

**BERGEN COUNTY UTILITIES AUTHORITY
MINUTES OF THE REGULAR MEETING
APRIL 24, 2014**

**In the matter of the 423rd Regular Meeting of
The Bergen County Utilities Authority**

1. The **proof of meeting notice** calling the April 24, 2014 meeting was read into the record by Richard Wierer, Acting Secretary.

2. Roll Call:

COMMISSIONERS PRESENT:

Andrew "Chuck" Vaccaro, Chairman
Ronald Phillips, Vice Chairman
Catherine T. Bentz, Commissioner
James L. Cassella, Commissioner
Louis J. DeLisio, Commissioner
David J. Lorenzo, Commissioner
Richard D. Schooler, Commissioner
George P. Zilocchi, Commissioner

ALSO PRESENT: Robert E. Laux, Executive Director
Richard D. Wierer, Deputy Executive Director
Authority Staff and Professional Consultants

3. Chairman Vaccaro led the Commissioners and others present in the salute to the flag.
4. Motion that the Minutes covering the March 27, 2014 Work Session be approved was moved by Commissioner Schooler and seconded by Commissioner Cassella and was carried.
5. Chairman Vaccaro opened the meeting to the public and asked if anyone present wished to be heard. Hearing no further response, the meeting was closed to the public.
6. FINANCE AND LEGAL COMMITTEE;

Resolution 14-1-029 – Approve bills and the claims supported by vouchers totaling \$5,506,193.89 and authorize the Chief Financial Officer to issue the necessary checks therefor, and to charge the accounts indicated, all as more fully set forth on the Chief Financial Officer's check list. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

7. CONSTRUCTION & ENGINEERING COMMITTEE:

Resolution 14-2-024 – Authorize Rejection and Re-advertisement of Bids for Contract No. 14-07 to DST/WAS Belt Press Parts - Gravity Belt Thickeners (Two Years). Motion to adopt the resolution was made by Commissioner Phillips and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 14-2-025 – Award Contract 14-08 to Weiss Acquisition, LLC - - Support and Service Contract for SCADA System (One Year). Motion to adopt the resolution was made by Commissioner Phillips and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 14-2-026 – Authorize use of Reverse Auction for Procurement of Electric & Gas Supply pursuant to Local Unit Electronic Technology Pilot Program (R.L. 2001, c30). Motion to adopt the resolution was made by Commissioner Phillips and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 14-2-027 – Authorize Sale of Surplus Property Using Online Site Govdeals.com. Motion to adopt the resolution was made by Commissioner Phillips and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

8. Chairman Vaccaro announced a short recess to allow time for the Acting Secretary to prepare minutes of this Regular Meeting.
9. Chairman Vaccaro announced the Regular Meeting would reconvene.
10. The Acting Secretary then distributed proposed minutes of the April 24, 2014 Regular Meeting for review by the Commissioners.
11. Move to approve the Minutes of the Regular Meeting of April 24, 2014 as distributed by the Acting Secretary, such minutes to include this motion approving the minutes; without the requirement of further review or approval at a subsequent Regular Meeting. Motion to adopt the Minutes of the Regular Meeting April 24, 2014 was made by Commissioner Vaccaro and second by Commissioner Schooler and was unanimously carried.
12. Upon motion duly made, seconded and unanimously carried, the meeting was adjourned.

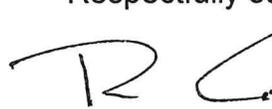
BERGEN COUNTY UTILITIES AUTHORITY
 Minutes of the Regular Meeting
 April 24, 2014

Resolution #	14-1-029
Chairman Vaccaro	Y
Comm. Phillips	Y
Comm. Bentz	Y
Comm. Cassella	Y
Comm. DeLisio	Y
Comm. Juliano	-
Comm. Lorenzo	Y
Comm. Schooler	Y
Comm. Zilocchi	Y

Resolution #	14-2-024	14-2-025	14-2-026	14-2-027
Chairman Vaccaro	Y	Y	Y	Y
Comm. Phillips	Y	Y	Y	Y
Comm. Bentz	Y	Y	Y	Y
Comm. Cassella	Y	Y	Y	Y
Comm. DeLisio	Y	Y	Y	Y
Comm. Juliano	-	-	-	-
Comm. Lorenzo	Y	Y	Y	Y
Comm. Schooler	Y	Y	Y	Y
Comm. Zilocchi	Y	Y	Y	Y

