



Atlantic City Municipal Utilities Authority

RESOLUTION

BY ALL MEMBERS OF THE BOARD:

WHEREAS, the Atlantic City Municipal Utilities Authority held their regularly scheduled Board Meeting on April 21, 2021 commencing at 10:00am, there being present:

CHAIRMAN	John Devlin
VICE CHAIRMAN/SECRETARY	Gary L. Hill
TREASURER	Patricia Bailey
BOARD MEMBER	Nynell Langford
BOARD MEMBER	Glenn Banfield
BOARD MEMBER, ALTERNATE # 1	William K. Cheatham
BOARD MEMBER, ALTERNATE # 2	Mohammed Dedar

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority that this Resolution hereby approves the transcript minutes reported by Karen A. Haworth, Certified Court Reporter for the April 21, 2021 Board Meeting.

Upon Motion, This Resolution was APPROVED as Read.

A handwritten signature in dark ink, appearing to read "G. Hill", is written over a horizontal line.

GARY L. HILL, VICE CHAIRMAN/SECRETARY



Atlantic City Municipal Utilities Authority

RESOLUTION

BY ALL MEMBERS OF THE BOARD:

WHEREAS, Polyfluoroalkyl substances (PFAS) are fluorinated chemicals that have been used in array of commercial, industrial and U.S. military applications for decades. Some of the more common applications include non-stick coatings, food wrappings, waterproof materials and fire suppressants. Detections of some PFAS in drinking water supplies have increased calls for governmental action to address these substances in public waters. Animal studies suggest that exposure to particular substances above certain levels may be linked to various health effects including development defects; changes in liver, immune and thyroid function; and increased risk of some cancers.

WHEREAS, this dangerous chemical compound has been detected in the water supply of the City of Atlantic City ("the City"). The State of New Jersey Department of Environmental Protection ("NJDEP") established health based drinking water standards of Maximum Contaminant Levels (MCL) for two (2) chemical compounds in the PFAS family. Perfluorooctanoic acid (PFOA) at 14 parts per trillion (ppt) and perfluorooctane sulfonate ("PFOS") at 13 ppt MCL. N.J.A.C. 7:10-5.2(a)(5)(ii)-(iii). These MCL limits are the most stringent in the United States.

WHEREAS, the Atlantic City Municipal Utilities Authority ("Authority") has been charged with the responsibility of producing safe water to its customers. The testing of the Atlantic City water reveals that the water samples are rising and may soon exceed the state limit for PFAS of 13ppt MCL.

WHEREAS, H2M is an engineering consulting currently indirectly providing specific engineering services to the Authority regarding its obligation to comply with the treatment and eradication of PFAS from the City water supply.

WHEREAS, H2M provided a report to the Authority entitled "Technical Memorandum" dated April 6, 2021, and Memorandum dated April 28, 2021 outlining an emergent transition schedule that the Authority must abide by in an expedited manner in order to meet the strict dates and guidelines imposed by NJDEP.

WHEREAS, the Authority is desperately working to reduce the PFAS in the City water supply and to remain below the MCL level established by NJDEP. If the requirements are not met, the impact on the health, safety and welfare of all city residents would be in jeopardy. It is imperative that the Authority works in an expedited manner to meet the state requirements and avoid irreparable harm to its citizens.

WHEREAS, NJDEP, as a regulatory agency, has instituted numerous regulations that must be complied with by the Authority in an expedited manner which includes, but is not limited to, requiring the Authority to enter into professional services contracts, material and inventory purchases and incur other costs and services on an expedited basis.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Authority as follows:

1. Given the potential impact on the health, safety and welfare of the city residents, the Authority hereby declares a state of emergency as to the eradication of PFAS from the city drinking water.
2. In light of the emergent circumstances confronted by the Authority, the Authority may be required to enter into contracts directly related to the eradication of PFAS on an expedited basis may be awarded without resort to competitive bidding in accordance with the local public contracts law (NJSA 40A:11-1 et. al) in order to meet guidelines imposed by NJDEP.



Atlantic City Municipal Utilities Authority
RESOLUTION

3. Any contract awarded pursuant to this resolution must comply with comply with N.J.S.A. 40A: 11-6, Emergency Contracts.

Upon Motion This Resolution Was Approved As Read.

GARY L. HILL, VICE CHAIRMAN/SECRETARY



Atlantic City Municipal Utilities Authority

RESOLUTION

BY ALL MEMBERS OF THE BOARD:

WHEREAS, Polyfluoroalkyl substances ("PFAS") are fluorinated chemicals that have been used in array of commercial, industrial and U.S. military applications for decades. Some of the more common applications include non-stick coatings, food wrappings, waterproof materials and fire suppressants. Detections of some PFAS in drinking water supplies have increased calls for governmental action to address these substances in public waters. Animal studies suggest that exposure to particular substances above certain levels may be linked to various health effects including development defects; changes in liver, immune and thyroid function; and increased risk of some cancers.

