

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

NOTICE

The next Regular Meeting of the Northwest Bergen County Utilities Authority will be held on Wednesday, November 9, 2016 immediately following the Work Session at 7:00pm, in the offices of the Authority located at 30 Wyckoff Avenue, Waldwick, New Jersey.

November 4, 2016

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

REGULAR MEETING

November 9, 2016

1. Meeting called to Order.
2. Chairman's statement in accordance with C. 231, PL 1975.
3. Roll Call.
4. Salute to the Flag.
5. Chairman's Remarks.
6. Approval of Minutes – Regular Meeting – October 18, 2016
Special Meeting – October 18, 2016
Special Meeting – Public Hearing – October 18, 2016
7. Public Comments (any subject).
8. Consideration for approval list of Resolutions attached dated November 9, 2016.
9. Report of Committees:
 - a. Finance Committee
 - b. Personnel Committee
 - c. Insurance Committee
 - d. Operating Committee
 - e. Strategic Plan Subcommittee
 - f. Buildings and Grounds Committee
 - g. Safety and Security Committee
 - h. Intellectual Technology Committee
10. Report of Treasurer.
11. Report of Counsel.
12. Report of Engineer.
13. Report of Executive Director
14. Report of Superintendent
15. Old Business
16. New Business
17. Public Comments (on subjects 5 through 16).
18. Adjournment.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

LIST OF RESOLUTIONS

REGULAR MEETING

November 9, 2016

RESOLUTIONS

- 85-2016 Approval of Vouchers, Payroll and Tax Deposits
- 86-2016 Resolution of the Northwest Bergen County Utilities Authority Concerning the Review of Findings and Recommendations of the Local Finance Board Pursuant to NJSA 40A:5A-7 relating to the Hearing held by the Local Finance Board in Connection with the Issuance of the Authority's Not to Exceed \$4,000,000 Utility System Revenue Refunding Bonds, 2016 Series A
- 87-2016 Resolution Authorizing the Authority to Enter into an Agreement with the Borough of Midland Park to Share the Cost of Resurfacing a Portion of Woodside Avenue, Midland Park, NJ
- 88-2016 Resolution amending an Agreement to Provide Engineering Services with Chavond Barry Engineering Corp.
- 89-2016 Approval of Change Order No. 8 – Contract No. 268 – Incinerator Emissions Upgrade Project

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 85-2016

Date: November 9, 2016

APPROVAL OF VOUCHERS, PAYROLL TRANSFERS, PAYROLL TAX DEPOSITS AND PENSIONS & BENEFITS TRANSFERS

WHEREAS, the Northwest Bergen County Utilities Authority has received vouchers in claim for payment of materials supplied and/or rendered; and

WHEREAS, the said vouchers have been reviewed and the amount indicated on each voucher has been determined to be due and owing; and

WHEREAS, the Northwest Bergen County Utilities Authority has made payroll transfers, payroll tax deposits and Pensions & Benefits transfers for the month of October 2016 and Health Benefits and Dental Benefits transfers for November 2016; and

WHEREAS, the Commissioners of the Authority have reviewed the vouchers, payroll transfers, payroll tax deposits, Pensions and Benefits, and Health and Dental Benefits transfers listing on the attached reports and have found them to be in order.

NOW, THEREFORE, BE IT RESOLVED,

RESOLVED, by the Commissioners of the Northwest Bergen County Utilities Authority, that all vouchers, payroll transfers, payroll tax deposits, Pensions & Benefits and Health and Dental Benefits transfers listed and reports attached hereto, dated November 9, 2016 be and they hereby are approved for payment from the proper accounts as follows:

