

**WARREN TOWNSHIP SEWERAGE AUTHORITY**

**RESOLUTION NO. 12-64**

**RESOLUTION APPROVING COST SUBSTANTIATION CERTIFICATE #256 SUBMITTED BY THE OPERATOR OF THE AUTHORITY'S WASTEWATER TREATMENT SYSTEM, APPLIED WATER MANAGEMENT, INC., FOR PAYMENT OF CERTAIN EXPENSES RELATED TO THE REFUELING OF THE EMERGENCY GENERATORS AT THE STAGE I AND II PLANT AND STILES ROAD PUMP STATIONS ON AN EMERGENCY BASIS DUE TO AN EXTENDED POWER FAILURE 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, commencing 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**, AWM contacted Taylor Oil Company to make several refueling trips to the emergency generators at both the Stage I & II plant and the Stiles Road Pump Station due to an extended power failure associated with the October, 2011 snowstorm, which is an item of repair, replacement, or non-Routine Maintenance pursuant to Article IV and Appendix 16 of the Agreement; and

**WHEREAS**, Taylor Oil Company has submitted four (4) invoices to AWM for services rendered in the total amount of \$4,294.82; and

**WHEREAS**, AWM has submitted CSC #256 for the refueling trips to the emergency generators at both the Stage I & II plant and the Stiles Road Pump Station due to an extended power failure associated with the October, 2011 snowstorm, based on the

above-referenced invoice and the applicable ten (10%) percent markup for a total cost of \$4,724.30 to the Authority; and

**WHEREAS**, this item of work is not included on the pre-approved list submitted by AWM for this Contract Year, but the Authority agrees that this 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 #256, dated April 17, 2012, in the amount of \$4,724.30, and is satisfied that the amount is fair and reasonable, and that the Authority desires to approve CSC #256.

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

1. CSC #256, signed in the amount of \$4,724.30, for payment of costs incurred from the refueling trips to the emergency generators at both the Stage I & II plant and the Stiles Road Pump Station due to an extended power failure associated with October, 2011 snowstorm, 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. Reeder  
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. Paoletta (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 May 16, 2012.

  
Deborah Catapano, Authority Secretary