



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

File #: 13-1175, Version: 1

**Dept/ Agency:** Water & Sewer Utilities

**Action:** ( ) Ratifying (X) Authorizing ( ) Amending

**Type of Service:** Contract for Sale of Water

**Purpose:** Sale of water from the City of Newark's Pequannock Water Supply System to The Township of Bloomfield

**Entity Name:** Township of Bloomfield

**Entity Address:** One Municipal Plaza, Bloomfield, New Jersey 07003

**Contract Amount:** \$250.00 per MG Wheeling Rate; Excess Usage Rates to Apply

**Contract Period:** July 15, 2013 through July 14, 2023

**Contract Basis:** ( ) Bid ( ) State Vendor ( ) Prof. Ser. ( ) EUS

( ) Fair & Open ( ) No Reportable Contributions ( ) RFP ( ) RFQ

( ) Private Sale ( ) Grant ( ) Sub-recipient (X) n/a

**Property Location:**

**(Acre(s)/Block/Lot/City/State)**

N/A

**Additional Information:**

**WHEREAS**, through Resolution 7Rbq, adopted on March 1, 2006, the Municipal Council authorized the City of Newark to enter into an agreement with the Township of Bloomfield for the supply of water from the City's Pequannock Supply, for the period of December 1, 2003 to December 31, 2005; and

**WHEREAS**, the previous Agreement with the Township of Bloomfield for potable water supply expired on December 31, 2005 and the Township of Bloomfield desires to enter into a new agreement with the City of Newark for the supply of potable water from the Pequannock Water Supply System in exchange for its allocation of 6.51 million gallons per day (MGD) from the North Jersey District Water Supply Commission (NJDWSC); and

**WHEREAS**, the City of Newark desires to accept and execute a new agreement, in the form attached hereto, to cover the period July 15, 2013 to July 14, 2023, a period of ten (10) years, for the continuation of said potable water supply to the Township of Bloomfield from the Pequannock Water System of the City of Newark in exchange for the Bloomfield allocation of 6.51MGD from NJDWSC.

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

1. The Mayor and/or his designee, the Acting Director of the Department of Water and Sewer Utilities, is hereby authorized to enter into and execute an Agreement, in the form attached hereto, with the Township of Bloomfield, for the supply of potable water from the City's Pequannock Water System to the Township of Bloomfield in exchange for the Township of Bloomfield's allocation of 6.51MGD from NJDWSC, for the period July 15, 2013 to July 14, 2023, a period of ten (10) years,

subject to approval by the New Jersey Department of Environmental Protection at the current wheeling rate of \$250.00 per million gallons, subject to Overdraft Fees and future COLA increases.

2. 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.

3. No Municipal Funds need be expended for this Resolution.

4. The Acting Director of the Department of Water and Sewer Utilities shall forward a copy of this Resolution and Agreement to the Division of Water Resources, Bureau of Water Supply of the New Jersey Department of Environmental Protection Agency, and the North Jersey District Water Supply Commission which is subject to the approval of the aforementioned.

5. This attached agreement shall become effective July 15, 2013 and shall remain in force as provided in said Agreement. Any changes to the agreement will require the approval of the Newark Municipal Council.

6. An executed copy of this Agreement shall be filed in the Office of the City Clerk by the Acting Director of the Department of Water and Sewer Utilities.

### **STATEMENT**

This Resolution authorizes Mayor and/or his designee, the Acting Director of the Department of Water and Sewer Utilities to execute the attached Agreement with the Township of Bloomfield for the supply of potable water from the City of Newark's Pequannock Water System in exchange for the Bloomfield allocation of 6.51MGD from NJDWSC for the ten (10) year period commencing July 15, 2013 through July 14, 2023, at the current wheeling rate of \$250.00 per million gallons subject to Overdraft Fees and future COLA increases.