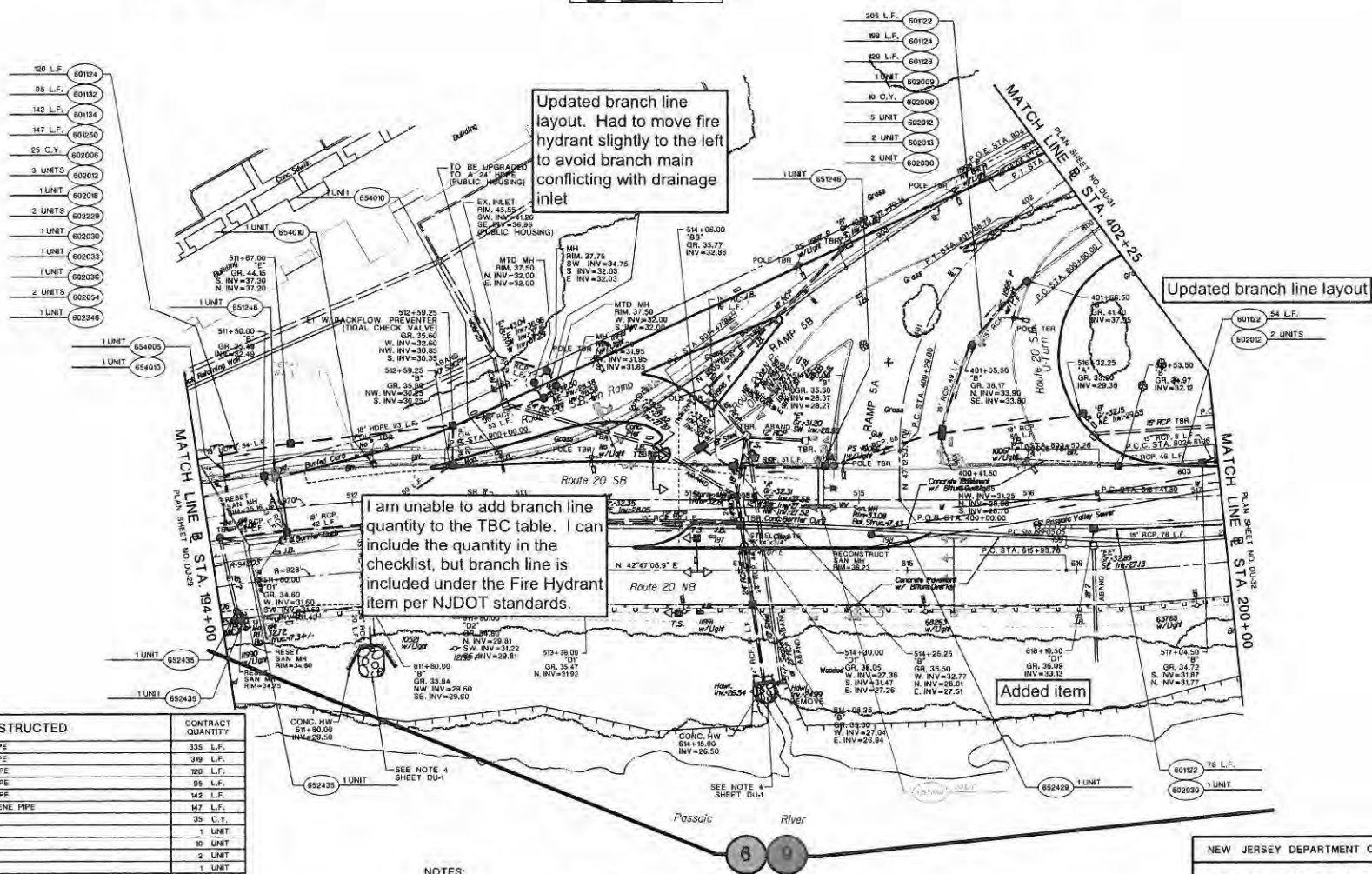
NEW JERSEY DEPARTMENT OF TRANSPORTATION

DRAINAGE & UTILITY PLAN

ROUTE 20 PATERSON
SAFETY, DRAINAGE & RESURFACING
CONTRACT NO. 000089720

TAYLOR & WISEMAN & TAYLOR
CERTIFICATE OF AUTHORIZATION NO. 240A20032800
DAVID S. WISEMAN
NEW JERSEY PROFESSIONAL ENGINEER LICENSE NO. 346645466

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ITEM NO.	TO BE CONSTRUCTED	CONTRACT QUANTITY
601022P	15" REINFORCED CONCRETE PIPE	335 L.F.
601024P	18" REINFORCED CONCRETE PIPE	39 L.F.
601026P	24" REINFORCED CONCRETE PIPE	30 L.F.
601032P	30" REINFORCED CONCRETE PIPE	29 L.F.
601034P	36" REINFORCED CONCRETE PIPE	142 L.F.
602050P	18" HIGH DENSITY POLYETHYLENE PIPE	147 L.F.
602008P	CONCRETE HEADWALL	35 C.Y.
602009M	INLET TYPE A	1 UNIT
602010M	INLET TYPE B	30 UNIT
602013M	INLET TYPE DOUBLE B	2 UNIT
602016M	INLET TYPE E	1 UNIT
602030M	INLET TYPE G-1	4 UNIT
602033M	INLET TYPE G-2	1 UNIT
602036M	INLET TYPE D-1	1 UNIT
602054M	MANHOLE, 4' DIAMETER	2 UNIT
602228M	MANUFACTURED TREATMENT DEVICE	2 UNIT
602248M	TIDAL CHECK VALVE, SIZE 36"	1 UNIT
651024M	FIRE HYDRANT	2 UNIT
652249M	RECONSTRUCTED MANHOLE, SANITARY SEWER USING NEW CASTING	2 UNIT
652435M	RESET MANHOLE, SANITARY SEWER, USING NEW CASTING	3 UNIT
654005M	GUY ANCHOR INSTALLATION	1 UNIT
654010M	UTILITY POLE SHEATH	3 UNIT

NOTES:

1. INSTALL STEEL PLATE AS SHOWN ON CONSTRUCTION DETAILS [SHEET DTL-20].
INCLUDE COST UNDER PAY ITEM NO. 610128P - 24" REINFORCED CONCRETE PIPE.
2. TEMPORARY UTILITY POLES AND GUY ANCHORS TO BE INSTALLED BY PSE&G AT THE
BEGINNING OF STAGE 5. TEMPORARY POLES AND GUYS WILL BE REMOVED BY PSE&G
AFTER PERMANENT POLES AND GUY ANCHORS ARE INSTALLED AT RETAINING WALL
NO. 1 DURING STAGE 5. SEE TRAFFIC CONTROL PLANS FOR STAGING LAYOUT.