WHEREAS, this dangerous chemical compound has been detected in the water supply of Atlantic City. The State of New Jersey Department of Environmental Protection ("NJDEP") established health based drinking water standards of Maximum Contaminant Levels ("MCL") for two (2) chemical compounds in the PFAS family. Perfluorooctanoic acid (PFOA) at 14 parts per trillion ("ppt") and perfluorooctane sulfonate ("PFOS") at 13 ppt MCL. N.J.A.C. 7:10-5.2(a)(5)(ii)-(iii). These MCL limits are the most stringent in the United States.

WHEREAS, the Atlantic City Municipal Utilities Authority ("Authority") has been charged with the responsibility of producing safe drinking water to its customers. The testing of the City of Atlantic City water reveals that the water samples exceeded the State respective MCL.

WHEREAS, the Authority is desperately working to reduce the PFAS limits in the City water supply. If the requirements are not met, the impact on the health, safety and welfare of all city residents would be in jeopardy. It is imperative that the Authority works in an expedited manner to meet the state requirements and avoid irreparable harm to its citizens.

WHEREAS, H2M is an engineering consulting currently indirectly providing specific engineering services to the Authority regarding its obligation to comply with the treatment and eradication of PFAS from the City water supply.

WHEREAS, H2M provided a report to the Authority entitled "Technical Memorandum" dated April 6, 2021, and Memorandum dated April 28, 2021 outlining an emergent transition schedule that the Authority must abide by in order to meet the strict dates and guidelines imposed by NJDEP.

WHEREAS, given the emergent nature of matter and the safety and health risks that it imposes to the general public, the Authority would like to engage the engineering services of H2M directly in order to assist the Authority in expediting the treatment and eradication of PFAS from the City water supply.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Atlantic City Municipal Utilities Authority as follows:

1. That the ACMUA and H2M Associates, Inc. - Architects and Engineers enter into an agreement based upon the proposal attached herewith which will set forth in detail the engineering services to be provided and the specific responsibility of the parties specific to the treatment and eradication of PFAS from the water system in the City.
2. The cost of the H2M professional services shall not exceed the sum of TWO HUNDRED NINETY ONE THOUSAND FOUR HUNDRED DOLLARS AND NO CENTS (\$291,400.00) and shall be based upon the provisions of the cost proposals contained in the attached agreement.



Atlantic City Municipal Utilities Authority

RESOLUTION

3. In light of the emergent circumstances confronted by the ACMUA this contract is awarded without competitive bidding in accordance with the local public contracts law. NJSA 40A:11-6.
4. A copy of this Resolution as well as the contract shall be placed on file with the Office of the Atlantic City Utilities Authority.
5. A notice in accordance with the local public contracts law of New Jersey in the form attached shall be published in the Press at least once.

Upon Motion, This Resolution was APPROVED as Read.

GARY L. HILL, VICE CHAIRMAN/SECRETARY



Atlantic City Municipal Utilities Authority

RESOLUTION

RESOLUTION FOR MEMBER PARTICIPATION

IN A COOPERATIVE PRICING SYSTEM

A RESOLUTION AUTHORIZING THE ATLANTIC CITY MUNICIPAL UTILITIES
AUTHORITY

TO ENTER INTO A COOPERATIVE PRICING AGREEMENT

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, SOURCEWELL 202 12th Street NE P.O. Box 219 Staples, MN 56479 a public entity is permitted to engage in cooperative purchasing pursuant to N. J. S. A. 40A:11-11(5) and to Minn. Stat. §123A.21 Subd. 7(23) and,

WHEREAS, SOURCEWELL, hereinafter referred to as the "Lead Agency" has offered participation in a Cooperative Pricing System for the purchase of goods and services; and,

WHEREAS, on Wednesday, May 19, 2021 the governing body of the Atlantic City Municipal Utilities Authority, County of Atlantic, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services; and

NOW, THEREFORE BE IT RESOLVED as follows:

WHEREAS, this RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the Atlantic City Municipal Utilities Authority; and

WHEREAS, Pursuant to the provisions of *N.J.S.A. 40A:11-11(5)*, the Executive Director is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency; and

WHEREAS, The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)* and all other provisions of the revised statutes of the State of New Jersey; and

WHEREAS, on Wednesday, May 19, 2021, this resolution shall take effect immediately upon passage by the Board of Directors; and

NOW THEREFORE BE IT RESOLVED, by the board of Directors of the Atlantic City Municipal Utilities Authority is hereby authorized to participate in a Cooperative Pricing System; and

BE IT FURTHER RESOLVED, that the governing body of the Atlantic City Municipal Utilities Authority will consider the above resolution for adoption on Wednesday, May 19, 2021.

Upon Motion, this Resolution was APPROVED as Read.

