

**BERGEN COUNTY UTILITIES AUTHORITY
MINUTES OF THE REGULAR MEETING
FEBRUARY 26, 2015**

**In the matter of the 432nd Regular Meeting of
The Bergen County Utilities Authority**

1. The **proof of meeting notice** calling the February 26, 2015 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
Paul A. Juliano, Commissioner
David J. Lorenzo, Commissioner
Richard D. Schooler, Commissioner
George P. Zilocchi, Commissioner

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

3. BY-LAWS COMMITTEE:

The Chairman requested that the Executive Director conduct the appointment of Chairman and Vice Chairman for the **2015 Reorganization** portion of the regular meeting. The Executive Director asked for nominations for Chairman. Commissioner Juliano nominated Commissioner Vaccaro for the position of Chairman. The nomination was seconded by Commissioner Schooler. The Executive Director asked for additional nominations for Chairman. Hearing no further response, the Executive Director closed the meeting to Chairman nominations. The Executive Director asked for nomination for Vice Chairman. Commissioner Cassella nominated Commissioner Phillips for Vice Chairman. Commissioner Zilocchi seconded the nomination. The Executive Director asked for additional nominations for Vice Chairman. Hearing not further response, the Executive Director closed the meeting to Vice Chairman nominations.

Resolution 15-4-001 - 2015 Reorganization – Election of Chairman and Vice Chairman. Motion to adopt the resolution was made by Commissioner Schooler and Seconded by Commissioner Zilocchi. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-4-002 – 2015 Reorganization – Adoption of By-Laws. Motion to adopt the resolution was made by Commissioner Schooler and Seconded by Commissioner Zilocchi. A roll call was taken and the resolution was adopted as reflected in these minutes.

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4. Motion that the Minutes covering the January 21, 2015 Work Session be approved was moved by Commissioner Cassella and Seconded by Commissioner Zilocchi and was carried with Commissioner Lorenzo and Commissioner Schooler abstaining.

Motion that the Minutes of the February 27, 2014 Regular Meeting Closed Session be approved was moved by Commissioner Vaccaro and Seconded by Commissioner DeLisio and was carried.

Motion that the Minutes of the June 26, 2014 Work Session Closed Session be approved was moved by Commissioner DeLisio and seconded by Commissioner Bentz and was carried with Commissioner Cassella abstaining.

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:

General Counsel Paul Kaufman advised the Commissioners that Resolution 15-1-019 Section Two has been amended to read as "The Chairman shall be and is hereby authorized to execute an Agreement, similar in form and substance to the agreement attached hereto, by and between the Authority and Otterstedt Insurance Agency memorializing the scope of services and compensation to be paid for such services, which is based upon commissions as set forth in the attached agreement, in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon."

Resolution 15-1-004 – Approve bills and the claims supported by vouchers totaling \$5,433,737.23 and authorize the Acting Treasurer to issue the necessary checks therefor, and to charge the accounts indicated, all as more fully set forth on the Acting Treasurer's check list. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-1-005 – Authorize Shared Services Agreement with the Borough of Little Ferry for the Provision of Municipal Services. Motion to adopt the resolution was made by Commissioner Zilocchi and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-1-006 – 2015 Reorganization – Adoption of Cash Management Plan. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-1-007 – Approve donation to the Little Ferry First Aid Corps, Little Ferry Hook & Ladder 1 and Little Ferry Hose Company #1. Motion to adopt the resolution was

made by Commissioner Zilocchi and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-1-008 – Approve Purchase Order – Maintenance Support and Services for Vehicle GPS System – R & T Communications. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-1-009 – Authorize Professional Services Agreement - Audit and Accounting - Lerch, Vinci & Higgins, LLP. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-1-010 – Authorize Agreement – Financial Advisor - Acacia Financial Group, Inc. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-1-011 – Authorize Agreement – Grants/Government Services Consultant - Gibbons P.C. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-1-012 – Authorize Agreement –Health Insurance Consulting Service - LaMendola Associates, Inc. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-1-013 – Authorize Professional Services Agreement – General Legal Counsel - Kaufman, Semeraro & Leibman, L.L.P. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-1-014 – Authorize Professional Services Agreement – Bond Counsel – McManimon, Scotland & Baumann, L.L.C. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-1-015 – Authorize Professional Services Agreement – Special Counsel – Florio, Perrucci, Steinhardt & Fader, L.L.C. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-1-016 – Authorize Professional Services Agreement – Special Counsel – Waters, McPherson, McNeill, P.C. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-1-017 – Authorize Professional Services Agreement – Special Counsel – Law Offices of Stephen P. Sinisi, Esq., L.L.C. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-1-018 – Authorize Agreement – Public Relations – Catania Consulting Group. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-1-019 – Authorize Agreement – General Insurance Consultant – Otterstedt Insurance Agency. Motion to adopt the resolution as amended was made by Commissioner Cassella and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

7. CONSTRUCTION & ENGINEERING COMMITTEE:

General Counsel Paul Kaufman advised the Commissioners that Resolution 15-2-008 Section Four has been amended to read as “The total amount authorized to be paid pursuant to the contract herein awarded shall not exceed \$200,000.00 without further action by the Board of Commissioners.” Acting Treasurer Mathew McCarter certified that funds are available for Resolution 15-2-008.

Resolution 15-2-005 – Authorize Professional Services Agreement - Energy Management and Related Air Pollution Control Permit Engineering Services – Remington, Vernick & Arango Engineers. Motion to adopt the resolution was made by Commissioner Phillips and Seconded by Commissioner Cassella. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-2-006 – Authorize Professional Services Agreement - Site Work /Land Surveying Engineer – Neglia Engineering Associates. Motion to adopt the resolution was made by Commissioner Phillips and Seconded by Commissioner Cassella. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-2-007 – Authorize Professional Services Agreement -Environmental Consulting Engineers – ARCADIS U.S., Inc. Motion to adopt the resolution was made by Commissioner Phillips and Seconded by Commissioner Cassella. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-2-008 – Authorize Professional Services Agreement -Consulting Engineers – Alaimo Group. Motion to adopt the resolution as amended was made by Commissioner Phillips and Seconded by Commissioner Cassella. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-2-009 – Authorize Professional Services Agreement - Computer Maintenance Management System (CMMS) and Enterprise Resource Planning (ERP) System Consulting Services– ARCADIS U.S., Inc. Motion to adopt the resolution was made by Commissioner Phillips and Seconded by Commissioner Cassella. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-2-010 – Award Contract 15-01 to Polydyne, Inc. - Furnish and Deliver Hi-Molecular Weight Cationic Dry Polymer for Sludge Dewatering, Gravity Belt Thickeners (2 Years). Motion to adopt the resolution was made by Commissioner Phillips and Seconded by Commissioner Cassella. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-2-011– Award Contract 15-03 to Brentwood Industries, Inc. - Furnish and Deliver Spare Non-Metallic Sludge Collector Tank Parts. Motion to adopt the resolution was made by Commissioner Phillips and Seconded by Commissioner Cassella. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-2-012 – Award Contract EW2-2015 to JCI Jones Chemicals, Inc. - Furnish and Deliver Sodium Hypochlorite (2 Years). Motion to adopt the resolution was made by Commissioner Phillips and Seconded by Commissioner Cassella. A roll call was taken and the resolution was adopted as reflected in these minutes.

