

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY
Minutes of Regular Meeting
Thursday December 16, 2021 @ 5:00pm

The regular monthly meeting of the East Windsor Municipal Utilities Authority was held on Thursday December 16, 2021 at the Administration Building located on 7 Wiltshire Drive and called to order by Chairperson Moore at 5:00pm

The following Members were present via zoom:

Linda Moore
Len Millner
Marc Lippman
Steve Kurs
Mike Shifman
Marc Platizky

Absent:

Present: Richard Brand, Executive Director
Ronald Ghrist, Finance Officer
Jim Mackie, Assistant Operations Manager
Marc Platizky, Board Secretary
Susan Pretz, Administration Board Secretary

Present via zoom:

Ryan Scerbo Esq., DeCotiis, Fitzpatrick, Cole & Giblin, LLP
David Klemm, Mott Mac Donald

Also present via zoom:

Noel from The Musial Group

Chairperson Moore requested that the Public Notice be read. The secretary read the statement stating that the agenda for this meeting was e-mailed to the Cranbury Press-Windsor Hights Herald and Trenton Times on Tuesday December 7, 2021. An agenda was posted on the official bulletin board of the Authority and delivered to the Township Clerk for posting on the bulletin board at the East Windsor Township Municipal Complex on Friday December 10, 2021. Chairperson Moore then asked for a roll call after which she asked if any member had any objection to holding this meeting as advertised. No one objected.

Chairperson Moore asked if there was anyone who would like to speak on any issue not on today's agenda. Hearing no one Chairperson Moore closed the public portion of the meeting.

Chairperson Moore asked for approval of Resolution #2021-39, Approval Well#2 Expedited Repair. Mr. Lippman made the motion, seconded by Mr. Platizky and unanimously carried.

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY

COUNTY OF MERCER,

STATE OF NEW JERSEY

RESOLUTION AWARDING CONTRACT FOR EXPEDITED REPAIR OF WELL 2

RESOLUTION NO. 2021-39

WHEREAS, East Windsor Municipal Utilities Authority went to public notification to accept bids for the purpose of Expedited Repair of Well 2 on December 2, 2021; and

WHEREAS, on or about December 2, 2021, bids were solicited to undertake and complete this work as required by the provisions of the New Jersey Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.*; and

WHEREAS, in soliciting bids for said work, the Authority followed the Fair and Open process in accordance with *N.J.S.A. 19:44A-20.4*; and

WHEREAS, in accordance with a properly advertised Notice to Bidders, two (2) bidders submitted bids for Expedited Repair of Well 2 which were received on December 14, 2021; and

WHEREAS, after review of the bids submitted, A.C. Schultes, Inc. – 664 South Evergreen Avenue, Woodbury Heights, NJ 08097 was the lowest bidder; and

WHEREAS, it is the recommendation of the Executive Director that A.C. Schultes, Inc. be awarded the contract for Expedited Repair of Well 2; and

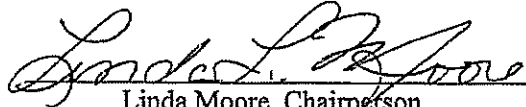
WHEREAS, the Financial Officer has certified that sufficient funds are available for the award of this contract; and

NOW, THEREFORE, BE IT RESOLVED by the East Windsor Municipal Utilities Authority ("MUA" or "Authority") as follows:

1. The preamble to this Resolution shall be incorporated herein as if fully restated.
2. The bid for Expedited Repair of Well 2 be awarded to A.C. Schultes, Inc. in the amount of Sixty-Eight Thousand Three Hundred Fifty Dollars and Zero Cents (\$68,350.00).

3. The Authority Chairperson and Secretary are hereby authorized and directed to sign any documents necessary, and the Authority staff and professionals are authorized and directed to undertake any and all actions necessary, to effectuate the terms and intent hereof.

Dated: December 16, 2021


Linda Moore, Chairperson

CERTIFICATION

The undersigned, Secretary of the East Windsor Municipal Utilities Authority, do hereby certify that the foregoing Resolution was considered and adopted by said Authority at its regular meeting held on this 16th day of December, 2021.


