

RESOLUTION No. 22-089

Date of Adoption MAR 03 2022

Approved as to Form and Legality

Factual content certified by


Wesley Bridges, City Attorney


Mark Lavenberg, Director, Department of Water and Sewer

Councilman /woman _____

presents the following Resolution:

RESOLUTION AUTHORIZING PAYMENT TO PACT TWO, LLC, FOR EMERGENCY WORK PERFORMED FOR THE CITY OF TRENTON, TRENTON WATER WORKS, IN THE AMOUNT OF \$74,547.79

WHEREAS, on September 9, 2021, the City of Trenton, Department of Water and Sewer ("Trenton Water Works" or "TWW") determined that the existing Raw Water Intake at the Water Filtration Plant had become partially blocked by sediment/ gravel, and as a result, the travelling screens had sustained damage; and

WHEREAS, the sediment/ gravel had accumulated in the intake structure over many years; and

WHEREAS, the blockage resulted in reduction of the Plant's production capability, and therefore needed to be removed immediately in order to avoid system-wide impacts; and

WHEREAS, Pact Two, LLC ("Pact Two") was already on-site and in the process of upgrading the Raw Water Intake; and

WHEREAS, TWW Staff declared an emergency and requested assistance from Pact Two on a time and material basis in removing the sediment/ gravel so that the travelling screens could be repaired and returned to full operation (See Exhibit A, Emergency Procurement Form and Exhibit B, Emergency Certification); and

WHEREAS, the repair work needed to be performed underwater by divers; and

WHEREAS, while the repair work was underway, TWW maintained water service to the system by withdrawing water from the Pennington Reservoir; and

WHEREAS, on September 11, 2021, TWW was preparing to open an Emergency Interconnection with New Jersey American Water because the reservoir was approaching a critical low level; and

WHEREAS, divers were able to identify and remove a blockage within the Raw Water Intake, and once it was removed, production increased to the extent that the Emergency Interconnection was not opened; and

WHEREAS, the amount of payment due the contractor is \$74,547.79 (See Exhibit C, Invoice, first page), and the funds have been certified to be available in account number: CY-2022, 2-05-55-5500-899; and

RESOLUTION

NOW, THEREFORE, IT IS RESOLVED by the City Council of the City of Trenton, in the County of Mercer as follows:

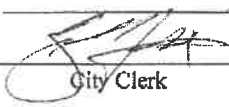
1. The Mayor is hereby authorized to execute payment in an amount not to exceed \$74,547.79 to Pact Two, LLC, P.O. Box 74, Ringoes, New Jersey, 08551, for Raw Water Intake sediment removal.
2. This contract was awarded without competitive bidding as an emergency pursuant to N.J.S.A. 40A:11-6 of the Local Public Contracts Law.
3. A notice of this action shall be printed once in the official newspaper for the City of Trenton, and the Resolution and contract shall remain on file in the City Clerk's office.
4. The Emergency Procurement Report shall be filed with the Director of the Division of Local of Government Services within 30 days pursuant to N.J.S.A. 19:44A-20.12.

	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent
CALDWELL	<input checked="" type="checkbox"/>				RODRIGUEZ	<input checked="" type="checkbox"/>				MCBRIDE	<input checked="" type="checkbox"/>			
WILSON	<input checked="" type="checkbox"/>													
HARRISON	<input checked="" type="checkbox"/>				VAUGHN	<input checked="" type="checkbox"/>								
MUSCHAL	<input checked="" type="checkbox"/>				WILKINS	<input checked="" type="checkbox"/>								

This Resolution was adopted at a Meeting of the City Council of the City of Trenton on

3/3/2022

President of Council



City Clerk

**AGREEMENT
RESOLUTION # 22-089
EMERGENCY PAYMENT PERFORMED ON RAW WATER INTAKE AT THE WATER FILTRATION PLANT
ISSUED TO PACT TWO, LLC**

THE AGREEMENT made this 17TH day of FEBRUARY 2022, by and between the **CITY OF TRENTON**, a municipal corporation, of the State of New Jersey, with principal offices located at **319 EAST STATE STREET, TRENTON, NEW JERSEY 08608** (hereinafter the "City") and **PACT TWO, LLC, P.O. BOX 74, RINGOES, NEW JERSEY 08551** (hereinafter "CONTRACTOR")

WHEREAS, on September 9, 2021, the City of Trenton, Department of Water and Sewer ("Trenton Water Works" or "TWW") determined that the existing Raw Water Intake at the Water Filtration Plant had become partially blocked by sediment/gravel, and as a result, the traveling screens had sustained damaged; and

WHEREAS, the sediment/gravel had accumulated in the intake structure over many years; and

WHEREAS, the blockage resulted in reduction of the Plant's production capability, and therefore needed to be removed immediately in order to avoid system-wide impacts; and

WHEREAS, Pact Two, LLC ("Pact Two") was already on-site and in the process of upgrading the Raw Water Intake; and

WHEREAS, TWW Staff declared an emergency and requested assistance from Pact Two and a time on material basis in removing the sediment/gravel so that the traveling screens could be repaired and returned to full operation (See Exhibit A, Emergency Procurement Form and Exhibit B, Emergency Certification); and

WHEREAS, the repair work needed to be performed underwater by divers; and

WHEREAS, while the repair work was underway, TWW maintained water service to the system by withdrawing water from the Pennington Reservoir; and

WHEREAS, on September 11, 2021, TWW was preparing to open an Emergency Interconnection with New Jersey American Water because the reservoir was approaching a critical low level; and

WHEREAS, divers were able to identify and remove a blockage within the Raw Water Intake, and once it was removed, production increased to the extent that the Emergency Interconnection was not opened; and

NOW THEREFORE, the parties mutually agree as follows:

1. The amount of the agreement shall be in an amount not to exceed \$74,547.79 awarded to Pact Two, LLC, P.O. Box 74, Ringoes, New Jersey 08551 for Raw Water Intake sediment removal for the City of Trenton, Department of Water and Sewer, Trenton Water Works.
2. The Mayor is hereby authorized to execute an emergency payment in an amount not to exceed \$74,547.79 to Pact Two, LLC, P.O. Box 74, Ringoes, New Jersey for Raw Water Intake sediment removal for the City of Trenton, Department of Water and Sewer, Trenton Water Works for the said purposes in the manner prescribed by law.

IN WITNESS WHEREOF, the parties have hereunto set their bands and seals the day and year first above written.

ATTEST:

CITY OF TRENTON

Witness:


Brandon L. Garcia, RMC
MUNICIPAL CLERK

W. REED GUSCIORA
MAYOR

DATE

3/24/22

DATE



PACT TWO
P.O. BOX 74
RINGOES, NEW JERSEY 08551