

RESOLUTION 11-061

RESOLUTION FOR EMERGENCY PROCUREMENT OF SERVICES RENDERED IN CONNECTION WITH BY-PASS PUMPING TO DIVERT THE WASHED OUT TWIN BARRELS OF THE OLD JERSEY CITY TRUNKLINE THAT ONCE CROSSED ROCKAWAY RIVER

WHEREAS, emergency need exists for the procurement of by pass pumping to abate discharges of raw untreated sewage unto Rockaway River due to the washed out of the twin 16-inches barrels that once crossed the river at the foot of Harrison Street in the Town of Boonton;

WHEREAS, the Rockaway Valley Regional Sewerage Authority (the "Authority") has reviewed the written requisition filed with the Authority by the Executive Director for the emergency procurement of by pass pumping services; and

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-6, a contract may be awarded without public advertising for bids and bidding when an emergency affecting the public health, safety or welfare requires the immediate performance of the services; and

WHEREAS, the Authority is satisfied that, for the reasons articulated in the written requisition dated September 8, 2011, from Edward Ho, Executive Director, attached hereto and made a part hereof, the proposed emergency procurement is justified and meets the requirements of the Local Public Contracts Law and N.J.A.C. 5:34-6.1.

NOW, THEREFORE, BE IT RESOLVED by the Rockaway Valley Regional Sewerage Authority as follows:


1. The Authority declares that an emergency exists due to the immediate need to abate the discharges of raw sewage unto the Rockaway River, which emergency requires the immediate procurement of services to by-pass the same.
2. The Executive Director is authorized to execute a Contract with Rapid Pump & Meter Service Co., Inc of 285 Straight Street, Paterson, N.J., in an amount not to exceed \$500,000.00 for the provision of emergency services for the repair of the Authority's service water pump No. 1, as described in the written requisition dated September 8, 2011, from Edward K. P. Ho, Executive Director, attached hereto.
3. Funds are available therefore, capital reserve fund
4. This Resolution shall take effect as provided by law.

I hereby certify that this Resolution was adopted at a regularly scheduled meeting of the Rockaway Valley Regional Sewerage Authority held on September 08, 2011

On motion of Hector Schorno
Seconded by Joseph Lowell

and a Roll Call Vote as Follows:

Yeas: (7) Cegelka, Guadagno, Lowell, MacNeal, Schaefer, Schorno and Secco
Nays: (0) None
Abstain: (0) None
Absent: (3) Corbett, Klingener, Schulman


Bruce W. MacNeal
Secretary

**Requisition for Emergency By-Pass Pumping Services
To
Rapid Pump & Meter Service Co., Inc.**

To: Rockaway Valley RSA
From: Edward K. P. Ho, P.E., Executive Director
Re: Emergency repair service to put back into operation service water pump No.1
Date: September 8, 2011

This is to request your approval of a resolution authorizing a contract to be executed as follows:

Firm: Rapid Pump & Meter Service Co., Inc.
Period: September 2011 to February 2012
Purpose: To provide necessary emergency by-pass to immediately abate discharges of raw sewage unto Rockaway River and to preserve the integrity of Jersey City Reservoir, a source of potable water to the City of Jersey City.
Cost: Not to exceed \$ 500,000.00

This is requested to be awarded without competitive bids as an Emergency Service pursuant to N.J.S.A. 40A:40A:11-6.

I do hereby certify as follows:

1. Emergency Repair Services proposal from: Rapid Pump & Meter Service Co., Inc
285 Straight Street, Paterson, N. J.
2. An actual or imminent emergency exists requiring the immediate performance of emergency by-pass services to abate discharges of raw sewage into the Rockaway River upstream of the Boonton Reservoir, which otherwise would be deleterious to public health. On or about Sunday, August 27, 2011, one of the sewer interceptors owned and operated by the RVRSA (known as the Old Jersey City Trunkline) in the vicinity of the collapse of Northbound Interstate Route 287, was washed away due to excessive wet weather and flooding resulting from Hurricane Irene, causing approximately 750,000 gallons per day of rainwater and untreated sewerage to be released directly into the Rockaway River immediately upstream of the Jersey City Reservoir. On Tuesday, August 31, 2011, the RVRSA received complaints of sewer odors from residents in the area of the collapse of Interstate Route 287 in Boonton, however, due to the raging high flows of the Rockaway River in the area, it was not possible to make a physical inspection until the morning of Thursday (September 1, 2011). Upon inspection it was discovered that discolored water under pressure was observed flowing in the Rockaway River in the vicinity of Harrison Street, and was traced to the two 16" cast iron pipes encased in concrete (the Old Jersey City Trunkline) a portion of which had been entirely washed away. Upon discovery, the RVRSA immediately undertook to notify affected entities, as well as, the NJDEP hotline, and commenced procurement of a temporary bypass of sewerage to prevent further discharging of sewage into the Rockaway River. The temporary bypass of sewerage commenced on Friday, September 2, 2011 at 2:30 pm, and will continue until a permanent alternative is put into place.
3. The need for such emergency services could not have been reasonably foreseen as the destruction of a portion of the RVRSA interceptor that disrupted the flow of sewage to the RVRSA's facility for treatment prior to discharge to the environment was the result of an act of God, namely Hurricane Irene, and has arisen notwithstanding a good faith effort on the part of the RVRSA to plan for the purchase of any goods or services required; and
4. The contract shall be of such limited duration as to meet only the immediate needs of the emergency; and

5. I have reviewed the rules and regulations of the Division of Local Governmental Services as contained in the Local Public Contract Guidelines and Regulations and have reviewed the exceptions to the bidding requirements of the Local Public Contracts Law and hereby certify that the proposed contract may be awarded as an extraordinary, unspecifiable service in accordance with the requirements thereof.

Respectfully submitted,

Edward K. Ho, P.E.
Executive Director