

A RESOLUTION authorizing the Executive Director to enter into a contract for water quality sampling and analysis to characterize the nature and extent of chronic toxicity in the Delaware River.

WHEREAS, by Resolution No. 2000-4 on January 26, 2000, the Commission determined that allocations of the waste assimilative capacity of the Delaware Estuary for chronic toxicity were necessary for certain individual discharges to maintain stream quality objectives in Zones 2, 3, 4 and 5, and the Commission simultaneously directed staff to work with the Toxics Advisory Committee to study and characterize chronic toxicity in the Delaware Estuary and to develop recommendations, if warranted, for such further controls as might be needed to address chronic toxicity resulting from the cumulative contributions of multiple sources; and

WHEREAS, a Chronic Toxicity Working Group within the Commission's Toxics Advisory Committee was created in response to the January 2000 resolution and continues to provide information and advice to the staff on testing protocols, sampling, and analysis for chronic toxicity; and

WHEREAS, tests are planned for 2014 in tributaries of the tidal Delaware River; and

WHEREAS, funding to continue chronic toxicity testing is available through the Commission's Clean Water Act Section 106 grant from the U.S. Environmental Protection Agency; and

WHEREAS, the Commission issued a Request for Proposal and Quotation ("RFPQ") for the analysis of ambient water samples for chronic toxicity for the period 2014 through 2018, in response to which it received two proposals that met the technical criteria set forth in the bid specifications; and

WHEREAS, of the two qualified submissions, that of American Aquatic Testing, Inc. included the most competitive cost proposal, and this proposal falls within the program budget; now therefore,

BE IT RESOLVED by the Delaware River Basin Commission:

1. The Executive Director is hereby authorized to enter into a contract with the lowest responsible bidder, American Aquatic Testing, Inc., for an initial period of three (3) years, with optional annual extensions for two (2) additional years, for the monitoring of ambient water samples for chronic toxicity.
2. The value of the contract for the 2014 surveys shall not exceed \$18,000 or the total of this sum plus any additional funds expressly awarded to the Commission or allocated by it for this purpose.

3. For contract years 2015, 2016 and if extended, 2017 and 2018, the Executive Director is authorized to commit additional Section 106 funds or other funds expressly awarded to the Commission or allocated by it for this purpose.
4. This Resolution shall take effect immediately.

/s/ Angus Eaton

Angus Eaton, Acting Chairman *pro tem*

/s/ Pamela M. Bush

Pamela M. Bush, J.D., M.R.P.

Commission Secretary/Assistant General Counsel

ADOPTED: June 11, 2014