GARY L. HILL, VICE CHAIRMAN/SECRETARY



Atlantic City Municipal Utilities Authority

RESOLUTION

A RESOLUTION AUTHORIZING THE ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY TO PURCHASE BACKHOE THROUGH SOURCEWELL COOPERATIVE

BY ALL MEMBERS OF THE BOARD:

WHEREAS, the Atlantic City Municipal Utilities Authority (ACMUA or the "Authority") owns and operates the Water Department in the City of Atlantic City, NJ; and

WHEREAS, there exists the need to purchase a backhoe for the Water Treatment Plant located at 1151 N. Main Street, Pleasantville, NJ; and

WHEREAS, this purchase will provide the Water Treatment Plant located at 1151 N. Main Street, Pleasantville, NJ with the equipment necessary for excavating and removal of sludge; and

WHEREAS PEACH COUNTRY TRACTOR is a member of the SOURCEWELL Cooperative Purchasing Program; and

WHEREAS, PEACH COUNTRY TRACTOR IS a registered New Jersey COMPANY License #0074875; and

WHEREAS, the maintenance of the quality of the ACMUA's Treatment Plant Facility and Storage Yard are the responsibility of the ACMUA; and

WHEREAS the Atlantic City Municipal Utilities Authority and PEACH COUNTRY TRACTOR shall enter into a purchase agreement which is set forth in the attached specific detail; and

WHEREAS the details of the cost is presented in the attached documentation at which the cost shall not exceed NINETY FOUR THOUSAND, SEVEN HUNDRED FOURTY NINE DOLLARS, ZERO CENTS (\$94,749.00).

NOW THEREFORE BE IT RESOLVED by the Board of Directors of the Atlantic City Municipal Utilities Authority that Nicholas Mancuso, Acting Deputy Executive Director of Operations be AUTHORIZED AND DIRECTED in the ordinary course of Authority business to secure the purchase with PEACH COUNTRY TRACTOR for the purchase described above; and

BE IT FURTHER RESOLVED that a Certificate from the Assistant Director of Finance and Accounting of the ACMUA has been attached to this Resolution showing the availability of funds and specifying the line item appropriation from the 2021 ACMUA Capital Budget Account# C 04-20-340-815-441 Motor Vehicles, to satisfy the aforesaid cost of the security cameras installation.

UPON MOTION THIS RESOLUTION WAS APPROVED AS READ

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GARY L. HILL, VICE CHAIRMAN/SEC'Y



Atlantic City Municipal Utilities Authority

RESOLUTION

BOND RESOLUTION OF THE ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY DETERMINING TO REFUND ITS OUTSTANDING WATER SYSTEM REVENUE REFUNDING BONDS, SERIES 2007; THE ESTIMATED COST THEREOF; AND TO ISSUE BONDS TO FINANCE THE COST THEREOF

WHEREAS, The Atlantic City Municipal Utilities Authority (the "Authority") is a public body, duly formed under the Municipal and County Utilities Authorities Law, constituting Chapter 183 of the Pamphlet Laws of 1957, of the State of New Jersey, as amended and supplemented (N.J.S.A. 40:14B-1 et seq.) and possesses the powers set forth therein; and

WHEREAS, the Authority has determined to refund its outstanding Water System Revenue Refunding Bonds, Series 2007 dated May 17, 2007 and maturing on June 1, 2022 through June 1, 2029 in the aggregate principal amount of \$4,535,000 (the "Project").

NOW THEREFORE, BE IT RESOLVED BY THE AUTHORITY AS FOLLOWS:

Section 1. The Authority hereby determines to undertake the Project as described above. The total estimated cost of the Project is an amount not exceeding \$5,000,000. The Authority hereby determines to issue bonds in an amount not exceeding \$5,000,000 to finance the Project in accordance with the Municipal and County Utilities Authorities Law, in particular N.J.S.A. 40:14B-26.

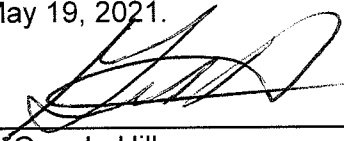
Section 2. A copy of this bond resolution shall be filed and published in accordance with the provisions of N.J.S.A. 40:14B-28.

Section 3. All matters with respect to the bonds authorized by this bond resolution shall be determined by subsequent resolutions of the Authority.

Section 4. This resolution shall take effect immediately.

<u>Recorded Vote:</u>	<u>Aye:</u>	<u>Nay:</u>	<u>Absent:</u>	<u>Abstain:</u>
Board Members:				
Patricia Bailey	X			
Glenn Banfield	X			
Gary L. Hill	X			
Nynell Langford	X			
John Devlin	X			

The foregoing is a true copy of a resolution adopted by the governing body of The Atlantic City Municipal Utilities Authority on May 19, 2021.



Gary L. Hill
Secretary



Agenda No: 10 a (1)
Resolution No: 62
Date: May 19, 2021

Atlantic City Municipal Utilities Authority

RESOLUTION

BY ALL MEMBERS OF THE BOARD:

BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority that the bid of G.Q.MAINTENANCE COMPANY to PROVIDE JANITORIAL SERVICES AT THE ADMINISTRATION AND OPERATIONS FACILITY, which bid was received and publicly opened and read at a meeting of the Purchasing Board held on May 11, 2021, be and the said bid is hereby ACCEPTED, the said G.Q.MAINTENANCE COMPANY being the lowest responsible bidder for the said undertaking; and

BE IT FURTHER RESOLVED, that authority be and it is hereby given to the Chairman to execute and to the Vice Chairman/Secretary to attest a contract be entered into between ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY and said G.Q.MAINTENANCE COMPANY as aforesaid in strict accordance with the specifications approved and adopted by the said Board on April 18, 2018, the said contract to be approved as to form and execution by the Authority Solicitor; and

BE IT FURTHER RESOLVED, that a Certificate from the Comptroller of the Atlantic City Municipal Utilities Authority be attached to this Resolution, certifying the availability of funds and specifying the line item appropriation from 2021 Budget Account # 01-10-100-581-820, to satisfy the aforesaid award of contract in the amount of FIFTEEN THOUSAND TWO HUNDRED SEVENTY DOLLARS AND NO CENTS (\$15,270.00).