8. STRATEGIC PLANNING COMMITTEE:

Resolution 15-6-002 – Authorize execution of a Shared Services Agreement arranging and providing for a Certified Recycling Professional to Prepare the Annual Recycling Tonnage Report with municipalities wishing to participate. Motion to adopt the resolution was made by Commissioner Schooler and Seconded by Commissioner Cassella. A roll call was taken and the resolution was adopted as reflected in these minutes.

9. Chairman Vaccaro announced a short recess to allow time for the Acting Secretary to prepare minutes of this Regular Meeting.

10. Chairman Vaccaro announced the Regular Meeting would reconvene.

11. The Acting Secretary then distributed proposed minutes of the February 26, 2015 Regular Meeting for review by the Commissioners.

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 Minutes of the Regular Meeting
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12. Move to approve the Minutes of the Regular Meeting of February 26, 2015 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 February 26, 2015 was made by Commissioner Vaccaro and second by Commissioner Juliano and was unanimously carried.

13. Upon motion duly made, seconded and unanimously carried, the meeting was adjourned.

Resolution #	15-4-001	15-4-002	15-1-004	15-1-005	15-1-006	15-1-007	15-1-008
Chairman Vaccaro	Y	Y	Y	Y	Y	Y	Y
Comm. Phillips	Y	Y	Y	Y	Y	Y	Y
Comm. Bentz	Y	Y	Y	Y	Y	Y	Y
Comm. Cassella	Y	Y	Y	Y	Y	Y	Y
Comm. DeLisio	Y	Y	Y	Y	Y	Y	Y
Comm. Juliano	Y	Y	Y	Y	Y	Y	Y
Comm. Lorenzo	Y	Y	Y	Y	Y	Y	Y
Comm. Schooler	Y	Y	Y	Y	Y	Y	Y
Comm. Zilocchi	Y	Y	Y	Y	Y	Y	Y

Resolution #	15-1-009	15-1-010	15-1-011	15-1-012	15-1-013	15-1-014	15-1-015
Chairman Vaccaro	Y	Y	Y	Y	Y	Y	Y
Comm. Phillips	Y	Y	Y	Y	Y	Y	Y
Comm. Bentz	Y	Y	Y	Y	Y	Y	Y
Comm. Cassella	Y	Y	Y	Y	Y	Y	Y
Comm. DeLisio	Y	Y	Y	Y	Y	Y	Y
Comm. Juliano	Y	Y	Y	Y	Y	Y	Y
Comm. Lorenzo	Y	Y	Y	Y	Y	Y	Y
Comm. Schooler	Y	Y	Y	Y	Y	Y	Y
Comm. Zilocchi	Y	Y	Y	Y	Y	Y	Y

Resolution #	15-1-016	15-1-017	15-1-018	15-1-019	15-2-005	15-2-006	15-2-007
Chairman Vaccaro	Y	Y	Y	Y	Y	Y	Y
Comm. Phillips	Y	Y	Y	Y	Y	Y	Y
Comm. Bentz	Y	Y	Y	Y	Y	Y	Y
Comm. Cassella	Y	Y	Y	Y	Y	Y	Y
Comm. DeLisio	Y	Y	Y	Y	Y	Y	Y
Comm. Juliano	Y	Y	Y	Y	Y	Y	Y
Comm. Lorenzo	Y	Y	Y	Y	Y	Y	Y
Comm. Schooler	Y	Y	Y	Y	Y	Y	Y
Comm. Zilocchi	Y	Y	Y	Y	Y	Y	Y

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Resolution #	15-2-008	15-2-009	15-2-010	15-2-011	15-2-012	15-6-002
Chairman Vaccaro	Y	Y	Y	Y	Y	Y
Comm. Phillips	Y	Y	Y	Y	Y	Y
Comm. Bentz	Y	Y	Y	Y	Y	Y
Comm. Cassella	Y	Y	Y	Y	Y	Y
Comm. DeLisio	Y	Y	Y	Y	Y	Y
Comm. Juliano	Y	Y	Y	Y	Y	Y
Comm. Lorenzo	Y	Y	Y	Y	Y	Y
Comm. Schooler	Y	Y	Y	Y	Y	Y
Comm. Zilocchi	Y	Y	Y	Y	Y	Y

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

Respectfully submitted,



Richard Wierer
Acting Secretary

February 26, 2015

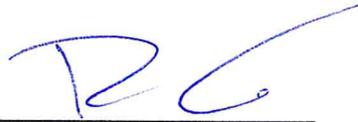
15-4-001

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

BE IT RESOLVED that Andrew Vaccaro is hereby elected **Chairman** of the Board of Commissioners of The Bergen County Utilities Authority, and Ronald Phillips is hereby elected **Vice Chairman** of the Board of Commissioners of The Bergen County Utilities Authority for the Year 2015 or until the Authority's annual 2016 reorganization meeting.

The above action is made in accordance with the By-Laws of The Bergen County Utilities Authority, Article 5, Section 1.

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of February 26, 2015.



Richard Wierer
Acting Secretary

DATED: February 26, 2015

15-4-002

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

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

1. The annexed By-Laws shall be and they are hereby adopted as the By-Laws of the Authority for use by the Authority, effective upon adoption and shall continue thereafter, unless revised or modified or repealed.

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-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 February 26, 2015.



Richard Wierer
Acting Secretary

DATED: February 26, 2015

THE BERGEN COUNTY UTILITIES AUTHORITY

BY-LAWS

Article 1. By-Laws and Organization

Section 1. By-Laws

These By-Laws shall constitute the By-Laws of The Bergen County Utilities Authority (the "Authority"). Amendments to these By-Laws shall be incorporated herein as if more fully set forth at length herein and shall constitute the By-Laws of the Authority.

Section 2. Organization

The Authority is a public body politic and corporate, constituting a political subdivision of the State, established as an instrumentality exercising public and essential governmental functions, to provide for the public health and welfare, having perpetual succession and having express and implied powers by virtue of and under N.J.S.A. 40:14b-1 et seq., more commonly known as the "Municipal and County Utilities Authorities Law."

Article 2. Seal

Section 1. Seal

The Seal of the Authority shall be as follows:

Article 3. Office

The office of The Bergen County Utilities Authority shall be at:

Foot of Mehrhof Road
Little Ferry, New Jersey 07643

Mailing Address: P. O. Box 9, Little Ferry, NJ 07643

Article 4. Members

Section 1. Members

The powers of the Authority shall be vested in the Members thereof in office, from time to time. Each Member shall hold office for the term for which he or she was appointed until his or her successor has been appointed and has qualified.

Section 2. Removal

A Member of the Authority may be removed only by the governing body by which he or she was appointed and only for inefficiency or negligence of duty or misconduct in office, and after he or she shall have been given a copy of the charges against him or her and not sooner than ten (10) days thereafter, had opportunity in person or by counsel to be heard thereon by such governing body.

