

RESOLUTION 16-107

**RESOLUTION FOR EMERGENCY PROCUREMENT OF BY-PASS PUMPING
STAFF SERVICES RENDERED IN CONNECTION WITH BY-PASS PUMPING
TO ADDRESS COLLAPSED SEWER MAIN**

WHEREAS, on Sunday, July 24, 2016, the Rockaway Valley Regional Sewerage Authority (“RVRSA”) was advised of the formation of a sink hole in the Santa Land Park in the Town of Boonton above RVRSA’s 54-inch gravity sewer main, and the existence of a hole in the pipe, which condition deteriorated as the surrounding earth fell in on the pipe and the sink hole grew larger, threatening the nearby Town of Boonton water line, the water quality of the Rockaway River and public health and safety; and

WHEREAS, RVRSA immediately undertook to secure and stabilize the site and avoid further deterioration and prevent any discharge of untreated wastewater into the Rockaway River; and

WHEREAS, on September 8, 2016, RVRSA adopted Resolution 16-091 providing for the emergent need for the procurement of by-pass pumping staffing services to oversee the ongoing by-pass pumping incidental to the stabilization and emergency repair of the RVRSA’s 54-inch gravity sewer main to avoid the discharge of raw, untreated sewage into the Rockaway River, prevent any adverse impact to the Boonton water main, and to protect human health and safety; and

WHEREAS, Resolution 16-091 authorized the execution of a Contract with De Block Environmental Services, LLC, (“DES”) having an office in Woodland Park, New Jersey, in an amount not to exceed \$55,000.00 for the provision of by-pass pumping staffing services, as described in the written requisition dated September 8, 2016, from JoAnn Mondsini, Executive Director, attached thereto; and

WHEREAS, for the reasons articulated in the attached Supplemental Requisition dated October 13, 2016, from JoAnn Mondsini, Executive Director, additional funding is required to continue to provide by-pass pumping staffing services until the public bidding process is complete, or until the emergency repair is completed, whichever occurs first; and

WHEREAS, the RVRSA has reviewed the Supplemental 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 Supplemental Requisition dated October 13, 2016, from JoAnn Mondsini, 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 further deterioration of the area surrounding the RVRSA's 54-inch gravity sewer main and to avoid the discharge of raw sewage into the Rockaway River, which emergency requires the immediate procurement of services to employ by-pass pumping of the wastewater contained in the sewer main until such time as the emergency repairs are completed.
2. Subject to Board approval of Budget Amendment resolution 16-104, and State of New Jersey Division of Local Government Services approval of the same, Resolution 16-091 is hereby amended to increase the appropriation for by-pass pumping services incidental to the emergency repair of the Authority's 54-inch gravity sewer main in an amount not to exceed \$30,000.00, for a new total contract amount not to exceed \$85,000.00.
2. Subject to Board approval of Budget Amendment resolution 16-104, and State of New Jersey Division of Local Government Services approval of the same, the Executive Director is authorized to execute an Amendment to the Contract with DE BLOCK ENVIRONMENTAL SERVICES, INC., of Woodland Park, New Jersey, in an amount not to exceed \$30,000.00, for a new total contract amount not to exceed \$85,000, for the provision of emergency services for by-pass pumping staffing services relevant to the by-pass pumping of the Authority's 54-inch gravity sewer main, as described in the written requisition dated October 13, 2016, from JoAnn Mondsini, Executive Director, attached hereto.
3. Funds are available, subject to Board approval of Budget Amendment resolution 16-104, and State of New Jersey Division of Local Government Services approval of the same, in budget line item 01-857-001 for this purpose.
4. This Resolution shall take effect as provided by law.


CERTIFICATION

I hereby certify that this Resolution was adopted at a regularly scheduled meeting of the Rockaway Valley Regional Sewerage Authority held on October 13, 2016

On motion of Glenn Corbett
Second by John Cegelka

and a Roll Call Vote as Follows:

Yeas: (9) Andes, Cegelka, Corbett, Guadagno, Lowell, Recchia, Rossi, Schorno, Secco
Nays: (0) None
Abstain: (0) None
Absent: (1) Vincitore


Michael Guadagno
Board Secretary

Supplemental Requisition for Emergency Staffing Services

To: Rockaway Valley Regional Sewerage Authority
From: JoAnn Mondsini, Executive Director
Re: Emergency by-pass pumping staffing services
Date: October 13, 2016

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

Firm: De Block Environmental Services, LLC
Period: October 14, 2016 to October 25, 2016
Cost: Not to exceed \$30,000
Purpose: To continue to provide necessary emergency by-pass pumping staffing services to prevent the discharge of raw sewage into the Rockaway River and to advance emergency investigation and repair services.