UPON MOTION THIS RESOLUTION WAS APPROVED AS READ

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GARY L. HILL, VICE CHAIRMAN/SEC'Y



Agenda No: 10 a (2)
Resolution No: 63
Date: May 19, 2021

Atlantic City Municipal Utilities Authority

RESOLUTION

BY ALL MEMBERS OF THE BOARD:

BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority that the bid of G.Q. MAINTENANCE COMPANY to PROVIDE JANITORIAL SERVICES AT WATER TREATMENT PLANT PUMPING STATION FACILITY, which bid was received and publicly opened and read at a meeting of the Purchasing Board held on May 11, 2021, be and the said bid is hereby ACCEPTED, the said G.Q.MAINTENANCE COMPANY being the lowest responsible bidder for the said undertaking; and

BE IT FURTHER RESOLVED, that authority be and it is hereby given to the Chairman to execute and to the Vice Chairman/Secretary to attest a contract be entered into between ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY and said G.Q.MAINTENANCE COMPANY, as aforesaid in strict accordance with the specifications approved and adopted by the said Board on April 21, 2021, the said contract to be approved as to form and execution by the Authority Solicitor; and

BE IT FURTHER RESOLVED, that a Certificate from the Comptroller of the Atlantic City Municipal Utilities Authority be attached to this Resolution, certifying the availability of funds and specifying the line item appropriation from 2021 Budget Account # -01-20-202-604-451, to satisfy the aforesaid award of contract in the amount of TWELVE THOUSAND TWO HUNDRED SEVENTY DOLLARS AND NO CENTS (\$12,270.00).

UPON MOTION THIS RESOLUTION WAS APPROVED AS READ

GARY L. HILL, VICE CHAIRMAN/SEC'Y



Atlantic City Municipal Utilities Authority

RESOLUTION

BY ALL MEMBERS OF THE BOARD:

BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority that the bid of SHANNON CHEMICAL CORPORATION, a corporation of the State of Pennsylvania, for FURNISHING AND DELIVERING CORROSION INHIBITOR CHEMICAL to the Pumping Station of the Atlantic City Municipal Utilities Authority located at 1151 N. Main Street, Pleasantville, NJ, which bid was received and publicly opened and read at a meeting of the Purchasing Board of the Atlantic City Municipal Utilities Authority held May 11, 2021, be and the said bid is hereby ACCEPTED, the said SHANNON CHEMICAL CORPORATION, being the lowest responsible bidder for the said undertaking; and

BE IT FURTHER RESOLVED, that authority be and it is hereby given to the Chairman to execute and to the Vice Chairman/Secretary to attest a contract to be entered into between the ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY and SHANNON CHEMICAL CORPORATION, for FURNISHING AND DELIVERING CORROSION INHIBITOR CHEMICAL to the Pumping Station of the Authority, located at 1151 N. Main Street, Pleasantville, NJ, as aforesaid in strict accordance with the specifications approved and adopted by the said Board on April 21, 2021, the said Contract to be approved as to form and execution by the Authority Solicitor; and

BE IT FURTHER RESOLVED, that a certificate from the Comptroller of the Atlantic City Municipal Utilities Authority be attached to this Resolution showing the availability of funds and specifying the line item appropriation from 2021 Budget Acct. No. 01-20-202-542-410, to satisfy the aforesaid award of the two (2) year contract in the amount of ONE HUNDRED THOUSAND THREE HUNDRED TWENTY DOLLARS AND NO CENTS (\$100,320.00).

UPON MOTION THIS RESOLUTION WAS APPROVED AS READ

A handwritten signature in dark ink, appearing to read "Gary L. Hill", is written over a horizontal line.

GARY L. HILL, VICE CHAIRMAN, SEC'Y



Atlantic City Municipal Utilities Authority

RESOLUTION

BY ALL MEMBERS OF THE BOARD:

BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority that the bid of CUSTOM ENVIRONMENTAL TECHNOLOGY, INC., a corporation of the State of Pennsylvania to FURNISH AND DELIVER ZETA LYTE 1A ANIONIC POLYMER, which bid was received and publicly opened and read at a meeting of the Purchasing Board held on May 11, 2021, be and the said bid is hereby ACCEPTED, the said CUSTOM ENVIRONMENTAL TECHNOLOGY, INC., being the lowest responsible bidder for the said undertaking; and

BE IT FURTHER RESOLVED, that authority be and it is hereby given to the Chairman to execute and to the Vice Chairman/Secretary to attest a contract be entered into between ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY and said CUSTOM ENVIRONMENTAL TECHNOLOGY, INC., as aforesaid in strict accordance with the specifications approved and adopted by the said Board on April 21, 2021, the said contract to be approved as to form and execution by the Authority Solicitor; and

BE IT FURTHER RESOLVED, that a Certificate from the Comptroller of the Atlantic City Municipal Utilities Authority be attached to this Resolution, certifying the availability of funds and specifying the line item appropriation from 2021 Budget Account No. 01-20-202-542-410 to satisfy the aforesaid award of two (2) year contract in the amount of Seventy Four Thousand Seven Hundred Forty Five Dollars and Zero Cents (\$74,745.00).

