

GLOUCESTER COUNTY UTILITIES AUTHORITY

RESOLUTION NO. 2022-066

RESOLUTION OF THE GLOUCESTER COUNTY UTILITIES AUTHORITY AUTHORIZING AND APPROVING THE AWARD AND EXECUTION OF A CONTRACT WITH SOUTH STATE, INC. IN CONNECTION WITH THE CONSTRUCTION OF THE MANTUA MAIN PROJECT; AND AUTHORIZING AND APPROVING CERTAIN ACTIONS IN CONNECTION THEREWITH

WHEREAS, the Gloucester County Utilities Authority ("Authority" or "GCUA"), the Gloucester County Improvement Authority ("GCIA"), the Township of Woolwich ("Woolwich") and the Borough of Swedesboro ("Swedesboro"; and, together with the Authority, the GCIA and Woolwich, the "Parties"), in an effort to meet their respective wastewater management plan requirements, have been working diligently to design, develop, construct and implement a cooperative, regional, governmental wastewater conveyance system, which will accommodate the significant wastewater management planning needs of all of the Parties now and into the future; and

WHEREAS, for such purpose, the Parties have heretofore entered into a Memorandum of Understanding (the "MOU"), among other things, set for the outline for the development, construction and funding of a regional sewerage system, including pipes, pump stations and force mains to convey wastewater, via a regional sewer conveyance system (the "Project"); and

WHEREAS, the Project includes, among other things, the construction of a new force main (known as the "Mantua Main") located at the terminus of Route 322 and Garwin Road in Woolwich Township and extending along King's Highway to terminate at the GCUA's Edwards Run Interceptor, which Mantua Main will convey sewerage from the GCIA and Swedesboro as well as sewerage from the Woolwich ("Mantua Main Project"); and

WHEREAS, pursuant to a Shared Services Agreement, dated April 19, 2022 ("Shared Services Agreement"), between the GCUA and the GCIA, the GCUA agreed to undertake, construct and preliminary finance the Mantua Main Project; and

WHEREAS, *N.J.S.A.* 40A:11-5(gg), provides an exception to the public bidding requirements of the Authority for wastewater treatment facilities as well as the construction of any part thereof, including the Mantua Main Project; and

WHEREAS, as part of the direct negotiation procurement process for the Mantua Main Project, the GCUA obtained pricing and quotes from two (2) separate contractors, including South State, Inc. ("South State") and Pioneer Pipe Contractors; and

WHEREAS, the GCUA and the GCIA have reviewed the proposals received and have collectively determined that the proposal received from South State (at a price not to exceed (\$8,613,907.00) was deemed the most competitive and provided the best terms to the GCUA for purposes of completing the Mantua Main Project; and

WHEREAS, the Board of the Authority is now desirous of: (i) authorizing and approving the proposal received by South State to provide contracting services to the GCUA for the purpose of completing the Mantua Main Project; and (ii) authorizing and approving the execution and delivery of a formal contract with South State to memorialize the terms and conditions under which South State shall provide general contracting services to the GCUA for the construction of the Mantua Main Project.

NOW, THEREFORE, BE IT RESOLVED BY THE GLOUCESTER COUNTY UTILITIES AUTHORITY, AS FOLLOWS:

Section 1. The Board of the Authority hereby authorizes and approves the proposal provided by South State to provide general contracting services to the Authority for the purpose of constructing the Mantua Main Project.

Section 2. The execution and delivery of a contract between the Authority and South State ("Contract") in order to formally memorialize the terms and conditions by which South State will undertake and complete the Mantua Main Project, with such changes, additions or deletions as may be approved or recommended by the Authority's General Counsel, Special Counsel, Bond Counsel and the other professionals of the Authority, prior to the execution thereof, is hereby authorized and approved.

Section 3. The Contract, and the performance by the Authority thereunder, is contingent upon: (i) the availability of funds of the Authority to provide for payment of costs due under such Contract; (ii) approval of the Contract from the New Jersey Office of the State Comptroller; and (iii) if applicable, proper approvals from the New Jersey Department of Environmental Protection and other regulatory agencies.

Section 4. This Resolution shall take effect immediately upon adoption.