Article 5. Officers

Section 1. Election of Chair and Vice Chair

The Chair and Vice Chair of the Authority shall be elected by the Membership of the Authority at the Authority's annual reorganization meeting or such meeting called for the purpose of electing the Chair and Vice Chair and/or reorganizing generally. The Chair and Vice Chair shall serve until February 1 of the ensuing year and thereafter, until their successors have been appointed and qualified.

Notwithstanding anything to the contrary herein, in the event the Chair and Vice Chair die, become disabled or otherwise become incapable of performing their duties, the balance of the Members of the Authority shall be entitled to convene a special and/or emergency meeting, in conformity with the notice requirements of N.J.S.A.

10:4-6, et seq. (more commonly referred to as the “Open Public Meetings Act”), to fill the unexpired terms of the immediate past Chair and Vice Chair.

Section 2. Officers

The Authority’s officers shall be the Chair, Vice Chair and Secretary.

Section 3. Duties

The duties and powers of the Chair, Vice Chair and Secretary are as follows:

Chair

The Chair shall cause to be called all meetings of the Authority; the Chair shall preside at all meetings of the Authority; the Chair shall be responsible for opening the meetings at the time the meetings are supposed to be opened by calling the Members to order; to ascertain then and throughout the meeting, that a quorum is present; the Chair shall preside over the deliberations of the Authority and conduct the meetings thereof; the Chair shall, on all occasions, preserve order and decorum in a clear, concise and courteous manner, and may cause the removal of all persons who interrupt the orderly proceedings of the Authority; the Chair shall enforce all rules, including these By-Laws and rules of debate; the Chair shall maintain order and respond to parliamentary inquiries, point of order and any other motions that require the action of the Chair; the Chair shall endeavor to alternate between pro and con when conducting a debate on a motion; the Chair shall at all times uphold the By-Laws, rules of order, and standing rules and other documents relevant to the business of the Authority and, in general, to represent the Authority, declaring its will and obeying its command in all matters and regards. The Chair shall not only be familiar with the By-Laws of the Authority, but also set an example of conformity to such rules.

The Chair shall serve as the ex-officio Member of all committees, standing or special, and shall be informed in advance of the meetings of standing or special committees.

Unless otherwise provided, the Chair, or anyone acting in his or her stead, shall sign all contracts and other agreements and obligations of the Authority. The Chair, or anyone acting in her stead, together with the Authority's Executive Director and Chief Financial Officer, shall sign all checks, drafts, notes and/or requisitions of the Authority.

The Chair shall, at the annual reorganization meeting of the Authority, receive nominations from any Member(s) of the Authority for the positions of Chair and Vice Chair for the ensuing year. The Members present shall thereafter vote to select the Chair and Vice Chair from among the nominations received by the Chair.

Vice Chair

The Vice Chair, in the absence of the Chair, shall have all of the powers to perform all of the duties of the Chair.

Secretary

The Secretary shall attend all meetings of the Authority and shall be responsible for verification and confirmation of the notification of Authority meetings and the roll of the Members of the Authority, together with such other matters incidental to the performance of duties of the Secretary.

The Secretary's duties shall include attendance at all Authority meetings; the taking and retention of the minutes of the Authority's meetings and the meetings of special or sub-committees thereof; to cause to be issued written notices of the

meetings of the Authority; to maintain a roster of the Membership of the Authority; to provide for and execute copies of the Authority's documents, where necessary, and to produce such minutes and organizational documents available to the Members of the Authority at reasonable times and places and to call the roll, when required.

The Secretary shall also provide to the Chair and Vice a list of all committees, their chairs and Members.

Article 6. Meetings

Section 1. Annual Meetings

The Annual Meeting of the Authority shall be held at the Authority's office on or after the first day of February of each year, on the date and at the time and place established by the Authority for such meetings.

Section 2. Work Session Meetings

Unless otherwise designated and established by law, work session meetings shall be held at the Authority's offices on the fourth Thursday of the month at 6:00 p.m., or at such other times and dates as may, from time to time, be established by the Authority.

Section 3. Regular Meetings

Unless otherwise designated and established by law, regular meetings shall be held at the Authority's offices on the fourth Thursday of each month, commencing immediately upon completion of the regular meeting work session that evening.

Section 4. Special Meetings

Special Meetings of the Authority may be called by the Chair. The Chair shall also call such a meeting upon the written request of the majority of the regular

Members of the Authority. Notice of such meetings shall be served personally, or sent by mail, not less than 48 hours before the date and time set for the meeting. The notices shall comply with the notice requirements of N.J.S.A. 10:4-6, et seq., which may, from time to time, be amended.

Section 5. Emergency Meetings

Emergency Meetings may be convened only upon the affirmative vote of three-quarters of the Members present, to deal with matters of such urgency and importance that a delay for the purpose of providing adequate notice would be likely to result in substantial harm to the public interest; provided however, that the notice requirements for such meeting as set forth in N.J.S.A. 10:4-9 of the Open Public Meetings Act, which may from time to time be amended, are satisfied.

Section 6. Quorum

A majority of the entire authorized Membership shall constitute a quorum at any meeting.

Section 7. Voting

Questions shall be determined by vote of the Members present. Formal action may be taken and motions and resolutions adopted by the Authority at any meeting of the Members thereof by a vote of a majority of the Members present except where the election of the Chair and Vice Chair may be by ballot, if a majority of the Members present elect to establish a ballot procedure to elect the Chair and Vice Chair.

Section 8. Orders of Business

Unless suspended or other wise ordered by the Chair or Vice Chair, as the case may be, the order of business at regular meetings shall be as follows:

1. Proof of Notice of Meeting, or Waiver and Notice;
2. Roll Call;
3. Pledge of allegiance;
4. Approval of Minutes;
5. Public Participation;
6. Report of Committees;
7. Unfinished Business;
8. New Business; and
9. Adjournment

Article 7. Presumption of Powers

Section 1. Presumption

Consistent with the powers conferred upon the Authority by virtue of N.J.S.A. 40:14B-20, the Authority shall exercise all enumerated and necessary and implied powers in the broadest possible sense in order to fulfill its responsibilities as a public body politic and corporate, discharging essential governmental functions to provide for the public health, safety and welfare, and having perpetual succession.

Section 2. Liberal Construction

These By-Laws shall be construed liberally to effectuate and implement the Authority's actions in exercising its powers under these By-Laws and N.J.S.A. 40:14B-1, et seq.

Article 8. Mission Statement

Section 1. The Members of the Authority shall formulate and establish the policies and objectives of the Authority for the management and regulation of its

business and affairs and for the use, maintenance and operation of its utilities systems and any other of its properties.

Section 2. In Authority staff and employees is reposed the responsibility for the day-to-day implementation and/or management of Authority policy, not otherwise reserved by the Members of the Authority pursuant to N.J.S.A. 40:14B-1, et seq. or these By-Laws, or where such matters involved or effect the interpretation of the Members' decisions and/or policies. The Members of the Authority deem such matters within their jurisdiction.

