

RAHWAY VALLEY SEWERAGE AUTHORITY

Engineering Committee Meeting

Minutes

September 13, 2018

Commissioner Louis Lambe, Engineering Committee Chairman, called the meeting to order at 7:10 p.m.

Commissioner Lambe read the statement on “Open Public Meetings Law”.

“In accordance with the requirements of the Open Public Meetings Act, State of New Jersey, adequate notice of this meeting has been provided by the inclusion of the date, time and place in a Notice forwarded to the Star Ledger, the Home News Tribune and the Clerk of each of the eleven member municipalities on February 6, 2018.

If any member of this body believes that this meeting is being held in violation of the provisions of the Open Public Meetings Act, please state your objection and the reasons for same at this time.”

.... Hearing no objections, we shall proceed with our regularly scheduled meeting.

The Chairman asked everyone to stand for a salute to the flag and a moment of silence.

Roll Call

The following members were present:

Robert M. Beiner	for the Borough of Kenilworth
Louis C. Lambe	for the Township of Cranford
Michael J. Gelin	for the Township of Woodbridge
Stephen D. Greet	for the Borough of Garwood
Loren Harms	for the Borough of Roselle Park
Robert B. LaCosta	for the Township of Scotch Plains
Frank G. Mazzarella	for the Township of Clark
Robert Rachlin	for the City of Rahway
Martin C. Rothfelder	for the Town of Westfield
John J. Tomaine	for the Borough of Mountainside

The following member was absent:

Michael Furci	for the Township of Springfield
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The following were also present:

James J. Meehan	Executive Director
Karen A. Musialowicz	Secretary-Treasurer
Joanne Grimes	Purchasing Agent/Board Secretary
Dennis A. Estis, Esq.	General Counsel, Greenbaum, Rowe, Smith
Howard Matteson, P.E.	Consulting Engineer, CDM Smith, Inc.
Dan Ward	Superintendent
Anthony Gencarelli	Manager of Regulatory Compliance

New Business**Contract #1802-2 Labor Counsel Services (10/1/18 – 9/30/19)**

A Request For Proposal for Labor Counsel Services was sent to several firms and posted on the Authority's website for receipt of proposals based on a Fair and Open Process in accordance with N.J.S.A. 19:44A-20.5, et seq. The following proposals were received:

<u>Firm</u>	<u>Partner /of Counsel</u>	<u>Assoc. Rate</u>	<u>Blended Rate</u>	<u>Proposed Total</u>
Cleary, Jacobbe, Alfieri, Jacobs Oakland, NJ	\$170.00/ \$170.00	\$155.00	\$-	\$24,500.00
Weiner Law Group Parsippany, NJ	\$170.00	\$155.00	\$-	\$24,500.00
Lum, Drasco & Positan, LLC Roseland, NJ	\$220.00/ \$175.00	\$175.00	\$-	\$28,700.00
Chiesa, Shahinian & Giantommasi West Orange, NJ	\$240.00	\$200.00	\$-	\$33,900.00
Roth D'Aquanni LLC Springfield, NJ	(Blended Rate for Partner/ of Counsel & Associates)		\$200.00	\$34,000.00
DeCotiis, Fitzpatrick, Cole Teaneck, NJ	(Blended Rate for Partner/ of Counsel & Associates)		\$170.00	\$25,400.00

Note: DeCotiis, Fitzpatrick, Cole proposal could not be considered because they failed to sign the Iran Law form, which is considered a fatal flaw.

The Legal Committee met earlier in the evening and will make their recommendation to the Board.

Contract #1726 Stack Testing-Air Emission Testing Services (10/1/17-12/31/18)

Anthony Gencarelli, Manager of Regulatory Compliance, has advised that there is a need for a Change Order on Contract #1726 for additional testing by Peregrine Technical Services. Change Order #1 is specifically for formaldehyde testing on each engine at a cost of \$2,200.00. The original contract amount of this contract was \$19,264.00, plus CO #1 in the amount of \$2,200.00, total amended contract amount of \$21,464.00. The Committee concurred with the recommendation and action will be on the regular meeting agenda.

Contract #1808 Laboratory Services/NJPDES, SQAR, Misc. Other (1/1/18 – 12/31/18)

Jean Manigold, Laboratory Manager and Janet Thevenin, Environmental Compliance Supervisor, have advised that there is a need to amend Contract #1808 Laboratory Services (Analysis) for increased testing services by Aqua Pro Tech. The amendment is necessary as the

Authority has had a significant increase in the number of analysis required which were not included in the original Contract. The increase is related to the sampling of Waste Management feedstock, centrate levels, and additional industrial monitoring. The original contract amount was \$38,292.00. The proposed amendment is in the amount of \$24,000.00, total amended contract amount of \$62,292.00. The Committee concurred with the recommendation and action will be on the regular meeting agenda.