RECORDED VOTE

BOARD MEMBERS	AYES	NAYES	ABSTAIN	ABSENT
Walter Berglund	✓			
Thomas Bianco	✓			
Howard Bruner	✓			
Edward Coryell	✓			
Ralph Cossaboon	✓			
Salvatore Fogarino	✓			
Richard Giuliani	✓			
Danielle Halpin	✓			
James Sabetta	✓			

GLOUCESTER COUNTY UTILITIES AUTHORITY

BY: Howard W Bruner
HOWARD W. BRUNER, Chairman

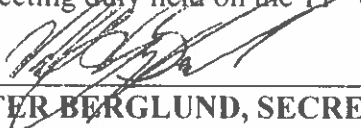
ATTEST:



WALTER BERGLUND, SECRETARY

CERTIFICATION

I do hereby certify that the foregoing is a true copy of a Resolution passed by the Gloucester County Utilities Authority at a meeting duly held on the 11th day of May 2022.



WALTER BERGLUND, SECRETARY

**RESOLUTION OF THE GLOUCESTER COUNTY UTILITIES AUTHORITY
AUTHORIZING AN APPROPRIATION TO THE COUNTY OF
GLOUCESTER IN AN AMOUNT EQUAL TO 5% OF THE
GLOUCESTER COUNTY UTILITIES AUTHORITY
OPERATING BUDGET**

WHEREAS, the law permits the Gloucester County Utilities Authority (GCUA) to appropriate an amount equal to 5% of its operating budget as long as said amount is not more than the GCUA's adjusted net assets to the County of Gloucester; and

WHEREAS, there exists a need to appropriate the amount as described above; and

NOW, THEREFORE, BE IT RESOLVED by the Gloucester County Utilities Authority that it appropriate an amount equal to 5% of its operating budget as long as said amount is not more than the GCUA's adjusted net assets to the County of Gloucester.

DULY ADOPTED at a Regular Meeting of the Gloucester County Utilities Authority held on May 11, 2022.

THE GLOUCESTER COUNTY UTILITIES AUTHORITY

By:



HOWARD W. BRUNER, Chairman

ATTEST:



WALTER BERGLUND, SECRETARY

CERTIFICATION

The foregoing Resolution was duly adopted by the Committee of the Gloucester County Utilities Authority at a meeting held on the 11th day of May 2022.



WALTER BERGLUND, SECRETARY

RESOLUTION NO. 2022-068

**RESOLUTION OF THE GLOUCESTER COUNTY UTILITIES
AUTHORITY ENDORSING AN APPLICATION OF THE BOROUGH OF
SWEDESBORO FOR AN NJDEP TREATMENT WORKS APPROVAL
FOR THE PROJECT KNOWN AS SWEDESBORO PUMP STATION**

WHEREAS, an application has been submitted by the Borough of Swedesboro for an NJDEP Treatment Works Approval for a project known as Swedesboro Pump Station, with an allocation of 400,000 GPD, for the construction of one (1) new Pump Station including the installation of five (5) new manholes, a Wet Well, three (3) submersible pumps, controls, electrical equipment, a bioxide odor control system, prefabricated control and valve building, JIB crane and hoist, precast concrete structures, a generator, and all other associated work; and

WHEREAS, plans and specifications for this project have been reviewed by the staff of the Gloucester County Utilities Authority and have been found to be proper; and

WHEREAS, this project is subject to the payment of the Authority's Sanitary Sewerage Connection fees, said fees to be paid at a later date when application is made for an allocation of capacity for this project.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners on this 11th day of May 2022, that it hereby endorses the above application for an NJDEP Treatment Works Approval for the project known Swedesboro Pump Station, with an allocation of 400,000 GPD, for the construction of one (1) new Pump Station including the installation of five (5) new manholes, a Wet Well, three (3) submersible pumps, controls, electrical

equipment, a bioxide odor control system, prefabricated control and valve building, JIB crane and hoist, precast concrete structures, a generator, and all other associated work


BE IT FURTHER RESOLVED, that certified copies of this Resolution shall be forwarded to the Borough of Swedesboro and the NJDEP.

DULY ADOPTED at a meeting of the Gloucester County Utilities Authority held on May 11, 2022.

