

# Resolution of the City of Newark, N.J.

AUG 02 2017

NO. 7R12-D

Date of Adoption \_\_\_\_\_

## Title Page

**Dept/ Agency:** Water and Sewer Utilities  
**Action:**  Ratifying  Authorizing  Amending  
**Type of Service:** Intergovernmental Agreement  
**Purpose:** Bulk Water Contract  
**Entity Name:** Wayne Township  
**Entity Address:** 475 Valley Road, Wayne, New Jersey 07470  
**Contract Amount:** Revenue Generating  
**Funding Source:** N/A  
**Contract Period:** January 1, 2016 through December 31, 2025  
**Contract Basis:**  Bid  State Vendor  Prof. Ser.  EUS  
 Fair & Open  No Reportable Contributions  RFP  RFQ  
 Private Sale  Grant  Sub-recipient  n/a  
**Additional Information:**

Approved as to Form and Legality on Basis of Facts Set Forth

Factual contents certified by

\_\_\_\_\_  
Corporation Counsel

\_\_\_\_\_  
Title

Council Member \_\_\_\_\_ presents the following Resolution:

# Resolution of the City of Newark, N.J.

NO. 7R12 I

Date of Adoption AUG 02 2017

Approved as to Form and Legality on Basis of Facts Set Forth

K. S. [Signature]  
Acting Corporation Counsel

[Signature] BA  
Factual contents certified by

Koreem Adeem  
assist Director public works Title

Council Member council of the whole presents the following Resolution:

**WHEREAS**, the Township of Wayne desires to enter into an agreement with the City of Newark for the supply of potable water from the City of Newark's Pequannock Water Supply System; and

**WHEREAS**, the previous agreement with the Township of Wayne for potable water expired on December 31, 2015; and

**WHEREAS**, the City of Newark desires to accept and execute the attached agreement to cover the period January 1, 2016 through December 31, 2025, a period of ten (10) years, for continuation of said water supply; and

**WHEREAS**, the City of Newark is able and willing to supply water to the Township of Wayne.

**NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:**

1. The Municipal Council hereby authorizes the Mayor and/or his designee, the Director of the Department of Water and Sewer Utilities, to execute and enter into an agreement for the supply of water from Newark's Water Supply System to the Township of Wayne, for a period of ten (10) years from January 1, 2016 to December 31, 2025, at the rates indicated below and at a monthly ready to serve charge of \$4,500.00 per month. From January 1, 2016 through December 31, 2016, the rate shall be \$2,700.00 per million gallons. From January 1, 2017 through December 31, 2017, the rate shall be \$2,950.00. Beginning January 1, 2018, and annually thereafter, the Director of the Department of Water and Sewer Utilities shall adjust the water rate upward in an amount not to exceed the Adjustment based upon the Implicit Price Deflator of State and Local Governments for New Jersey and published by the U.S. Department of Commerce, Bureau of Economic Analysis. Newark reserves the right to increase the cost of water being provided under this contract in addition to the Cost of Living Adjustment for any and all charges imposed by the State of New Jersey for mandated water treatment cost increases, fees and capital improvement projects. This contract will also provide for an automatic pass through of any incurred costs from North Jersey District Water Supply Commission.
2. This contract is ratified from January 1, 2016 to the date of adoption by the Municipal Council.

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3. This agreement is awarded without competitive bidding pursuant to N.J.S.A. 40A:11-5(2) because the contracting parties are New Jersey Municipalities.
4. No Municipal funds need to be expended for this resolution. This is a revenue generating contract.
5. The Director of the Department of Water and Sewer Utilities shall forward a copy of this resolution and Contract to the Division of Water Resources Bureau of Water Supply of the New Jersey Department of Environmental Protection and the North Jersey District Water Supply Commission. This agreement is subject to the approval of the aforementioned.
6. The attached agreement shall become effective January 1, 2016 and continue to December 31, 2025. Any changes to the agreement will require the approval of the Newark Municipal Council.
7. A fully executed copy of the agreement shall be filed in the Office of the City Clerk by the Director of the Department of Water and Sewer Utilities.

**STATEMENT**

This resolution ratifies and authorizes the Director of the Department of Water and Sewer Utilities to execute the attached agreement for the supply of potable water from Newark's Water Supply System to the Township of Wayne for the ten (10) year period of January 1, 2016 to December 31, 2025.

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*RECORD OF COUNCIL VOTE ON FINAL PASSAGE*

Council Member	AYE	NAY	NV	AB	Council Member	AYE	NAY	NV	AB	Council Member	AYE	NAY	NV	AB
Amador				✓	Chaneyfield Jenkins	✓				Quintana	✓			
Gonzalez	✓				McCallum, Jr.	✓				Ramos, Jr.	✓			
James	✓				Osborne	✓				Crump, President	✓			

✓ Indicates Vote

AB - Absent

NV - Not Voting

Adopted at a meeting of the Municipal Council of the City of Newark, N.J.,

AUG 02 2017

*Andrew C. Crump*  
President of the Council

*Ken...*  
016 City Clerk