ACCOUNT: Payroll Account
Net Payroll: \$192,699.75

ACCOUNT: Tax Deposit Account
Total: \$91,360.28

ACCOUNT: Health Benefits Contribution Employer
Total Transfer: \$108,144.26

ACCOUNT: Health Benefits Contribution Employee
Total: \$13,362.15

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 85-2016

Date: November 9, 2016

APPROVAL OF VOUCHERS, PAYROLL TRANSFERS, PAYROLL TAX DEPOSITS AND PENSIONS & BENEFITS TRANSFERS

ACCOUNT: Dental Benefits
Total Transfer: \$4,056.73

ACCOUNT: PERS and Contributory Insurance
Total Transfer: \$32,577.10

ACCOUNT: Defined Contribution Retirement Program – Employer
Total Transfer: \$12.50

ACCOUNT: Defined Contribution Retirement Program – Employee
Total Transfer: \$22.92

ACCOUNT: Operating Account
Total: \$297,650.45

ACCOUNT: General Improvement Account
Total: \$153,856.27

ACCOUNT: 2015 WWT Project Account
Total: \$44,503.80

SECRETARY

CHAIRMAN

	Bonagura	Danubio	DaPuzzo	DePhillips	Gabbert	Kasparian	Kelaheer	Plumley	Chewcaskie
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 86-2016

Date: November 9, 2016

**RESOLUTION OF THE NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY
CONCERNING THE REVIEW OF FINDINGS AND RECOMMENDATIONS OF THE
LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:5A-7 RELATING TO THE
HEARING HELD BY THE LOCAL FINANCE BOARD IN CONNECTION WITH THE
ISSUANCE OF THE AUTHORITY’S NOT TO EXCEED \$4,000,000 UTILITY SYSTEM
REVENUE REFUNDING BONDS, 2016 SERIES A**

WHEREAS, the findings and recommendations issued by the Local Finance Board, Division of Local Government Services, Department of Community Affairs, State of New Jersey (the “Local Finance Board”), held on August 10, 2016, on the project financing of the Northwest Bergen County Utilities Authority (the “Authority”) have been filed with the Secretary of the Authority, and a copy has been received by each member of the governing body; and

WHEREAS, N.J.S.A. 40A:5A-7 requires that the governing body of the Authority, within 45 days of receipt of the Local Finance Board's findings and recommendations on the proposed project financing, shall certify by resolution to the Local Finance Board that each member thereof has personally reviewed the findings and recommendations; and

WHEREAS, each member of the governing body of the Authority has personally reviewed each of the Local Finance Board's findings and recommendations on the proposed project financing as evidenced by the attached group affidavit of the governing body; and

WHEREAS, failure to comply with this requirement may subject the members of the Authority to the penalty provisions of N.J.S. 52:27BB-52;

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Northwest Bergen County Utilities Authority hereby states that it has complied with the requirements of N.J.S. 40A:5A-7 and does hereby direct the Secretary of the Authority to submit a certified copy of this resolution and the required affidavit to the Local Finance Board to evidence said compliance.

CHAIRMAN

SECRETARY

	Bonagura	Danubio	DaPuzzo	DePhillips	Gabbert	Kasparian	Kelahr	Plumley	Chewcaskie
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									

I hereby certify the above to be a true copy of the Resolution adopted by the Northwest Bergen County Utilities Authority at a meeting held on November 9, 2016.

Alison Gordon, Secretary

GROUP AFFIDAVIT FORM

CERTIFICATION OF GOVERNING BODY

State of New Jersey
County of Bergen

We, the members of the governing body of the Northwest Bergen County Utilities Authority of full age, being duly sworn according to law, upon our oath depose and say:

1. We are duly appointed members of the Northwest Bergen County Utilities Authority.
2. We certify that, pursuant to N.J.S.A. 40A:5A-7, we have personally reviewed the August 10, 2016 findings and recommendations of the Local Finance Board on the proposed issuance of Utility System Revenue Refunding Bonds, 2016 Series A (the “2016 Obligations”) by Northwest Bergen County Utilities Authority in order to (a) refund certain of the Authority’s Utility System Revenue Bonds, 2009 Series A and (b) pay or repay certain costs and expenses to be incurred by the Authority in connection with the authorization, issuance and delivery of the 2016 Obligations.