Y = Yes
 R = Recuse
 A = Abstain
 N = No
 - = Absent

Respectfully submitted,



Richard Wierer
 Acting Secretary

April 24, 2014

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Bergen County Utilities Authority (the "Authority") solicited bid proposals for **DST/WAS Belt Press Parts - Gravity Belt Thickeners (Two Years)**, pursuant to and in accordance with **Contract No. 14-07**; and

WHEREAS, the following sole bid proposal was received by the Authority on **April 8, 2014** for **Contract No. 14-07**:

Vendor	Total Amount Bid for Two Years
Alfa Laval Ashbrook Simon - Hartly Inc Houston, TX	\$682,116.00

WHEREAS, the Authority's **Qualified Purchasing Agent** has reviewed the sole bid proposal and has indicated that the sole bid proposal submitted by the sole bidder **Alfa Laval Ashbrook Simon - Hartly Inc.** has been deemed incomplete based upon the failure to submit a Bid Bond, and the bid proposal is therefore deficient; and

WHEREAS, the Authority's **Qualified Purchasing Agent** and **Purchasing Assistant** have recommended that the bid proposal be rejected for the reasons aforementioned; and

WHEREAS, no acceptable or responsive bid proposals were received by the Authority as of **April 8, 2014**, which was the date set forth in the Invitation to Bid for the receipt of bid proposals pursuant to and in accordance with **Contract 14-07**; and

WHEREAS, the Contract Documents and Bid Specifications constituting **Contract No. 14-07** provide at Section 0010015.1 that the Authority, as the contracting unit, reserves the right to reject any and all bids, including but not limited to, all non-conforming, non-responsive or conditional bids; and

WHEREAS, the Commissioners of the Authority are desirous of re-advertising for the solicitation of bid proposals for **Contract No. 14-07** pursuant to N.J.S.A. 40A:11-4 et seq., as an award of this Contract is necessary for the efficient operation of the Authority.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Bergen County Utilities Authority as follows:

1. The bid of **Alfa Laval Ashbrook Simon - Hartly Inc.** shall be and is hereby rejected as a non-conforming bid, constituting a non-waivable, incurable, material deviation from **Contract No. 14-07**.

14-2-024

2. The Executive Director, or his designee, shall be and is hereby authorized to re-advertise for the solicitation of bid proposals for **DST/WAS Belt Press Parts - Gravity Belt Thickeners (Two Years)** for **Contract No. 14-07 (Rebid)**.

3. The bid security of unsuccessful bidders shall be returned in accordance with N.J.S.A. 40A:11-1, et seq.

4. The formal action(s) of the Commissioners of the Bergen County Utilities Authority embodied herein are expressly contingent upon and subject to the provisions of N.J.S.A. 40:14B-14(b).

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of April 24, 2014.



Richard Wierer
Acting Secretary

Dated: April 24, 2014

BERGEN COUNTY UTILITIES AUTHORITY RESOLUTION

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Bergen County Utilities Authority (the "Authority") solicited bid proposals for **Support and Service Contract for SCADA System (One Year)**, pursuant to and in accordance with **Contract No. 14-08**; and

WHEREAS, the following sole bid proposal was received by the Authority on **April 8, 2014** for **Contract No.14-08**:

Vendor	Total Amount Bid (One Year)
Weiss Acquisition, LLC (d/b/a Weiss Instrument)	\$322,571.06

WHEREAS, the Authority's **Qualified Purchasing Agent** has reviewed the sole bid proposal and has recommended that **Weiss Acquisition, LLC (d/b/a Weiss Instrument)** be awarded **Contract No. 14-08** in accordance with N.J.S.A. 40:11-4 et seq., as the lowest complying and responsible bidder; and

WHEREAS, on the basis of the foregoing, the Authority has determined that **Weiss Acquisition, LLC (dba. Weiss Instrument)** constitutes the lowest complying and responsible bidder for **Contract No.14-08**, in accordance with N.J.S.A. 40A:11-4 et seq.; and

