

**WARREN TOWNSHIP SEWERAGE AUTHORITY**

**RESOLUTION NO. 12-151**

**RESOLUTION APPROVING COST SUBSTANTIATION CERTIFICATE #305 SUBMITTED BY THE OPERATOR OF THE AUTHORITY'S WASTEWATER TREATMENT SYSTEM, APPLIED WATER MANAGEMENT, INC., FOR PAYMENT OF CERTAIN EXPENSES RELATED TO THE SEWER COLLAPSE LOCATED AT 57 MOUNTAIN BOULEVARD PURSUANT TO ARTICLE IV OF THE WASTEWATER TREATMENT SYSTEM OPERATION AND MAINTENANCE AGREEMENT**

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

**WHEREAS**, the Agreement provides that 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**, a sewer collapse at 57 Mountain Boulevard resulted from the relocation of Verizon Telephone Pole No. 1605, which is an item of repair, replacement, or non-Routine Maintenance pursuant to Article IV and Appendix 16 of the Agreement; and

**WHEREAS**, AWM has submitted CSC #305 representing the cost of labor for the repair of the sewer collapse, with \$1,000.00 in equipment costs, and \$2,769.75 in labor costs (which labor was at time and one-half due to the off hours and weekend time required), and the applicable ten (10%) percent markup to that invoice, for a total cost of \$3,869.75 to the Authority; and

**WHEREAS**, these items of work are not included on the pre-approved list submitted by AWM for this Contract Year, but the Authority agrees that this additional work is a necessary item of repair, replacement, or non-Routine Maintenance; and

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

**WHEREAS**, the Authority has reviewed CSC #305, dated October 9, 2012, in the amount of \$3,869.75, and is satisfied that the amount is fair and reasonable, and that the Authority desires to approve CSC #305; and

**WHEREAS**, the Authority was reimbursed by Verizon for the costs incurred in addressing this occurrence, including the costs incurred by AWM that are set forth in CSC #305.

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

1. CSC #305, signed in the amount of \$3,869.75, for payment of costs incurred from the repair of the sewer collapse at 57 Mountain Boulevard, be and hereby is approved.


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

Moved by Mr. Truglio  
Seconded by Mr. Checchio

Roll Call Vote	Yes	No
Chairman Reeder	x _____	_____
Mr. Truglio	x _____	_____
Ms. Garafola	_____	_____
Mr. Kaufman	_____	_____
Mr. Vetter	_____	_____
Mr. Checchio (Alternate #1)	x _____	_____
Mr. Paolella (Alternate #2)	_____	_____

**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 January 16, 2013.

  
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Deborah Catapano, Authority Secretary