BRIAN CHEWCASKIE, CHAIRPERSON

MICHAEL KASPARIAN, VICE CHAIRPERSON

DENNIS BONAGURA, MEMBER

JOHN DANUBIO, MEMBER

JOHN DAPUZZO, MEMBER

CHRISTOPHER DEPHILLIPS, MEMBER

KENNETH GABBERT, MEMBER

FRANK KELAHER, MEMBER

MARION PLUMLEY, MEMBER

Sworn to and subscribed before me
This 9th day of November, 2016

Notary Public of the State of New Jersey

The Secretary of the Authority shall set forth the reason for the absence of signature of any members of the governing body.

This affidavit must be sent to the Division of Local Government Services, CN 258, Trenton, N.J. 08625 within 45 days of receipt of the Local Finance Board's findings and recommendations on the proposed project financing.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 87-2016

Date: November 9, 2016

RESOLUTION AUTHORIZING THE AUTHORITY TO ENTER INTO AN AGREEMENT WITH THE BOROUGH OF MIDLAND PARK TO SHARE THE COST OF RESURFACING A PORTION OF WOODSIDE AVENUE, MIDLAND PARK, NEW JERSEY

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq. authorizes public entities to enter into contracts to share services which the entities are empowered to provide or receive within their own jurisdictions, including services incidental to the primary purposes of any participating public entities; and

WHEREAS, the Northwest Bergen County Utilities Authority (the “Authority”) and the Borough of Midland Park (the “Borough”) wish to enter into a shared services agreement to resurface a portion of Woodside Avenue in the Borough (the “Project”); and

WHEREAS, the Authority issued specifications and solicited bids for the Project, in accordance with the New Jersey Local Public Contract Laws and Regulations; and

WHEREAS, five proposals were submitted in response to the Authority’s solicitation; and

WHEREAS, Crossroads Pavement Maintenance LLC (“Crossroads”) submitted the lowest bid proposal to complete the Project; and

WHEREAS, Crossroads’ bid proposal has been reviewed by the Authority’s legal counsel and engineer for compliance with the New Jersey Local Public Contract Laws and Regulations and the Authority’s specifications; and

WHEREAS, the Authority authorized the award of a contract to Crossroads Pavement Maintenance LLC in the amount of \$108,393.00 to provide the resurfacing work specified in the Authority’s specifications and Crossroad’s bid proposal, provided however that the Authority and the Borough reach agreement on the attached shared services agreement; and

WHEREAS, the Authority now wishes to enter into the attached agreement with the Borough, whereby the Authority will pay sixty percent (60%) of the \$108,393.00 cost of the Project, and the Borough will pay forty percent (40%) of the \$108,393.00 cost of the Project; and

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Northwest Bergen County Utilities Authority, as follows:

1. The aforesaid recitals are incorporated herein as though fully set forth at length.

**SHARED SERVICE AGREEMENT FOR
WOODSIDE AVENUE RESURFACING PROJECT**

This Agreement made this 24th day of October, 2016, by and between:

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY (hereafter referred to as the "Authority"), with offices located at 30 Wyckoff Avenue, Waldwick, New Jersey 07463, and

BOROUGH OF MIDLAND PARK (hereafter referred to as the "Borough"), a Municipal Corporation of the State of New Jersey, with offices at 280 Godwin Avenue, Midland Park, New Jersey 07432.

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq. authorizes public entities to enter into contracts to shared services which the entities are empowered to provide or receive within their own jurisdictions, including services incidental to the primary purposes of any participating public entities; and;

WHEREAS, the Authority and the Board desire to mill, resurface, and re-stripe Woodside Avenue in the Borough (hereafter referred to as the "Project") in accordance with the terms and conditions set forth; and

WHEREAS, the Authority and the Board wish to share the costs of the milling, resurfacing, re-striping and related undertakings as set forth in this Agreement, and in the attached specifications, plans, and proposal from Crossroads Pavement Maintenance, LLC (hereafter referred to as "Crossroads"); and

WHEREAS, both the Authority and the Borough have adopted or will adopt a Resolution pursuant to the provisions of the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq. authorizing the execution of the within Agreement; and

NOW, THEREFORE, the parties hereto do agree as follows:

1. SERVICES TO BE PERFORMED:

The Authority and the Borough have agreed on a design for the Project and on the attached plans and technical specifications which were used to solicit bids pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.