WHEREAS, publicly bid contracts are in compliance with the fair and open process pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, the award of this Contract is necessary for the efficient operation of the Authority; and

WHEREAS, the Authority's Chief Financial Officer has certified that funds are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Bergen County Utilities Authority as follows:

1. **Weiss Acquisition, LLC (d/b/a Weiss Instrument)** shall be and is hereby determined to be the lowest complying and responsible bidder for **Support and Service Contract for SCADA System (One Year)**, constituting **Contract No.14-08** for a **One (1) Year Period** for a total sum of **\$322,571.06**.
2. The Chairman is hereby authorized to execute an agreement with **Weiss Acquisition, LLC (d/b/a Weiss Instrument)** of **300 Mt. Lebanon Blvd. Suite 2202, Pittsburgh, PA 15234** for **Support and Service Contract for SCADA System (One Year)**, constituting **Contract No.14-08** for a total sum of **\$322,571.06**.
3. The bid security of all unsuccessful bidders shall be returned in accordance with N.J.S.A. 40A:11-1 et seq.

14-2-025

4. The Chief Financial Officer's Certification that funds are available shall be on file at the Authority and made a part hereof.
5. A copy of this Resolution and the agreement executed pursuant to this Resolution, along with Contract No. 14-08, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by Weiss Acquisition, LLC (d/b/a Weiss Instrument) and the Authority.
6. The formal action(s) of the Commissioners of the Bergen County Utilities Authority embodied herein are expressly contingent upon and subject to the provisions of N.J.S.A. 40:14B-14b.

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of April 24, 2014.



Richard Wierer
Acting Secretary

Dated: April 24, 2014

BERGEN COUNTY UTILITIES AUTHORITY
CERTIFICATE OF FUNDS

RESOLUTION DATE: 04/24/2014

RESOLUTION #: 14-2-025

THIS IS TO CERTIFY TO THE COMMISSIONERS OF THE BERGEN COUNTY UTILITIES
AUTHORITY THAT THERE ARE:

FUNDS AVAILABLE

X

FUNDS ARE NOT AVAILABLE

BUDGET ACCOUNT

2014 WPC BOND ISSUE

VENDOR

WEISS ACQUISITION, LLC

CONTRACT NUMBER

C 14-08

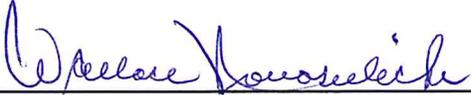
REASON

SUPPORT & SERVICE CONTRACT FOR
SCADA SYSTEM

AMOUNT

\$322,571.06

CONTRACT LENGTH



TREASURER/CFO



WATER POLLUTION CONTROL DIVISION
Engineering Department

DATE: April 21, 2014

TO: Robert Laux, Executive Director

CC: Eric Andersen, Chief Engineer
Dennis Bollhardt, Purchasing Manager
Dennis Oury, Purchasing Assistant

FROM: Thom Chaiket, Principal Engineer 

SUBJECT: Contract 14-08, SCADA System Upgrade/Service Contract

As requested in your April 17, 2014 email, I submit this memorandum to provide a summary of Contract 14-08 (Support and Service Contract for SCADA System). The document also provides information on the review of the submittal by Contract 14-08's sole bidder.

Summary of Required Services

The primary objective of Contract 14-08 was to mitigate the vulnerability from technological obsolescence in the SCADA System (the System). Many key system components are originals installed at the System's inception approximately 15 years ago, and are at or near their projected obsolete date (point at which Invensys, the System's manufacturer, no longer provides support/repair/replacement). The state of these units leaves the overall System very susceptible to unreliable performance and sustained downtimes, both of which can result in costly overtime and permit violations (the System maintains certain operating data as required by various operating permits).

Mitigation is to be achieved through system upgrades. Accordingly, I conducted several meetings with Invensys to evaluate the System's current state and to determine the appropriate upgrade path. Consequently, Invensys provided a multi-phase upgrade recommendation which included new and fully supported system hardware, software, and spare parts. I generated the technical specifications for Contract 14-08 and it is based on my review of the manufacturer's findings and my extensive experience working directly with the System.