NEW JERSEY DEPARTMENT OF TRANSPORTATION

DRAINAGE & UTILITY PLAN

ROUTE 20 PATERSON
SAFETY, DRAINAGE & RESURFACING
CONTRACT NO. 000083720

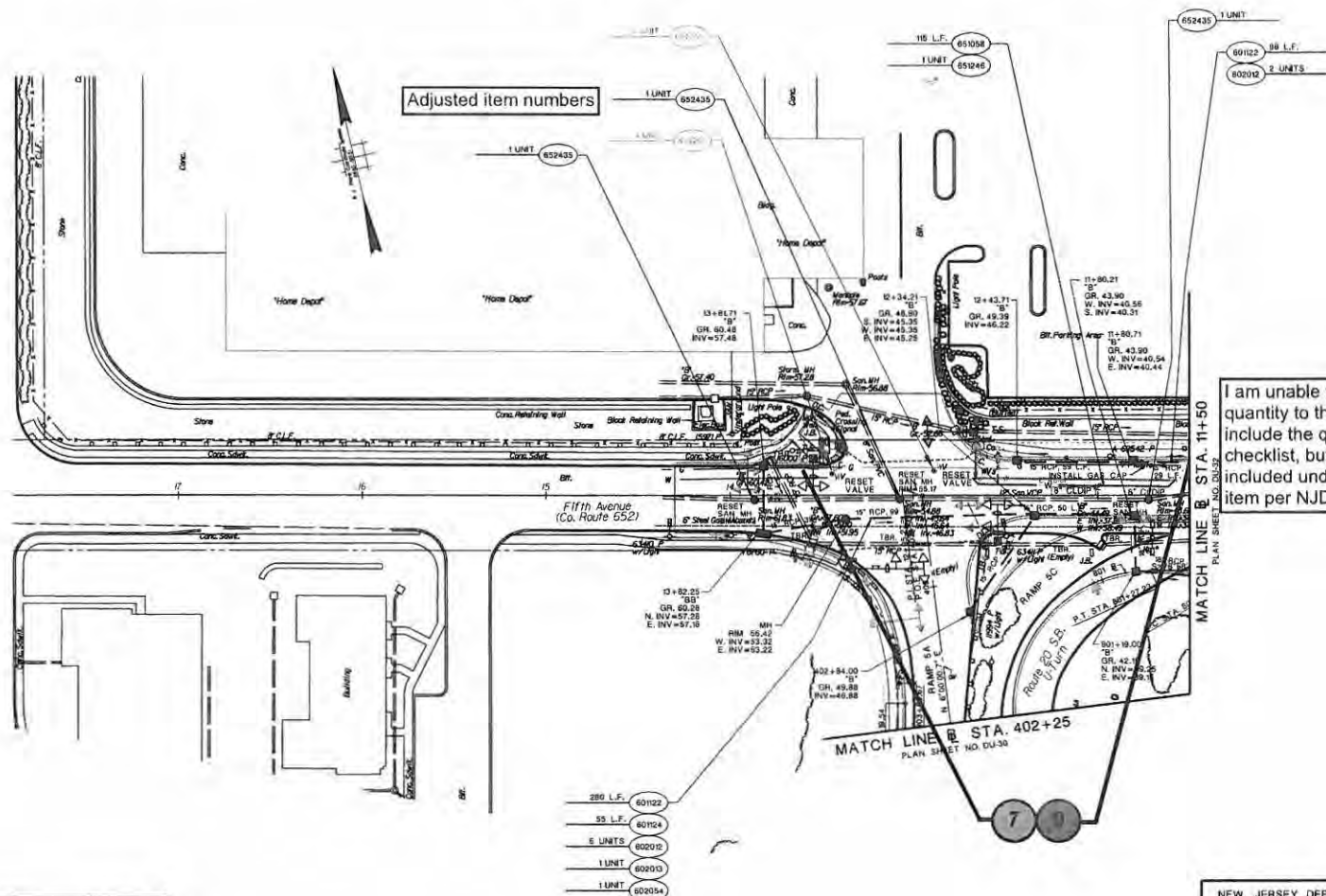
TAYLOR - WISEMAN & TAYLOR
 CERTIFICATE OF AUTHORIZATION NO. 24GA28032900

DAVID D. KEMPS
NEW JERSEY PROFESSIONAL ENGINEER LICENSE NO. 24GED4516300

CITY OF PATERSON

30' 20' 10' 0' 30' 60'

PASSAIC COUNTY

STATE FEDERAL PROJECT # 1
N.J. ###

I am unable to add branch line quantity to the TBC table. I can include the quantity in the checklist, but branch line is included under the Fire Hydrant item per NJDOT standards.

ITEM NO.	TO BE CONSTRUCTED	CONTRACT QUANTITY
60122P	15" REINFORCED CONCRETE PIPE	368 L.F.
60124P	18" REINFORCED CONCRETE PIPE	55 L.F.
60202M	INLET, TYPE B	7 UNIT
60203M	INLET, TYPE DOUBLE B	1 UNIT
60205M	MANHOLE, 4' DIAMETER	1 UNIT
60208P	8" DUCTILE IRON WATER PIPE, CLASS 54	15' L.F.
60208M	FIRE HYDRANT	1 UNIT
60205M	RESET WATER VALVE BOX	2 UNIT
60243M	RESET MANHOLE, SANITARY SEWER, USING NEW CASTING	3 UNIT