UPON MOTION THIS RESOLUTION WAS APPROVED AS READ

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GARY HILL, VICE CHAIRMAN/SECRETARY



Atlantic City Municipal Utilities Authority

RESOLUTION

BY ALL MEMBERS OF THE BOARD:

BE IT RESOLVED, by the Board of Directors of the City of Atlantic City Municipal Utilities Authority that bids were received and publicly opened and read at a meeting of the Purchasing Board held on May 14, 2021 for the project entitled 'NEW YORK AVENUE WATER MAIN REPLACEMENT 2021, for the use of the said Water Department;

BE IT FURTHER RESOLVED, that the Bid of LAFAYETTE CONSTRUCTION 9 Atlantic Avenue, Egg Harbor Township, a corporation of the State of New Jersey, is hereby ACCEPTED, the said LAFAYETTE CONSTRUCTION, being the lowest responsible bidder for the said undertaking and as per the recommendation as stated in the attached letter of the MUA's Engineer POLISTINA ASSOCIATES, LLC., 6684 Washington Avenue, Egg Harbor Township, NJ; and

BE IT FURTHER RESOLVED, that authority is hereby given to the Chairman to execute and to the Vice Chairman/Secretary to attest a contract be entered into between the ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY and LAFAYETTE CONSTRUCTION as aforesaid in strict accordance with the specifications approved and adopted by the said Board on April 21, 2021 the said contract to be approved as to form and execution by the Authority Solicitor; and

BE IT FURTHER RESOLVED, that a Certificate from the Assistant Director, Accounting & Finance of the Atlantic City Municipal Utilities Authority be attached to this Resolution showing the availability of funds and specifying the line item appropriation from 2021 Capital Account No. C-04-340-815-417 entitled 'Miscellaneous Line Replacement' in the sum of SIX HUNDRED NINETY FOUR THOUSAND EIGHT HUNDRED AND THIRTY THREE DOLLARS AND NO CENTS (\$694,833.00).

UPON MOTION THIS RESOLUTION WAS APPROVED AS READ

GARY HILL, VICE CHAIRMAN/SECRETARY



Atlantic City Municipal Utilities Authority

RESOLUTION

Revised 5/18/2021

BY ALL MEMBERS OF THE BOARD:

BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority that the bid of ACLARA TECHNOLOGIES, LLC. St. Louis, MO, a limited liability company organized and existing under the laws of the State of Missouri, to FURNISH AND DELIVER ACLARA AUTOMATIC METER READING (AMR) METER TRANSMISSION UNITS (MTU'S) , which bid was received and publicly opened and read at a meeting of the Purchasing Board of the Atlantic City Municipal Utilities Authority held on April 15 2021, be and the same bid is hereby ACCEPTED, the said ACLARA TECHNOLOGIES, LLC, being the lowest responsible bidder and only responsible bidder for the said undertaking; and

WHEREAS, ACLARA TECHNOLOGIES, LLC. Is awarded a contract in the amount of \$592,000.00; and

BE IT FURTHER RESOLVED, that Authority is hereby given to the Chairman to execute said contract and the Vice Chairman/Secretary to attest to a contract be entered into between the ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY and said ACLARA TECHNOLOGIES, LLC., is as aforesaid in strict accordance with the specifications approved and adopted by the said Board on March 26, 2021; and

BE IT FUTHER RESOLVED, that this Award is contingent upon the conditions of the Department of Environmental Protection and I-Bank approval; and

BE IT FURTHER RESOLVED, that a Certificate from the Assistant Director, Accounting & Finance of the Atlantic City Municipal Utilities Authority has been attached to this Resolution showing funding will be received through the resources of the I-Bank and The New Jersey Department of Environmental Protection in the sum of FIVE HUNDRED NINETY TWO THOUSAND DOLLARS AND NO CENTS (\$592,000.00).

UPON MOTION THIS RESOLUTION WAS APPROVED AS READ

A handwritten signature in dark ink, appearing to read "G. Hill", is written over a horizontal line.

GARY L. HILL, VICE CHAIRMAN/SECRETARY



Atlantic City Municipal Utilities Authority

RESOLUTION

Revised 5/18/2021

BY ALL MEMBERS OF THE BOARD:

BE IT RESOLVED, by the Board of Directors of the City of Atlantic City Municipal Utilities Authority that bids were received and publicly opened and read at a meeting of the Purchasing Board held on April 15, 2021 for FURNISHING AND DELIVERING WATER METERS, for the use of the said Water Department;

BE IT FURTHER RESOLVED, that the FOLLOWING BIDS are HEREBY ACCEPTED and authority be and it is hereby given to the Chairman to execute and the Vice Chairman/Secretary to attest an AGREEMENT to be entered into between the ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY and with both CORE & MAIN LP, and with FERGUSON WATERWORKS; and