The price of Contract 14-08 is higher than the previous contract because of the more extensive scope of work. It is reiterated that the upgrade works based on the recommendations of System's manufacturer. In comparison, the previous contract contains only a service agreement and one system repair work item.

It is noted that a higher level of service agreement was selected for this Contract. This "Standard" option, more expensive than the "Primary" option in the previous contract, provides

a larger discount on the manufacturer's recommended upgrades. As a result, choosing the higher level of service agreement saves the Authority approximately \$21K in upgrade costs.

Review of the Sole Bidder's Submittal

I recommend Contract 14-08 be awarded to Weiss Instrument, the sole bidder, for the following reasons:

- The works specified under this Contract are highly specialized and should be performed by the System's manufacturer or its representative. Weiss Instrument is Invensys's local representative.
- Weiss Instrument satisfies all the bid requirements.
- Weiss Instrument's bid price is in line with the manufacturer's estimate.

Please let me know if you need additional information on Contract 14-08 or review of the sole bidder's submittal.

BERGEN COUNTY UTILITIES AUTHORITY RESOLUTION

WHEREAS, there exists the need to **Procure Electric & Gas Supply** in order to ensure the necessary and efficient operations of the Bergen County Utilities Authority (the "Authority"); and

WHEREAS, the Local Unit Electronic Technology Pilot Program and Study Act (P.L. 2001, c. 30) (the "Act") provides an exception to New Jersey's Public Bid Law allowing the Authority to forego traditional RFQs when purchasing electricity and/or gas and to purchase electricity and/or gas through an online reverse auction process in order to reduce cost; and

WHEREAS, the E-Procurement Pilot Program of the State of New Jersey Department of Community Affairs (the "DCA") pursuant to the Act allows local units to purchase commodities and services, including energy supply, through online bidding and reverse auction programs approved by the DCA; and

WHEREAS, any online organization participating in the online pilot program and on the approved list of companies found on the DCA website may be used; and

WHEREAS, a reverse auction platform provides the hyper-competitive bidding environment which compliments the RFP process that brings in the interested suppliers; and

WHEREAS, the current Electric Supply agreement expires April 30, 2014 and it is necessary for the efficient operation of the Authority to have an agreement in place; and

WHEREAS, the current Gas Supply agreement expires December 31, 2014 and it is necessary for the efficient operation of the Authority to have an agreement in place; and

WHEREAS, **Premier Energy Group, LLC** has been approved by the DCA as a vendor to offer its reverse auction platform to New Jersey local contracting unites for the purchase of energy supply; and

WHEREAS, the high level of competition associated with the reverse auction, combined with **Premier Energy Group, LLC's** electric/gas procurement experience and in-depth knowledge of the retail electric market in New Jersey, provides an opportunity for the Authority to lock-in a competitive rate and have price and budget certainty into the future; and

WHEREAS, the usage based fee to be paid to Premier Energy Group, LLC shall be paid by the selected energy provider, not the BCUA; and

WHEREAS, on April 4, 2014, **Premier Energy Group, LLC** provided the Authority with a proposal to **Perform a Reverse Auction for Electric and Gas Supply** utilizing the DCA's E-Procurement Pilot Program, in the amount of **\$0.0025/kWh** for electric and **\$0.10/dth** for gas as a usage based fee for a twenty-four (24) Month Agreement Term at the Little Ferry site, Edgewater site and Pumping Stations; and

WHEREAS, the services to **Perform a Reverse Auction for Electric and Gas Supply** may be procured through the DCA's E-Procurement Pilot Program (authorized under P.L. 2001, c. 30) for a total amount of **\$0.0025/kWh** for electric and **\$0.10.dth** for gas as a usage based fee for a twenty-four (24) Month Agreement Term at the Little Ferry site, Edgewater site and Pumping Stations as proposed by **Premier Energy Group, LLC**; and

WHEREAS, the award of this Service and conducting of the auction pursuant to the Act is necessary for the cost savings and the efficient operation of the Authority.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Bergen County Utilities Authority, as follows:

1. The staff is authorized to participate in and **Premier Energy Group, LLC** is authorized to **Perform a Reverse Auction for Electric and Gas Supply** utilizing the DCA's E-Procurement Pilot Program for a total amount of **\$0.0025/kWh** for electric and **\$0.10/dth** for gas as a usage based fee for a twenty-four (24) Month Agreement Term at the Little Ferry site, Edgewater site and Pumping Stations as per the Proposal of **Premier Energy Group, LLC.**, dated April 4, 2014, and in accordance with the terms of the DCA's E-Procurement Pilot Program pursuant to the Act for the purpose of purchasing electricity and gas from third party suppliers for use by the Authority.

