

RESOLUTION NO. 2021-03

MERCHANTVILLE-PENNSAUKEN WATER COMMISSION

**RESOLUTION OF THE COMMISSION AUTHORIZING THE FILING OF AN APPLICATION FOR APPROVAL OF A WATER MAIN ASSET MANAGEMENT SERVICES AGREEMENT TO THE LOCAL FINANCE BOARD AND TO THE BOARD OF PUBLIC UTILITIES PURSUANT TO N.J.S.A 58:26-19 et seq. APPROVING THE SUBMISSION THERETO AND NOTICE TO THE NJDEP FOR REVIEW AS DIRECTED BY NJSA 58:26-24(f) AND THE OSC AS MAY BE REQUIRED**

**WHEREAS, THE MERCHANTVILLE-PENNSAUKEN WATER COMMISSION IN THE COUNTY OF CAMDEN**, (the "COMMISSION") is a regional water authority created pursuant to NJSA 40:62-108 *et seq* and serving its residents and customers since 1926; and

**WHEREAS**, the Commission had acknowledged that the agreement required approvals pursuant to section 7 of P.L.1995, c.101 (C.58:26-25) and advance notice to the Office of the State Comptroller and received their approval as to form of RFP documents and contract as is required pursuant to N.J.S.A 52:15C-10, for its RFP documents before advertisement and solicitation of a contract that may exceed \$10 million; and therefore, the MPWC was able to commence the further stages necessary to fulfill the object of its prior Resolutions in this regard ; and

**WHEREAS**, the Commission desires to adopt this Resolution to make application to the **Local Finance Board of the Division of Local Government Services** (the "Division") for the 's approval of the contract for Water Main Asset Management Services Agreement ("Services Agreement") to SUEZ Advanced Solutions/Utility Service Co., Inc., (S/USCI) pursuant to N.J.S.A 58:26-24(e) of the New Jersey Water Supply Public-Private Contracting Act, (the "Act"); and

**WHEREAS**, the Commission desires to adopt this Resolution to make application to the **Board of Public Utilities** (the "Board") for the 's approval of the contract for Water Main Asset Management Services ("Services Agreement") to the Contractors SUEZ Advanced Solutions/Utility Service Co., Inc., (S/USCI) pursuant to N.J.S.A 58:26-24(e) of the New Jersey Water Supply Public-Private Contracting Act, (the "Act"); and

**WHEREAS**, the Commission believes that the Water Main Asset Management Services Agreement provides the MPWC

- (a) with a more efficient approach to institute this prioritization of the rehabilitation and / or replacement of the water mains as required by the WQAA
- (b) and to therefore incorporate into the program a preventative maintenance feature; and

- (c) it provides access to cutting edge technological advances; and
- (d) significantly decreases the risk of need for the larger capital expenditure solely "failure responses" ; and
- (e) by such items avoids the risk of need and costs of hiring outside engineers in a per project piecemeal fashion: and
- (f) provides a guarantee of use and performance of advanced main re-lining versus complete road and ground demolition; and
- (g) said purpose or improvements are for the health, wealth, convenience or betterment of the inhabitants of the MPWC service area;
- (h) the amounts to be expended for said purposes or improvements are not unreasonable or exorbitant; and
- (i) it is in the public interest to accomplish such purposes;

**NOW, THEREFORE, BE IT RESOLVED by the Commission, on this 11<sup>th</sup> Day of February 2021** as follows:

**Section 1.** The application to the Local Finance Board is hereby authorized and approved (the "Application"), and the Chief Operating Officer, and Director Of Engineering and General Counsel, along with other representatives of Commission as necessary, including Bond Counsel are each hereby authorized and directed to prepare and submit such Application and to represent the Commission in matters pertaining thereto;

**Section 2.** The Secretary of the Commission is hereby authorized and directed to execute a certified copy of this Resolution and for it to be included with the Applications to both the Division (LFB) and the Board (BPU) to obtain their consent as part of such application and to include in the DEP's submission for their review; and

**Section 3.** The Local Finance Board is hereby respectfully requested to consider such Application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statutes and to cause its consent to be endorsed upon the Services Agreement Authorization; and

**Section 4.** Upon receipt of such Approvals from the state authorities referenced in the Act or upon expiration of the statutory time period referenced in the Act, the Commission's Chief Operating Officer, Michael Saraceni is authorized to execute the Agreement on behalf of the Commission, and

**Section 5.** In so far as required, the Submission and any further application to the OSC is hereby authorized and approved.

**AND THEREFORE, BE IT RESOLVED BY THE COMMISSION,** assembled in advertised public meeting and after opportunity for public comment,

And on the Roll call vote of the Commissioners on February 11, 2021 as follows:

Commissioners:	#YEAs	#NAYs	# ABSTAINs	# Absent
S. Ali	✓			
E. Brennan	✓			
P. Brennan	✓			
G. Piperno	✓			
J. Scavuzzo	✓			

I hereby certify that the above and the attached is a True and Accurate Copy of the Resolution approved in duly advertised and legally conducted public session as stated on the date listed above.

Date: 2/11/2021



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Edward F. Brennan, Commissioner and  
Secretary to the Commission

The Official Minutes and Each Commissioner's Roll Call vote are in the official MPWC records maintained by the Chief Operating Officer.