Crossroads submitted the lowest bid and was selected by the Authority, with approval from the Borough, to perform the work necessary to complete the Project in accordance with the terms and conditions set forth in the attached plans, specifications and proposal from Crossroads.

2. STANDARDS AND PERFORMANCE

The Authority shall be responsible for the award of a contract to Crossroads in accordance with the Local Public Contracts Law cited above and the approval of any change orders to the contract.

The contract between the Authority and Crossroads shall be for the benefit of the Authority and the Borough.

In performing the work necessary to complete the Project, Crossroads shall follow all directives of the Authority. Crossroads shall abide by all applicable Authority policies and regulations.

The contract between the Authority and the Borough shall require that the Authority and the Borough be named as additional insureds on any and all required insurance policies.

The Authority shall secure all necessary governmental approvals and permits for the Project, and shall administer all contracts associated with the Project. This shall

include, but not be limited to, supervision of work, contract management, inspections and the review and approval of all vouchers. The Authority shall also submit any and all change orders to the contract for the completion of the Project and shall present such change orders to the Borough for approval. No change order shall be authorized without the authorization of the Authority and the Borough.

3. COSTS AND PAYMENT

The Authority agrees to 60% of the costs associated with completing the Project. The Borough agrees to pay remaining 40% of the Project's costs. Crossroad's submitted a bid of \$108,393.00 to complete the project. Absent change orders, the Authority will be responsible for paying \$69,208.00 of the aforementioned price. Absent change orders, the Borough will be responsible for paying \$39,185.00 of the aforementioned price.

4. MAINTENANCE AND FUTURE REPLACEMENT

The Borough shall be responsible for the maintenance of the resurfaced portions of Woodside Avenue, and shall also be solely responsible for any future milling, re-surfacing or re-striping work on Woodside Avenue that may be necessary in the future.

5. INDEMNIFICATION AND INSURANCE

The Authority assumes all liability for, and agrees to indemnify and hold the BOROUGH and its agents, servants, employees, guests, licensees and invitees, harmless against any and all claims, losses, damages, injuries and expenses, arising out of, resulting from, or incurred in its agents, servants or employees related to the performance of the Authority's obligations under the terms of this Agreement. The

Borough assumes all liability for, and agrees to indemnify and hold the Authority and its agents, servants, employees, guests, licensees and invitees, harmless against any and all claims, losses, damages, injuries and expenses, arising out of, resulting from, or incurred in connection with any acts or omissions by the Borough, its agents, servants or employees related to the performance of the Borough's obligations under the terms of this Agreement.

6. EFFECTIVE DATE

The term of this Agreement shall commence on the date upon which both parties have executed the Agreement.

7. APPROPRIATIONS

Each of the parties to this Agreement agrees to fully fund its obligations pursuant to the terms of this Agreement and to make such budget appropriations and adopt such Ordinances or Resolutions as are reasonably necessary pursuant to the laws of the State of New Jersey.

8. COMPLIANCE WITH LAWS

Each party agrees to comply with such statutes, rules, laws and regulations as may be applicable during the term of this Agreement.

9. EXECUTION IN COUNTERPART

This Agreement may be executed in counterpart, the integration of all signature pages constituting the final agreement hereto.

10. MODIFICATION

This Agreement may only be modified by an instrument signed by both parties.

11. WAIVER

No waiver by either party of any term or condition of this Agreement shall be deemed or construed to constitute a waiver of any other provision, whether of the same or different provision of this Agreement. Neither party may waive any of its rights or any obligations of the other party or any provision of this Agreement except by an instrument signed in writing by both parties.