Marc Platizky, Secretary

Recommendation on Awarding of Bid Expedited Repair of Well 2 December 14, 2021

This Bid was posted in the Trenton Times on December 2, 2021 and on our web site in accordance with N.J. Local Public Contracts Law, N.J.S.A. 40A:11-23 and solicited through the Fair and Open process in accordance with N.J.S.A. 19:44A-20.4. This was done to have as much exposure for public participation as possible. The bid opening was held on Tuesday, December 14, 2021 at 10:00 A.M.

Two Well and Pump Companies submitted Bids. They include:

A.C. Schultes, Inc. – 664 South Evergreen Avenue, Woodbury Heights, NJ 08097

Is an established Well and Pump contractor that has served EWMUA for decades. They are currently performing the emergency repair work at Well 1 and are available to perform the similar scope of work at Well 2 immediately following putting Well 1 back online. They previously redeveloped both Wells 1 & 2 in 2015, replacing column piping and reworking the pumps. They have extensive knowledge of Municipal and Authority well and pump systems. They are one of the primary well construction contractors in the state of NJ. A.C. Schultes's bid amount was \$68,350.00.

Uni-Tech Drilling Company, Inc. – P.O. Box 407, Franklinville, NJ 08322

Is a full-service Well and Pump contractor. They constructed Replacement Well 6R in Twin Rivers in 2021 and were the emergency contractor investigating failed Well 6 in December 2020. They are one of the primary well construction contractors in the state of NJ. Uni-Tech Drilling's bid amount was \$99,363.00.

Recommendation: I am recommending the awarding of the bid to A.C. Schultes, Inc. for Expedited Repair of Well 2. The other company is well qualified but submitted a higher cost Bid. The evaluation was as follows:

- 1) **Experience and Reputation:** They both have many years experience in the construction and repair of water wells and pumping equipment. They have an excellent reputation with us and throughout the water industry.
- 2) **Knowledge of MUA Property:** They both have performed water well development and pumping equipment installation for the Authority.
- 3) **Knowledge of the Township:** A.C. Schultes has been performing water well repair for over 30 years with the Authority. They have extensive knowledge of the township. Uni-Tech Drilling has knowledge of the township from construction of Twin Rivers Replacement Well 6R.

- 4) **Schedule of Performance and Approach:** They both can mobilize their equipment and personnel by 1/6/22 and complete the work by 2/10/22, weather permitting.
- 5) **Fee Proposal for Repair** – This is Lump Sum type bid. Epoxy coated column piping and minor pump components will be supplied by the contractor.
- 6) **Responsiveness to Bid** – They both were responsive to the Bid.
- 7) **Other Factors in the Best Interest of the Authority:** In the event that, upon disassembly, Well 2 pump requires more than a general reworking, A.C. Schultes has an extensive pump and motor repair shop and stocks numerous pump components. East Windsor MUA has been very satisfied with their work, customer service and responsiveness to our needs.

Chairperson Moore asked for approval of Resolutions #2021-40 Awarding contract for the provision of Drilling and Construction of test Well#9 for Soil Analysis and Water Quality Analysis for Water Treatment Site Location. Mr. Platizky made the motion, seconded by Mr. Kurs and unanimously carried.

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY

COUNTY OF MERCER,

STATE OF NEW JERSEY

**RESOLUTION AWARDDING CONTRACTS FOR THE PROVISION OF
DRILLING AND CONSTRUCTION OF A TEST WELL # 9 FOR GEOPHYSICS SOIL
ANALYSIS AND WATER QUALITY ANALYSIS FOR NEW WATER TREATMENT
PLANT SITE LOCATION**

RESOLUTION NO. 2021 - 40

WHEREAS, East Windsor Municipal Utilities Authority went to public notification to accept bids for the purpose of drilling a pilot well located at 146 Millstone Road also known as the Pollution Control Facility on November 1, 2021; and

WHEREAS, the East Windsor Municipal Utilities Authority ("Authority") has determined the need for a new water treatment plant and during the planning stage must drill a test (production) well to do a complete study by obtaining a full geophysics sampling of the soils, a complete water quality sampling of the aquifer, yield (capacity study) and monitor existing wells in the area for cone of influence; and