GLOUCESTER COUNTY UTILITIES AUTHORITY

BY: Howard W Bruner
HOWARD W. BRUNER, Chairman

ATTEST:


WALTER BERGLUND, SECRETARY

CERTIFICATION

The foregoing Resolution was duly adopted by the Committee of the Gloucester County Utilities Authority at a meeting held on the 11th day of May 2022.


WALTER BERGLUND, SECRETARY

RESOLUTION NO. 2022-069

**RESOLUTION OF THE GLOUCESTER COUNTY UTILITIES
AUTHORITY ENDORSING AN APPLICATION OF THE TOWNSHIP OF
SOUTH HARRISON FOR AN NJDEP TREATMENT WORKS APPROVAL
FOR THE PROJECT KNOWN AS GCIA LEACHATE PUMP STATION**

WHEREAS, an application has been submitted by the Township of South Harrison for an NJDEP Treatment Works Approval for a project known as GCIA Leachate Pump Station, with an allocation of 200,000 GPD, for the construction of one (1) new Leachate Pump Station including the installation of a Wet Well with two (2) submersible Leachate Pumps, controls, electrical equipment, concrete pads, precast concrete structures, a generator, piping, valves and all other associated work; and

WHEREAS, plans and specifications for this project have been reviewed by the staff of the Gloucester County Utilities Authority and have been found to be proper; and

WHEREAS, this project is subject to the payment of the Authority's Sanitary Sewerage Connection fees, said fees to be paid at a later date when application is made for an allocation of capacity for this project.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners on this 11th day of May 2022, that it hereby endorses the above application for an NJDEP Treatment Works Approval for the project known GCIA Leachate Pump Station, with an allocation of 200,000 GPD, for the construction of one (1) new Leachate Pump Station including the installation of a Wet Well with two (2) submersible Leachate Pumps, controls, electrical equipment, concrete pads, precast concrete structures, a generator, piping, valves and all other associated work.

BE IT FURTHER RESOLVED, that certified copies of this Resolution shall be forwarded to the Township of South Harrison and the NJDEP.

DULY ADOPTED at a meeting of the Gloucester County Utilities Authority held on May 11, 2022.

GLOUCESTER COUNTY UTILITIES AUTHORITY

BY: Howard W Bruner
HOWARD W. BRUNER, Chairman

ATTEST:


WALTER BERGLUND, SECRETARY

CERTIFICATION

The foregoing Resolution was duly adopted by the Committee of the Gloucester County Utilities Authority at a meeting held on the 11th day of May 2022.


WALTER BERGLUND, SECRETARY

**RESOLUTION ENDORSING AN APPLICATION OF THE MONROE TOWNSHIP
MUNICIPAL UTILITIES AUTHORITY FOR AN ALLOCATION
OF CAPACITY OF 7,500 GPD FOR THE PROJECT KNOWN
AS HAMILTON GREENE SUBDIVISION, NJDEP PERMIT #14-0023**

WHEREAS, an application has been submitted by the Monroe Township Municipal Utilities Authority, for an allocation of capacity of 7,500 GPD for the project known as Hamilton Greene Subdivision, NJDEP Permit #14-0023; and

WHEREAS, this allocation of capacity covers a portion of the project, consisting of twenty-five (25) single family dwellings; and

WHEREAS, this project is currently under construction; and

WHEREAS, the Authority's Development Projects Coordinator, Stephanie Killeen, has heretofore certified that there is sufficient capacity remaining at the Gloucester County Utilities Authority's treatment plant to service this project.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners on this 11th day of May 2022, that it hereby endorses the above application for an allocation of capacity of 7,500 GPD for the project known as Hamilton Greene Subdivision, NJDEP Permit #14-0023.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be forwarded to the Monroe Township Municipal Utilities Authority and to the NJDEP.

GLOUCESTER COUNTY UTILITIES AUTHORITY

BY: Howard W Bruner
HOWARD W. BRUNER, Chairman

ATTEST:


WALTER BERGLUND, SECRETARY

CERTIFICATION

I hereby certify that, as of this date, there is sufficient capacity remaining at the Gloucester County Utilities Authority treatment facilities to service the above project.