Article 9. Committees

Section 1. Committees; Appointment

The Chair shall appoint such standing or special committees as the Chair deems necessary and designate the chair and Members thereof. Standing Committees shall be the Construction & Engineering Committee, the Legal & Finance Committee, the Personnel & Administration Committee, the Security & Safety Committee, the Strategic Planning Committee and the By-Laws Committee.

Section 2. Duties of the Committee Chair

The committee chair shall call the committee together, from time to time or as directed by the Authority to review or initiate, as the case may be, recommendations to the Authority, with regard to the specific issues, questions, policies and planning relating to matters falling under the jurisdiction of the committee. The committee chair and Members shall develop and formulate a "mission" statement and define the objectives of the committee. Thereafter, the committee chair shall call the committee together from time to time to formulate and/or review, as the case may be,

recommendations to the Authority with regard to the matters subject to the jurisdiction of the committee. Whatever is not agreed to by the majority of the Membership present and not voted on at a committee meeting cannot form part of that committee's report(s) to the Authority.

The committee chair shall be responsible to call the Members of the committee to order, ascertain that a quorum is present, and to announce that the business of the committee is in correct order; to ensure that the business of the committee is addressed and completed expeditiously so that committee recommendations are made to the Authority for further consideration; the committee chair shall also enforce all rules to maintain order, decorum, and debate, and to respond to parliamentary inquiries and point of order, to declare, when appropriate, when the committee is recessed or adjourned, and in general, to exercise the functions of the committee chair of the Authority limited, however, to the business before his or her committee.

The committee chair shall present to the Authority his or her report of the committee's recommendations and respond to any questions or comments when it is appropriate to do so, during the meetings of the Authority at which committee reports are presented.

All Committee meetings shall comply with all requirements of the Open Public Meetings Act, N.J.S.A. 10:4-1 et seq.

Article 10. Fiscal Year

Section 1. Fiscal Year

The fiscal year of the Authority shall begin on January 1 and end on December 31 of each year.

Article 11. Modification and Repeal

Section 1. Procedure

These By-laws may be modified or repealed, in whole or in part, by the affirmative vote of at least five (5) Members of the Authority at any regular meeting of the authority, or at a special meeting at which the modification or repeal of the By-Laws, in whole or in part, shall be considered, provided however, that written notice of any such special meeting shall have been sent to each Member in accordance with the notice requirements of the Open Public Meetings Act (N.J.S.A. 10:4-6, et seq.).

Chairman

ADOPTED: February 26, 2015

Resolution 15-1-002

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, the Bergen County Utilities Authority (“Authority”) is a county utilities authority, organized pursuant to N.J.S.A. 40:14B-1 et seq. and authorized to provide, inter alia, sewage collection and disposal services and the relief of waters in or bordering the State from pollution arising from causes within the district and the relief of waters in, bordering or entering the district from pollution or threatened pollution on behalf of its constituent members; and

WHEREAS, the Borough of Little Ferry (“Borough”) is a municipal corporation of the State of New Jersey, organized pursuant to N.J.S.A. 40A:60-1 et seq., and authorized to provide essential municipal services to protect the public health, safety and welfare of its inhabitants; and

WHEREAS, the Borough is a constituent municipality in the Authority’s sewer service district; and

WHEREAS, the Authority owns, operates and maintains a wastewater treatment plant located in the Borough; and

WHEREAS, the Authority’s wastewater treatment plant and administrative facilities comprise approximately one-third (1/3) of the total land within the Borough; and

WHEREAS, in lieu of any other compensation or payment(s), the Authority agrees to pay to the Borough for the 2015 calendar year only, the sum of **\$150,000.00** for the Borough providing to the Authority extraordinary services above and beyond the providing of standard or routine municipal services historically and presently provided by the Borough to the Authority; and

WHEREAS, N.J.S.A. 40:14B-20 authorizes and permits the Authority to enter into any and all contracts, execute any and all instruments and do and perform any and all acts or things necessary, convenient or desirable for the purposes of the Authority or to carry out any power expressly given to the Authority pursuant to N.J.S.A. 40:14B-1 et seq., expressly subject to N.J.S.A. 40A:11-1 et seq. (“Local Public Contracts Law”); and

WHEREAS, the Authority has engaged in discussions with the Borough regarding the nature and extent of providing municipal services, and the Authority’s payment of compensation for said services for the 2015 calendar year and considers the formation of an agreement to be necessary and/or desirable for the Authority’s continued efficient operations; and

WHEREAS, the Executive Director has reviewed a proposed inter-local agreement with the Borough and recommends that the Commissioners of the Authority accept the terms

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of the proposed agreement with the Borough on file at the Authority offices, for the provision of extraordinary municipal services to the Authority for the calendar year 2015; and

WHEREAS, the Chief Financial Officer of the Authority has certified that funds are available for this purpose and his Certificate is on file at the Authority.

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

1. The Chairman shall be and he is hereby authorized to execute an Agreement with the Borough of Little Ferry in final form acceptable to the Commissioners, as evidenced by the Chairman's signature thereon, for the providing of extraordinary municipal services by the Borough of Little Ferry to the Authority during calendar year 2015 for the total sum of **\$150,000.00** to be paid by the Bergen County Utilities Authority to the Borough of Little Ferry.

2. A copy of this Resolution and the Agreement entered into with the Borough of Little Ferry 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 the Authority.

3. The Chief Financial Officer's Certification confirming the availability of funds for this obligation shall be placed on file and made available for public inspection in the Office of the Executive Director.

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 February 26, 2015.



Richard Wierer
Acting Secretary

DATED: February 26, 2015

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 02/26/2015

RESOLUTION #: 15-1-005

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

LITTLE FERRY HOST COMMUNITY
A-620-55300-000

VENDOR

BOROUGH OF LITTLE FERRY

CONTRACT NUMBER

N/A

REASON

EXTRAORDINARY MUNICIPAL SERVICES

AMOUNT

\$150,000.00

CONTRACT LENGTH

JANUARY 1, 2015 - DECEMBER 31, 2015



ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, N.J.S.A. 40:5:14 requires the governing body of each local authority to cause the adoption of a **Cash Management Plan**; and

WHEREAS, in accordance with N.J.S.A. 40:5-14, the Chief Financial Officer has developed a **Cash Management Plan** for use by the Authority, a copy of which is on file at the Authority; and

WHEREAS, the Commissioners of the Authority have reviewed the **Cash Management Plan** prepared by the Authority's Chief Financial Officer and desire to continue its usage during 2015; and

WHEREAS, the implementation and usage of the Authority's **Cash Management Plan** 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 Commissioners of the Authority do hereby approve the continued use of the Authority's **Cash Management Plan** prepared by the Chief Financial Officer.
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-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 February 26, 2015.