2. The Executive Director, or his designee, shall be and is hereby authorized to execute the necessary Energy Sales Agreement(s) providing the auctions result in an acceptable savings in energy costs to the Authority.

3. A notice of the auction results shall be published as required by law.

4. A copy of this Resolution and the agreement executed pursuant to this Resolution shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by Premier Energy Group, LLC and the Authority.

5. The formal action(s) of the Commissioners of the Bergen County Utilities Authority embodied herein are expressly contingent upon and subject to the provisions of N.J.S.A. 40:14B-14(b).

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of April 24, 2014.



Richard Wierer
Acting Secretary

Dated: April 24, 2014

BERGEN COUNTY UTILITIES AUTHORITY RESOLUTION

WHEREAS, the Bergen County Utilities Authority (the "Authority") has determined that surplus items, including but not limited to Misc. Laboratory Items, Schwing Sludge Cake Pump, Four Vehicles, Misc. Vehicle Shop Machines and Parts, Pumps, Motors, miscellaneous Computer Hardware and Caterpillar Spare Parts from the Caterpillar Engines, are property no longer needed for public use; and

WHEREAS, the State of New Jersey permits the sale of surplus property no longer needed for public use through the use on an online auction services, pursuant to the Local Unit Electronic Technology Pilot Program and Study Act, P.L. 2001, c.30; and

WHEREAS, the Authority has the property listed in **Schedule A**, attached hereto and incorporated herein, and desires to sell this property online.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Bergen County Utilities Authority, as follows:

1. The Executive Director, or his designee, shall be and is hereby authorized to execute a purchase order memorializing the Authority's entry into an agreement with GovDeals, Inc. for the online auction of Authority Excess Personal Property on GovDeals.com for the sale of excess personal property, upon terms and conditions as follows:

Online Auction Site:	<u>www.govdeals.com</u>
Length of Auction:	10 Days.
Auction Fees:	7.5% of the winning bid amount, paid through proceeds of the sale.
Shipping:	All shipping arrangements and shipping costs are the responsibility of the buyer. Item pickup on location: Foot of Empire Blvd, Moonachie, NJ 07074.
Possession:	Within 10 business days (excluding holidays) of winning bid and at pickup location.

14-2-027

Other Terms:

All items are being sold "as is, where is". Payment by the bidder must be submitted to the Bergen County Utilities Authority within 5 business days (excluding holidays) of winning the bid. Pickup of items auctioned must be made within 10 business days (excluding holidays) of winning bid unless other arrangements have been made prior.

2. The formal action(s) of the Commissioners of the Bergen County Utilities Authority embodied herein are expressly contingent upon and subject to the provisions of N.J.S.A. 40:14B-14b.

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of April 24, 2014.



Richard Wierer
Acting Secretary

Dated: April 24, 2014

14-2-027

Schedule A

1. **Auction 1:** Misc. Laboratory Items: (test tubes, flasks, pipets, etc.)
(Auctioned off as a lot)

Bid Start: To Be Determined upon Advertisement

Bid Stop:

2. **Auction 2:** Schwing Sludge Cake Pump

Bid Start: To Be Determined upon Advertisement

Bid Stop:

3. **Auction 3:** Four Vehicles

Bid Start: To Be Determined upon Advertisement

Bid Stop:

4. **Auction 4:** Misc. Vehicle Shop Machines and Parts

Bid Start: To Be Determined upon Advertisement

Bid Stop:

5. **Auction 5:** Misc. Pumps and Motors

Bid Start: To Be Determined upon Advertisement

Bid Stop:

6. **Auction 6:** Spare Parts from the Caterpillar Engines

Bid Start: To Be Determined upon Advertisement

Bid Stop:

7. **Auction 7:** Misc. Computer Hardware: (Monitors/Desktops etc.)

Bid Start: To Be Determined upon Advertisement

Bid Stop: