

RESOLUTION AUTHORIZING ADVERTISEMENT FOR REQUEST FOR PROPOSAL FOR INFRASTRUCTURE AND MAIN INSPECTION AND REPLACEMENT SERVICE CONTRACT AS A PUBLIC PRIVATE PARTNERSHIP

WHEREAS, purchasing and contracting by the MPWC is governed by the Local Public Contracts Law, N.J.S.A. 40A11-1 *et seq.*, and certain professional and other services are permitted to be awarded through The New Jersey Water Supply Public-Private Contracting Act, codified at N.J.S.A. § 58:26-19, *et seq.*; and

WHEREAS, The New Jersey Water Supply Public-Private Contracting Act, establishes a process allowing for long-term agreements rather than the short-term occasion under the LPCA; and

WHEREAS, the long-term agreement for a program of inspection, rehabilitation, maintenance of the infrastructure and replacement of water mains as required by the Water Quality Accountability Act (WQAA), P.L. 2017, c. 133, (N.J.S.A. 58:31-1 *et seq.*) are the subject hereof is the type of program of services and work for which the Water Supply Public-Private Contracting Act, codified at N.J.S.A. § 58:26-19, *et seq.*, was enacted; and

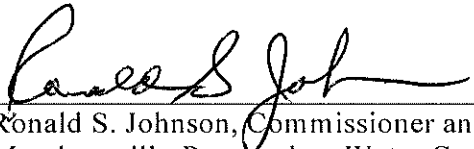
WHEREAS, the Commission staff seeks to utilize the aforesaid statute to issue a Request for Proposals ("RFP") for an anticipated long-term service contract to be publicly advertised in newspaper and on the Internet website maintained by the MPWC using public solicitation of proposals with criteria established in writing prior to the opening of proposals and said proposals to be submitted and publicly opened and announced; and to take all other actions necessary under The New Jersey Water Supply Public-Private Contracting Act, codified at N.J.S.A. § 58:26-19, *et seq.*, to seek a partner for such a aggressive infrastructure maintenance and replacement plan; and

WHEREAS, as directed by the statute this process credits and takes into account the criteria applied including such factors as the financial and technical capabilities of the private contractor; the reasonableness of the contract terms; the protection of the public/water customers from risks or subsidization of the contract; the financial terms and ability to budget for the Commission and impact of the contract on its ability to repay its indebtedness; and inclusion of statutorily required terms (i.e., subjects that must be addressed by the contract); and

WHEREAS, subject to the statutory conditions being met and the statutory requirements regarding the process for approval of State Agencies;

NOW THEREFORE, BE IT RESOLVED by the Commissioners of the MPWC that the Commission staff is hereby authorized to issue an Request for Proposals when it is ready to do so for long-term water infrastructure and water main inspection, rehabilitation and replacement of water mains and MPWC staff are hereby authorized to commence the process necessary under The New Jersey Water Supply Public-Private Contracting Act, codified at N.J.S.A. § 58:26-19, *et seq.*, to seek a suitable program and partner for such a long-term infrastructure plan to comply with the WQAA.

I certify the foregoing is a true copy of the resolution adopted by the Merchantville-Pennsauken Water Commission at its regular meeting held in Pennsauken, NJ on July 12, 2018.

BY: 

Ronald S. Johnson, Commissioner and Secretary to the
Merchantville-Pennsauken Water Commission