Richard Wierer
Acting Secretary

DATED: February 26, 2015

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, the Authority wishes to make a donation to the **Little Ferry First Aid Corps, Little Ferry Hook & Ladder 1** and **Little Ferry Hose Company #1** in recognition of their dedicated services; and

WHEREAS, the Authority's Chief Financial Officer's Certificate of Available Funds, maintained on file at the Authority, sets forth that sufficient funds for the subject donations have been appropriated; and

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Bergen County Utilities Authority that the sums of \$2,000.00 each be paid to the **Little Ferry First Aid Corps, Little Ferry Hook & Ladder 1**, and **Little Ferry Hose Company #1**, to support their respective services for the current year; and

BE IT FURTHER RESOLVED that the formal actions of the Commissioners of the Bergen County Utilities Authority embodies herein are expressly contingent upon and subject to N.J.S.A. 40:14B-4(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 February 26, 2015.



Richard Wierer
Acting Secretary

Dated: February 26, 2015

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 02/26/2015

RESOLUTION #: 15-1-007

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

SERVICES - OTHER EXPENSES

A-620-54500-000

VENDOR

LITTLE FERRY FIRST AID CORPS

LITTLE FERRY HOOK & LADDER #1

LITTLE FERRY HOSE COMPANY #1

CONTRACT NUMBER

N/A

REASON

SERVICES

AMOUNT

\$2,000 EACH

CONTRACT LENGTH

N/A



ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, there exists the need to retain maintenance support services for our GPS system for the Authority Vehicles from **R&T Communications**; and

WHEREAS, **R&T Communications** has submitted a proposal dated January 8, 2015, to provide the requisite maintenance support services to Authority; and

WHEREAS, the cost to perform the requisite Maintenance support services is not to exceed **\$16,532.00**, on annual basis; and

WHEREAS, there support services are below the Authority's bid threshold of \$36,000.00 and therefore do not require compliance with Local Public Contracts Law pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, the Authority has determined that **R&T Communications** is competent, qualified and experienced to provide such maintenance support services; as the GPS was installed by said vendor; and

WHEREAS, the Acting Treasurer of the Authority has certified that funds are available for this purpose; and

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

1. That **R&T Communications** shall and is hereby retained by the Authority to **Provide Maintenance Support and Services for the Vehicle GPS System**, for an amount not to exceed **\$16,532.00** in accordance with their proposal dated January 8, 2015, with further approval of the Commissioners of the Authority.
2. The Chairman shall be and is hereby authorizing the Purchasing Manager to issue a Purchase Order to R&T Communications for not to exceed **\$16,532.00**.
3. The Acting Treasurer of the Authority has certified that funds are available shall be maintained on file at the Authority;and
4. A notice of this contract award shall be published in the form prescribed by law.
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).

15-1-008

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of February 26, 2015.



Richard Wierer
Acting Secretary

DATED: February 26, 2015

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 02/26/2015
RESOLUTION #: 15-1-008

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 COLLECTION SYSTEM - PARTS & SUPPLIES
W-220-52300-000

VENDOR R&T COMMUNICATIONS

CONTRACT NUMBER 15022601

REASON AUTO GPS SYSTEM MAINTENANCE
SUPPORT & SERVICES

AMOUNT \$16,532.00

CONTRACT LENGTH OCTOBER 1, 2014 - SEPTEMBER 30, 2015

Matthew M. Pate

ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, there exists the need to engage the services of a certified public accountant/registered municipal accountant to provide **Audit and Accounting Services** to the Bergen County Utilities Authority ("Authority"); and

WHEREAS, said services are recognized as "professional services" as same shall be rendered by person(s) authorized by law to practice a recognized profession, whose practice is regulated by law, and the performance of which services requires knowledge of an advanced type of learning acquired by a prolonged formal course of specialized instruction and study, pursuant to and in accordance with N.J.S.A. 40A:11-2(6); and

WHEREAS, N.J.S.A. 40A:11-1, et seq. provides that a contract for professional auditing services may be awarded without competitive bidding as a "professional service"; and

WHEREAS, these services were solicited through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq. through a publicly advertised Request for Qualifications ("RFQ"); and

WHEREAS, **Lerch, Vinci & Higgins, LLP** has submitted a proposal to provide **Audit and Accounting Services**, dated **February 13, 2015**, which proposal has been reviewed by the Authority; and

WHEREAS, the Authority desires to appoint and retain **Lerch, Vinci & Higgins, LLP** to provide **Audit and Accounting Services** to the Authority for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

WHEREAS, the Authority Commissioners have determined that **Lerch, Vinci & Higgins, LLP** is competent, qualified and experienced to provide the Authority's **Audit and Accounting Services**; and

WHEREAS, the Authority has determined, on the basis of the foregoing, that it is necessary for its efficient operation to retain the services of **Lerch, Vinci & Higgins, LLP** to provide **Audit and Accounting Services** to the Authority; and

WHEREAS, N.J.S.A. 40A:11-1, et seq. requires that the resolution authorizing the award of contracts for professional services and the contract itself be available for public inspection; and

WHEREAS, the Chief Financial Officer of the Authority 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. **Lerch, Vinci & Higgins, LLP** shall be and is hereby appointed to provide **Audit and Accounting Services** to The Bergen County Utilities Authority for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively.
2. The Chairman shall be and is hereby authorized to execute an agreement, similar in form and substance to the agreement on file on the Office of the Executive Director, by and between the Authority and **Lerch, Vinci & Higgins, LLP** memorializing the scope of services and compensation to be paid for such services, in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.
3. A copy of this resolution and the agreement retaining **Lerch, Vinci & Higgins, LLP** shall be placed on file and made available for public inspection in the Office of the Executive Director, upon execution by the Authority.
4. The total amount authorized to be paid pursuant to the contract herein awarded shall not exceed **\$225,000.00** without further action by the Board of Commissioners.
5. The Chief Financial Officer's Certification that funds are available shall be placed on file and made available for public inspection in the Office of the Executive Director, upon execution by the Authority.
6. A notice of this contract award shall be published in the form prescribed by law.
7. 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 February 26, 2015.



Richard Wierer
Acting Secretary

Dated: February 26, 2015

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 02/26/2015

RESOLUTION #: 15-1-009

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

AUDIT & FINANCIAL ADVISORY
W-350-51000-000

VENDOR

LERCH, VINCI & HIGGINS, L.L.P.