WHEREAS, CORE & MAIN LP, is awarded for Item Numbers 1A through 1E in the total amount of \$629,245.00, and in strict compliance with the forms of advertisement and proposal form for the specifications and instructions to bidders; and

WHEREAS, FERGUSON WATERWORKS is awarded for Item Numbers 1G through 1M in the total amount of \$214,950.00, and in strict compliance with the forms of advertisement and proposal form for the specifications and instructions to bidders; and

WHEREAS, advertisement and proposal form for the specifications and instructions to bidders was therefore, approved and adopted by the Board of Directors on March 26, 2021; and

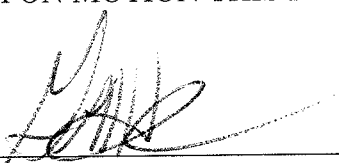
BE IT FURTHER RESOLVED that the bid submitted by CORE & MAIN for Items Numbers 1A through 1E and the bid submitted by FERGUSON WATERWORKS for Items Numbers 1G through 1M are HEREBY ACCEPTED; and

<u>CONTRACTOR</u>	<u>ITEM NOS.</u>	<u>TOTAL AWARD</u>
1. CORE & MAIN LP	1A, 1B, 1C, 1D, 1E,	\$629,245.00
2. FERGUSON WATERWORKS	1G, 1H, 1I, 1J, 1K, 1L, 1M	\$214,950.00
TOTAL AMOUNT OF AWARDS:		<u>\$844,195.00</u>

BE IT FUTHER RESOLVED, that these Awards are contingent upon the conditions of the Department of Environmental Protection and I-Bank approval; and

BE IT FURTHER RESOLVED, that a Certificate from the Assistant Director, Accounting & Finance of the Atlantic City Municipal Utilities Authority has been attached to this Resolution, certifying the availability of funding will be received through the resources of the I-Bank and The New Jersey Department of Environmental Protection in the sum of EIGHT HUNDRED FOURTY FOUR THOUSAND ONE HUNDRED NINETY FIVE DOLLARS AND NO CENTS (\$844,195.00);

UPON MOTION THIS RESOLUTION WAS APPROVED AS READ



GARY L. HILL, VICE CHAIRMAN/SEC'Y



Atlantic City Municipal Utilities Authority

RESOLUTION

A RESOLUTION AUTHORIZING

THE ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY

TO REJECT BID FOR UTILITY LOCATING AND MARK-OUT SERVICES

BY ALL MEMBERS OF THE BOARD:

WHEREAS, the Atlantic City Municipal Utilities Authority (ACMUA or the "Authority") owns and operates the Water Department in the City of Atlantic City, NJ; and

WHEREAS, there exists the need to procure Utility Locating and Mark-out Services; and

WHEREAS, bidding for such services was authorized by Board of Directors of the Atlantic City Municipal Utilities Authority on Thursday, March 26, 2021; and

WHEREAS, bids were received and opened at the Purchasing Board Meeting held on Thursday, April 15, 2021; and

WHEREAS, USIC Locating Services, LLC, 9045 North River Road Suite 300 Indianapolis, IN 46240 did bid for UTILITY LOCATING AND MARK-OUT SERVICES being the only bidder; and

WHEREAS, USIC Locating Services, LLC bid did not meet the Authority's specific requirements for acceptance of bid; and

THEREFORE BE IT RESOLVED, by the Board of Directors of the City of Atlantic City Municipal Utilities Authority that the bid for UTILITY LOCATING AND MARK-OUT SERVICES received during the Authority's Purchasing Board Meeting held Thursday, April 15, 2021 is HEREBY REJECTED, due to unforeseen conditions with regard to the specifications alterations;

NOW THEREFORE BE IT RESOLVED by the Board of Directors of the Atlantic City Municipal Utilities Authority that Nicholas Mancuso, Acting Deputy Executive Director of Operations be AUTHORIZED AND DIRECTED in the ordinary course of Authority business that this proposed contract be re-bid at a later date.

UPON MOTION THIS RESOLUTION WAS APPROVED AS READ

A handwritten signature in dark ink, appearing to read "G. Hill", is written over a horizontal line.

GARY L. HILL, VICE CHAIRMAN/SECRETARY



Atlantic City Municipal Utilities Authority

RESOLUTION

BY ALL MEMBERS OF THE BOARD:

WHEREAS, Resolution #395 of 1994 provides for Rules, Rates & Regulations governing the assessment and collection of water rates and charges for the Water Department of the Atlantic City Municipal Utilities Authority; and

WHEREAS, Section 5 (d) of said Resolution provides that the Board of Directors, by Resolution, may approve adjustment of such charges; and

WHEREAS, the property owned by VU TRAN, Water Account No.811601-0, located at 29 North Dover Avenue., experienced miscellaneous water leaks causing the additional consumption of 11,400 cubic feet of water; and

NOW THEREFORE BE IT RESOLVED, that the previous water service charges be adjusted; and

BE IT FURTHER RESOLVED, that the charges totaling TWO HUNDRED FOURTEEN DOLLARS AND FORTY THREE CENTS (\$214.43) are HEREBY ABATED from the accounts receivable ledgers of the Authority; and

BE IT FURTHER RESOLVED, that this abatement is conditioned upon payment of all outstanding balances on all accounts after the abatement is applied, within thirty (30) days.