Stephanie Killeen
Developments Projects Coordinator

CERTIFICATION

The foregoing Resolution was duly adopted at a meeting of the Gloucester County Utilities Authority conducted on May 11, 2022, at its business office located at 2 Paradise Road, West Deptford, New Jersey, all of which is hereby certified.

GLOUCESTER COUNTY UTILITIES AUTHORITY

BY:



WALTER BERGLUND, Secretary

**RESOLUTION OF THE GLOUCESTER COUNTY UTILITIES
AUTHORITY ENDORSING AN APPLICATION OF THE TOWNSHIP OF
EAST GREENWICH FOR AN NJDEP TREATMENT WORKS APPROVAL
FOR THE PROJECT KNOWN AS DUKE REALTY DEMOCRAT ROAD
URBAN RENEWAL, LLC**

WHEREAS, an application has been submitted by the Township of East Greenwich for an NJDEP Treatment Works Approval for a project known as Duke Realty Democrat Road Urban Renewal, LLC, with an allocation of 13,500 GPD, consisting of a 574,480 square foot warehouse with 10,000 square foot office space and 564,480 square foot warehouse space; and

WHEREAS, plans and specifications for this project have been reviewed by the staff of the Gloucester County Utilities Authority and have been found to be proper; and

WHEREAS, this project is subject to the payment of the Authority's Sanitary Sewerage Connection fees, said fees to be paid at a later date when application is made for an allocation of capacity for this project.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners on this 11th day of May 2022, that it hereby endorses the above application for an NJDEP Treatment Works Approval for the project known as Duke Realty Democrat Road Urban Renewal, LLC, with an allocation of 13,500 GPD, consisting of a 574,480 square foot warehouse with 10,000 square foot office space and 564,480 square foot warehouse space.

RESOLUTION NO. 2022-072

**RESOLUTION OF THE GLOUCESTER COUNTY UTILITIES
AUTHORITY AUTHORIZING THE EMERGENCY REPAIRS
AT THE CHESTNUT BRANCH INTERCEPTOR
MANHOLE 74 STREAM BANK REPAIR**

WHEREAS, the NJDEP Department for the Watershed and Land Management Program has approved an emergency authorization request for the emergency stream bank repair work; and

WHEREAS, the emergency situation was caused by a beaver dam construction that resulted in exposure of the sewer interceptor pipe and Chestnut Branch Manhole 74 to potential failure and infiltration into the sewer system; and

WHEREAS, the GCUA Engineer has certified in a May 4, 2022, letter to the GCUA that the emergency repair to the Chestnut Branch Interceptor, Manhole 74 Stream Bank repair was necessary for compliance and safety to the public; an emergency contract was awarded in accordance with the procedures for emergency contracts as promulgated and contained in *N.J.A.C. 5:34-6.1, et seq.* and *N.J.S.A. 40A:11-1, et seq.*; and

WHEREAS, the GCUA Engineer has certified and recommended that the emergency repair was a one-time event to address the immediate need to place the system back into service, to restore access to residential properties and to restore the waste line; and

WHEREAS, the GCUA Engineer's May 4, 2022, written letter opinion certifying this as an emergency contract and recommended payment for the emergency repairs to Pioneer Pipe Contractors, Inc., in a total amount not to exceed \$194,800.00, the Engineer's opinion is incorporated herein and made a part hereof this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners on this 11th day of May 2022, that it hereby authorizes the payment for the emergency repair to the Chestnut Branch Interceptor, Manhole 74 Stream Bank repair as outlined above and in the GCUA Engineer's May 4, 2022, certification of emergent repair to Pioneer Pipe Contractors, Inc., in an amount not to exceed \$194,800.00.

BE IT FURTHER RESOLVED that the Executive Director and staff are directed to take all necessary steps and measures to effectuate the purposes of this Resolution.

GLOUCESTER COUNTY UTILITIES AUTHORITY

BY: Howard W Bruner
HOWARD W. BRUNER, Chairman

ATTEST:
[Signature]
WALTER BERGLUND, SECRETARY

CERTIFICATION

The foregoing Resolution was duly adopted at a meeting of the Gloucester County Utilities Authority conducted on May 11, 2022 at its business office located at 2 Paradise Road, West Deptford, New Jersey, all of which is hereby certified.