CONTRACT NUMBER

15022602

REASON

AUDIT & ACCOUNTING SERVICES

AMOUNT

\$225,000.00

CONTRACT LENGTH

MARCH 1, 2015 - FEBRUARY 29, 2016



ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, there exists the need for the Bergen County Utilities Authority to engage the services of a **Financial Advisor**; and

WHEREAS, N.J.S.A. 40A:11-5(1)(a)(ii) authorizes and permits the procurement of **Financial Advisory Services** without competitive bidding, where said services are in the nature of an “extraordinary unspecifiable service”; and

WHEREAS, **Financial Advisory Services** are recognized as “extraordinary unspecifiable services” as said services are specialized and qualified in nature, requiring expertise, extensive training and proven reputation in the field of endeavor, pursuant to and in accordance with N.J.S.A. 40A:11-2(7); and

WHEREAS, the Authority's Chief Financial Officer has determined that the engagement of a **Financial Advisor** is necessary to provide for the efficient operation of the Authority; and

WHEREAS, pursuant to and in accordance with N.J.A.C. 5:34-2.3, the Authority's Chief Financial Officer has provided the Authority's Commissioners with a Certification, dated February 26, 2015, describing the nature of the work to be done, stating that it is not reasonably possible to draft specifications, and describing why the contract satisfies the Statutory and Administrative Code requirements for extraordinary unspecifiable services; and

WHEREAS, **Acacia Financial Group, Inc.** has submitted a proposal to provide **Financial Advisory Services** to the Authority, dated **February 13, 2015**, which proposal has been reviewed by the Authority's Executive Director and Chief Financial Officer and determined to be fair and reasonable; and

WHEREAS, the Authority has determined, based upon the foregoing, that it is necessary for its efficient operation to retain the services of **Acacia Financial Group, Inc.** to provide **Financial Advisory Services** to the Authority for the year 2015 until the Authority's annual 2016 reorganization meeting, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

WHEREAS, the Commissioners of the Authority have determined that **Acacia Financial Group, Inc.** is competent, qualified, experienced and has a proven reputation in the field of **Financial Advisory Services**; and

WHEREAS, this contract was awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq. through a publicly advertised Request for Qualifications

("RFQ"), and **Acacia Financial Group, Inc.** was found to be qualified to provide these services; and

WHEREAS, the Authority is desirous of retaining **Acacia Financial Group, Inc.** to provide **Financial Advisory Services**; and

WHEREAS, the Authority's Chief Financial Officer's Certificate of Available Funds, maintained on file at the Authority, sets forth that sufficient funds for the procurement of the **Financial Advisory Services** have been allotted in the Authority's budget; and

WHEREAS, N.J.S.A. 40A:11-1, et seq. requires that the resolution authorizing the award of a contract for extraordinary unspecifiable services without public bidding and the contract itself be available for public inspection.

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

1. **Acacia Financial Group, Inc.** shall be and is hereby selected by the Authority to perform **Financial Advisory Services** to the Bergen County Utilities Authority for the year 2015, until the Authority's annual 2016 reorganization meeting, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively.

2. The Chairman shall be and is hereby authorized to execute an Agreement by and among the Authority and **Acacia Financial Group, Inc.** memorializing the scope of services to be performed and compensation to be paid therefor, in substantially the form and substance on file in the office of the Executive Director, and satisfactory to the Authority as evidenced by the Chairman's signature thereon.

3. The Chief Financial Officer's Certification that funds are available shall be placed on file and made available for public inspection in the Office of the Executive Director and made a part hereof.

4. The total amount authorized to be paid for services provided on an hourly basis pursuant to the contract herein awarded shall not exceed the total sum of **\$27,000.00** without further action by the Board of Commissioners. For all services with respect to the authorization and the issuance of a permanent bond issue or other financing, the amount paid shall be in accordance with the aforesaid proposal.

5. A copy of this resolution and the Agreement retaining **Acacia Financial Group, Inc.** for the aforesaid services shall be placed on file and made available for public inspection in the office of the Executive Director, upon execution by **Acacia Financial Group, Inc.** and the Authority.

15-1-010

6. A Notice of Contract Award shall be published in the form prescribed by law.

7. 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 February 26, 2015.



Richard Wierer
Acting Secretary

Dated: February 26, 2015

15-1-010

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 02/26/2015

RESOLUTION #: 15-1-010

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

AUDIT & FINANCIAL ADVISORY
W-350-51000-000

VENDOR

ACACIA FINANCIAL GROUP, INC.

CONTRACT NUMBER

15022603

REASON

FINANCIAL ADVISORY SERVICES

AMOUNT

\$27,000.00

CONTRACT LENGTH

MARCH 1, 2015 - FEBRUARY 29, 2016



ACTING TREASURER

**CERTIFICATION FOR AN EXTRAORDINARY
UNSPECIFIABLE SERVICES CONTRACT**

TO: Members of the Board of Commissioners
FROM: Mathew McCarter
Acting Treasurer, Bergen County Utilities Authority
DATE: February 26, 2015
SUBJECT: **Award of Contract for Financial Consultant**

This is a contract for the Provision of Consulting - Financial Consultant

This certification is submitted to request your approval of a resolution authorizing a contract to be executed as follows:

Firm: Acacia Financial Group ("Contractor")
Duration: Until the Authority's 2016 Reorganization Meeting.
Purpose: To provide services to the Authority in regards to the provision of Financial Consulting Services.

This is to request an award of a contract without the receipt of formal bids as an Extraordinary Unspecifiable Service pursuant to N.J.S.A. 40A:11-5(1)(a)(ii) and N.J.A.C. 5:34-2.3(b).

I do hereby certify to the following:

I. Provide a clear description of the nature of the work to be done.

The contract will be for the provision of financial consulting services. As Acting Treasurer, I am familiar with the nature of the work to be done under the contract for Financial Consultant which is to be performed by an entity with expertise, extensive training, and a proven reputation in the field of endeavor. It is critical to the efficient operations of the BCUA, that the financial consulting be performed by an entity with expertise, extensive training and a proven reputation in the field of endeavor of providing such consulting service.

II. Describe in detail why the contract meets the provisions of the statute and rules:

This contract is a contract for extraordinary unspecifiable services, as provided for under N.J.S.A. 40A:11-5, as such services are of such a qualitative nature that the performance of the services cannot be reasonably described by written specifications, and services requiring financial expertise in the rendering of advice, have been recognized by the Division of Local Government Services, (Local Finance Notice AU 2002-2) as within the statutory definition of Extraordinary Unspecifiable Services.

III. The service(s) is of such a specialized and qualitative nature that the performance of the service(s) cannot be reasonably described by written specifications because:

It is not reasonably possible to draft specifications for these services adequately defining the expertise and skill requires in such complex type matters as covered by

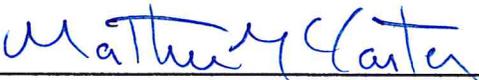
the contract to be let, such services being of such a qualitative nature as well as an endeavor, the scope of which is not reasonably determinable in advance of the receipt of proposals from those with required expertise and skill.

IV. Describe the informal solicitation of quotations:

Pursuant to the New Jersey Pay to Play Law, N.J.S.A. 19:44A-20.5 et seq., a Request for Qualifications ("RFQ") for the Provision of Financial Consultant services was advertised on December 23, 2014, and statements of qualifications were received. The Contractor was duly qualified by resolution of the Authority dated January 21, 2015. Informal Quotations from at least two qualified providers of Financial Consultant services were informally solicited, and the BCUA has determined the proposal of the Contractor to be fair and reasonable. It is my recommendation that an award for the Provision of Financial Consultant services be provided to the Contractor, price and other factors considered.

I have reviewed the rules of the Division of Local Government Services pursuant to N.J.A.C. 5:34-2.1 et seq. and certify that the proposed contract may be considered an extraordinary unspecifiable service in accordance with the requirements thereof.