BE IT FURTHER RESOLVED, the customer may elect to pay off the account balances via installment payment plan. If this option is chosen, the abatement is contingent upon the following:

1. That the installment plans are signed and the initial payment made within thirty (30) days of the date of the Board Meeting;
2. That the installment payments are made as scheduled;
3. That all current charges on the account are paid promptly (within thirty (30) days) of the billing, until such a time that all balances due have been paid relative to this account.

Upon Motion, This Resolution was APPROVED as Read.

GARY L. HILL, VICE CHAIRMAN/SECRETARY



Atlantic City Municipal Utilities Authority

RESOLUTION

BY ALL MEMBERS OF THE BOARD:

WHEREAS, there exists a need by the Atlantic City Municipal Utilities Authority to have certain laboratory testing services; and

WHEREAS, the Atlantic County Utilities Authority's laboratory facilities are suitable for water and other laboratory testing activities; and

WHEREAS, the Atlantic County Utilities Authority will provide the Authority on laboratory testing services as specified in the attached; and

WHEREAS, the Atlantic County Utilities Authority, 6700 Delilah Road, Egg Harbor Township, NJ provides such testing services and is willing to assist the Atlantic City Municipal Utilities Authority in such services beginning June 1, 2021 until May 31, 2022; and

WHEREAS, the parties desire hereby to set forth the terms and conditions under which Atlantic County Utilities Authority will serve as a laboratory testing facility for the Atlantic City Municipal Utilities Authority.

NOW THEREFORE BE IT RESOLVED, that the parties hereto in consideration of mutual covenants herein contained and other good and valuable consideration, each intending to be legally bound, hereby agree as follows:

1. Atlantic County Utilities Authority will perform Laboratory Testing Services more fully described in attached Exhibit A.
2. The Atlantic City Municipal Utilities Authority will compensate Atlantic County Utilities Authority for Shared Services for Laboratory Testing Services, in the sum not to exceed \$23,004.00.
3. This Agreement may not be modified and/or amended except by written agreement signed by both parties.
4. This Agreement shall be construed in accordance with and governed by the laws of the State of New Jersey.

BE IT FURTHER RESOLVED, that the Atlantic City Municipal Utilities Authority has caused this Agreement to be duly executed by its authorized representative, and Atlantic County Utilities Authority has caused this Agreement to be duly executed by an authorized party as of the day and year first above written.

Upon Motion, This Resolution was APPROVED as Read

GARY L. HILL, VICE CHAIRMAN/SECRETARY



Atlantic City Municipal Utilities Authority

RESOLUTION

BY ALL MEMBERS OF THE BOARD:

WHEREAS, the Atlantic City Municipal Utilities Authority has indebtedness to the following companies for services rendered;

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority that the following bills are ACKNOWLEDGED and AUTHORIZED TO BE PAID in the amount of FIVE HUNDRED FIVE THOUSAND, FIVE HUNDRED ELEVEN DOLLARS AND EIGHTY SIX EIGHT CENTS. (\$505,511.86); and

BE IT FURTHER RESOLVED, that the Comptroller of the Atlantic City Municipal Utilities Authority hereby certifies as to the availability of funds.

Upon Motion, This Resolution was APPROVED as Read.

GARY L. HILL, VICE CHAIRMAN/SECRETARY



Atlantic City Municipal Utilities Authority

RESOLUTION

BY ALL MEMBERS OF THE BOARD

WHEREAS, N.J.S.A. 10:4-12 allows for a Public Body to go into closed session during a Public Meeting, and

WHEREAS, the Board of the Atlantic City Municipal Utilities Authority "ACMUA" has deemed it necessary to go into closed session to discuss certain matters which are exempt from the Public; and

WHEREAS, the regular meeting of this Board will reconvene at the conclusion of closed session.

NOW, THEREFORE, BE IT RESOLVED that the Board of DIRECTORS of the ACMUA, in the City of Atlantic City, County of Atlantic, and State of New Jersey will go into closed session for the following reason(s) as outlined in N.J.S.A. 10:4-12:

- ☐ Any matter which, by express provision of Federal Law, State Statute or Rule of Court shall be rendered confidential or excluded from discussion of public (Provision _____);
- ☐ Any matter in which the release of information would impair a right to receive funds from the federal government;
- ☐ Any matter the disclosure of which constitutes an unwarranted invasion of individual privacy;
- ☐ Any collective bargaining agreement, or the terms and conditions of which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees for representatives of employees of the public body (Specify contract: negotiations with bargaining units);
- ☐ Any matter involving the purpose, lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed;
- ☐ Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection;
- ☐ Any investigations of violations or possible violations of the law;
- ☐ Any pending or anticipated litigation or contract negotiation in which the public body is or may become a party.
- ☐ Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer (If contract negotiation the nature of the contract and interested party) (Under certain circumstances, if public disclosure of the matter would have a potentially negative impact on the Authority's position in the litigation or negotiation, this information may be withheld until such time that the matter is concluded or the circumstances no longer present a potential impact);
- ☐ Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all individual employees or appointees whose rights could be adversely affected in writing that such matter or matter be discussed at public meeting; Subject to the balancing of the public's interest and the employee's privacy right under South Jersey Publishing, 124 N.J. 478, the employee(s) and nature of discussion is _____;
- ☐ Any deliberation of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party of the suspension or loss of a license or permit belonging to the responding party as a result of an act of omission for which the responding party bears responsibility;

BE IT FURTHER RESOLVED that the DIRECTORS hereby declare that its discussion of the aforementioned subject(s) may be made public at a time when the Solicitor advises the Board that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the ACMUA or any other entity with respect to said discussion.

