

**RESOLUTION AUTHORIZING AMENDMENT TO
PROFESSIONAL SERVICES CONTRACT
WITH KLEINFELDER EAST, INC.**

WHEREAS, the New Jersey Department of Environmental Protection (“NJDEP”) regulates, though the issuance and renewal of a New Jersey Pollution Discharge Elimination System Permit (“NJPDES Permit”), the quantity of highly treated effluent discharged from the Rockaway Valley Regional Sewerage Authority (“RVRSA”) to the Rockaway River; and

WHEREAS, the flow condition established in the NJPDES Permit is not adequate to allow RVRSA to extend sewer service to, and serve, all of the projected need identified within the RVRSA Sewer Service Area, as the same is depicted on the map entitled “Future Wastewater Service Area Map for Morris County amending the Following Areawide Water Quality Management Plans: Northeast, Upper Delaware, Upper Raritan, Sussex, Date of Current Submittal: March 14, 2012” as noticed in the July 2, 2012 New Jersey Register at 44 N.J.R. 1919, See also http://www.morrisplanning.org/pdfs/FWSA_final.pdf; and

WHEREAS, in order to establish the suitability of an increase in RVRSA’s flow, the RVRSA undertook an Anti-Degradation Study of the Rockaway River downstream of the Boonton Dam (“RVRSA’s Anti-degradation Study”), which was submitted to the NJDEP on February 24, 2015; and

WHEREAS, since that time, RVRSA and its consultants have worked with NJDEP to obtain approval of the study, including the performance of additional modeling work to predict any changes in instream phosphorus that would occur in the Passaic River at the confluence of the Passaic and Pompton Rivers as a result of an increase in flow from the RVRSA; and

WHEREAS, additional negotiations are required to advance the NJDEP’s consideration of the RVRSA’s Anti-Degradation Study; and

WHEREAS, the Authority has received a proposal dated August 16, 2016, from

Kleinfelder East, Inc., having an office at 321 Wall Street, Princeton, New Jersey (“Kleinfelder”) to perform professional engineering services to advance the NJDEP’s consideration of the RVRSA’s Anti-degradation Study; and

WHEREAS, the RVRSA desires to authorize Kleinfelder to undertake additional services as set forth in the proposal for the same dated August 16, 2016, attached hereto and made a part hereof, in an amount not to exceed \$2,000.00 without prior authorization; and

WHEREAS, the necessary additional funds are available in Engineering Professional Services 01-503-020; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40:11-1 et seq.) authorizes contracts for the provision of “Professional Services,” which may be awarded without public advertising and competitive bidding, provided a brief notice of the nature, duration, service and amount of contract is published, and that the Resolution and contract are kept on file and available for public inspection.

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

1. The Rockaway Valley Regional Sewerage Authority recognizes that Kleinfelder East, Inc. has an established reputation in the fields of environmental and water science, engineering, wastewater facility operations and compliance, and that they possess the specialized abilities and resources to provide the services necessary to meet the Authority’s needs.
2. The Executive Director is authorized and directed to execute an Amendment to the professional service contract between RVRSA and Kleinfelder East, Inc., having an office at 321 Wall Street, Princeton, New Jersey, so as to authorize the expenditure of an additional not to exceed amount of \$2,000.00, to be paid on an hourly, cost reimbursable

basis in accordance with the attached proposal dated August 16, 2016.

3. All other provisions of the contract with Kleinfelder shall remain in effect.
4. The foregoing services are “professional” services as defined in N.J.S.A. 40A:11-2(6) which are permitted to be contracted without public bidding as set forth in N.J.S.A.. 40A11-5(1) (a) and as a “non-fair and open” contract pursuant to the provisions of N.J.S.A. 19:44A-20-5.
5. A copy of this resolution shall be available for public inspection at the offices of the RVRSA.
6. Notice of Contract Award shall be published in the Daily Record as required by law within ten (10) days of execution
7. This Resolution shall take effect as provided by law.

CERTIFICATION

I hereby certify that this Resolution was adopted at a regular meeting of the Rockaway Valley Regional Sewerage Authority held on September 08, 2016,

on motion of: Glenn Corbett

and second by: John Cegelka

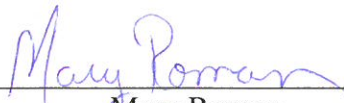
ROLL CALL VOTE:

YEAS: (8) Andes, Cegelka, Corbett, Lowell, Recchia, Rossi, Schorno, Vincitore

NAYS: (0) None

ABSTAIN: (0) None

ABSENT (2) Guadagno and Secco



Mary Roman

Assistant Board Secretary



August 16, 2016

JoAnn Mondsini
Executive Director
Rockaway Valley Regional SA
RD #1, 99 Green Bank Road
Boonton, NJ 07005

**RE: PROPOSAL FOR ADDED BUDGET ON ANTI-DEGRADATION STUDY
KLEINFELDER PROJECT NUMBER 20132045.002A**

Dear Ms. Mondsini:

As you requested, I have prepared this proposal for Kleinfelder East, Inc. (Kleinfelder) to request a small additional budget to complete the Anti-Degradation Study of the Rockaway River. You will recall that we completed the final report on this study and submitted it to the New Jersey Department of Environmental Protection (NJDEP) in February 2015. Since that time, we have worked with NJDEP to obtain approval of the study. In the last several months, at NJDEP's request, we completed additional modeling work to predict the changes in phosphorus that would occur in the Passaic River at the confluence of the Passaic and Pompton Rivers. We were able to demonstrate that the change in water quality at this location was de minimus.

We hope to have approval from NJDEP very soon, but we have expended our entire budget on the additional work NJDEP requested of us since the completion of our report. I request an additional budget authorization of \$2,000 to complete our negotiation process with NJDEP. All work would be completed in accordance with our existing contract with RVRSA.

Please do not hesitate to contact me with any questions. I can be reached via telephone at 609-454-4550 or via email at JCosgrove@Kleinfelder.com.

Sincerely,

A handwritten signature in black ink, appearing to read "James Cosgrove".

James F. Cosgrove, Jr., P.E.
Vice President/Principal

c: Carrie Feuer, P.E.