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:

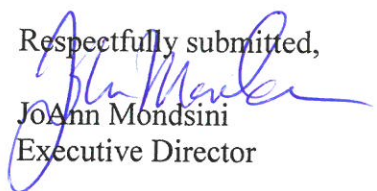
1. RVRSA had been providing its staff to oversee the ongoing by-pass pumping incidental to the stabilization and emergency repair of the RVRSA's 54-inch gravity sewer main to avoid the discharge of raw, untreated sewage into the Rockaway River, prevent any adverse impact to the Boonton water main, and to protect human health and safety since July 24, 2016. However, the amount of time necessary to repair the RVRSA's 54-inch gravity sewer main exceeded original estimates, and the RVRSA was not able to continue diverting its staff from the performance of their duties at the RVRSA to oversee the ongoing by-pass pumping. By-pass Pumping Staffing Services proposals were solicited from De Block Environmental Services, LLC, ("De Block") Pumping Services Inc., ("Pumping Services") and Lyons Environmental LLC ("Lyons Environmental"). Both Pumping Services and Lyons Environmental were unable to provide the services needed. RVRSA authorized the execution of a contract with DeBlock by Resolution16-091 adopted on September 8, 2016, in an amount not to exceed \$55,000.00.
2. After a week, having experienced the field conditions and gaining a better understanding of the nature of the risk, De Block advised that one person for the overnight shift was not sufficient due to safety concerns. The site having extensive excavated and trenched areas, tented manholes, significant pipework, bypass pumps, generators and a fuel tank in addition to mounds of earth, stacks of pipes and construction equipment on site that the staff needed to negotiate around in order to take equipment reading, fuel generators and operate the pumps and odor control equipment, it was determined that a second person was needed to perform the necessary work in a safe manner during the overnight shift. Accordingly, De Block employed two people from 11pm to 7 am each day, instead of the one person contemplated in the proposal dated September 7, 2016. Accordingly, additional funds are required to provide necessary emergency by-pass pumping staffing services until such time as the public bid published on October 14, 2016 to be opened on October 25, 2016 can be awarded or the work completed, whichever occurs first.

3. The amount of time necessary to repair the RVRSA's 54-inch gravity sewer main and the length of time needed to divert RVRSA personnel could not have been foreseen or anticipated, therefore, an emergent need exists for the procurement of by-pass pumping staffing services until such time as is required to publicly bid such services, or complete the work, whichever occurs first.
4. An actual or imminent emergency exists requiring the immediate performance of emergency services to prevent the discharge of raw sewage into the Rockaway River upstream of the Boonton Reservoir, which otherwise would be deleterious to public health.

On Sunday, July 24, 2016, the 54-inch gravity sewer owned and operated by the RVRSA located in the Santa Land Park, off West Main Street, in the Town of Boonton experienced a partial collapse to the crown of the pipe. A sink hole developed due to an approximate 18-inch hole in the crown of the pipe. No sewerage was released onto the ground or into the Rockaway River. On Sunday, July 24, 2016, RVRSA personnel contacted the NJDEP Hotline to report the incident. Also on Sunday, July 24, 2016, RVRSA personnel contacted Kleinfelder Engineers, and met with the Mayor and representatives of the Town of Boonton, Morris County Road/Bridge, Pumping Services and Tomar Construction to coordinate activities to begin an emergency repair of the broken 54-inch gravity main, secure the Town of Boonton Water Main, close the sink hole, secure the area for public safety and prevent any discharge to the Rockaway River. On July 25, 2016 the RVRSA began construction activities to secure the Town of Boonton water main for the purpose of securing it to ensure the drinking water of the Town of Boonton and the Township of Boonton was protected. Also, on July 25, 2016, bypass pumps were delivered and made operational to ensure the bypassing of flow around the broken section of pipe. On July 27, 2016, with the water line secured, the RVRSA began work to isolate and secure the broken section of 54-inch gravity main. To complete the permanent repair to the broken section of pipe, larger bypass pumps and discharge pipe are being procured. The larger pipe was delivered to the site on July 28, 2016 and work to weld the 12-inch HDPE pipe began. The larger electric pumps and generators were delivered to the site and work to connect to the piping began on Tuesday, August 2, 2016. The larger electric bypass pumps will stay in place, as will the 6-inch diesel pumps (as redundancy), until the permanent repair of the 54-inch gravity main is complete.

5. The need for such emergency services could not have been reasonably foreseen as the collapse of a portion of the RVRSA interceptor occurred notwithstanding RVRSA's good faith effort to investigate and prevent damage to the trunk line, and despite RVRSA's program which identifies areas in need of repair and remediates damaged portions of the interceptor system in advance of failure. The RVRSA routinely utilizes TV inspection to evaluate the condition of the interceptor and routinely cleans the interceptor. Additionally, the interceptor is chemically treated to control corrosion.
6. The contract shall be of such limited duration as to meet only the immediate needs of the emergency.
7. 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 contracts may be awarded as extraordinary, unspecifiable services in accordance with the requirements thereof.

Respectfully submitted,



JoAnn Mondsini
Executive Director