Respectfully,



Mathew McCarter, Acting Treasurer

(Original to be retained by governing body's Clerk with the affirmed copy of the resolution; signed duplicate to be kept by appropriate official.)

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, there exists the need to engage the services of a Legal/Government/Service Consultant to serve as **Grants/Government Service Consultant** to the Bergen County Utilities Authority (the "Authority"); and

WHEREAS, said services are recognized as "professional services" as same shall be rendered by person(s) authorized by law to practice a recognized profession, whose practice is regulated by law, and the performance of which services requires knowledge of an advanced type of learning acquired by a prolonged formal course of specialized instruction and study, pursuant to and in accordance with N.J.S.A. 40A:11-2(6); and

WHEREAS, N.J.S.A. 40A:11-1, et seq. provides that a contract for professional Grants/Government Service Consultant services may be awarded without competitive bidding as a "professional service"; and

WHEREAS, this contract was awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq. through a publicly advertised Request for Qualifications ("RFQ"); and

WHEREAS, **Gibbons P.C.** has submitted a proposal to serve as **Grants/Government Service Consultant** to the Authority, dated **February 13, 2015**, which proposal has been reviewed by the Authority; and

WHEREAS, the Authority desires to appoint and retain **Gibbons P.C.** to serve as **Grants/Government Service Consultant** to the Authority for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

WHEREAS, the Authority Commissioners have determined that **Gibbons P.C.** is competent, qualified and experienced to serve as the Authority's **Grants/Government Service Consultant**; and

WHEREAS, the Authority has determined, on the basis of the foregoing, that it is necessary for its efficient operation to retain the services of **Gibbons P.C.** to serve as **Grants/Government Service Consultant** to the Authority; and

WHEREAS, N.J.S.A. 40A:11-1, et seq. requires that the resolution authorizing the award of contracts for professional services and the contract itself be available for public inspection; and

WHEREAS, the Chief Financial Officer of the Authority 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. **Gibbons P.C.** shall be and is hereby appointed to serve as **Grants/Government Service Consultant** to the Authority for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively.
2. The Chairman shall be and is hereby authorized to execute an agreement, similar in form and substance to the agreement on file in the Office of the Executive Director, by and between the Authority and **Gibbons P.C.** memorializing the scope of services and compensation to be paid for such services, in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.
3. A copy of this resolution and the agreement retaining **Gibbons P.C.** 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 **Gibbons P.C.** and the Authority.
4. The total amount authorized to be paid pursuant to the contract herein awarded shall not exceed the total sum of **\$66,000.00** without further action by the Board of Commissioners.
5. The Chief Financial Officer's Certification that funds are available shall be placed on file and made available for public inspection at the Authority and made a part hereof.
6. A notice of this contract award shall be published in the form prescribed by law.
7. 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 February 26, 2015.



Richard Wierer
Acting Secretary

Dated: February 26, 2015

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 02/26/2015

RESOLUTION #: 15-1-011

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

LEGAL
W-350-50800-000

VENDOR

GIBBONS, P.C.

CONTRACT NUMBER

150226014

REASON

GRANTS/GOVERNMENT
SERVICE CONSULTANT

AMOUNT

\$66,000.00

CONTRACT LENGTH

MARCH 1, 2015 - FEBRUARY 29, 2016



ACTING TREASURER

**CERTIFICATION FOR AN EXTRAORDINARY
UNSPECIFIABLE SERVICES CONTRACT**

TO: Members of the Board of Commissioners

FROM: Robert E. Laux
Executive Director, Bergen County Utilities Authority

DATE: February 26, 2015

SUBJECT: **Award of Contract for Grants / Government Services Consultant**

This is a contract for the Provision of Consulting - Grants Consultant. This certification is submitted to request your approval of a resolution authorizing a contract to be executed as follows:

Firm: Gibbons, P.C. ("Contractor")

Duration: Until the Authority's 2016 reorganization meeting.

Cost: Monthly amount of \$5,500.00 not to exceed \$66,000.00 annually.

Purpose: To provide services to the Authority for provision of Grants Consulting Services.

This is to request an award of a contract without the receipt of formal bids as an Extraordinary Unspecifiable Service pursuant to N.J.S.A. 40A:11-5(1)(a)(ii) and N.J.A.C. 5:34-2.3(b).

I do hereby certify to the following:

I. Provide a clear description of the nature of the work to be done.

The contract will be for the provision of grants consulting services. Contractor will assist the Authority with the identification of grant opportunities and the formulation and processing of grant applications to obtain grant monies for the Authority's benefit and use in furtherance of its operations. As Executive Director, I am familiar with the nature of the work to be done under the contract for Grants Consultant which is to be performed by an entity with expertise, extensive training, and a proven reputation in the field of endeavor. It is critical to the efficient operations of the BCUA, that the services related to grants consulting be performed by an entity with expertise, extensive training and a proven reputation in the field of endeavor of providing such consulting service.

II. Describe in detail why the contract meets the provisions of the statute and rules:

This contract is a contract for extraordinary unspecifiable services, as provided for under N.J.S.A. 40A:11-5, as such services are of such a qualitative nature that the performance of the services cannot be reasonably described by written specifications. Written specifications cannot be drafted because the services to be undertaken will evolve depending upon the availability of grants. Furthermore, identifying which grants may be available to the Authority will also require expertise, knowledge and the experience to identify when grants may be available to the Authority and their benefit to the Authority and its ratepayers.

III. The service(s) is of such a specialized and qualitative nature that the performance of the service(s) cannot be reasonably described by written specifications because:

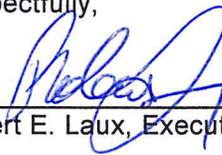
It is not reasonably possible to draft specifications for these services adequately defining the expertise and skill requires in such complex type matters as covered by the contract to be let, such services being of such a qualitative nature as well as an endeavor, the scope of which is not reasonably determinable in advance of the receipt of proposals from those with certain expertise and skill. Written specifications cannot be drafted because the contracted services depend heavily upon expertise, knowledge and the experience to identify when grants may be available to the Authority and their benefit to the Authority and its ratepayers.

IV. Describe the informal solicitation of quotations:

Pursuant to the New Jersey Pay-to-Play Law, N.J.S.A. 19:44A-20.5 et seq., a Request for Qualifications ("RFQ") for the Provision of Grants Consultant Services was advertised on December 23, 2014, and statements of qualifications were received. The Contractor was duly qualified by resolution of the Authority dated January 21, 2015. Informal Quotations from qualified providers of Grants Consultant Services were informally solicited, and the BCUA has determined the proposal of the Contractor to be fair and reasonable. It is my recommendation that an award for the Provision of Grants Consultant services be provided to the Contractor, price and other factors considered.

I have reviewed the rules of the Division of Local Government Services pursuant to N.J.A.C. 5:34-2.1 et seq. and certify that the proposed contract may be considered an extraordinary unspecifiable service in accordance with the requirements thereof.

Respectfully,



Robert E. Laux, Executive Director

(Original to be retained by governing body's Clerk with the affirmed copy of the resolution; signed duplicate to be kept by appropriate official.)

