

WARREN TOWNSHIP SEWERAGE AUTHORITY

RESOLUTION NO. 13-68

RESOLUTION APPROVING COST SUBSTANTIATION CERTIFICATE #335 SUBMITTED BY THE OPERATOR OF THE AUTHORITY'S WASTEWATER TREATMENT SYSTEM, APPLIED WATER MANAGEMENT, INC., FOR PAYMENT OF CERTAIN EXPENSES RELATED TO DIESEL FUEL PURCHASES AFTER 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, 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, it was necessary to purchase diesel fuel in order to operate the Stage I/II, Stage IV and Stage V emergency generators after Hurricane Sandy, 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 three invoices from Taylor Oil Co. for fuel delivery to Stage I/II, Stage IV, and Stage V on November 2, 2012, for a total of \$11,135.00; and

WHEREAS, AWM has submitted CSC #335 for to purchase diesel fuel in order to operate the Stage I/II, Stage IV and Stage V emergency generators after Hurricane Sandy, the above-referenced invoice and the applicable ten (10%) percent markup on said invoices for a total cost of \$12,248.50 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 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 #335, dated May 22, 2013 in the amount of \$12,248.50, and is satisfied that the amount is fair and reasonable, and that the Authority desires to approve CSC #335.

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

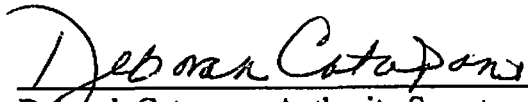
1. CSC #335, signed in the amount of \$12,248.50, for payment for diesel fuel to operate the emergency generators at the Stage I/II, Stage IV and Stage V pump stations, be and hereby is approved, conditioned upon receipt of a business registration certificate from AWM for every subcontractor that performed 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. Truglio	x _____	_____
Ms. Garafola	x _____	_____
Mr. Mosquera	x _____	_____
Mr. Vetter	x _____	_____
Mr. Checchio (Alt 1)	x _____	_____
Mr. Paoella (Alt 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 June 19, 2013.



Deborah Catapano, Authority Secretary