

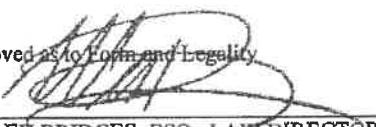
RESOLUTION

No.

23-229

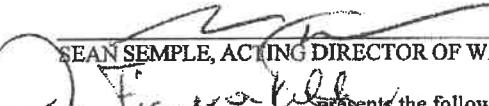
Date of Adoption MAY 14 2023

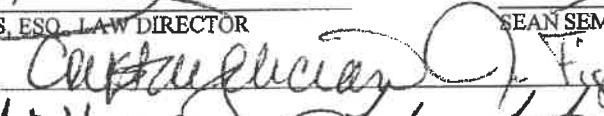
Approved as to Form and Legality


WESLEY BRIDGES, ESO, LAW DIRECTOR

Councilman /woman

Factual content certified by


SEAN SEMPLE, ACTING DIRECTOR OF WATER AND SEWER


presents the following Resolution:


**RESOLUTION AUTHORIZING PAYMENT TO DEWCON, INC. FOR
EMERGENCY WORK INVOLVING THE INSTALLATION OF A
FLANGED CHECK VALVE THAT WAS INSTALLED IN A 30" MAIN
LOCATED NEAR THE PENNINGTON ROAD GATEHOUSE IN THE
AMOUNT OF \$247,701.86**

WHEREAS, on August 8, 2022, the City of Trenton, Department of Water and Sewer ("Trenton Water Works" or "TWW"), determined that there was an immediate need to replace a check valve which had failed within a TWW main located at Pennington and Mellon Streets (See Exh. A, Semple Certification); and

WHEREAS, the purpose of a check valve is to prevent orthophosphate from entering the Reservoir; and

WHEREAS, orthophosphate is added to the distribution system from the Central Pumping Station in order to prevent lead from leaching into the water supply; and

WHEREAS, orthophosphate contains phosphorous, and phosphorous promotes algae growth and bacteria; and

WHEREAS, in order to prevent phosphorous from entering the water system, TWW stopped dosing the water with orthophosphate prior to the check valve being replaced; and

WHEREAS, the repair needed to be made as quickly and efficiently as possible because orthophosphate is essential for preventing lead from leaching inside the pipes; and

WHEREAS, if the repair was not made, municipal customers located in the "gravity-zone" of the Central Processing System would eventually experience higher levels of lead in their water; and

WHEREAS, the contractor that performed the work, Dewcon, Inc. had the necessary experience and expertise to replace the check valve; and

WHEREAS, prior to performing replacement of the check valve, an obstruction in a nearby Butterfly valve was discovered and needed to be removed; and

WHEREAS, Dewcon isolated the line with a 30" diameter line stop, then cut the line and removed the obstruction; and

RESOLUTION

WHEREAS, Dewcon was then able to replace the check valve; and

WHEREAS, the entire process was concluded on December 12, 2022 (See Exhibit B, Invoice dated 1-24-2023)

WHEREAS, the amount of the payment due to the contractor is \$247,701.86 and funds have been certified to be available in 2-05-55-5500-899.

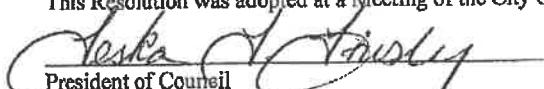
NOW, THEREFORE, IT IS RESOLVED, by the City Council of the City of Trenton, in the County of Mercer as follows:

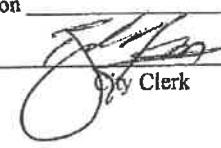
1. The Mayor is hereby authorized to execute payment in an amount not to exceed \$247,701.86 to Dewcon, Inc., Post Office Box 439, Basking Ridge, New Jersey 07920, for emergency repair of a check valve located near the Pennington Road Gatehouse.
2. This contract was awarded without competitive bidding 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
EDWARDS	✓				GONZALEZ				✓	FRISBY	✓			
FELICIANO	✓				HARRISON	✓								
FIGUEROA KETTSBURG				✓	WILLIAMS	✓								

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

MAY 04 2023


President of Council


City Clerk

**CERTIFICATION OF AN EMERGENCY CONTRACT-
DEWCON, INC., FOR CHECK VALVE REPLACEMENT**

I, Sean Semple, of full age, hereby certify:

1. I am the Acting Director of the Department of Water and Sewer, for the City of Trenton.
2. On August 10, 2022, David Smith, Chief Engineer, contacted then- Director Mark Lavenberg regarding a check valve failure at the Pennington Reservoir, and it was determined that the valve needed to be replaced immediately.
3. Orthophosphate is a water treatment chemical that is added to the water supply at the TWW Filtration Plant. Its purpose is to reduce corrosivity of water, which in turn reduces the amount of lead that leaches into the water supply from lead service lines.
4. As a result of the check valve failure, orthophosphate was back feeding into the Reservoir, rather than entering the distribution system.
5. An additional problem was that orthophosphate contains phosphorous, and even in low concentrations can foster the growth of algae.
6. In order to preserve water quality in the Reservoir, TWW discontinued dosing orthophosphate into the water supply.
7. Dewcon, Inc. was contacted to obtain and replace the check valve, as the company has the experience and expertise to perform the work and provided the required supervision, material, labor and equipment.
8. Replacement of the check valve required multiple steps: (1) removal of a large obstruction (timber) in a nearby 30-inch butterfly valve; (2) isolation of the check valve for repair (3) excavation and installation of a line stop in order to remove the obstruction; (4) cutting the 30-inch diameter main at the butterfly valve; (5) dewatering the main to gain access to and remove the obstruction; (6) performing a 14-foot deep excavation to access the piping and exterior side of the check valve chamber; (7) cutting the concrete check valve chamber; (8) removing, cutting and reinstalling the 30-inch diameter piping, (9) installing the flanged check valve and 30-inch diameter couplings; (10) testing of the improvements (11) backfilling the excavation and the roadway and the site were properly stored.
9. The entire process was concluded on December 12, 2022 (see Exhibit B, Invoice dated 1-24-2023).
10. Unintended delays took place regarding shipment of the check valve, but overall, execution of the work was performed quickly and efficiently in order to address the water quality issue.
11. As of today, Dewcon has not been paid for the work that was done.
12. The actions undertaken to have this emergency repair work done were in accordance with N.J.S.A. 40A:11-6.

13. I certify that the foregoing statements made by me are true to the best of my knowledge and belief. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.



Sean Semple

Acting Director, Department of Water and Sewer
City of Trenton

AGREEMENT
RESOLUTION #23-229

PAYMENT FOR EMERGENCY WORK INVOLVING THE INSTALLATION OF A FLANGED CHECK VALVE THAT WAS INSTALLED IN
A 30" MAIN LOCATED NEAR THE PENNINGTON ROAD GATEHOUSE
FOR THE CITY OF TRENTON, DEPARTMENT OF WATER AND SEWER
ISSUED TO DEWCON INC.

THE AGREEMENT made this 5TH day of MAY 2023, 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 **DEWCON INC, P.O. BOX 439, BASKING BRIDGE, NEW JERSEY 07920** (hereinafter "CONTRACTOR")

WHEREAS, a contract was awarded to Dewcon Inc., P.O. BOX 439, Basking Bridge, New Jersey 07920, for the emergency work involving the installation of a flanged check valve that was installed in a 30" main located near the Pennington road gatehouse for the City of Trenton, Department of Water and Sewer, Trenton Sewer Utility; and

WHEREAS, the Local Public Contracts Law at N.J.S.A. 40A:11-6 provides that "[a]ny contract may be negotiated or awarded...without public advertising for bids and bidding therefore, notwithstanding that the contract price will exceed the bid threshold, when an emergency affecting the public health, safety, and welfare requires the immediate... performance of services", subject to the award being made pursuant to the manner set forth therein; and

WHEREAS, the official in charge acting Director Sean Semple, submitted the attached certification that an emergency existed, and that immediate services to remedy the emergency were required.

NOW THEREFORE, the parties mutually agree as follows:

1. The amount of the agreement shall be in an amount not to exceed \$247,701.86 awarded to Dewcon Inc., P.O. BOX 439, Basking Bridge, New Jersey 07920, for the emergency work involving the installation of a flanged check valve that was installed in a 30" main located near the Pennington road gatehouse for the City of Trenton, Department of Water and Sewer.
2. The Mayor is hereby authorized to execute an emergency payment in an amount not to exceed \$247,701.86 to Dewcon Inc., P.O. BOX 439, Basking Bridge, New Jersey 07920, for the emergency work involving the installation of a flanged check valve that was installed in a 30" main located near the Pennington road gatehouse for the City of Trenton, Department of Water and Sewer 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
MUNICIPAL CLERK


W. REED GUSCIORA
MAYOR

5/30/23
DATE

6-16-23
DATE

223rd
DEWCON INC.
P.O. BOX 439
BASKING BRIDGE, NEW JERSEY 07920

Ryan C. Dewey, Vice President