

WARREN TOWNSHIP SEWERAGE AUTHORITY

RESOLUTION NO. 12-155

**RESOLUTION APPROVING COST SUBSTANTIATION
CERTIFICATE #311 SUBMITTED BY THE OPERATOR
OF THE AUTHORITY'S WASTEWATER TREATMENT
SYSTEM, APPLIED WATER MANAGEMENT, INC., FOR
PAYMENT OF LABOR COSTS FOR EMERGENCY
WORK RESULTING FROM HURRICANE SANDY
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, Hurricane Sandy caused extensive damage to the infrastructure of New Jersey, including severe power outages, resulting in the need for emergency work, 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 #311, representing labor costs to maintain the Authority's infrastructure after Hurricane Sandy, with \$4,364.50 in labor costs, for a total cost of \$4,364.50 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 #311, dated January 9, 2013, in the amount of \$4,364.50, and is satisfied that the amount is fair and reasonable, and that the Authority desires to approve CSC #311.

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

1. CSC #311, signed in the amount of \$4,364.50, for payment of labor costs incurred as a result of Hurricane Sandy, 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.



Deborah Catapano, Authority Secretary