NEW JERSEY DEPARTMENT OF TRANSPORTATION

DRAINAGE & UTILITY PLAN

ROUTE 20 PATERSON
SAFETY, DRAINAGE & RESURFACING
CONTRACT NO. 000083720

TAYLOR - WEISMAN & TAYLOR
CERTIFICATE OF AUTHORIZATION NO. 240A26032900

DAVID B. KEMP
NEW JERSEY PROFESSIONAL ENGINEER LICENSE NO. 246640100

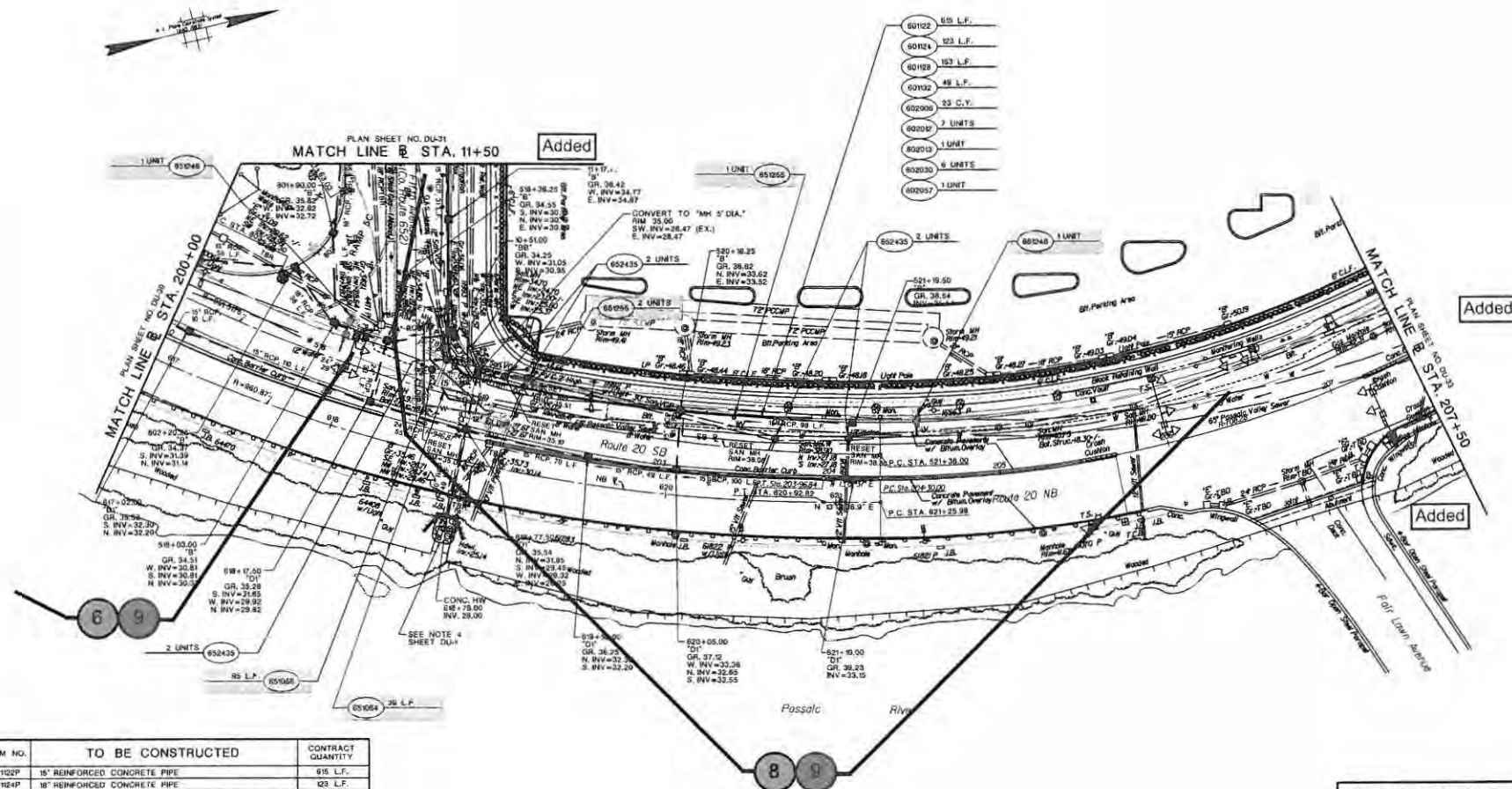
123

CITY OF PATERSON

PASSAIC COUNTY

STATE FEDERAL PROJECT NO.
N.J. 000

30' 20' 10' 0' 30' 60'



ITEM NO.	TO BE CONSTRUCTED	CONTRACT QUANTITY
60102P	18" REINFORCED CONCRETE PIPE	615 L.F.
60124P	18" REINFORCED CONCRETE PIPE	63 L.F.
60128P	24" REINFORCED CONCRETE PIPE	153 L.F.
60132P	30" REINFORCED CONCRETE PIPE	48 L.F.
602006P	CONCRETE HEADWALL	23 C.Y.
602012M	INLET, TYPE B	7 UNIT
602016M	INLET, TYPE DOUBLE B	1 UNIT
602030M	INLET, TYPE D-1	6 UNIT
602037M	MANHOLE, 5' DIAMETER	1 UNIT
602040P	8" DUCTILE IRON WATER PIPE, CLASS 24	98 L.F.
602041P	12" DUCTILE IRON WATER PIPE, CLASS 24	30 L.F.
602046M	FIRE HYDRANT	2 UNIT
602055M	RESET WATER VALVE BOX	3 UNIT
602035M	RESET MANHOLE, SANITARY SEWER, USING NEW CASTING	4 UNIT

NEW JERSEY DEPARTMENT OF TRANSPORTATION

DRAINAGE & UTILITY PLAN

ROUTE 20 PATERSON
SAFETY, DRAINAGE & RESURFACING
CONTRACT NO. 000083720TAYLOR - WISSEMAN & TAYLOR
CERTIFICATE OF AUTHORIZATION NO. 24040000000DAVID B. KEMP
NEW JERSEY PROFESSIONAL ENGINEER LICENSE NO. 24040000000DU-32
DU-36

124

RESOLUTION NO. 22-003

RESOLUTION OF PASSAIC VALLEY WATER COMMISSION

**BUILDER'S RISK INSURANCE 6-MONTH EXTENSION COMMENCING
FEBRUARY 2022 FOR CONTRACT NO. 15-B-25 "WATER STORAGE
IMPROVEMENTS PHASE 1 – STANDBY EMERGENCY GENERATORS"**

DATE OF ADOPTION: JANUARY 19, 2022

Introduced by Commissioner: **RUBY N. COTTON**

Seconded by Commissioner: **CARMEN DEPADUA**

WHEREAS, on December 21, 2016 the Passaic Valley Water Commission ("PVWC") awarded Contract No. 15-B-25 "Water Storage Improvements Phase 1-Standby Emergency Generators" (the "Contract") to the successful bidder, Stone Hill Contracting, Inc.; and

WHEREAS, § 5.6 of the General Conditions to the Contract provided that PVWC purchase and maintain property insurance upon the Work at the site in the amount of the full replacement cost, which insurance was written on a Builder's Risk policy form and subsequently procured by PVWC and PVWC has periodically extended this coverage through February 11, 2022; and