BE IT FURTHER RESOLVED that the Board, for the aforementioned reasons, hereby declares that the public is excluded from the portion or the meeting during which the above discussion shall take place and here by directs the ACMUA to take the appropriate action to effectuate the terms of this resolution.

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority (ACMUA) will go into Closed Session and will re-convene after closing

Upon Motion, This Resolution was APPROVED as Read.



GARY L. HILL, VICE CHAIRMAN/SECRETARY



Atlantic City Municipal Utilities Authority

RESOLUTION

BY ALL MEMBERS OF THE BOARD:

BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority that the Chairman is hereby authorized to execute and the Vice Chairman/Secretary to attest to the Water Service Agreement by and between the ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY ("Authority"), a Municipal Corporation of the State of New Jersey, and ATLANTICARE HEALTH SERVICES, INC., a New Jersey non-profit corporation with an address of 2500 English Creek Road, Building 500, Egg Harbor Township, New Jersey 08234, for property commonly known as 7 South Ohio Avenue, block 157, Lot 21.04 and will connect to the public water supply system of the Authority for a **Kidney Dialysis Center** in the City of Atlantic City, NJ; and

BE IF FURTHER RESOLVED, that approval is subject to the changes agreed upon by both parties in the Water Service Agreement; and

BE IT FURTHER RESOLVED that a copy of this contract shall be made available in the Office of the Atlantic City Municipal Utilities Authority for public inspection.

UPON MOTION THIS RESOLUTION WAS APPROVED AS READ

GARY L. HILL, VICE CHAIRMAN/SECRETARY



Atlantic City Municipal Utilities Authority

RESOLUTION

BY ALL MEMBERS OF THE BOARD:

BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority that the Chairman is hereby authorized to execute and the Vice Chairman/Secretary to attest to the Water Service Agreement by and between the ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY ("Authority"), a Municipal Corporation of the State of New Jersey, and ATLANTICARE HEALTH SERVICES, INC., a New Jersey non-profit corporation with an address of 2500 English Creek Road, Building 500, Egg Harbor Township, New Jersey 08234, for property commonly known as 7 South Ohio Avenue, block 157, Lot 21.04 and will connect to the public water supply system of the Authority for a **Medical Office Building** in the City of Atlantic City, NJ; and

BE IF FURTHER RESOLVED, that approval is subject to the changes agreed upon by both parties in the Water Service Agreement; and

BE IT FURTHER RESOLVED that a copy of this contract shall be made available in the Office of the Atlantic City Municipal Utilities Authority for public inspection.

UPON MOTION THIS RESOLUTION WAS APPROVED AS READ

GARY L. HILL, VICE CHAIRMAN/SECRETARY



Atlantic City Municipal Utilities Authority

RESOLUTION

BY ALL MEMBERS OF THE BOARD:

WHEREAS, the Atlantic City Municipal Utilities Authority (hereinafter referred to as ("ACMUA")) has the emergent need for "W" Licensed Operators at the Operations Water Distribution Facility; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A: 11-5, the ACMUA has the need to acquire and award a contract for professional services for Water W-4 Licensed Operator Services; and

WHEREAS, Water Resource Management, Inc. provided the attached proposal to the ACMUA for professional services for Licensed Water W-4 Emergency Operator Services on an emergency basis; and

WHEREAS, the ACMUA has agreed to select Water Resource Management, Inc. to provide professional services for Water W-4 Licensed Operator Services; and

WHEREAS, N.J.S.A. 40A: 11-6 provides that advertising may be dispensed in the event of an emergency; and

WHEREAS, the public health, safety or welfare requires the immediate services be provided of Licensed Operational services;

NOW THEREFORE BE IT RESOLVED by the Board of Directors of the Atlantic City Municipal Utilities Authority that Michael Armstrong Executive Director, be AUTHORIZED AND DIRECTED in the ordinary course of Authority business that a contract be and herby awarded to Water Resource Management, Inc. for professional services for the below listed services and associated fees for Water W-4 Licensed Operator Services:

Minimum 35 hrs. per week Licensed W-4 Water Operator services	\$19,400/month
Minimum 20 hrs. per week Licensed W-4 Water Operator Services	\$12,575/month
Overtime hours	\$140/hour

BE IT FURTHER RESOLVED that a Certificate from the Assistant Director of Financing and Accounting of the ACMUA has been attached to this resolution showing the availability of funds and specifying the line item appropriation from the 2021 ACMUA Professional Services Account #01-10-100-591-990, to satisfy the aforesaid emergency service.

Upon Motion This Resolution Was Approved As Read.

GARY L. HILL VICE CHAIRMAN/SECRETARY