

**TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY**

RESOLUTION No. 2021-124

A motion was made by Councilman McEvoy; seconded Councilman Tamburro that the following resolution be adopted:

**AUTHORIZING A CONTRACT WITH
ANALYTICAL LAB SERVICES, INC. FOR WASTEWATER ANALYSIS**

WHEREAS, the Local Public Contracts Law (*N.J.S.A. 40A:11-5(a)(1)(i)*) permits contracts for professional services to be negotiated and awarded by the governing body without public advertising for bids and requires that the resolution authorizing the award of a contract for professional services without competitive bids and the contract itself be available for public inspection; and

WHEREAS, the Water & Sewer Utility has a need for laboratory testing services to conduct analyses required by the New Jersey Department of Environmental Protection related to the treatment of wastewater; and

WHEREAS, the Township desires to acquire laboratory testing services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.5*; and

WHEREAS, the Township has solicited the services of Analytical Lab Services, Inc., 301 Fulling Mill Road, Suite A, Middletown, Pennsylvania 17057-5966 to provide these services for the Township; and

WHEREAS, Analytical Lab Services, Inc., has submitted a proposal indicating they will provide the services for the Township; and

WHEREAS, Analytical Lab Services, Inc., has completed and submitted a Business Entity Disclosure Certification which certifies that Analytical Lab Services, Inc., has not made any reportable contributions to a political or candidate committee in the previous one year, and that the contract will prohibit Analytical Lab Services, Inc., from making any reportable contributions through the term of the contract, and

WHEREAS, the Township Manager recommends that the Council authorize an agreement with Analytical Lab Services, Inc., to provide said services; and

WHEREAS, the Township Manager hereby certifies that due to additional testing required this year for as part of the Township's evaluation of Nitrate Removal Alternatives to analyze and determine the best approach to reduce nitrate removal from the wastewater effluent, the cost of services with Analytical Lab Services will exceeded \$17,500; and

WHEREAS, funds are available to award contracts for the services listed shall be charged to the budget accounts or capital ordinances listed on the availability of funds, a copy of said Certification is annexed to this Resolution as Exhibit B; and

WHEREAS, the award of the contract to Analytical Lab Services, Inc. is being made pursuant to *N.J.S.A. 19:44A-20.5* and the Business Entity Disclosure Certification and Political Contribution Disclosure Form completed by Analytical Lab Services, Inc. have been filed with the Township and are annexed to this Resolution as Exhibit C; and

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Verona, in the County of Essex, New Jersey hereby authorizes contracts with Analytical Lab Services, Inc., 301 Fulling Mill Road, Suite A, Middletown, Pennsylvania 17057-5966 to provide laboratory testing services to conduct analyses required by the New Jersey Department of Environmental Protection related to the treatment of waste water not to exceed \$29,000 in the calendar year without further authorization of the Township Council.

BE IT FURTHER RESOLVED, that the Township reserves the right to cancel this contract upon thirty (30) days' notice and Analytical Lab Services, Inc. shall only be paid for the work completed; furthermore, no minimum amount of work or payment is implied or guaranteed.

BE IT FURTHER RESOLVED that this contract is being awarded pursuant to *N.J.S.A. 19:44A-20.5*.

BE IT FURTHER RESOLVED that a notice of this action shall be published once in the Verona-Cedar Grove Times.

BE IT FURTHER RESOLVED that the Township Manager and the Township Clerk are hereby authorized to enter into any agreement necessary for the aforementioned services a copy of which shall be available for public inspection in the Office of the Township Clerk.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERONA AT A REGULAR MEETING HELD ON SEPTEMBER 20, 2021

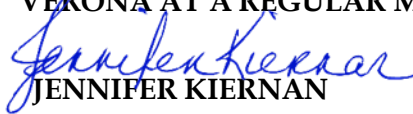

JENNIFER KIERNAN
MUNICIPAL CLERK



EXHIBIT A

DETERMINATION OF VALUE

TO: Township Council of the Township of Verona
FROM: Matthew Cavallo, Township Manager
RE: Analytical Lab Services, Inc. for Wastewater Analysis
DATE: September 16, 2021

This memorandum is being written to request your approval of a resolution authorizing the award of a contract pursuant to *N.J.S.A. 19:44A-20.5*, for professional services.

Contractor: Analytical Lab Services, Inc.,
301 Fulling Mill Road, Suite A
Middletown, Pennsylvania 17057-5966

Cost: Not to exceed \$29,000 in the calendar year without further authorization of the Township Council.

Purpose: Laboratory testing services to conduct analyses required by the New Jersey Department of Environmental Protection related to the treatment of wastewater

I certify that the value of the contract exceeds \$17,500.00 and is to be awarded as a Non-Fair and Open Contract, pursuant to *N.J.S.A. 19:44A-20.5*.