WHEREAS, in order to continue to satisfy § 5.6 of the Contract, PVWC's insurance consultants, EPIC Insurance Brokers & Consultants ("EPIC") contacted C.N.A. to provide an extension to the Builder's Risk Insurance Policy No. 6050122428 and the provider only was willing to extend the Builder's Risk coverage for an additional 6-month period ending August 11, 2022; and

WHEREAS, a copy of Invoice # 59262 from Cupo Insurance Agency of Clifton, New Jersey dated January 14, 2022 for the 6-month extension for Builder's Risk coverage in the amount of \$20,845.33 for the total premium and with increased deductibles is attached hereto and made a part hereof as Exhibit A; and

WHEREAS, the Chief Financial Officer, and the General Counsel (as to form and legality) have reviewed the above-referenced memorandum and concur with the Director of Engineering's recommendations; and

WHEREAS, PVWC's Chief Financial Officer has certified, with respect hereto, that funds are currently available for said purpose and said certificate is attached hereto as Exhibit B;

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

1. That in accordance with Contract No. 15-B-25 "Water Storage Improvements Phase 1 - Standby Emergency Generators" the PVWC wishes to continue coverage with C.N.A. for Builder's Risk insurance in accordance with C.N.A.'s cost proposal attached hereto; and
2. That the appropriate officers of the Commission are hereby authorized to execute whatever documents are needed to bind coverage, and to take whatever steps are needed to secure and maintain this policy accordance with this Resolution and the submissions provided in connection therewith.

RECORD OF COMMISSION VOTE ON FINAL PASSAGE

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

Adopted at a meeting of Passaic Valley Water Commission.



President
RIGO SANCHEZ

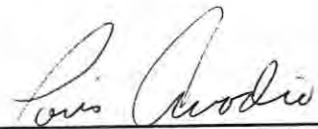


Secretary
RUBY N. COTTON

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 January 19, 2022.

A handwritten signature in black ink, appearing to read "Louis Amodio", written in a cursive style.

LOUIS AMODIO
Administrative Secretary

PASSAIC VALLEY WATER COMMISSION

**CONTRACT 15-B-25
WATER STORAGE IMPROVEMENTS-PHASE 1
STANDBY EMERGENCY GENERATORS**

**CUPO INSURANCE AGENCY
INVOICE # 59262 DATED JANUARY 14, 2022**

EXHIBIT A



Passaic Valley Water
1525 Main Avenue
Clifton, NJ 07011

INVOICE

Customer	Passaic Valley Water
Acct #	3415
Date	01/14/2022
Customer Service	Joseph Scibona JSB Dave Sgalia
Page	1 of 1

Payment Information	
Invoice Summary	\$ 20,845.33
Payment Amount	
Payment for:	Invoice#59262
6050122428	

Thank You



9% deposit and adjust with payment

Customer: Passaic Valley Water

Invoice	Effective	Transaction	Description	Amount
59262	02/11/2022	Renew policy	Policy #6050122428 02/11/2022-08/11/2022 CNA Builders Risk - C - Renew policy Surcharges - Renew policy Due Date: 1/14/2022	20,721.00 124.33
				Total
				\$ 20,845.33

Thank You

Cupo Insurance Agency	(973)778-7770	Date
50 Mt. Prospect Avenue Suite 100 Clifton, NJ 07013		01/14/2022

PASSAIC VALLEY WATER COMMISSION

CONTRACT 15-B-25

**WATER STORAGE IMPROVEMENTS-PHASE 1
STANDBY EMERGENCY GENERATORS**

PVWC'S FINANCIAL CERTIFICATION SHEET

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: Builders Risk Insurance (C.N.A) for PVWC Contract 15-B-25

Amount of Project or Contract: \$ 20,845.33

1. Acct: # 001-0901-419-95-24 Capital / Reservoir Covers

Specific Appropriation to which expenditures will be charged: Capital Budget 2022

Other comments:

Date of Certification: 01/13/2022 Certified: \$ 20,845.33



Yitzchak Weiss
Comptroller and Chief Financial Officer

YW:gbl

RESOLUTION # 22-004

RESOLUTION OF PASSAIC VALLEY WATER COMMISSION

**AWARD CONTRACT NO. 21-V-1 ENTITLED
"FURNISH AND DELIVER IRON PIPE AND FITTINGS"**

DATE OF ADOPTION: JANUARY 19, 2022

Introduced by Commissioner: **RUBY N. COTTON**

Seconded by Commissioner: **CARMEN DEPADUA**

WHEREAS, on January 6, 2022, five (5) bids were received by Passaic Valley Water Commission ("PVWC") for Contract No. 21-V-1 entitled "Furnish and Deliver Iron Pipe and Fittings"; and

WHEREAS, said bid has been reviewed by the Executive Director, Director of Engineering and Director of Purchasing; and

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

WHEREAS, the lowest responsible, responsive bid submitted for this contract was that of Ferguson Enterprise LLC of Lakewood, New Jersey (the "Awardee") with respect to said bid, in the amount of \$518,839.42 over a period of three hundred and sixty five (365) consecutive calendar days; 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;

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

1. That Contract No. 21-V-1 "Furnish and Deliver Iron Pipe and Fittings" in the total amount set forth hereinabove in connection with the above described goods and services is hereby authorized and awarded to the Awardee as also set forth hereinabove; and
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 21-V-1 as set forth hereinabove.

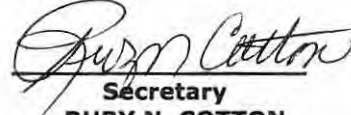
RECORD OF COMMISSION VOTE ON FINAL PASSAGE

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

Adopted at a meeting of Passaic Valley Water Commission.



President
RIGO SANCHEZ

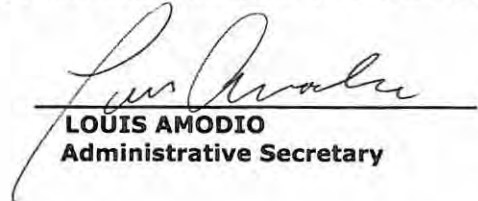


Secretary
RUBY N. COTTON

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 January 19, 2022.



LOUIS AMODIO
Administrative Secretary

PASSAIC VALLEY WATER COMMISSION

INTER-OFFICE MEMO

DATE: January 14, 2022

FROM: Purchasing Department
TO: Louis Amodio
Yaacov M. Brisman, Esq.
RE: **Contract # 21-V-1**
Furnish and Deliver Iron Pipe & Fittings

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).

