

RESOLUTION 17-035

**RESOLUTION AMENDING RESOLUTION 17-012 AUTHORIZING PAYMENT  
OF VOUCHERS RELATIVE TO EN-TECH SEWER SYSTEM RE-LINING  
REPAIR WORK**

**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**, RVRSA adopted Resolutions 16-080, 16-093, and 16-105 authorizing the procurement of goods and services to meet the immediate needs of the emergency and authorizing the execution of a Contract with EN TECH Corp., of 304 Harrington Avenue, Closter, NJ, in an amount not to exceed \$354,000.00, for the provision of sewer system re-lining repair work relative to the Authority’s 54-inch gravity sewer main, as described in the written requisition dated September 8, 2016, from JoAnn Mondsini, Executive Director; and

**WHEREAS**, on January 12, 2017, the Authority adopted Resolution 17-012, authorizing the payment of vouchers, which resolution authorized payment of \$354,000.00 to EN TECH Corp., based upon correspondence dated January 10, 2017, from Mark A. Bean, P.E., CGP. LEED AP FIGP, Principal Engineer, (Kleinfelder) to the Authority’s Executive Director, JoAnn Mondsini.; and

**WHEREAS**, subsequently it was discovered that the work performed by EN TECH was defective and was allowing varying amounts of infiltration into the rehabilitated pipeline, as more specifically set forth in the attached correspondence dated February 2, 2017, from Mark A. Bean, P.E., CGP. LEED AP FIGP, Principal Engineer, Kleinfelder to the Authority’s Executive Director, JoAnn Mondsini, wherein Mark Bean has advised that the work associated with the re-lining of the Authority’s 54-inch gravity sewer main is defective, requires further repair, and that \$50,000.00 should be retained; and

**WHEREAS**, pursuant to the attached correspondence dated February 2, 2017, from Mark A. Bean, P.E., CGP. LEED AP FIGP, Principal Engineer, the Authority has determined that it is appropriate to amend Resolution 17-012 and withhold payment in the amount of \$50,000.00 from EN TECH Corp., of 304 Harrington Avenue, Closter, NJ, relative to re-lining of the Authority’s 54-inch gravity sewer main until the defective work has been repaired.

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

1. The prior authorization contained in Resolution 17-012 is hereby amended relative to the re-lining of the Authority’s 54-inch gravity sewer main, and payment to EN TECH Corp., of 304 Harrington Avenue, Closter, NJ, and is hereby reduced from \$354,000.00 to \$304,000.00 due to defective work, consistent with the attached correspondence dated February 2, 2017, from

Mark A. Bean, P.E., CGP. LEED AP FIGP, Principal Engineer, Kleinfelder, to Executive Director, JoAnn Mondsini.

2. This Resolution shall take effect as provided by law.

### **CERTIFICATION**

I hereby certify that this Resolution was adopted at a reschedule meeting of the Rockaway Valley Regional Sewerage Authority held on February 16, 2017.

On motion of Hector Schorno

Second by Joseph Lowell

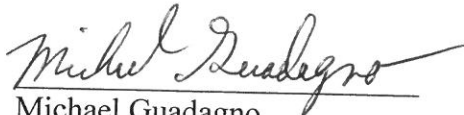
and a Roll Call Vote as Follows:

Yeas: (6) Andes, Cegelka, Guadagno, Lowell, Rossi, Schorno

Nays: (0) None

Abstain: (2) Recchia and Vincitore

Absent: (1) Corbett

  
Michael Guadagno  
Board Secretary



February 2, 2017

Via E-mail & Followed by USPS

Ms. JoAnn Mondsini  
Executive Director  
Rockaway Valley Regional Sewerage Authority  
RD #1, 99 Greenbank Road  
Boonton, New Jersey 07005-9602

**RE: BOONTON TRUNK LINE EMERGENCY REPAIRS  
CONTRACTOR'S INVOICING AND CERTIFICATION FOR PAYMENT –  
EN-TECH CORP: CURED-IN-PLACE PLASTIC LINER  
REVISION TO PRIOR RECOMMENDATION TENDERED JANUARY 10, 2017**

Dear Ms. Mondsini:

As you may recall, on January 10, 2017, Kleinfelder issued correspondence to RVRSA approving payment in the amount of \$354,000 to En-Tech Corporation for the supply and installation of a 54"-dia. CIPP liner as part of the emergency repairs of RVRSA's Boonton Trunk Line that collapsed in the Town of Boonton's "Santaland" Park at 124 N. Main St. This work was completed by the Contractor on October 26, 2016, in accordance with their contract directly with RVRSA.

Subsequent to the referenced approval, with the technical assistance of RVRSA staff and a much closer examination of the post-lining video documentation, various locations in the completed liner were identified as potentially allowing varying amounts of infiltration into the rehabilitated pipeline. At this time, Kleinfelder is further reviewing the documentation, has engaged in technical conversations with En-Tech, and is awaiting a technical response from both the manufacturer of the liner's felt tube as well as the manufacturer of the polyester resin. Kleinfelder is also attempting to compare the apparent amount of infiltration in the video to various applicable standards, including N.J.A.C. 7:14A-23.6(e) and ASTM F1216 (Standard Practice for Rehabilitation of Existing Pipelines and Conduits by the Inversion and Curing of a Resin-Impregnated Tube). Once all relevant data has been collected, compared, and discussed with both RVRSA and the Contractor, a more formal recommendation can be responsibly tendered with regard to any remedy that may be required.

To date, payment has not actually been released to En-Tech. In light of this situation and after discussions with Mr. Stephen Fougere, En-Tech's Operations Manager and the lead supervisor present during the installation of the liner, Kleinfelder wishes to revise its prior recommendation to release full payment. At this time, Kleinfelder recommends that **\$50,000 (14.1%) be retained from En-Tech's payment**, affording a release of \$304,000 against the total invoiced amount of \$354,000. This retained amount should be sufficient to both ensure En-Tech addresses any issues as well as provide sufficient funding should RVRSA require the services of a third-party to effect any necessary remedy. It is also important to note that En-Tech is also bound by a full two-year warranty, which would similarly bind them to effecting any necessary repairs.

Ms. JoAnn Mondsini  
February 2, 2017  
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En-Tech has verbally reinforced their commitment to ensuring proper remedy and RVRSA's satisfaction, and we look forward to working with En-Tech and RVRSA to ensure same.

As always, it is our pleasure to be of continued service to RVRSA in the administration of this important construction project. Should you have any questions or require further information, please do not hesitate to contact me directly via telephone at (609) 454-4570, or via email to [mbean@kleinfelder.com](mailto:mbean@kleinfelder.com).

Sincerely,

A handwritten signature in dark ink, appearing to read "M. Bean".

Mark A. Bean, P.E., CGP, LEED AP, FIGP  
Principal Engineer

Enclosures

c: C. Feuer, RVRSA  
S. Allen, RVRSA  
T. Bradley  
2045