MATTHEW CAVALLO,
Township Manager

EXHIBIT B

TO: Township Council of the Township of Verona
FROM: Matthew M. Laracy, CPA, CMFO, Chief Financial Officer
RE: Certification of Availability of Funds
DATE: September 16, 2021

This is to certify to the Township Council that funds for the above referenced contract are available.

Contractor: Analytical Lab Services, Inc.,
301 Fulling Mill Road, Suite A
Middletown, Pennsylvania 17057-5966

Contract: Laboratory testing services to conduct analyses required by the New Jersey Department of Environmental Protection related to the treatment of wastewater

Budget Account No.	Amount	Account Description
1-05-55-502-380	NTE \$29,000	Analysis

/s/ Matthew Laracy
MATTHEW M. LARACY, CPA, CMFO
CHIEF FINANCIAL OFFICER

**TOWNSHIP OF VERONA, NEW JERSEY
BUSINESS ENTITY DISCLOSURE CERTIFICATION
FOR NON-FAIR AND OPEN CONTRACTS
N.J.S.A. 19:44A-20.8**

Part I - Vendor Affirmation

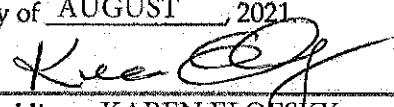
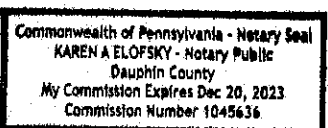
The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that Analytical Lab Services Inc. has not made and will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 et seq. that, pursuant to P.L. 2004, c. 19 would bar the award of this contract in the one year period preceding Jul 1, 2021 to any of the following named candidate committee, joint candidates committee; or political party committee representing the elected officials of the Township of Verona or the respective Essex County political parties listed below pursuant to N.J.S.A. 19:44A-3(p), (q) and (r).

<i>Mayor Alex Roman</i>	<i>Councilperson Jack McEvoy</i>
<i>Deputy Mayor Christine McGrath</i>	<i>Councilperson Cynthia Holland</i>
<i>Essex County Republican Organization</i>	<i>Councilperson Dr. Christopher Tamburro</i>
	<i>Essex County Democratic Committee</i>

Part 3 - Signature and Attestation:

The undersigned is fully aware that if I have misrepresented in whole or part this affirmation and certification, I and/or the business entity, will be liable for any penalty permitted under law.

Name of Business Entity: ALS GROUP USA CORP. DBA ALS ENVIRONMENTAL
 Signature of Affiant: *Scott Brunk* Title: LABORATORY DIRECTOR
 Printed Name of Affiant: SCOTT BRUNK Date: 08-12-2021

Subscribed and sworn before me this <u>13TH</u> day of <u>AUGUST</u> , 2021  Notary Public <u>KAREN ELOFSKY</u> Commission Expires: <u>12/20/2023</u>	(Notary Stamp/Seal) 
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STATEMENT OF OWNERSHIP
(OWNERSHIP DISCLOSURE CERTIFICATION FORM)
Required pursuant to N.J.S.A. 52:25-24.2 (P.L. 1977, c.33, as amended by P.L. 2016, c.43)

This Statement Shall Be Included with All Bid and Proposal Submissions

Name of Business: ALS GROUP USA CORP. DBA ALS ENVIRONMENTAL

Address of Business: 301 FULLING MILL ROAD, MIDDLETOWN, PA 17057

Name of person completing this form: SCOTT BRUNK

N.J.S.A. 52:25-24.2:

"No corporation, partnership, or limited liability company shall be awarded any contract nor shall any agreement be entered into for the performance of any work or the furnishing of any materials or supplies, unless prior to the receipt of the bid or proposal, or accompanying the bid or proposal of said corporation, said partnership, or said limited liability company there is submitted a statement setting forth the names and addresses of all stockholders in the corporation who own 10 percent or more of its stock, of any class, or of all individual partners in the partnership who own a 10 percent or greater interest therein, or of all members in the limited liability company who own a 10 percent or greater interest therein, as the case may be.

If one or more such stockholder or partner or member is itself a corporation or partnership or limited liability company, the stockholders holding 10 percent or more of that corporation's stock, or the individual partners owning 10 percent or greater interest in that partnership, or the members owning 10 percent or greater interest in that limited liability company, as the case may be, shall also be listed. The disclosure shall be continued until names and addresses of every noncorporate stockholder, and individual partner, and member, exceeding the 10 percent ownership criteria established in this act, has been listed.

To comply with this section, a bidder with any direct or indirect parent entity which is publicly traded may submit the name and address of each publicly traded entity and the name and address of each person that holds a 10 percent or greater beneficial interest in the publicly traded entity as of the last annual filing with the federal Securities and Exchange Commission or the foreign equivalent, and, if there is any person that holds a 10 percent or greater beneficial interest, also shall submit links to the websites containing the last annual filings with the federal Securities and Exchange Commission or the foreign equivalent and the relevant page numbers of the filings that contain the information on each person that holds a 10 percent or greater beneficial interest."