12. SEVERABILITY

If any provision of this Agreement is held to be illegal, invalid or unenforceable, the remaining provisions of this Agreement shall remain in full force and effect.

13. GOVERNING LAW

This Agreement shall be governed and interpreted in accordance with the laws of the State of New Jersey.

14. ASSIGNMENT

Neither party may transfer or assign any rights or obligations under this Agreement without the prior written consent of the other party.

IN WITNESS WHEREOF, the parties hereto have, through appropriate officials, signed and sealed this Agreement on the 27 day of October, 2016.

ATTEST: Adeline M. Hanna
Adeline M. Hanna, Administrator

Harry Shortway Jr.
Harry Shortway Jr., Mayor

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 88-2016

Date: November 9, 2016

RESOLUTION AMENDING AN AGREEMENT TO PROVIDE ENGINEERING SERVICES WITH CHAVOND BARRY ENGINEERING, CORP.

WHEREAS, by Resolution No. 85-2014 dated October 21, 2014, the Northwest Bergen County Utilities Authority (“Authority”) entered into a professional service agreement with Chavond Barry Engineering Corp. (the “Engineering Firm”); and

WHEREAS, pursuant to that professional service agreement the Engineering Firm was to perform engineering services necessary for construction administration and field inspection for Contract No. 268 – Incinerator Emissions Upgrade Project; and

WHEREAS, due to Engineering Firm’s ongoing services, specifically additional construction administration and field inspection services required for the remaining work, which includes the final phases of start-up, testing of the equipment and system integration, the Authority by Resolution No. 54-2016 dated June 21, 2016 amended the contract term regarding compensation to increase the cap from \$450,000 to \$650,000; and

WHEREAS, the Engineering Firm has advised the Authority that there is a need to amend the contract term regarding compensation, increasing the cap from \$650,000 to \$789,911 which is necessary to complete construction review and supervision during the final phases of startup and testing of the mercury adsorber unit on both incinerators; and

WHEREAS, a contract for said services may be awarded without competitive bidding as a “professional service” in accordance with N.J.S.A. 40A:11-2(6) and 40A:11-5(1)(a)(i) of the Local Public Contracts Law because the contract is for a service performed by persons authorized by law to practice a recognized profession, whose practice is regulated by law, and the performance of which services requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study.

NOW, THEREFORE, BE IT RESOLVED by the Authority’s Board of Commissioners, that:

1. The aforesaid recitals are incorporated herein as though fully set forth at length.
2. Section 2.1.3 of the Agreement is amended to reflect a budget for the services provided by the Engineering Firm of \$789,911.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 88-2016

Date: November 9, 2016

RESOLUTION AMENDING AN AGREEMENT TO PROVIDE ENGINEERING SERVICES WITH CHAVOND BARRY ENGINEERING, CORP.

3. The Chairman, Vice Chairman, Executive Director, Secretary and any other necessary Director, officer or official of the Authority are hereby authorized to execute any and all documents and to take any and all actions necessary to complete and realize the intent and purpose of this Resolution.
4. This Resolution shall be effective immediately.

ADOPTED: November 9, 2016

I hereby certify that this is a true copy of a resolution adopted by the Northwest Bergen County Utilities Authority upon a roll call vote of all Commissioners of the Authority eligible to vote at a regular meeting held on November 9, 2016.