GLOUCESTER COUNTY UTILITIES AUTHORITY

BY: [Signature]
WALTER BERGLUND, Secretary

GLOUCESTER COUNTY UTILITIES AUTHORITY

RESOLUTION NO. 2022-073

**RESOLUTION OF THE OF THE GLOUCESTER COUNTY UTILITIES AUTHORITY
AUTHORIZING THE EMERGENCY PURCHASE OF UPGRADES TO
FLAME RETARDANT UNIFORMS**

WHEREAS, the GCUA is in need of an emergency purchase contract to cover the costs of uniform upgrade to Flame Retardant Uniforms necessary to protect workers from severe injury from potential fire in operation of GCUA's Wastewater Treatment Facility; and

WHEREAS, pursuant to *N.J.S.A. 40A:11-6*, *N.J.S.A. 40A:11-6.1* and *N.J.S.A. 40A:11-5(1)(gg)* the Authority solicited pricing for the upgrade to flame retardant uniforms; and

WHEREAS, GCUA Staff by letter of May 3, 2022, has recommended an award of emergency purchase contract to Cintas Corporation for the amount up to \$7,350.00; and

WHEREAS, the Executive Director has certified the availability of funds for such purchase.

NOW, THEREFORE, BE IT RESOLVED by the Gloucester County Utilities Authority of the County of Gloucester, New Jersey, that the Board of Commissioners hereby authorizes the emergency contract to Cintas Corporation for upgrades to flame retardant uniforms as outlined above and in the GCUA Staff's May 3, 2022, correspondence in an amount up to \$7,350.00 pursuant to *N.J.S.A. 40A:11-6*, *N.J.S.A. 40A:11-6.1* and *N.J.S.A.*

40A:11-5(1)(gg).

DULY ADOPTED at a meeting of the Gloucester County Utilities Authority held on
May 11, 2022.

THE GLOUCESTER COUNTY UTILITIES AUTHORITY

Howard W Bruner

HOWARD W. BRUNER, Chairman

ATTEST:



WALTER BERGLUND, Secretary

CERTIFICATION

The foregoing Resolution was duly adopted by the Commissioners of the Gloucester County Utilities Authority at a meeting held on the 11th day of May 2022.



WALTER BERGLUND, Secretary

RESOLUTION NO. 2022-074

**RESOLUTION CONFIRMING USE OF PROJECT LABOR AGREEMENTS
PURSUANT TO N.J.S.A. 52:38-1 ET SEQ.**

WHEREAS, the Gloucester County Utilities Authority has a compelling interest in carrying out public works projects at the lowest reasonable cost and the highest degree of quality; and, pursuant to N.J.S.A. 52:38-1 et seq. project labor agreements (“PLAs”) are authorized to be utilized; and

WHEREAS, a highly skilled workforce ensures lower costs for repairs and maintenance over the lifetime of the completed project; and

WHEREAS, PLAs make it possible to provide the GCUA with a guarantee that public works projects are completed with highly skilled workers and to more accurately predict the actual cost of projects; and

WHEREAS, the prior law permitted the use of PLAs beyond contracts for building-based public works projects; and

WHEREAS, the legislation authorized by L.2021, c. 69, § 2, eff. April 30, 2021 expands the permissible use of PLAs beyond building-based public works contracts, so as to allow public entities to use PLAs for highway, bridge, pumping station and water and sewage treatment plant projects that are worth at least \$5 million and are subject to the prevailing wage law; and

WHEREAS, recognized and registered apprenticeship programs are required pursuant to N.J.S.A. 52:38-5 and advance the interests of the public entity, including the interests in cost, efficiency, quality, timeliness, skilled labor force, and safety;

NOW, THEREFORE, BE IT RESOLVED by the Gloucester County Utilities Authority of the County of Gloucester, New Jersey, that the Board of Commissioners as follows:

1. That project labor agreements shall be utilized for any public works contracts that are worth at least \$5 million and subject to the Prevailing Wage Law as per N.J.S.A. 52:38-2.
2. That the GCUA shall either: directly negotiate in good faith a project labor agreement with one or more labor organizations; or, condition the award of a contract to a construction manager upon a requirement that the construction manager negotiate in good faith a project labor agreement with one or more labor organizations.
3. That any bidder for the public works project refusing to agree to abide by the conditions of the project labor agreement or the requirement to negotiate a project labor agreement shall not be regarded as a responsible bidder.
4. That each project labor agreement shall conform to the required provisions as set forth in N.J.S.A. 52:38-5, including recognized and registered apprenticeship programs, and a copy of said agreement may be forwarded to the Commissioner of Labor.