Contract #1834 Rotary Drum System Replacement Parts (10/1/18 – 12/31/19)

Notice to Bidders was advertised in the Star Ledger, emailed to several vendors and posted on the Authority's website. Bid Documents were made available for download from the website. Documents were downloaded by 7 potential bidders and 6 bid services. The contract includes pricing on 36 items. One bid was received on September 6, 2018 as follows:

<u>Company</u>	<u>Amount</u>
GP Jager, Inc. Butler, NJ	Itemized pricing on all 36 items, total bid amount \$119,108.87

The Purchasing Agent found the sole bid to be in order and recommends award. Dan Ward also reviewed the bid. The Committee concurred with the recommendation and action will be on the regular meeting agenda.

Contract #1835 Decanter Centrifuge Rotating Assy. Replacement Parts (10/1/18 – 12/31/19)

Notice to Bidders was advertised in the Star Ledger, emailed to several vendors and posted on the Authority's website. Bid Documents were made available for download from the website. Documents were downloaded by 8 potential bidders and 8 bid services. The contract includes pricing on 166 items. One bid was received on September 6, 2018 as follows:

<u>Company</u>	<u>Amount</u>
Centrisys Corp. Kenosha, WI	Itemized pricing on 161 of the 166 items, total bid amount \$236,637.23

The Purchasing Agent reviewed the sole bid. There were several mathematical errors, however, they are correctable, and the remainder of the bid was found to be in order by the QPA who recommends award. Dan Ward also reviewed the bid. Five items were not bid on and therefore, those items will not be included in the award. The Committee concurred with the recommendation and action will be on the regular meeting agenda.

Contract #1836 Computer System Upgrade Eng. and Programming (10/1/18 – 9/30/19)

A Request For Proposal for Computer Engineering, Programming & Support Services for the Authority's Computer System Upgrade was sent to Premier Technology Solutions based on a Non-Fair and Open Process in accordance with N.J.S.A. 19:44A-20.5, et seq. The following proposal was received:

<u>Company</u>	<u>Amount</u>
Premier Technology Solutions, LLC	\$49,800.00
Southampton, PA	\$110/hr. for Project work
	\$130/hr. Engineer Services
	\$140/hr. Software Dev.

The Purchasing Agent found the submitted documents to be in order. The Executive Director advised that he looked at the proposal and spoke with Bob Poltz and sees no reason not to move forward with award. The Committee concurred with the recommendation and action will be on the regular meeting agenda.

2019 Professional Service Contracts

The Purchasing Agent prepared a memo to the Board with regard to the 2019 Professional Service Contracts. The Board needs to advise if they wish to go out for proposals under the Fair and Open or Non-Fair and Open process. The Board recommends going out for proposals on a non-fair and open process.

TWA – Borough of Garwood

The Authority received a Treatment Works Application (TWA) from the Borough of Garwood on behalf of South Avenue Urban Renewal, LLC for property located at 400, 450-490 South Avenue in the Borough of Garwood. The application is for the construction of one-four story building which will include 165-Studio/1 bedroom apartments, 127-2 bedroom apartments, 6-3 bedroom apartments, and 22,320 sq. ft. of retail space, a pool and fitness center. The proposed discharge from the property is 61,657 gpd (0.0617 mgd) of flow. The application was reviewed by John Buonocore, Chief Engineer who found it to be in order. The Committee concurred with the recommendation and action will be on the regular meeting agenda.

Contract #173 - PPP Design, Build, Liq. Receiving Enterprise/Co-Digestion

The parties desire to enter into this Second Amendment in order to (1) reflect the agreed-upon changes to the Design and Construction Requirements as described herein, (2) confirm the agreed-upon extension to the Scheduled Commercial Operations Date and the establishment of the Commercial Operations Date, (3) memorialize the agreed-upon modification to the manner in which the number of gallons of Specified Feedstock delivered by the Company will be calculated, (4) delete an incorrect reference to an undefined term in the Enterprise Contract, (5) reflect the agreement of the parties with regard to invoicing and payment of the Enterprise Payment; (6) specify the Fixed Design-Build Price Adjustments associated with the changes to the Design and Construction Requirements described herein, and (7) establish the payment requirements for delivery of Specified Feedstock prior to the Commercial Operations Date. The amount of the contract remains unchanged. A copy of the Agreement was distributed to the Commissioners for review and the Executive Director recommends approval. The Committee concurred with the recommendation and action will be on the regular meeting agenda.

Report of Consulting Engineer

Howard Matteson, Consulting Engineer, from the firm of CDM Smith submitted his report for

the month of August 2018, which was distributed to the Commissioners.

A. Retainer Services

During the period, CDM Smith prepared the monthly report for August 2018 and attended the August 2018 Board Meeting.