BRIAN CHEWCASKIE
CHAIRMAN

ALISON GORDON
SECRETARY

	Bonagura	Danubio	DaPuzzo	DePhillips	Gabbert	Kasparian	Kelahr	Plumley	Chewcaskie
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

NO. 89-2016

DATE: November 9, 2016

**APPROVING CHANGE ORDER NO. 8 FOR
CONTRACT #268
INCINERATOR EMISSIONS UPGRADE PROJECT**

WHEREAS the Northwest Bergen County Utilities Authority (the “Authority”) awarded Contract No. 268 – Incinerator Emissions Upgrade Project (“the Project”) to Tomar Construction, LLC (“the Contractor”) on February 17, 2015; and

WHEREAS in order to be compliant with the current wind code, the Contractor has requested certain changes to the Project as more particularly set forth in Change Order No. 8 attached hereto (“the Change Order”); and

WHEREAS the Authority’s Engineer has reviewed the Contractor’s proposed Change Order and determined that the Change Order is necessary for the providing of a mineral cap sheet over top of the specified 3-ply BUR Roofing system; and

WHEREAS the Authority’s Engineer has recommended that the Change Order be approved by the Authority; and

WHEREAS the increase in the total cost of the Project as a result of this Change Order is **\$15,522.38** and results in a zero calendar day increase of contract time; and

WHEREAS the Authority’s staff has indicated that the Authority has sufficient funds to pay the Contractor for the Change Order; and

WHEREAS the Commissioners of the Authority have determined that the Change Order should be approved; and

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Authority that Change Order No. 8, to Authority Contract No. **268**, is approved; and be it

FURTHER RESOLVED by the Commissioners of the Authority that the Authority’s Engineer is directed to coordinate and oversee the work consistent with all other work on the Project; and be it

FURTHER RESOLVED that the Commissioners of the Authority direct that processing of payment to the Contractor for the Change Order be in accordance with the payment procedures of Contract No. 268.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

NO. 89-2016

DATE: November 9, 2016

**APPROVING CHANGE ORDER NO. 8 FOR
CONTRACT #268
INCINERATOR EMISSIONS UPGRADE PROJECT**

IT IS HEREBY CERTIFIED that this is a true copy of a Resolution adopted by the Authority upon a roll call vote of all Commissioners of the Authority eligible to vote at the meeting held on **November 9, 2016**.

SECRETARY

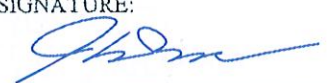
CHAIRMAN

	Bonagura	Danubio	DaPuzzo	DePhillips	Gabbert	Kasparian	Kelaheer	Plumley	Chewcaskie
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									

CONTRACT MODIFICATION PROPOSAL AND ACCEPTANCE

1. ISSUING OFFICE Northwest Bergen County Utilities Authority	2. PROJECT NO. S-340700-12	3. CONTRACT NO. 268	4. MODIFICATION NO. 008	
5. TO (CONTRACTOR) Tomar Construction, llc 18 Connerty Court East Brunswick, NJ 08816		6. PROJECT LOCATION AND DESCRIPTION Incinerator Emissions Upgrade Project Northwest Bergen County Utilities Authority Borough of Waldwick, Bergen County		
7. A proposal is required for making the hereinafter described change in accordance with specification and drawing revisions cited herein or listed in attachment hereto. Submit your proposal in space indicated on page 2, attach detailed breakdown of prime and sub-contract costs (See the clause of this contract entitled, "Changes". DO NOT start work under this proposed change until you receive a copy signed by the Contracting Officer or a directive to proceed).				
Date	Type Name and Title	Signature		
8. DESCRIPTION OF CHANGE: Pursuant to the clause of this contract covering changes, the contractor shall furnish all labor and material, and all work necessary to accomplish the following described work: In order to be compliant with the current wind code, a mineral cap sheet over top of the specified 3-ply BUR roofing system will be provided.				
As a result of the above, the contract price is revised as follows:				
<u>ITEM NO.</u>	<u>ITEM DESCRIPTION</u>	<u>UNIT PRICE</u>	<u>ESTIMATED QUANTITY</u>	<u>TOTAL COST</u>
001	Change in roofing top/final coat	\$15,522.38		
TOTAL COST OF THIS MODIFICATION \$ <u>15,522.38</u>				
The contract time is hereby: increase <input type="checkbox"/> decrease <input type="checkbox"/> or remains the same <input checked="" type="checkbox"/> by <u>zero</u> calendar days as a result of this modification.				
The foregoing modification is hereby accepted:				
Tomar Construction, llc <u>CONTRACTOR</u>	NBCUA <u>OWNER</u>	(NJPE SEAL) <u>Chavond-Barry Engineering</u> <u>ENGINEER</u>		
BY: <u>[Signature]</u>	BY: _____	BY: <u>[Signature]</u>		
DATE: <u>10/10/2016</u>	DATE: _____	DATE: <u>10/28/2016</u>		
APPROVAL:				
STATE OF NEW JERSEY		DATE		