The Attorney General has advised that the provisions of N.J.S.A. 52:25-24.2, which refer to corporations and partnerships apply to limited partnerships, limited liability partnerships, and Subchapter S corporations.

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**STATEMENT OF OWNERSHIP
OWNERSHIP DISCLOSURE CERTIFICATION FORM (CONTINUED)**

Required pursuant to N.J.S.A. 52:25-24.2 (P.L. 1977, c.33, as amended by P.L. 2016, c.43)

This Ownership Disclosure Certification form shall be completed, signed and notarized.

**Failure of the bidder/proposer to submit the required information is cause for automatic
rejection of the bid or proposal**

PART I

Check the box that represents the type of business organization:

- Sole Proprietorship (skip Parts II and III, sign and notarize at the end)
- Non-Profit Corporation (skip Parts II and III, sign and notarize at the end)
- Partnership Limited Partnership Limited Liability Partnership
- Limited Liability Company
- For-profit Corporation (including Subchapters C and S or Professional Corporation)
- Other (be specific): _____

PART II

I certify that the list on the next page contains the names and addresses of all stockholders in the corporation who own 10 percent or more of its stock, of any class, or of all individual partners in the partnership who own a 10 percent or greater interest therein, or of all members in the limited liability company who own a 10 percent or greater interest therein, as the case may be.

OR

I certify that no one stockholder in the corporation owns 10 percent or more of its stock, of any class, or no individual partner in the partnership owns a 10 percent or greater interest therein, or that no member in the limited liability company owns a 10 percent or greater interest therein, as the case may be.

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**STATEMENT OF OWNERSHIP
OWNERSHIP DISCLOSURE CERTIFICATION FORM (CONTINUED)**

Required pursuant to N.J.S.A. 52:25-24.2 (P.L. 1977, c.33, as amended by P.L. 2016, c.43)

Sign and notarize the form below, and, if necessary, complete the list below. (Please attach additional sheets if more space is needed):

Name: ALS TESTING SERVICES GROUP, INC. Name: _____

Home Address: _____ Home Address: _____
818 W 7TH St Ste 930, Los Angeles , CA, 90017-3476

Name: ALS GROUP GENERAL PARTNERSHIP Name: _____

Home Address: _____ Home Address: _____
LEVEL 2, 299 CORONATION DR., MILTON QUEENSLAND, AU 4064

Name: AUSTRALAIN LABORATORY SERVICES, PTY LTD Name: _____

Home Address: _____ Home Address: _____
LEVEL 2, 299 CORONATION DR., MILTON QUEENSLAND, AU 4064

Name: ALS Limited Name: _____

Home Address: _____ Home Address: _____
LEVEL 2, 299 CORONATION DR., MILTON QUEENSLAND, AU 4064

Name: _____ Name: _____

Home Address: _____ Home Address: _____

Name: _____ Name: _____

Home Address: _____ Home Address: _____

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**STATEMENT OF OWNERSHIP
OWNERSHIP DISCLOSURE CERTIFICATION FORM (CONTINUED)**

Required pursuant to N.J.S.A. 52:25-24.2 (P.L. 1977, c.33, as amended by P.L. 2016, c.43)

PART III

Any Direct or Indirect Parent Entity Which is Publicly Traded:

"To comply with this section, a bidder with any direct or indirect parent entity which is publicly traded may submit the name and address of each publicly traded entity and the name and address of each person that holds a 10 percent or greater beneficial interest in the publicly traded entity as of the last annual filing with the federal Securities and Exchange Commission or the foreign equivalent, and, if there is any person that holds a 10 percent or greater beneficial interest, also shall submit links to the websites containing the last annual filings with the federal Securities and Exchange Commission or the foreign equivalent and the relevant page numbers of the filings that contain the information on each person that holds a 10 percent or greater beneficial interest."

Pages attached with name and address of each publicly traded entity as well as the name and address of each person that holds a 10 percent or greater beneficial interest.

OR

Submit here the links to the Websites (URLs) containing the last annual filings with the federal Securities and Exchange Commission or the foreign equivalent.
<https://www.alsglobal.com/en-us/myals/investors/shareholder-information/investor-documents>
<http://www.asx.com.au/asx/share-price-research/company/alg>

AND

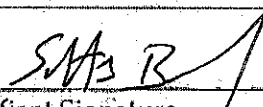
Submit here the relevant page numbers of the filings containing the information on each person holding a 10 percent or greater beneficial interest.
<https://www.alsglobal.com/en-us/myals/investors/shareholder-information/investor-documents>
pages 100-101

Subscribed and sworn before me this
13th day of AUGUST 2021.



Notary Public

Commission Expires: 12/20/2023
(Notary Stamp/Seal)

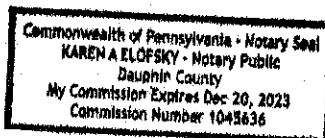


Affiant Signature

SCOTT BRUNK, LABORATORY DIRECTOR

Affiant Name and Title

(Corporate Seal)



END OF STATEMENT OF OWNERSHIP