Of the two (5) bids received, the lowest responsive and responsible proposal was submitted by **Ferguson Enterprises, LLC.** of Lakewood, New Jersey, in the amount of **\$518,839.42.**

Respectfully submitted,

Gregg B. Lucianin
Buyer

cc: L. Amodio

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: **21-V-1- Ferguson Enterprises, LLC.**

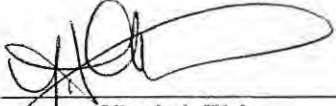
Amount of Project or Contract: \$ 518,839.42

1. Acct: # 001-0000-131-01-00 Inventory

Specific Appropriation to which expenditures will be charged: Budget 2022/2023

Other comments: One Year Contract Commencing: January 2022
Iron Pipe and Fittings

Date of Certification: January 13, 2022 - Certified: \$518,839.42



Yitzchak Weiss
Comptroller and Chief Financial Officer

YW:lb

RESOLUTION # 22-005

RESOLUTION OF PASSAIC VALLEY WATER COMMISSION

**AWARD CONTRACT NO. 21-V-2 ENTITLED
"FURNISH AND DELIVER REPAIR CLAMPS AND COUPLINGS FOR
DUCTILE IRON PIPE"**

DATE OF ADOPTION: JANUARY 19, 2022

Introduced by Commissioner: **RUBY N. COTTON**

Seconded by Commissioner: **CARMEN DEPADUA**

WHEREAS, on January 6, 2022, two (2) bids were received by Passaic Valley Water Commission ("PVWC") for Contract No. 21-V-2 entitled "Furnish and Deliver Repair Clamps and Couplings for Ductile Iron Pipe"; and

WHEREAS, said bid has been reviewed by the Executive Director, Director of Engineering and Director of Purchasing; and

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

WHEREAS, the lowest responsible, responsive bid submitted for this contract was that of Ferguson Enterprise LLC of Lakewood, New Jersey (the "Awardee") with respect to said bid, in the amount of \$177,527.16 over a period of three hundred and sixty five (365) consecutive calendar days; 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;

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

1. That Contract No. 21-V-2 "Furnish and Deliver Repair Clamps and Couplings for Ductile Iron Pipe" in the total amount set forth hereinabove in connection with the above described goods and services is hereby authorized and awarded to the Awardee as also set forth hereinabove; and
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 21-V-2 as set forth hereinabove.

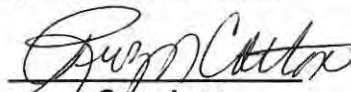
RECORD OF COMMISSION VOTE ON FINAL PASSAGE

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

Adopted at a meeting of Passaic Valley Water Commission.



President
RIGO SANCHEZ



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 January 19, 2022.



LOUIS AMODIO
Administrative Secretary

PASSAIC VALLEY WATER COMMISSION

INTER-OFFICE MEMO

DATE: January 11, 2022

FROM: Purchasing Department

TO: Louis Amodio
Yaacov M. Brisman, Esq.

RE: **Contract # 21-V-2**
Furnish and Deliver Repair Clamps and Couplings
For Ductile Pipe

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).

Of the two (2) bids received, the lowest responsive and responsible proposal was submitted by **Ferguson Enterprises, LLC.** of Lakewood, New Jersey, in the amount of **177,527.16**

Respectfully submitted,

Gregg B. Lucianin
Buyer

cc: L. Amodio

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: **21-V-2 – Ferguson Enterprises, LLC.**

Amount of Project or Contract: \$ 177,527.16

1. Acct: # 001-0000-131-01-00 Inventory

Specific Appropriation to which expenditures will be charged: Budget 2022/2023

Other comments: One Year Contract Commencing: January 2022
Repair Clamps and Couplings for Ductile Iron Pipe

Date of Certification: January 11, 2022 - Certified: \$ 177,527.16



Yitzchak Weiss
Comptroller and Chief Financial Officer

YW:lb

RESOLUTION # 22-006

RESOLUTION OF PASSAIC VALLEY WATER COMMISSION

**AWARD CONTRACT NO. 21-V-3 ENTITLED
"FURNISH AND DELIVER FIRE HYDRANTS"**

DATE OF ADOPTION: JANUARY 19, 2022

Introduced by Commissioner: **RUBY N. COTTON**

Seconded by Commissioner: **CARMEN DEPADUA**

WHEREAS, on January 6, 2022, six (6) bids were received by Passaic Valley Water Commission ("PVWC") for Contract No. 21-V-3 entitled "Furnish and Deliver Fire Hydrants"; and

WHEREAS, said bid has been reviewed by the Executive Director, Director of Engineering and Director of Purchasing; and

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

WHEREAS, the lowest responsible, responsive bid submitted for this contract was that of Core & Main LP of Pompton Plains, New Jersey (the "Awardee") with respect to said bid, in the amount of \$1,238,914.05 over a period of three hundred and sixty five (365) consecutive calendar days; 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;

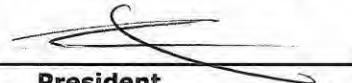
NOW, THEREFORE, BE IT RESOLVED, by Passaic Valley Water Commission, in the County of Passaic, New Jersey:

1. That Contract No. 21-V-3 "Furnish and Deliver Fire Hydrants" in the total amount set forth hereinabove in connection with the above described goods and services is hereby authorized and awarded to the Awardee as also set forth hereinabove; and
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 21-V-3 as set forth hereinabove.

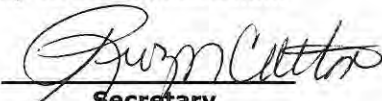
RECORD OF COMMISSION VOTE ON FINAL PASSAGE

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

Adopted at a meeting of Passaic Valley Water Commission.



President
RIGO SANCHEZ

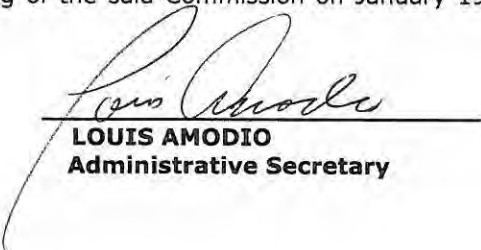


Secretary
RUBY N. COTTON

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 January 19, 2022.



LOUIS AMODIO
Administrative Secretary

PASSAIC VALLEY WATER COMMISSION

INTER-OFFICE MEMO

DATE: January 11, 2022

FROM: Purchasing Department
TO: Louis Amodio
Yaacov M. Brisman, Esq.
RE: **Contract # 21-V-3**
Furnish and Deliver Fire Hydrants

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).

Of the six (6) bids received, the lowest responsive and responsible proposal was submitted by Core and Main, LP of Pompton Plains, New Jersey, in the amount of **\$1,238,914.05**.