CONTRACT MODIFICATION PROPOSAL AND ACCEPTANCE

9. ISSUING OFFICE Northwest Bergen County Utilities Authority	10. PROJECT NO. S-340700-12	11. CONTRACT NO. 268	12. MODIFICATION NO. 008
13. CONTRACTOR'S PROPOSAL -- CHANGE IN CONTRACT PRICE (Detailed breakdown, attach additional sheets as necessary)			
(Proposed)			
<p>Due to recent wind load changes in certain areas in NJ, it was discovered that the NBCUA facility in Waldwick NJ is geographically within the wind code zone that would not allow the flood and gravel surface. So in order to be compliant with the code and provide the NBCUA with a quality roof system that meets the warranty requirements of the contract, following discussions between the A/E and Garland, it was decided to use a mineral cap sheet over top of the 3-ply BUR. This mineral cap sheet is code compliant and will provide the NBCUA with a 30 year (15+15) NDL manufacturer's warranty.</p> <p>Three existing Fans on upper existing roof are to be removed, curbs raised and capped.</p> <p>Supporting documentation attached:</p> <ul style="list-style-type: none"> - RFI #089: Roofing Top Coat Change - RFI #090: Existing Curb Height - Tomar Quotation for \$15, 522.38 - L.R. Watts & Son Roofing and Construction, Inc. change order #1 document dated August 17, 2016 			
NET INCREASE \$ <u>15,522.38</u>	NET DECREASE \$ <u>0.00</u>	CALENDER DAYS INCREASE <u>zero</u> DAYS	
DATE: 10/10/2016	TYPE NAME AND TITLE: Thomas G Mottackal		SIGNATURE: 

CONTRACT MODIFICATION PROPOSAL AND ACCEPTANCE

14. ISSUING OFFICE & PROJECT NO. S-340700-12 Northwest Bergen County Utilities Authority	15. CONTRACT NO. 268	16. MODIFICATION NO. 008
17. ORIGINAL CONTRACT BID PRICE \$ <u>5,948,000.00</u> TOTAL OF PREVIOUS CHANGE ORDERS \$ <u>302,201.78</u> TOTAL CONTRACT COST INCLUDING CHANGE ORDERS ... \$ <u>6,265,724.16</u>		
18. NECESSITY FOR CHANGE AND REASON FOR OMISSION FROM PLANS AND SPECIFICATIONS: Due to recent wind load changes in certain areas in NJ, it was discovered that the NBCUA facility in Waldwick NJ is geographically within the wind code zone that would not allow the specified flood and gravel surface. In order to be compliant with the code a code compliant mineral cap sheet over top of the 3-ply BUR will be provided.		
19. OTHER IMPACTS RESULTANT OF THIS CHANGE: The the Structural Engineer (T&M), and the Architect (BLDG Architecture) reviewed the Contractor's proposal, and aided in the development and submission of the change order. This work has no direct impact upon other contractors.		
20. RESUME OF NEGOTIATIONS OR RECOMMENDATIONS (Loanee's Representative) : In order to ensure the Authority was receiving a "fair and reasonable" price, the contract changes were reviewed by the Authority, the Structural Engineer (T&M), and the Architect (BLDG Architecture).		
DATE: 10/28/2016	TYPE NAME AND TITLE OF LOANEE'S REPRESENTATIVE: Christopher Doelling, CBE	SIGNATURE: 