WHEREAS, in accordance with a properly advertised Notice to Bidders by the provisions of the New Jersey Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.*, two (2) bidders submitted bids for the provision of Test Well #9 Boring which were received on November 30, 2021; and

WHEREAS, in soliciting bids for said work, the Authority followed the Fair and Open process in accordance with *N.J.S.A. 19:44A-20.4*; and

WHEREAS, after review of the two (2) bids submitted there was one (1) low bidder:

- 1) **A.C. Schultes – 664 South Evergreen Avenue, Woodbury Heights, NJ 08097 - \$200,375.00** for the for the drilling of the Test well and Geophysics sampling of the soil. Alternate bid #1 - \$85,500.00 installation of well pump; Alternate Bid #2 – 58,650.00 for installation of well piping and appurtenances for a total Bid of \$344,525.00.

WHEREAS, it is the recommendation of the Executive Director that A.C. Schultes be awarded the contract for the provision of the Well #9 Construction and piping installation bid as the lowest responsible bidder; and

WHEREAS, the Financial Officer has certified that sufficient funds are available for the award of these contracts; and

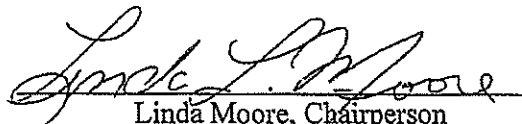
NOW, THEREFORE, BE IT RESOLVED by the East Windsor Municipal Utilities Authority ("MUA" or "Authority") as follows:

1. The preamble to this Resolution shall be incorporated herein as if fully restated.

The bid of **A.C. Schultes – 664 South Evergreen Avenue, Woodbury Heights, NJ 08097** - \$200,375.00 for the for the drilling of the Test well and Geophysics sampling of the soil. Alternate bid #1 - \$85,500.00 installation of well pump; Alternate Bid #2 – 58,650.00 for installation of well piping and appurtenances for a total Bid of \$344,525.00.; and

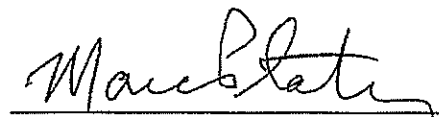
2. The Authority Chairperson and Secretary are hereby authorized and directed to sign any necessary documents, and the Authority staff and professionals are authorized and directed to undertake any and all action's necessary, to effectuate the terms and intent hereof.

Dated: 12/16/21


Linda Moore, Chairperson

CERTIFICATION

The undersigned, Secretary of the East Windsor Municipal Utilities Authority, do hereby certify that the foregoing Resolution was considered and adopted by said Authority at its regular meeting held on this December 16, 2021.


Marc Platizky, Secretary

Well # 9 Bid

On November 1, 2021, East Windsor MUA went out to Bid for the construction of a new well # 9. This is a new well that is needed for the design and eventually operation of the new water treatment plant on Millstone Road.

On November 30, 2021 at 10:00 am , we had the Bid opening in which two Well Drillers (contractors) bid on it. The two are as follows:

<u>Name</u>	<u>New well</u>	<u>Well Pump</u>	<u>Piping</u>
a) A C Schultes	\$200,375.00	\$85,500.00	\$58,650.00
b) Uni – Tech	\$423,700.00	\$122,973.00	\$79,811.00

A.C. Schultes total cost was \$344,525.00 including the add alternates. Uni-Tech total cost was \$ 626,484.00 including the add alternates. We estimated a total cost of \$456,750.00, which is based off previous projects. This is \$112,225.00 under our estimate.

Both companies are very capable of performing the work. Both companies have installed wells for East Windsor. AC Schultes installed the pilot well at the Millstone site and Uni Tech installed well 6R in Twin Rivers.

Based on Price, I would recommend that we approve AC Schultes to Construct Well #9, pump and piping.