Respectfully submitted,

Gregg B. Lucianin
Buyer

cc: L. Amodio

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: **21-V-3 – Core & Main**

Amount of Project or Contract: \$1,238,914.05

1. Acct: # 001-0000-131-01-00 Inventory

Specific Appropriation to which expenditures will be charged: Budget 2022/2023

Other comments: One Year Contract Commencing: January 2022
Furnish and Deliver Fire Hydrants

Date of Certification: 1/11/2022 - Certified: \$1,238,914.05



Yitzchak Weiss
Comptroller and Chief Financial Officer

YW:lb

RESOLUTION # 22-007

RESOLUTION OF PASSAIC VALLEY WATER COMMISSION

**AWARD CONTRACT NO. 21-V-13 ENTITLED
"LIQUID SODIUM HYDROXIDE"**

DATE OF ADOPTION: JANUARY 19, 2022

Introduced by Commissioner: **RUBY N. COTTON**

Seconded by Commissioner: **CARMEN DEPADUA**

WHEREAS, on January 6, 2022, four (4) bids were received by Passaic Valley Water Commission ("PVWC") for Contract No. 21-V-13 entitled "Liquid Sodium Hydroxide"; and

WHEREAS, said bid has been reviewed by the Executive Director, Director of Engineering and Director of Purchasing; and

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

WHEREAS, the lowest responsible, responsive bid submitted for this contract was that of Univar Solutions USA Inc. of Morrisville, Pennsylvania (the "Awardee") with respect to said bid, in the amount of \$4,264,200.00 over a period of seven hundred and thirty (730) consecutive calendar days; 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;

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

1. That Contract No. 21-V-13 "Liquid Sodium Hydroxide" in the total amount set forth hereinabove in connection with the above described goods and services is hereby authorized and awarded to the Awardee as also set forth hereinabove; and
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 21-V-13 as set forth hereinabove.

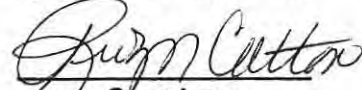
RECORD OF COMMISSION VOTE ON FINAL PASSAGE

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

Adopted at a meeting of Passaic Valley Water Commission.



President
RIGO SANCHEZ



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 January 19, 2022.



LOUIS AMODIO
Administrative Secretary

PASSAIC VALLEY WATER COMMISSION

INTER-OFFICE MEMO

DATE: January 11, 2022

FROM: Purchasing Department
TO: Louis Amodio
Yaacov M. Brisman, Esq.
RE: **Contract # 21-V-13**
Liquid Sodium Hydroxide

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).

Of the four (4) bids received, the lowest responsive and responsible proposal was submitted by **Univar Solutions USA Inc.** of Morrisville, Pennsylvania, in the amount of **\$4,264,200.00.**

Respectfully submitted,

Gregg B. Lucianin
Buyer

cc: L. Amodio

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: **21-V-13 – Univar Solutions USA Inc.**

Amount of Project or Contract: \$4,264,200.00

1. Acct: # 001-1002-421-70-11 Purchases / Chemicals

Specific Appropriation to which expenditures will be charged: Budget 2022/2023/2024

Other comments: Two (2) Year Contract Commencing: January 2022
Liquid Sodium Hydroxide

Date of Certification: January 11, 2022 Certified: \$4,264,200.00


Yitzchak Weiss
Comptroller and Chief Financial Officer

YW:gbl

RESOLUTION NO. 22-008

**RESOLUTION OF PASSAIC VALLEY WATER COMMISSION
PARTIAL LEAD SERVICE LINE REPLACEMENT POLICY CHANGE
FOR THE COMMISSION'S MAIN SYSTEM**

DATE OF ADOPTION: JANUARY 19, 2022

Introduced by Commissioner: **RUBY N. COTTON**

Seconded by Commissioner: **CARMEN DEPADUA**

WHEREAS, the Passaic Valley Water Commission ("PVWC" or "Commission") will be replacing the remaining full and partial lead service lines in the Commission's Main System, NJDEP PWSID No. NJ1605002, which includes the Cities of Clifton, Passaic, Paterson and the Borough of Prospect Park; and

WHEREAS, a full lead service line is defined as a non-copper service containing lead components from the service connection at the Commission's water main to the water meter within the customer's property, including the service shutoff valve at the boundary line of the Public Right-of-Way; and

WHEREAS, a partial lead service line is defined as a non-copper service containing lead components from the service shutoff valve to the water meter within the customer's property; and

WHEREAS, PVWC intends to file an application with the New Jersey Department of Environmental Protection (NJDEP) and the New Jersey Environmental Infrastructure Trust for Contract Number 22-B-8 "Lead Service Line Replacement in the Main System", (the "Project"), to replace approximately 7,000 full and partial lead service lines, and said Project is anticipated to commence by no later than June of 2022; and

WHEREAS, PVWC will perform all work associated with the replacement of lead service lines on private property at no cost to the

customers, dependent on PVWC obtaining permission to access the respective properties from the appropriate parties; and

WHEREAS, it is in the best interests of PVWC, its users and constituent municipalities for PVWC, prior to award of the Project, to commence with the replacement of partial lead service lines on private property at no cost to the customers for customers who have already requested lead service line replacements under PVWC's on-going test pitting contract, for customers who have received a high lead notification from PVWC's laboratory, or due to service line issues;

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

1. That PVWC shall commence with the replacement of partial lead service lines on private property at no cost to the customers prior to award of the Project as described hereinabove.
2. That the appropriate officers and employees of PVWC are hereby authorized to perform such acts and execute such documents as are consistent herewith, in order to implement the terms and intent of this Resolution as set forth hereinabove.

RECORD OF COMMISSION VOTE ON FINAL PASSAGE

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

Adopted at a meeting of Passaic Valley Water Commission.



President
RIGO SANCHEZ

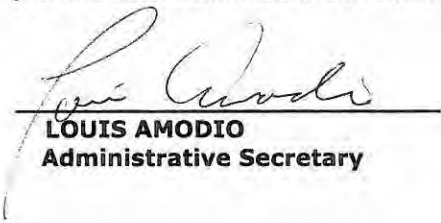


Secretary
RUBY N. COTTON

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 January 19, 2022.



