

RESOLUTION NO. 21-052

**RESOLUTION AUTHORIZING EXECUTION OF UTILITY
ENGINEERING AND CONSTRUCTION AGREEMENT (UECA-9-
Rt 80-15 950442) TOGETHER WITH THE ENGINEERING AND
CONSTRUCTION AGREEMENT AMENDMENT BETWEEN THE
ROCKAWAY VALLEY REGIONAL SEWERAGE AUTHORITY
AND THE NEW JERSEY DEPARTMENT OF TRANSPORTATION**

WHEREAS, the State of New Jersey is preparing to undertake the design and construction of Route 80 & Route 15 Interchange located in Wharton Borough and Rockaway Township in Morris County (the "Project"); and

WHEREAS, the Project may require the construction and/or the protection, relocation and/or adjustment of facilities of the existing sewer interceptor system which is owned and operated by the Rockaway Valley Regional Sewerage Authority (the "Authority"); and

WHEREAS, the Authority's legal right to occupy a public right-of-way, subject to the conditions imposed by the State, is in no way mitigated by this Agreement; and

WHEREAS, the State and Authority shall cooperate in developing plans and cost estimates for their respective work necessitated by the Project; and

WHEREAS, the State will authorize and reimburse the Authority for its actual costs for design, review, approval and inspection, for the protection, relocation or adjustment of its existing facilities necessary to accomplish the Project; and

WHEREAS, such documents specify that the design of utility facilities intended to be constructed by the State for the Authority shall be approved by the Authority before the State includes such facilities in the State's contract documents before the Project is advertised; and

WHEREAS, the Authority's costs for the Project are eligible for reimbursement as set forth within the documents to be executed; and

WHEREAS, the details relating to the process and responsibilities of the parties are set forth in greater detail within the documents to be executed.

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

1. The Executive Director is authorized to execute: (1) the NJDOT Utility Engineering and Construction Agreement UECA-9-Rt 80-15 950442 in substantially in the form on file at the offices of the Authority; (2) the NJDOT Utility Engineering and Construction Agreement Municipal Amendment with State Contract with Exhibits 1 thru 10 to UECA-9-Rt 80-15 950442 in substantially in the form on file at the offices of the Authority; and (3) the Commitment Letter and such other documents verifying the Authority's compliance with Federal requirements for the Project.
2. The Executive Director and the Authority's staff and consultants are hereby authorized to take all other actions necessary or desirable to effectuate the terms and conditions of this Resolution.
3. This Resolution shall take effect immediately.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Rockaway Valley Regional Sewerage Authority at the Regular Meeting held on **April 8, 2021**.

On the motion of Commissioner Andes Second by Commissioner Cegelka

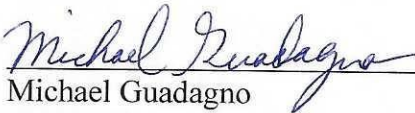
And A Roll Call Vote as follows:

Yeas: (9) Andes, Cegelka, Farrell, Guadagno, Howarth, Isselin, Recchia, Schorno, Zuppa

Nays: (0)

Abstain: (0)

Absent: (1) Corbett


Michael Guadagno
Board Secretary