

RESOLUTION 2018-46

BORDENTOWN SEWERAGE AUTHORITY
COUNTY OF BURLINGTON

**RESOLUTION OF THE BORDENTOWN SEWERAGE AUTHORITY,
IN THE COUNTY OF BURLINGTON, STATE OF NEW JERSEY
AUTHORIZING THE RELEASE OF THE PHASE II RISING SUN ROAD
PUMP STATION FORCE MAIN REPLACEMENT AND PUMP STATION
IMPROVEMENTS PERFORMANCE GUARANTEE FOR G.S. REALTY,
CORP. AND FURTHER AUTHORIZING THE AUTHORITY'S
CONDITIONAL ACCEPTANCE OF CERTAIN IMPROVEMENTS
CONSTRUCTED BY G.S. REALTY, CORP. AND/OR THEIR AGENTS
AND RELATED PARTIES, AND CERTIFYING AN EXACT AMOUNT OF
COSTS ASSOCIATED WITH THESE IMPROVEMENTS**

WHEREAS, G.S. Realty, Corp. (the “Developer”) previously entered into a sanitary sewerage improvement reimbursement agreement with the Bordentown Sewerage Authority (the “Authority”) on April 23, 2015;

WHEREAS, the Developer has successfully completed the construction of the Phase I - project work and has substantially completed the Phase II – construction work (collectively, the “Project”) to the satisfaction of the Authority with exceptions as noted herein;

WHEREAS, on August 21, 2017, the Authority adopted a resolution releasing the Developer’s original Phase I performance guarantee in the amount of \$442,000.00 in lieu of its receipt of a maintenance bond in the amount of \$44,200.00;

WHEREAS, the Authority’s consulting engineer had an opportunity to inspect the Phase II Project improvements and believes that the performance of this Project work was completed to the satisfaction of the Authority with exceptions as noted on the attached May 17, 2018 Remington & Vernick Engineers’ correspondence;

WHEREAS, the Authority recognizes that in order for the Developer to seek reimbursement under its Sanitary Sewer Improvement Reimbursement Agreement, the Authority must certify the total cost of these Project improvements.

NOW, THEREFORE, BE IT RESOLVED By The Board of the Bordentown Sewerage Authority, in the County of Burlington, State of New Jersey, this 21st day of May, 2018, that:

1. The aforementioned Phase I maintenance bond in the amount of \$44,200.00 shall remain in effect for its two (2) year duration subject to the Developer's satisfying the Authority's engineer's open items as set forth in the August 21, 2017 Authority Resolution.
2. The Authority hereby certifies that the Developer and/or its assigns or agents have provided the Authority with a detailed cost breakout of the Project improvements constructed and the Authority is prepared to accept that the total collective cost of these improvements were \$1,262,581.45.
3. The Authority hereby conditionally accepts the improvements in Phase II of the Project. These public improvements will be maintained and operated by the Authority, subject to the Developer first completing open conditions listed in the Authority's consulting engineer May 17, 2018 letter and Phase II maintenance bond is provided.
4. Any and all resolutions inconsistent with this resolution are hereby repealed to the extent of such inconsistencies.

Dated: May 21, 2018

THE BORDENTOWN SEWERAGE AUTHORITY

Attest:



Joseph R. Malone, III, Secretary

By:



James E. Lynch, Jr. Chairman



REMINGTON
& VERNICK
ENGINEERS

RVE HQ:
232 Kings Highway East
Haddonfield, NJ 08033
O: (856) 795-9595
F: (856) 795-1882

May 17, 2018

Bordentown Sewerage Authority
954 Farnsworth Avenue
Bordentown, NJ 08505

**Attn: Mr. Richard Eustace
Executive Director**

**Re: Bordentown Sewerage Authority
Performance Guarantee Release Recommendation
Rising Sun Road Pump Station and Force Main
Improvements
Our File #0304N090**

Dear Mr. Eustace:

The applicant has requested a release of the performance bond provided for the above referenced project. The enclosed letter of credit shows the amount of \$1,430,000.00. As per the Authority Rules & Regulations Section 301.D, all maintenance bonds are for 10% of the value of the performance bond and shall possess a 2-year duration.

Therefore, the required maintenance bond amount is \$143,000.00

We note the following items with respect to the project and the agreement entitled "Municipal Developers Agreement Between the Bordentown Sewerage Authority and GS Realty Corporation for the pro-rata Reimbursement for Sanitary Sewer Improvements from Benefitted Properties":

Satisfied Items:

1. The 3,030 LF of Sanitary Sewer Force Main has been installed.
2. Two (2) Air Release Manholes have been installed.
3. Replacement of pumps in the Pump Station has been completed.
4. The motor starters for the Pump Station have been upgraded.

The following outstanding items still need to be addressed:

1. Contractor to provide (5) copies of signed and sealed As-Built plans. Two digital copies should also be provided on CDs with As-Built in PDF format.
 - A. As-Built Drawings shall contain notes indicating size and type of pipe installed as follows: "All force main installed was 12-inch HDPE pipe meeting the following requirements – HDPE PE 4710 DIPS Size DR11 (202 psi), except at air release manholes, where the initial exiting pipe is polyethylene encased ductile iron pipe."
 - B. As-Built Drawings shall contain notes indicating the use of thrust blocks at each bend with HDPE buffers.
 - C. As-built Drawings shall contain notes indicating that separate tracer wires were installed 18-inches below grade and wrapped around the HDPE pipe.
2. Contractor to provide copies of Operation and Maintenance manuals for Pump Station.
3. At Pump Station, ruts along side of driveway shall be restored and re-seeded.
4. At Pump Station, cracks in driveway from construction equipment shall be sealed.
5. At Pump Station, fencing shall be restored to its original condition.
6. At the first Air Release Manhole (Approx. Station 10+00), settlement of soil around manhole and trace wire valve boxes shall be restored. Soil shall be added to have top of slab and valve boxes at grade. The new soil shall be seeded as required.
7. Restoration of disturbed areas of Turnpike Property between the Junkyard and Route 206. Areas shall be restored and re-seeded to prevent erosion. Regrade where required.
8. Near Landfill (Between Station 5+00 and 19+00) – Due to construction activity, groundwater is now emerging and running overland. Applicant's representatives to evaluate and determine solution to eliminate ponding and erosion issues.
9. Prior to release the applicant shall submit an acceptable maintenance bond. The Authority Solicitor to review and approve the maintenance bond format / content / Named Applicant.
10. There shall be at least \$4,000.00 in escrow to satisfy any recent charges.

Based on the above we recommend the applicant's request for release from the performance bond be conditionally approved contingent upon the applicant satisfying all outstanding items.

Mr. Richard Eustace
May 17, 2018
Page 3 of 3

Should you have any questions or require any additional information, please do not hesitate to contact the writer at our Haddonfield office.

Sincerely,

REMINGTON & VERNICK ENGINEERS

By:



Richard B. Czekanski, PE, BCEE, CME
RBC/sad

CC: Elizabeth Kwelty, BSA
C. Dansbury, BSA
T. Coleman, Esq.
Susan Brasefield, Maser Consulting