LOUIS AMODIO
Administrative Secretary

PASSAIC VALLEY WATER COMMISSION

RESOLUTION OF PASSAIC VALLEY WATER COMMISSION

**PARTIAL LEAD SERVICE LINE REPLACEMENT POLICY CHANGE
FOR THE COMMISSION'S MAIN SYSTEM**

**PVWC'S DIRECTOR OF ENGINEERING'S MEMORANDUM
DATED JANUARY 14, 2022**

EXHIBIT A

PASSAIC VALLEY WATER COMMISSION

INTER-OFFICE MEMORANDUM

Date: January 14, 2022
To: Hon. Commissioners
From: P. Porcaro
cc: Y. Brisman
L. Amodio
Subject: Recommend Partial Lead Service Line Replacement Policy Change for the Commission's Main System

The Passaic Valley Water Commission will be performing a replacement of the remaining full and partial lead service lines in the Commission's Main System, NJDEP PWSID No. NJ1605002, which includes the Cities of Clifton, Passaic, Paterson and the Borough of Prospect Park.

A full lead service line is defined as a non-copper service containing lead components from the service connection at the Commission's water main to the water meter within the customer's property, including the service shutoff valve at the boundary line of the Public Right-of-Way. A partial lead service line is defined as a non-copper service containing lead components from the service shutoff valve to the water meter within the customer's property.

PVWC intends to file an application with the New Jersey Department of Environmental Protection (NJDEP) and the New Jersey Environmental Infrastructure Trust for Contract Number 22-B-8 "Lead Service Line Replacement in the Main System", (the "Project"), to replace approximately 7,000 full and partial lead service lines, which will commence by no later than June of 2022. PVWC will perform all work associated with the replacement of lead service lines on private property at no cost to the customers, dependent on PVWC obtaining permission to access the respective properties from the appropriate parties. In the meantime, it is highly recommended for PVWC to commence with the replacement of partial lead service lines on private property at no cost to the customers prior to award of the Project for customers who have already requested lead service line replacements under PVWC's on-going test pitting contract, for customers who have received a high lead notification from PVWC's laboratory or due to service line issues.

RESOLUTION #22-010

RESOLUTION OF PASSAIC VALLEY WATER COMMISSION

Adopted: January 19, 2022

INTRODUCED BY COMMISSIONER RUBY N. COTTON;

SECOND BY COMMISSIONER CARMEN DEPADUA;

BE IT RESOLVED, That Passaic Valley Water Commission does hereby designate the following Banks and Trust Companies; and their successors or assigns, as official depositories for funds of this Commission:

Capital One Bank	Kearny Bank
Crown Bank	M & T Bank
Investors Bank	Valley Bank
First Commerce Bank	Bank of America
Peapack-Gladstone Bank	Santander Bank

BE IT RESOLVED, that in accordance with existing Statute, the following three signatures be designated as the proper officers to execute all warrants for withdrawal of funds of this Commission: the President, Chief Financial Officer, and any other Commissioner serving in a current term:

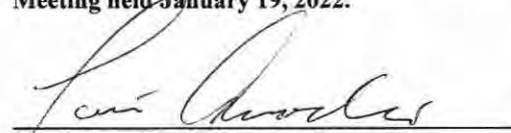
Hon. Gerald G. Friend	Hon. Joe Kolodziej
Hon. Jeff Levine	Hon. Ruby Cotton
Hon. Rigo Sanchez	Hon. Ron Van Rensalier
Hon. Carmen DePadua	

BE IT FURTHER RESOLVED, that this resolution shall supersede all prior resolutions of this Commission dealing with the withdrawal of Commission funds; and

BE IT FURTHER RESOLVED ADOPTED, that this resolution shall become effective immediately upon approval by this Commission.

Governing Body			Recorded Vote	
Member:	Aye	Nay	Abstain	Absent
Friend, Gerald	x			
DePadua, Carmen	x			
Levine, Jeffrey	x			
Kolodziej, Joe	x			
Van Rensalier, Ron	x			
Cotton, Ruby	x			
Sanchez, Rigo	x			

**This is to certify the within is a true and
Correct copy of action taken by the Board of Passaic
Valley Water Commission at its Reorganization
Meeting held January 19, 2022.**



Louis Amodio, Administrative Secretary

RESOLUTION #22-011
RESOLUTION OF PASSAIC VALLEY WATER COMMISSION

Date of Adoption: January 19, 2022

Approved as to form and legality by the Law Department on basis of facts set forth by Yitzchak Weiss, Comptroller/CFO.

Introduced by Commissioner **RUBY N. COTTON**;

Seconded by Commissioner **CARMEN DEPADUA**.

WHEREAS, claims of payment by Passaic Valley Water Commission should be first submitted to the Board of Commissioners for consideration before payment, and

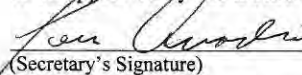
WHEREAS, due to the nature of certain claims and timing of particular meetings involved, certain claims should be paid when presented which are statutory and regular in nature, rather than held for the next Commission meeting.

NOW THEREFORE BE IT RESOLVED by the Passaic Valley Water Commission Board of Commissioners that the Chief Financial Officer has the following authority:

Passaic Valley Water Commission does hereby approve the payment between meetings of the following claims for payment, when the same are presented:

- 1) Payroll obligations and withholdings
- 2) Required payments to the North Jersey District Water Supply Commission
- 3) Real estate taxes
- 4) Banks for investment purposes, transfers, and debt service obligations
- 5) Utility Payments
- 6) Postage
- 7) Insurance Costs
- 8) State of New Jersey – Application Fees, Permit Fees, State Surcharges, DEP Fees and License Fees
- 9) Educational conference and registration fees
- 10) Reissue of lost or mutilated checks after stop payment has been enforced
- 11) Employee benefits
- 12) Payments necessary to all vendors that require compliance with the 2006 Prompt Payment Law, Chapter 96, whereby the Commission shall pay the bill not more than 30 calendar days after the billing date to avoid billable late charges
- 13) Replenishment of escrow funds for police traffic control
- 14) Contract invoices that will be more than 30 days old before the next scheduled Commission meeting
- 15) Employee expense reimbursements
- 16) Police traffic control
- 17) Customer refunds
- 18) Invoices that will be 60 days or older by the next scheduled Commission meeting
- 19) Petty cash funds replenishment
- 20) Settlements/claims authorized by the PVWC Board of Commissioners
- 21) All other bills that require payment outside of Commission meetings must be verbally approved by one Finance Committee member

BE IT FURTHER RESOLVED by the Passaic Valley Water Commission Board of Commissioners that the Chief Financial Officer is hereby authorized and directed to prepare the proper vouchers for payment of the above recited accounts when same is properly presented to him/her for payment, and thereafter said claim shall be transcribed on the next scheduled Bill list to be approved by the Board of Commissioners


(Secretary's Signature)

1/19/2022
(Date)

Governing Body	Aye	Nay	Recorded Vote	Abstain	Absent
Member:					
Friend, Gerald	x				
DePadua, Carmen	x				
Levine, Jeffrey	x				
Kolodziej, Joe	x				
Van Rensalier, Ron	x				
Cotton, Ruby	x				
Sanchez, Rigo	x				

**This is to certify the within is a true and
Correct copy of action taken by the Board of Passaic
Valley Water Commission at its Reorganization
Meeting held January 19, 2022.**

A handwritten signature in cursive script, appearing to read "Louis Amodio", written over a horizontal line.

Louis Amodio, Administrative Secretary

RESOLUTION #22 - 012

RESOLUTION OF PASSAIC VALLEY WATER COMMISSION

Date of Adoption: January 22, 2022

Approved as to form and legality by the Law Department on basis of facts set forth by Yitzchak Weiss, Comptroller/CFO.

Introduced by Commissioner **RUBY N. COTTON**;

Seconded by Commissioner **CARMEN DEPADUA**.

Whereas, the Passaic Valley Water Commission (hereinafter "PVWC") has funds segregated for Self-Insurance, Meter Deposits, Contingencies, Bond Construction/Project Fund, Renewal and Replacement Reserves, Operating Reserves, Debt Service Reserve and other funds (collectively, the "Funds"); and

Whereas, the Funds are invested in authorized investments for time periods of up to one year or deposited into interest/dividend bearing accounts; and

Whereas, PVWC is exercising its best efforts to maximize investment returns earned on said funds; and

Whereas, the ability to invest with all New Jersey banking institutions covered by the Governmental Unit Deposit Protection Act ("GUDPA"), N.J.S.A. 17:9-41 et seq. does not necessarily enable PVWC to seek the best possible rates; and

Whereas, LFN 2017-24 from the New Jersey Division of Local Government Services permits investment in certain municipal debt obligations for a period of not more than 397 days; and

Whereas, the PVWC General Bond Resolution limits the term on certain investments to no more than one year; and

Whereas, PVWC, with the input of its financial advisor, has determined that a fiscally responsible limit on such investments so as to diversify holdings would limit any one credit to \$5,000,000;

Now therefore, be it resolved, by PVWC, in the County of Passaic, New Jersey:

That the Comptroller/CFO of PVWC is hereby authorized to invest the Funds (i) with any New Jersey banking institution covered by GUDPA and (ii) in short-term obligations of New Jersey government agencies and entities outlined in LFN 2017-24 which have (A) a final maturity date that is not longer than 12 months from the date of purchase in the case of any Funds that are subject to the General Bond Resolution and 397 days otherwise (but if longer than 12 months, the maturity shall approximate the prospective uses of the funds invested) and (B) a minimum issuer investment grade rating of "A3" or "A-" (or equivalent) by Moody's, Standard and Poor's, or Fitch or a recent bond issue so rated. A rating of the bonds or notes is not required. The phrase "short term obligations" includes bonds which have a maturity or redemption date of no longer than 12 months from the date of purchase. The PVWC may jointly purchase any such investments with any municipality, county or authority that is authorized to make such investments. The CFO is hereby authorized to seek the assistance of the PVWC's financial advisor and/or bond counsel when making such purchases and is directed to diversify the PVWC's investment in such notes

and bonds, so that no more than \$5,000,000 of PVWC funds be invested at any time in any one note or bond.

Record of Commission vote on final passage:

	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Friend, Gerald	x			
DePadua, Carmen	x			
Levine, Jeffrey	x			
Kolodziej, Joe	x			
Van Rensalier, Ron	x			
Cotton, Ruby	x			
Sanchez, Rigo	x			

This is to certify the within is a true and
Correct copy of action taken by the Board of Passaic
Valley Water Commission at its Reorganization
Meeting held January 19, 2022.



Louis Amodio, Administrative Secretary

RESOLUTION #22-013
RESOLUTION OF PASSAIC VALLEY WATER COMMISSION
DATE OF ADOPTION: 1/19/22

Factual contents certified to by Louis Amodio, Administrative Secretary and Greg Lucianin, QPA.

COMMISSIONER; RUBY N. COTTON offers the following Resolution for Adoption:

WHEREAS, all Public Agencies that award contracts to goods and service vendors and/or construction contractors are required to comply with N.J.S.A. 10:5-31 et seq. and its implementing regulations at N.J.S.A.17:27-1.1 et seq.; and

WHEREAS, the law and regulations are applicable to Public Agencies; and the Division of Contract Compliance and Equal Employment of the New Jersey Department of the Treasury representatives periodically review Public Agency contracting processes to ensure that they are complying with Affirmative Action requirements; and

WHEREAS, the results of such review will be a determination that the agency is performing its statutory functions in a "Satisfactory" or "Unsatisfactory" manner; and

WHEREAS, if the result is "Satisfactory" the agency need only maintain its compliance. If the result is "Unsatisfactory" the agency may be required to make corrections to its process, and may result in the issuance of sanctions or referral to the Attorney General for appropriate enforcement action in cases of continued non-compliance; and

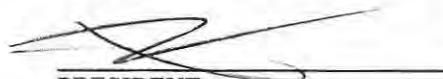
WHEREAS, each Public Agency shall designate an individual to serve as its Public Agency Compliance Officer or ("P.A.C.O"). In accordance with N.J.S.A. 17:27-3.2;

NOW, THEREFORE, BE IT RESOLVED, that Greg Lucianin, Is hereby appointed to serve as Public Agency Compliance Officer for Passaic Valley Water Commission;

SECONDED BY COMMISSIONER; **CARMEN DEPADUA**

ADOPTED ON THE ROLL: AYES: NAYS: ABSTAIN: ABSENT:

	AYE	NAY	ABSTAIN	ABSENT
SANCHEZ, RIGO	<u> X </u>			
LEVINE, JEFFREY	<u> X </u>			
DEPADUA, CARMEN	<u> X </u>			
COTTON, RUBY N.	<u> X </u>			
VAN RENSALIER, RONALD	<u> X </u>			
FRIEND, GERALD	<u> X </u>			
KOLODZIEJ, JOSEPH	<u> X </u>			



PRESIDENT
RIGO SANCHEZ

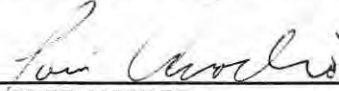


SECRETARY
RUBY N. COTTON

This Resolution when Adopted must remain in the office 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 of the Original Resolution duly passed and adopted by a majority of the full membership of the Passaic Valley Water Commission at its meeting of January 19, 2022.



LOUIS AMODIO
Administrative Secretary