

RESOLUTION OF THE CITY OF GLOUCESTER CITY

**RESOLUTION RATIFYING THE AWARD OF THE CONTRACT FOR THE GAC
FILTRATION SYSTEM AND THE CONTRACT FOR THE INSTALLATION OF THE
GAC FILTRATION SYSTEM PURSUANT TO N.J.S.A. 40A:11-5(1)(gg).**

County of Camden, State of New Jersey

#R 178 -2020

WHEREAS, the City of Gloucester City (“City”) required the purchase and thereafter installation of a GAC Filtration System for use as a water filtration system; and

WHEREAS, under the Local Public Contracts law, specifically N.J.S.A. 40A:11-5(1)(gg) the City is permitted to negotiate a contract without public advertising for bids and bidding therefor, and award said contract if the subject matter thereof consists of a contract for the provision of water supply services or wastewater treatment services entered into pursuant to section 2 of P.L.2002, c. 47 (C.40A:11-5.1), or the designing, financing, construction, operation, or maintenance, or any combination thereof, of a water supply facility as defined in subsection (16) of section 15 of P.L.1971, c. 198 (C.40A:11-15) or a wastewater treatment system as defined in subsection (19) of section 15 of P.L.1971, c. 198 (C.40A:11-15), or any component part or parts thereof, including a water filtration system as defined in subsection (16) of section 15 of P.L.1971, c. 198 (C.40A:11-15); and

WHEREAS, via correspondence dated September 15, 2020, High J. Dougherty, PE, CME, of Pennoni Associates, explained that due to the emergent nature and need quickly install and operate Granular Activated Carbon Filter units (“GAC Units”), in order to meet current stringent NJDEP water quality standards for PFOA and PFOS, and to protect the health and safety of the City’s residents, the City authorized purchase of GAC Units from Calgon Carbon Corporation and issued a Purchase Order on April 30, 2020 pursuant to N.J.S.A. 40A:11-5(1)(gg); and

WHEREAS, via correspondence dated September 15, 2020, High J. Dougherty, PE, CME, of Pennoni Associates, further explained that Pennoni Associates negotiated quotes as permitted under N.J.S.A. 40A:11-5(1)(gg) for the installation of the GAC Units and determined that Municipal Maintenance Company was uniquely qualified to provide the necessary construction phase services for the installation of GAC Units and thereafter, in order to meet the emergent nature and need to quickly install the GAC Units to meet current stringent NJDEP water

quality standards for PFOA and PFOS, and to protect the health and safety of the City's residents, entered into a contract with Municipal Maintenance Company on July 30, 2020; and

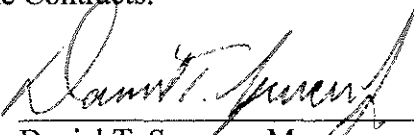
WHEREAS, the City Engineer and Superintendent of the City's Environmental Utilities/Water & Sewer Department had reviewed the quotation and recommend the award of the above referenced contracts; and

WHEREAS, the City Administrator, Mayor and Common Council of the City of Gloucester City concur with the above recommendations and desire formally ratify the award the above referenced contracts; and

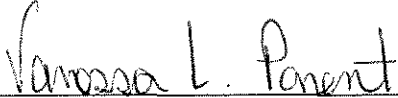
WHEREAS, via correspondence dated April 17, 2020 and September 10, 2020, the City Solicitor provided a legal opinion that the contract for GAC Filtration System and its installation did fall under the exception to bidding as provided within N.J.S.A 40A:11-5(1)(gg) and the actions of the City were consistent with New Jersey law in light of the emergent nature of the situation.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Gloucester City, County of Camden, State of New Jersey as follows:

1. The provisions of the **WHEREAS** clauses set forth above are incorporated herein by reference and made a part hereof.
2. The contracts for the purchase of GAC Units between the City of Gloucester City and Calgon Carbon Corporation and for the installation of the GAC Units between the City of Gloucester City and Municipal Maintenance Company are formally ratified pursuant to N.J.S.A. 40A:11-5(1)(gg).
3. The Mayor, City Administrator and/or their designees are hereby directed to take any and all steps necessary to ratification of the award aforementioned contracts.
4. Funds are available for payment of the Contracts.


Daniel T. Spencer, Mayor
City of Gloucester City

Passed by the Mayor and Common Council of the City of Gloucester this 24th day of Sept., 2020.


Vanessa L. Parent, City Clerk