

WARREN TOWNSHIP SEWERAGE AUTHORITY

RESOLUTION NO. 11-86

**RESOLUTION APPROVING COST SUBSTANTIATION
CERTIFICATE #203 SUBMITTED BY THE OPERATOR
OF THE AUTHORITY'S WASTEWATER TREATMENT
SYSTEM, APPLIED WATER MANAGEMENT, INC., FOR
PAYMENT OF CERTAIN EXPENSES RELATED TO
CLEARING A SEWER BACKUP AND OVERFLOW ON
BARDY ROAD PURSUANT TO ARTICLE IV OF THE
WASTEWATER TREATMENT SYSTEM OPERATION
AND MAINTENANCE AGREEMENT**

WHEREAS, Applied Water Management, Inc. operates the Authority's Wastewater Treatment System pursuant to the Wastewater Treatment System Operation and Maintenance Agreement between Warren Township Sewerage Authority and Applied Water Management, Inc., commencing June 1, 2009 (the "Agreement"); and

WHEREAS, the Agreement provides that Applied Water Management, Inc. ("AWM") submit a Cost Substantiation Certificate ("CSC") for any cost reasonably incurred or to be incurred by AWM which is chargeable in whole or in part to the Authority; and

WHEREAS, Article IV, Section 4.8 of the Agreement provides that AWM shall be responsible for the cost of Routine Maintenance and Preventive Maintenance of the Wastewater Treatment System, but that the Authority shall be responsible for the costs associated with repairs, replacements, and non-Routine Maintenance provided that AWM follows the Cost Substantiation procedures set forth in the Agreement; and

WHEREAS, AWM contacted National Water Main Cleaning Co. to clear a sewer backup and overflow on Bardy Road. Although this work is generally not considered to be an item of repair, replacement, or non-Routine Maintenance pursuant to Article IV and Appendix 16 of the Agreement, and would not be payable by the Authority, the Authority has determined that, under the circumstances, it is appropriate to reimburse AWM for the costs associated with this work, but with a decreased markup, such circumstances including that the manhole was difficult to find and the blockage appears to have been due to construction debris, and because the costs associated with the standby/ transfer pumping were necessary to keep the restroom at the school's ball field in operation; and

WHEREAS, National Water Main Cleaning Co. has submitted invoices to AWM in the following amounts for the following services: \$1,808.63 for sewer cleaning on June 1, 2010; \$2,814.00 for sewer cleaning/ televising on June 3, 2010; \$310.00 for police on June 3, 2010; \$187.50 for standby/ transfer pumping on June 2, 2010; and \$562.50 for

standby/ transfer pumping on June 1, 2010, for a total for services rendered in the amount of \$5,682.63; and

WHEREAS, AWM has submitted CSC #203 for clearing a blocked sewer line on Bardy Road based on the above-referenced invoice and the applicable ten (10%) percent markup for a total cost of \$6,250.89 to the Authority; and

WHEREAS, for the reasons set forth above, the Authority has determined that it is appropriate to reimburse AMW for the \$5,682.63 in services rendered by National Water Main Cleaning Co., and to pay AWM the ten percent markup for the services associated with the police services (\$31.00 markup) and with the standby/ transfer pumping (\$18.75 and \$56.25 markup), but not for the sewer cleaning/ televising services, for a total payment of \$5,788.63 to AWM; and

WHEREAS, payment to AWM shall be from the Authority's Operating Account; and

WHEREAS, the Authority has reviewed CSC #203, dated 8/2/10, and is satisfied that payment in the amount of \$5,788.63 is fair and reasonable, and that the Authority desires to approve CSC #203.

NOW, THEREFORE, BE IT RESOLVED, by the Warren Township Sewerage Authority in the County of Somerset, New Jersey that:

1. CSC #203, approved in the amount of \$5,788.63, for payment of costs incurred from the clearing of a blocked sewer on Bardy Road line be and hereby is approved, conditioned upon receipt of a business registration certificate from AWM for every subcontractor that performed work on the project, unless such certificate is already on file with the Authority.

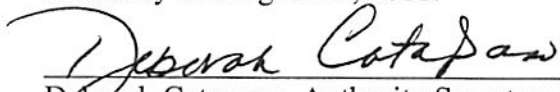
2. Payment to AWM shall be from the Authority's Operating Account.

Moved by Mr. Truglio
Seconded By Mrs. Garafola

Roll Call Vote	Yes	No
Chairman Reeder	x _____	_____
Mr. Florey	_____	_____
Mr. Truglio	x _____	_____
Ms. Garafola	x _____	_____
Mr. Vetter (Alternate)	x _____	_____
Mr. Kaufman (Alternate)	_____	_____

CERTIFICATION

I, Deborah Catapano, Secretary of the Warren Township Sewerage Authority in the County of Somerset, New Jersey, do hereby certify that the above resolution is a true and correct copy of a resolution adopted at a meeting of the Warren Township Sewerage Authority on August 17, 2011.



Deborah Catapano, Authority Secretary