

**BERNARDS TOWNSHIP SEWERAGE AUTHORITY
AGENDA**

February 13, 2024

6:30 PM

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Open Public Meeting Statement
5. Approval of Minutes
 - a. Regular Meeting – January 23, 2024
6. Correspondence –
7. Public Comment
8. Action/Discussion Items:
 - a. Resolution #2413 Peracetic Acid Project Budget Transfer \$177,200
 - b. Resolution #2414 Award Peracetic Acid Project T&M Assoc. \$177,200
 - c. Resolution #2415 Authorizing grant agreement with Somerset County for the Annin Road Pump Station
9. Operator's Report
10. Bill List – Resolution - #24 -
11. Member/Staff Comments
12. Adjournment



Bernards Township Sewerage Authority Resolution

RESOLUTION #2413 CAPITAL TRANSFER – Peracetic Acid Project

WHEREAS, there are insufficient funds in the following account (excepting the appropriation for Contingent Expenses or Deferred Charges) to meet the demands for the Capital Budget project:

C-01-24-PLA-A01 Peracetic Acid Project

WHEREAS, there is a surplus in the following account (excepting the appropriation for Contingent Expenses, Deferred Charges, Cash Deficit of Preceding Year, or Interest and Debt Redemption Charges) over and above the demand deemed necessary for the balance of the Capital project

C-01-17-PLA-A02 Plant Hydraulic Improvements

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all the members thereof affirmatively concurring) that part of the surplus in the account heretofore mentioned be and the same is hereby transferred to the account (excepting the appropriation for Contingent Expenses or Deferred Charges) mentioned as being insufficient, to meet the current demands, and

BE IT FURTHER RESOLVED that the CFO is hereby authorized and directed to make the following transfers:

<u>FROM</u>	<u>AMOUNT</u>	<u>TO</u>
C-01-17-PLA-A02	\$177,200.00	C-01-24-PLA-A01
TOTAL TRANSFER	\$177,200.00	

CHIEF FINANCIAL OFFICER CERTIFICATION

I, Sean McCarthy, Chief Financial Officer for the Township of Bernards, hereby certify that adequate funds are available in the Bernards Township Sewerage Authority's Unreserved Retained Earnings for the above referenced transfer in the amount of \$177,200.00.

Sean McCarthy, CFO

EXPLANATORY STATEMENT

This transfer moves additional funds into the Peracetic Acid account to award the Peracetic Acid Project professional services. See Resolution #2414.

Thomas Timko, Authority Director

Date Adopted: January 23, 2024

Certification

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Sewerage Authority on 1/23/2024.

Thomas Timko, Authority Director



Bernards Township Sewerage Authority

RESOLUTION #2414
PROFESSIONAL SERVICES CONTRACT
PERACETIC ACID SYSTEM PROJECT
David A. Ksyniak, PE, Lic #24GE04807200 of the firm T&M Associates
In the Not to Exceed Amount of \$177,200.00

WHEREAS, the Bernards Township Sewerage Authority requires professional engineering services for the design, bidding, construction administration and inspection for the Peracetic Acid System Project; and

WHEREAS, two professional consulting engineering proposals were obtained:

T&M Associates	\$177,200.00
Buchart Horn	\$197,500.00

WHEREAS, David A. Ksyniak, PE, Lic #24GE04807200 of the firm T&M Associates, 400 Broadacres Drive, Suite 250, Bloomfield, NJ 07003 has submitted a proposal dated January 18, 2024, outlining their services and rates; and

WHEREAS, section N.J.S.A. 40A:11-5 (1)(a) (i) of the Local Public Contracts Law, (N.J.S.A. 40A11-1 et seq.) exempts such professional services from competitive bidding; and

WHEREAS, this contract was awarded without public advertisement as defined in N.J.S.A. 19:44A-20-7 and pursuant to the provisions of N.J.S.A. 19:44A-20-4; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the Budget, line item appropriation or ordinance to be charged is C-01-24-PLA-A01.

NOW BE IT RESOLVED by the Bernards Township Sewerage Authority as follows:

1. That a professional service contract for electrical engineering services be awarded to David A. Ksyniak, PE, Lic #24GE04807200 of the firm T&M Associates, 400 Broadacres Drive, Suite 250, Bloomfield, NJ 07003 in the not to exceed amount of \$177,200.00, pursuant to the January 18, 2024, proposal.
2. That the contract be awarded for a 1-year term, from February 13, 2024, through February 12, 2025. Bid documents shall be prepared and the project bid within 90 days.
3. Billing must be rendered within 30 days of service delivery.
4. **Any modification to this contract shall be in writing and signed by both parties and upon obtaining said signatures shall immediately become part of the contract.**
5. **No payments in excess of the “not to exceed” contract amounts will be approved, unless such services/expenditures are negotiated and agreed upon in advance of service delivery.**
6. As required by law, the parties to this contract agree to incorporate into this contract the mandatory affirmative action language promulgated by the Treasurer pursuant to PL 1975, c.127, which is attached to this resolution as Exhibit A.
7. This contract shall, for all purposes, be deemed a New Jersey Contract and any provision of this contract shall be governed and interpreted with the Laws of the State of New Jersey.

8. The contractor shall report directly to the Authority Director, who will be the chief contact for the Bernards Township Sewerage Authority on this contract.

NOW THEREFORE BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

NOW THEREFORE BE IT FURTHER RESOLVED that notice of this contract award be published in the official township newspaper and a copy of the resolution be placed on file and available for public inspection in the office of the Bernards Township Sewerage Authority Director, 277 South Maple Avenue, Basking Ridge, NJ 07920.

I agree to the terms as stated in this Resolution and by signing this document, I am committed to follow all terms of this award.

David A. Ksuniak, PE, Lic #24GE04807200

CHIEF FINANCIAL OFFICER CERTIFICATION
I, Sean McCarthy, CFO of the Township of Bernards, hereby certify that adequate funds are available for the above referenced purchase in the amount not to exceed \$177,200.00. Monies are available in the Sewerage Authority Budget, the line item appropriation to be charged is, C-01-24-PLA-A01.
Dated: Sean McCarthy, CFO

PURCHASING CERTIFICATION
I hereby certify that I have reviewed this resolution for accuracy.
Dated: Francis J. Decibus, QPA, RPPO Purchasing Agent

Dated Adopted: February 13, 2024

<u>CERTIFICATION</u>
I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Sewerage Authority on 02/13/2024.
_____ Thomas Timko, Authority Director



Bernards Township Sewerage Authority Resolution

RESOLUTION #2415
County of Somerset
American Recovery Plan Grant – Annin Road Pump Station

WHEREAS, the County of Somerset has received funding under the American Recovery Plan which can be used to support sewer and water infrastructure projects; and

WHEREAS, the Authority had applied for a grant to rehabilitate the Annin Road Pump Station; and

WHEREAS, by resolution dated August 23, 2022, R22-1657, the Somerset County Board of Commissioners approved a grant in the amount of eight hundred thousand dollars (\$800,000) in total for design and construction of improvements for the Project; and

NOW THEREFORE BE IT RESOLVED, that the Bernards Township Sewerage Authority hereby authorizes the Authority Director to sign the Agreement Between the County of Somerset and Township of Bernards Sewerage Authority for Receipt of ARP Funding in Support of Public Sewer and Water Improvements.

Agenda and Date Voted: February 13, 2024

Certification

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards township Sewerage Authority on 2/13/2024.

Thomas Timko, Authority Director