BID PROPOSAL FORM

Item No.	Quantity	Units	Description of Work	Unit Cost	Total Cost
BASE BID					
1	LS	-	Mobilization	\$20,000.00	\$ 20,000.00
2	220	FT	Furnish and install 8-inch pilot hole to an estimated depth of 220' and split spoon samples from 140' to 220' every 5'. Ditch samples every 10' from grade to a total of 220' and split spoon samples from 140' to 220' every 5'.	\$100.00	\$ 22,000.00
3	16	Sample	Perform geophysical logs including gamma, spontaneous potential and electric resistivity. Provide LAS files and log immediately after logging.	\$ 250.00	\$ 4,000.00
4	LS	-	Furnish and install estimated 36-inch diameter, black steel, plain end surface casing to an estimated depth of 36'.	\$ 3,000.00	\$ 3,000.00
5	60	FT	Management and disposal of soil cuttings. Installation of one or more tanks/pits/slit bags to detain and settle drilling fluids, and furnish and supply all labor for managing soil, drilling fluids, and all necessary soil and erosion control measures for ultimate discharge to storm drain.	\$ 400.00	\$ 24,000.00
6	LS	-	Ream pilot hole to 28-inches using the reverse circulation drilling method. Furnish and install an 24-inch diameter steel casing from the top of the water bearing formation to a minimum of 30-inches above grade.	\$12,000.00	\$ 12,000.00
7	140	FT	Under team through target formation to min. 32-inches	\$ 300.00	\$ 42,000.00
8	80	FT	Furnish and install 18-inch continuous-slot, high flow design, v-shaped wire-wound type construction of Type 304 stainless steel as manufactured by UCP Johnson or equivalent. Estimated length of screen is 60'	\$150.00	\$ 12,000.00
9	60	FT	Furnish and install 18-inch steel inner casing with a minimum of 10 feet of Type 304 stainless steel blank set between the screen and inner casing.	\$ 400.00	\$ 24,000.00
10	160	FT	Furnish and install 18-inch Type 304 stainless steel wire blank set below screen as well end cap.	\$ 200.00	\$ 32,000.00
11	5	FT	Install filter pack as per NJDEP requirements.	\$ 250.00	\$ 1,250.00
12	LS	-	Operation of equipment and supplies as necessary (including chemicals) for the development of the production well until discharge water is clear and free of fines, based on the judgment of the Engineer, Hydrogeologist and Owner. Development line refers to actual time spent in active well development, and does not include setup time, trucking, etc.	\$ 6,000.00	\$ 3,000.00
13	100	Hours	Perform light (89-Hour) spot test. The well will be pumped at a maximum of five (5) different rates as selected by the Engineer for 100 minutes at each rate. The Contractor shall furnish all labor, material and equipment to support an estimated test rate between 600 and 2,000 gpm.	\$ 450.00	\$ 45,000.00
14	LS	-	Perform 72-hour constant rate test. The Contractor shall furnish all labor, material and equipment to support the test rate of 2,000 gpm/72-hour test and analyzed for bacteriological and chemical quality in accordance with State drinking water regulations NJAC 7:10-5 and 7. (Refer to Section 3.1.14 of Specification)	\$15,000.00	\$ 15,000.00
15	LS	-	Disinfection of well to NJDEP Regulations	\$30,000.00	\$ 30,000.00
16	LS	-	All landscaping and site restoration	\$ 4,000.00	\$ 4,000.00
17	LS	-	Permanent pump installation shall include setting of a 2,000 gpm vertical turbine pump to an estimated depth of 160 feet. A Gater Standard Pflers Unit (NSP-81 Certified) installation shall be included. Pump shall be installed on a 4' by 4' structure supported concrete pad at a minimum.	\$ 5,000.00	\$ 5,000.00
18	LS	-	Furnish and install 10" raw water CLDIP including pressure gauge, air release valve, bypass valve, sample tap, 10" strainer, 10" flow meter, 500' check valves, 6" connection with overboard, 10" gate valve.	\$ 3,500.00	\$ 3,500.00
ALTERNATE					
19	LS	-	Permanent pump installation shall include setting of a 2,000 gpm vertical turbine pump to an estimated depth of 160 feet. A Gater Standard Pflers Unit (NSP-81 Certified) installation shall be included. Pump shall be installed on a 4' by 4' structure supported concrete pad at a minimum.	\$88,000.00	\$ 88,000.00
20	LS	-	Furnish and install 10" raw water CLDIP including pressure gauge, air release valve, bypass valve, sample tap, 10" strainer, 10" flow meter, 500' check valves, 6" connection with overboard, 10" gate valve.	\$65,000.00	\$ 65,000.00

Total price Cost for Base bid items 1-18 (in figures) \$ 455,750.00
 Total price Cost for Base bid items 1-18 (in words) \$ 455,750.00

Unit Tech	Unit Cost	Total Cost
\$	49,500.00	\$ 49,500.00
\$	45.00	\$ 9,900.00
\$	200.00	\$ 3,200.00
\$	3,200.00	\$ 3,200.00
\$	650.00	\$ 39,000.00
\$	3,600.00	\$ 3,600.00
\$	495.00	\$ 69,300.00
\$	360.00	\$ 28,800.00
\$	800.00	\$ 48,000.00
\$	325.00	\$ 52,000.00
\$	800.00	\$ 4,000.00
\$	15,400.00	\$ 15,400.00
\$	395.00	\$ 39,500.00
\$	14,400.00	\$ 14,400.00
\$	27,000.00	\$ 27,000.00
\$	8,500.00	\$ 8,500.00
\$	2,000.00	\$ 2,000.00
\$	6,400.00	\$ 6,400.00
\$	122,973.00	\$ 122,973.00
\$	79,811.00	\$ 79,811.00
\$	89,500.00	\$ 89,500.00
\$	59,650.00	\$ 59,650.00
\$	344,525.00	\$ 344,525.00

Schiffes

BID PROPOSAL FORM

Item No.	Estimated Quantity	Units	Description of Work	Unit Cost	Total Cost
BASE BID					
1	LS	-	Mobilization	\$ -	\$ -
2	220	FT	Furnish and install 8-inch pilot hole to an estimated depth of 220'	\$ -	\$ -
3	16	Sample	Ditch samples every 10' from grade to a total of 220' and split spoon samples from 140' to 220' every 5 ft.	\$ -	\$ -
4	LS	-	Perform geophysical logs including gamma, spontaneous potential and electric resistivity. Provide LAS files and pdf log immediately after logging	\$ -	\$ -
5	60	FT	Furnish and install estimated 36-inch diameter, black steel, plain end surface casing to an estimated depth of 60'	\$ -	\$ -
6	LS	-	Management and disposal of soil cuttings. Installation of one or more tanks/pits/silt bags to detain and settle drilling fluids, and furnish and supply all labor for managing soil, drilling fluids, and all necessary soil and erosion control measures for ultimate discharge to storm drain.	\$ -	\$ -
7	140	FT	Ream pilot hole to 28-inches using the reverse circulation drilling method. Furnish and install an 24-inch diameter steel casing from the top of the water bearing formation to a minimum of 30-inches above grade	\$ -	\$ -
8	80	FT	Under ream through target formation to min. 32-inches	\$ -	\$ -
9	60	FT	Furnish and install 18-inch continuous-slot, high flow design, v-shaped wire-wound type construction of Type 304 stainless steel as manufactured by UOP Johnson or equivalent. Estimated length of screen is 60'	\$ -	\$ -
10	160	FT	Furnish and install 18-inch steel inner casing with a minimum of 10 feet of Type 304 stainless steel blank set between the screen and inner casing.	\$ -	\$ -
11	5	FT	Furnish and install 18-inch Type 304 stainless steel wire blank set below screen as well end cap.	\$ -	\$ -
12	LS	-	Install filter pack as per NJDEP requirements	\$ -	\$ -
13	100	Hours	Operation of equipment and supplies as necessary (including chemicals) for the development of the production well until discharge water is clear and free of fines, based on the judgment of the Engineer, Hydrogeologist and Owner. Development time refers to actual time spent in active well development, and does not include setup time, mobilizing efforts, etc.	\$ -	\$ -
14	LS	-	Perform eight (8)-hour step test. The well will be pumped at a minimum of five (5) different rates as selected by the Engineer for 100 minutes at each rate. The Contractor shall furnish all labor, material and equipment to support an estimated test rate between 800 and 2,000 gpm.	\$ -	\$ -
15	LS	-	Perform 72-hour constant rate test. The Contractor shall furnish all labor, material and equipment to support the test rate of 2,000 gpm.	\$ -	\$ -
16	LS	-	Collection of water samples at the conclusion of the 72-hour test and analyzed for bacteriological and chemical quality in accordance with State drinking water regulations NJAC 7:10-5 and 7. (Refer to Section 3.1.14 of Specification)	\$ -	\$ -
17	LS	-	Disinfection of well to NJDEP Regulations	\$ -	\$ -
18	LS	-	All landscaping and site restoration	\$ -	\$ -
ADD/ALTERNATE					
19	LS	-	Permanent pump installation shall include setting of a 2,000 gpm vertical turbine pump to an estimated depth of 160 feet. A Baker Standard Pileless Unit (NSF 61 Certified) installation shall be included. Pump shall be installed on a 4' by 4' structurally supported concrete pedestal.	\$ -	\$ -
20	LS	-	Furnish and install 10" raw water CLDIP including pressure gauge, air release valve, tapping saddle, sample tap, 10" strainer, 10" flow meter, silent check valves, 6" T-connection with overboard, 10" gate valve.	\$ -	\$ -

Total price Cost for Base bid items 1-18 (in figures)
 Total price Cost for Base bid items 1-18 (in words)

\$ -
 \$ -

Chairperson Moore asked for approval of Resolutions #2021-41. The East Windsor Municipal Utilities Authority Expressing its Intention to Reimburse itself for certain Expenditures relating to the Authority's Capital Improvement program out of proceeds of Bonds or other obligations to be hereafter issued by the Authority. Mr. Lippman made the motion, seconded by Mr. Kurs and unanimously carried.

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY

COUNTY OF MERCER, STATE OF NEW JERSEY

RESOLUTION NO. 2021-41

RESOLUTION OF THE EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY EXPRESSING ITS INTENTION TO REIMBURSE ITSELF FOR CERTAIN EXPENDITURES RELATING TO THE AUTHORITY'S CAPITAL IMPROVEMENT PROGRAM OUT OF THE PROCEEDS OF BONDS OR OTHER OBLIGATIONS TO BE HEREAFTER ISSUED BY THE AUTHORITY

BACKGROUND

WHEREAS, The East Windsor Township Municipal Authority ("Authority") has determined to undertake a capital improvement program, consisting of the construction of a new water treatment plant (collectively, the "Project"), all as more particularly described in the information on file in the office of the Authority and the Authority's Consulting Engineer and available for inspection during normal business hours; and

WHEREAS, the Authority intends to incur expenditures for the costs of engineering, obtaining various permits and approvals, and preparation and design planning, acquisition and installation of the Project including, without limitation, expenditures to certain of its consultants, engineers, attorneys and others for services rendered in connection with the Project (collectively, the "Project Costs"); and

WHEREAS, The Authority intends to pay such expenditures using temporarily available funds in anticipation of reimbursing such expenditures the proceeds of bonds or other obligations hereafter issued by the Authority in the aggregate principal of up to \$344,525.00 ("Project Debt Obligations"); and

WHEREAS, the Authority desires to preserve its right to treat an allocation of proceeds of the Project Debt Obligations to the reimbursement of Project Costs paid prior to the issuance of the Project Debt Obligations as an expenditure for such Project to be reimbursed for purposes of Sections 103 and 141 through 150, inclusive, of the Code.

NOW, THEREFORE, BE RESOLVED BY THE EAST WINDSOR TOWNSHIP MUNICIPAL UTILITIES AND MEMBERS THEREOF, AS FOLLOWS:

Section 1. The Authority hereby declares its reasonable expectation to reimburse the expenditures paid by the Authority to pay the Project Costs prior to the date of issuance of the Project Debt Obligations including, without limitation, expenditures to certain of its consultants, engineers, architects, attorneys and others for services rendered in connection with the Project, out of the proceeds of the Project Debt Obligations which are to be issued by the Authority after the date of this Resolution.

Section 2. This Resolution is intended to be and hereby is a declaration of the Authority's official intent reimburse the expenditure of Project Costs paid prior to the issuance of the Project Debt Obligations with the proceeds of a borrowing to be incurred by the Authority, in accordance with Treasury Regulations s 150-2

Section 3. The maximum principal amount of the Project Debt Obligations expected to be issued to finance the Project is \$344,525.00

Section 4. The Project Costs to be reimbursed with the proceeds of the Project Debt Obligations will be "capital expenditures" in accordance with the meaning of Section 150 the Code.

Section 5. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations 1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Code. The proceeds of the Project Debt Obligations used to reimburse the Authority for Project Costs, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations 1.148-1) of the Project Debt Obligation or another issue of Debt Obligation of the Authority other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations s.1.148-1).

Section 6. All reimbursement allocations will occur not later than 18 months after the later of (i) the date the expenditure from a source other than the Project Debt Obligations is paid, or (ii) the date the Project is "placed in service" (within the meaning of Treasury Regulations 1.150-2) or abandoned, but in no event than 3 years after the expenditure is paid.

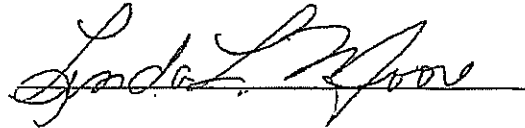
Section 7. This Resolution is to be retained by the Authority and made publicly available for inspection at the offices of the Authority from the date hereof through the date of issuance of the Project Debt Obligations.

Section 8. This Resolution shall take immediately upon adoption this 16th day of December, 2021.

NOW, THEREFORE, BE IT RESOLVED by the East Windsor Municipal Utilities Authority ("MUA" or "Authority") as follows:

1. The preamble to this Resolution shall be incorporated herein as if fully restated.
2. The Authority Chairperson and Secretary are hereby authorized and directed to sign any necessary documents, and the Authority staff and professionals are authorized and directed to undertake any and all action's necessary, to effectuate the terms and intent hereof.

Dated: 12/16/21



Linda Moore, Chairperson

CERTIFICATION

The undersigned, Secretary of the East Windsor Municipal Utilities Authority, do hereby certify that the foregoing Resolution was considered and adopted by said Authority at its special meeting held on this December 16, 2021.



Marc Platizky, Secretary

Chairperson Moore asked for approval of Resolutions #2021-42. Awarding contract for Professional Architect Services Mr. Platizky made the motion, seconded by Mr. Lippman and unanimously carried.

**EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY
COUNTY OF MERCER, STATE OF NEW JERSEY**

Resolution No. 2021-42

Resolution Awarding Contract for Professional Architect Services

WHEREAS, the East Windsor Municipal Utilities Authority (Authority) desires to award a professional services contract for Architecture services for the construction of an Administration and maintenance facility; and

WHEREAS, the Authority is awarding this contract under a Fair and Open Process, pursuant to N.J.S.A. 19:44A-20 et seq.; and

WHEREAS, in accordance with the legal requirements for the Fair and Open Process, the proposal for these services was posted on the EWMUA's web site and the official designated daily newspaper of the Authority on September 7, 2021; and

WHEREAS, proposals received in response to the web site notification were opened and publicly read at 10:00 a.m. on Wednesday, October 6, 2021 at the Authority offices, and

WHEREAS, eight proposal for these services was received, one from Hatch Mott MacDonald, W2A Architects, Perez and Radosti, The Musial Group, Spiezle, Settembrino, SSP Architects, and On- Board Engineering. The Authority has determined, price and other factors considered, that it is in the best interest of the Authority to award a contract for Architect service to Spiezle for the design and engineering of the Administration and Maintenance Building; and

WHEREAS, the total cost for Architect and engineering service is \$403,500.00, and

WHEREAS, Spiezle negotiated its price as follows:

COMPANY NAME	PHASE I	PHASE II	PHASE III	PHASE IV	PHASE V	TOTAL
SPIEZLE - Original quote	\$94,050.00	\$183,500.00	\$17,200.00	\$11,600.00	\$133,120.00	\$439,470.00
SPIEZLE - Updated quote	\$79,000.00	\$172,100.00	\$12,900.00	\$10,500.00	\$129,000.00	<u>\$403,500.00</u>

; and

WHEREAS, adequate funds are available in an amount sufficient to defray the expenditure of money as evidenced by the Financial Officer's Certification, and

WHEREAS, the Local Public Contract Law, N.J.S.A. 40A11-1 et seq. authorizes the award of this contract without public bidding on the basis that the services are to be performed

by persons who are recognized as licensed and regulated professionals and are specifically exempted under N.J.S.A. 40A:11-5.

NOW, THEREFORE, BE IT RESOLVED, by the East Windsor Municipal Utilities Authority, County of Mercer, State of New Jersey, as follows:


1. The Authority hereby specifically determines that the procedures followed in connection with the award of this contract were in full compliance with the Fair and Open Process for awarding such contracts, as set forth in N.J.S.A. 19:44A-20.5.
2. Spiezle is hereby approved as Architects for the design and engineering of the Administration and Maintenance Building.
3. Spiezle is required to comply with the Affirmative Action requirements of N.J.A.C. 17:27.
4. The chairperson of the Authority is hereby authorized to execute a professional services agreement with Spiezle for Architecture and engineering services for the the construction of a new administration and maintenance facility.
5. Notice of this contract award shall be published as required by law.

Dated: 12/16/21


Linda Moore, Chairperson

CERTIFICATION

I, Marc Platizky, secretary of the East Windsor Municipal Utilities Authority, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by the East Windsor Municipal Utilities Authority at a meeting held on December 16, 2021.


Marc Platizky, Secretary

	<u>On Board Engineering</u>	<u>The Musial Group</u>	<u>Spiezel</u>	<u>Perez & Radostl Assoc.</u>	<u>W2A Associates</u>	<u>Settembrino Architects</u>	<u>Mott MacDonald</u>	<u>SSP Architects</u>
Design Team qualifications and experience Maximum 25 points	20	20	25	20	15	20	25	20
Key Personal Maximum 15 points	15	15	15	15	15	15	15	15
Project approach Maximum 35 points	10	15	25	20	15	25	35	30
Proposal organization and readability Maximum 5 points	5	5	5	5	5	5	5	5
Fee and schedule for various phases Maximum 20 points	20	20	15	15	10	5	5	0
References not separately scored	GOOD	GOOD	GOOD	GOOD	GOOD	GOOD	GOOD	GOOD
	70	75	85	75	60	70	85	70

Chairperson Moore asked for any new updates Well#1. Mr. Brand said they pulled the pump and rebuilt it. Will be ready and installed on Monday. We expect to be up and running by the holidays.

Chairperson Moore asked for an update on well#8. Mr. Brand said the materials are ordered waiting on the contractors. Once well#1 is completed and running we will start the repairs on well#8.

Chairperson Moore asked for update on well#6. Mr. Brand said all electric and piping completed, we are waiting on DEP for approval. Hopefully within two weeks we can move forward with construction on the enclosure.

Chairperson Moore asked for approval of the Operating report from November 2021. Mr. Lippman made the motion, seconded by Mr. Kurs and unanimously carried.

Chairperson Moore requested a motion to approve the Development report for December 2021. Mr. Platizky made the motion, seconded by Mr. Kurs and unanimously carried.

Chairperson Moore requested a motion to approve the Finance Officers report for November 2021. Mr. Kurs made the motion, seconded by Mr. Platizky and unanimously carried.

Chairperson Moore requested a motion to approve the Attorneys report for November-December 2021. Mr. Kurs made the motion, seconded by Mr. Platizky and unanimously carried.

Chairperson Moore requested a motion to approve the Engineers report for November 2021, Mr. Platizky made the motion, seconded by Mr. Kurs and unanimously carried.

The minutes from the November, 2021 meeting were approved on a motion made by Mr. Platizky seconded by Mr. Shifman and unanimously carried.

Having nothing further to discuss Chairperson Moore adjourned the meeting.

Respectfully submitted,



Marc Platizky, Secretary