DULY ADOPTED at a meeting of the Gloucester County Utilities Authority held on
May 11, 2022.

THE GLOUCESTER COUNTY UTILITIES AUTHORITY

Howard W Bruner

HOWARD W. BRUNER, Chairman

ATTEST:



WALTER BERGLUND, Secretary

CERTIFICATION

The foregoing Resolution was duly adopted by the Commissioners of the Gloucester County Utilities Authority at a meeting held on the 11th day of May 2022.



WALTER BERGLUND, Secretary

RESOLUTION NO. 2022-075

**RESOLUTION OF THE GLOUCESTER COUNTY UTILITIES
AUTHORITY AUTHORIZING THE EMERGENCY REPAIRS
TO INFLUENT PIPE AT WHITMAN SQUARE PUMP STATION**

WHEREAS, the Gloucester County Utilities Authority is in the process of completing through its contractor a Wet Well Lining Project at GCUA's Whitman Square Pump Station; and

WHEREAS, GCUA's contractor was in the process of reinstating sewer flow to the Wet Well when it was determined that an influent pipe connected to the Wet Well is severely compromised requiring repair prior to reinstating sewer flow to the Wet Well; and

WHEREAS, due to the compromised influent pipe and the inability to reinstate sewer flow to the Wet Well, sewerage by-pass pumping must be employed; and

WHEREAS, the GCUA believes that the influent pipe is the responsibility of the Washington Township M.U.A., which to date has declined to take responsibility; and

WHEREAS, due to the emergency nature of completing the repairs, reinstating sewer flow to the Wet Well and eliminating by-pass sewer pumping, the GCUA has agreed to perform the repairs on an emergency basis and resolve the issue of responsibility for same with the W.T.M.U.A. at a later date; and

WHEREAS, the GCUA Engineer has certified in a May 10, 2022, memorandum to the GCUA that the emergency repair to the influent pipe at the Whitman Square Pump Station was necessary for compliance and safety to the public; an emergency contract was awarded in accordance with the procedures for emergency contracts as promulgated and contained in *N.J.A.C. 5:34-6.1, et seq.* and *N.J.S.A. 40A:11-1, et seq.*; and

WHEREAS, the GCUA Engineer has certified and recommended that the emergency repair was a one-time event to address the immediate need to place the system back into service, to ensure access to residential properties; and

WHEREAS, the GCUA Engineer's May 10, 2022, written memorandum opinion certifying this as an emergency contract and recommended payment for the emergency repairs to Pioneer Pipe Contractors, Inc., in a total amount not to exceed \$50,000, the Engineer's opinion is incorporated herein and made a part hereof this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners on this 11th day of May 2022, that it hereby authorizes the payment for the emergency repair to the influent pipe at the Whitman Square Pump Station as outlined above and in the GCUA Engineer's May 10, 2022, certification of emergent repair to Pioneer Pipe Contractors, Inc., in an amount not to exceed \$50,000.00 and continue to engage with W.T.M.U.A. to determine ultimate responsibility for such repairs.

BE IT FURTHER RESOLVED that the Executive Director and staff are directed to take all necessary steps and measures to effectuate the purposes of this Resolution.

GLOUCESTER COUNTY UTILITIES AUTHORITY

BY: Howard W Bruner
HOWARD W. BRUNER, Chairman

ATTEST:
[Signature]
WALTER BERGLUND, SECRETARY

CERTIFICATION

The foregoing Resolution was duly adopted at a meeting of the Gloucester County Utilities Authority conducted on May 11, 2022, at its business office located at 2 Paradise Road, West Deptford, New Jersey, all of which is hereby certified.

GLOUCESTER COUNTY UTILITIES AUTHORITY

BY: [Signature]
WALTER BERGLUND, Secretary