B. Miscellaneous Engineering Services

During the period, CDM Smith performed the following:

- Continued development of the preliminary design of the heat exchanger improvements in the Cogeneration Building.
- Finalized the lifecycle cost assessment for the rehabilitation vs. replacement of the coarse and fine bar screens located in the Headworks Building. Submitted same to RVSA staff for review.

C. Digester Gas Treatment System Design – Construction Services

No activity during the period. Mr. Matteson noted that the final marked up “as-built” drawings were received and the contract can be officially closed out.

D. Digester Covers and Waste Gas Burner Replacement – Design, Bidding, and Construction

During the period, CDM Smith performed the following:

- Coordinated with staff and attended progress meetings.
- Coordinated with staff regarding shop drawings for couplings provided at various locations, soliciting a plan for functional testing of the new Digester #3 system, review of revised demolition plan for Digester #2 (corrected for methods used in demolition of Digester #3), and review of materials to be used by the Manufacturer for training of RVSA staff.
- Coordinated with staff in responding to questions and negotiations with Contractor regarding approach to concrete repairs, tank coating, and asbestos abatement in the U.S. Healthworks Building.
- Performed site inspections for the month – efforts focused on structural repairs, asbestos abatement, installation of anchors by WesTech, conduits for PRV tree and purge line, installation of inner and outer membrane.
- Responded to water damage at the control cabinet serving the Digester Control Building due to water in electrical conduits installed by Tomar. Coordinated with RVSA staff in communicating with Tomar to facilitate repairs which are ongoing.

E. Riverwalk Siphon Rehabilitation

No activity during the period.

Report of General Counsel

Dennis Estis, General Counsel, from the firm Greenbaum, Rowe, Smith, submitted the following report for the period August 16, 2018 through September 13, 2018:

1. Generala. Flow Rights
No change.

Mr. Lambe requested that the staff provide the July flow reports for review. Mr. Buonocore stated the reports would be sent out by next week's meeting.

b. Local Contracts Law/Open Public Meetings Act

A Legal Committee Meeting was conducted prior to the Engineering Committee Meeting tonight. Mr. Tomaine will be reporting on that meeting. I have had several conversations with Ms. Grimes regarding bid issues including revisions to our standard bid documents.

c. QDI Monitoring

Our Environmental Consultant has advised that it is normal process for labs to issue summary tables with raw data. Our consultant has contacted the lab used by QDI's consultant and it would allow him to download the data and prepare a summary table if authorized by QDI's consultant. QDI's LSRP is obligated to assure Rahway Valley that the site conditions are protective of the human health and environment. The raw data alone does not provide this information. We are making one last effort to get authorization from QDI. A letter is going out tomorrow giving them until next week to provide the authorization or we will take necessary steps with the NJDEP.

2. Cogeneration Facility

Rather than waiting until Monday to hear from Mr. Cipolla's counsel, we communicated with his counsel yesterday and he advised that we would have a response from Mr. Cipolla on or before October 1. I advised him that if we did not, then we would proceed accordingly.

3. Siphon - Rahway – Union County Park

I exchanged e-mails with Mr. Campbell late last month and we expect to hear from both Rahway and the County of Union before October 1.

4. RVSA v. New Jersey, et al

The Summons and Complaint were sent out for service and we received confirmation that all defendants have been served. The Court still has not decided the motion to dismiss the Complaint in the Two Rivers case.

The State recently advised that they will not implement the 2% cap in the budgets until 2020.

5. Occidental Chemical

Appellants' briefs are now due on September 14 and our brief, if we decide to file one, would be due on October 15.

6. Personnel

I provided Mr. Mazzarella with a report updating the Commissioners' Handbook. Questions were raised by Ms. Grimes.

Mr. Meehan and Ms. Grimes stated they would re-review Counsel's memo regarding this matter.

7. Tremely Point Connector Road Project

We are waiting for both parties to execute the agreement.

Closed Session

Mr. Greet made a motion to go into closed session at 7:48 p.m. for discussion related to the Labor Counsel. The motion was second by Mr. Harms and unanimously approved by those present. Mr. Furci was absent. Mr. Matteson left the meeting at this time.

Regular Order of Business

Mr. Tomaine made a motion, second by Mr. Greet, to return to the Regular Order of Business at 7:52 p.m. The motion was unanimously approved by those present. Mr. Furci was absent.

Chairman Rachlin requested that the Personnel Committee Members meet in the Administrative Conference Room on September 20th at 6:30 p.m. for a brief discussion. Mr. Meehan and Ms. Grimes were requested to attend.

Adjournment

As there was no further business, on motion of Mr. Tomaine, second by Mr. Rachlin, the meeting adjourned at 7:54 p.m. The motion was unanimously approved by those present. Mr. Furci was absent.

Chairman

Joanne Grimes
Joanne Grimes, Board Secretary

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