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, there exists the need to engage the services of a Health Insurance/Employee Benefits Consultant to serve as **Health Insurance/Employee Benefits Consultant** to the Bergen County Utilities Authority (the "Authority"); and

WHEREAS, N.J.S.A. 40A:11-5(1)(a)(ii) authorizes and permits the procurement of **Health Insurance/Employee Benefits Consultant** services without competitive bidding, where said services are in the nature of an "extraordinary unspecifiable service"; and

WHEREAS, **Health Insurance/Employee Benefits Consultant** services are recognized as "extraordinary unspecifiable services" as said services are specialized and qualified in nature, requiring expertise, extensive training and proven reputation in the field of endeavor, pursuant to and in accordance with N.J.S.A. 40A:11-2(7); and

WHEREAS, the Authority's Chief Financial Officer has determined that the engagement of a **Health Insurance/Employee Benefits Consultant** is necessary to provide for the efficient operation of the Authority; and

WHEREAS, pursuant to and in accordance with N.J.A.C. 5:34-2.3, the Authority's Chief Financial Officer has provided the Authority's Commissioners with a Certification, dated February 26, 2015, describing the nature of the work to be done, stating that it is not reasonably possible to draft specifications, and describing why the contract satisfies the Statutory and Administrative Code requirements for extraordinary unspecifiable services; and

WHEREAS, **LaMendola Associates Inc.** has submitted a proposal to serve as **Health Insurance/Employee Benefits Consultant** to the Authority, dated **February 13, 2015**, which proposal has been reviewed by the Authority's Executive Director and Chief Financial Officer and determined to be fair and reasonable; and

WHEREAS, the Authority has determined, based upon the foregoing, that it is necessary for its efficient operation to retain the services of **LaMendola Associates Inc.** to provide **Health Insurance/Employee Benefits Consultant** services to the Authority for the year 2015 until the Authority's annual 2016 reorganization meeting, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

WHEREAS, the Commissioners of the Authority have determined that **LaMendola Associates Inc.** is competent, qualified, experienced and has a proven reputation in the field of **Health Insurance/Employee Benefits Consultant** services; and

WHEREAS, this contract was awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq. through a publicly advertised Request for Qualifications ("RFQ"), and **LaMendola Associates Inc.** was found to be qualified to provide these services; and

WHEREAS, the Authority desires to enter into a contract with **LaMendola Associates Inc.** to serve as **Health Insurance/Employee Benefits Consultant** for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

WHEREAS, the Chief Financial Officer of the Authority has certified that funds are available for this purpose; and

WHEREAS, N.J.S.A. 40A:11-1, et seq. requires that the resolution authorizing the award of a contract for extraordinary unspecifiable services without public bidding and the contract itself be available for public inspection.

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

1. That **LaMendola Associates Inc.** shall be and is hereby appointed to serve as **Health Insurance/Employee Benefits Consultant** to the Authority for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively.

2. The Chairman shall be and is hereby authorized to execute, an agreement, similar in form and substance to the agreement attached hereto, by and among the Authority and **LaMendola Associates Inc.** memorializing the scope of services and compensation to be paid for such services as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

3. A copy of this resolution and the agreement retaining **LaMendola Associates Inc.** as **Health Insurance/Employee Benefits Consultant** 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 **LaMendola Associates Inc.** and the Authority.

4. The total amount authorized to be paid pursuant to the contract herein awarded shall not exceed the total sum of **\$45,000.00** without further action by the Board of Commissioners.

5. The Chief Financial Officer's Certification that funds are available shall be placed on file and made available for public inspection at the Authority and made a part hereof.

6. A notice of this contract award shall be published in the form prescribed by law.

7. 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 February 26, 2015.



Richard Wierer
Acting Secretary

DATED: February 26, 2015

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 02/26/2015

RESOLUTION #: 15-1-012

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

EMPLOYEE BENEFITS - HOSPITALIZATION
A-340-71000-000

VENDOR

LA MENDOLA ASSOCIATES, INC.

CONTRACT NUMBER

15022605

REASON

HEALTH INSURANCE/
BENEFITS CONSULTANT

AMOUNT

\$45,000.00

CONTRACT LENGTH

MARCH 1, 2015 - FEBRUARY 29, 2016


ACTING TREASURER

**CERTIFICATION FOR AN EXTRAORDINARY
UNSPECIFIABLE SERVICES CONTRACT**

TO: Members of the Board of Commissioners

FROM: Robert E. Laux
Executive Director, Bergen County Utilities Authority

DATE: February 26, 2015

SUBJECT: **Award of Contract for Health Insurance/Employee Benefits Consultant**

This is a contract for the Provision of Consulting - Health Insurance/Employee Benefits Consultant

This certification is submitted to request your approval of a resolution authorizing a contract to be executed as follows:

Firm: LaMendola Associates, Inc. ("Contractor")

Duration: Until the Authority's 2016 reorganization meeting.

Cost: Not to exceed \$45,000 annually.

Purpose: To provide services to the Authority in regards to the provision of consulting services - Health Insurance/Employee Benefits Consultant

This is to request an award of a contract without the receipt of formal bids as an Extraordinary Unspecifiable Service pursuant to N.J.S.A. 40A:11-5(1)(a)(ii) and N.J.A.C. 5:34-2.3(b).

I do hereby certify to the following:

I. Provide a clear description of the nature of the work to be done.

The contract will be for the provision of Health Insurance/Employee Benefits Consultant services. As Executive Director, I am familiar with the nature of the work to be done under the contract for which is to be performed by an entity with expertise, extensive training, and a proven reputation in the field of endeavor. It is critical to the efficient operations of the BCUA, that Health Insurance/Employee Benefits Consultant services be performed by an entity with expertise, extensive training and a proven reputation in the field of endeavor.

II. Describe in detail why the contract meets the provisions of the statute and rules:

This contract is a contract for extraordinary unspecifiable services as provided for under N.J.S.A. 40A:11-5, as such services are of such a qualitative nature that the performance of the services cannot be reasonably described by written specifications, and such services, being insurance consulting and administrative services, are automatically Extraordinary Unspecifiable Services. See also Local Finance Notice, and N.J.S.A. 40A:11-5(1)(m).

III. The service(s) is of such a specialized and qualitative nature that the performance of the service(s) cannot be reasonably described by written specifications because:

See II. Insurance consulting and administrative service contracts satisfy the criteria of Extraordinary Unspecifiable Services.

IV. Describe the informal solicitation of quotations:

Pursuant to the New Jersey Pay to Play Law, N.J.S.A. 19:44A-20.5 et seq., a Request for Qualifications ("RFQ") for the Provision of Health Insurance/Employee Benefits Consultant services was advertised on December 23, 2014, and statements of qualifications were received. Only one vendor responded to the Request for Qualifications. Under the circumstances the solicitation of competitive quotations from more than one vendor is impracticable. The Contractor was duly qualified by resolution of the Authority dated January 21, 2015. Informal Quotations from the Contractor for Health Insurance/Employee Benefits Consultant services were solicited, and the BCUA has determined the proposal of the Contractor to be fair and reasonable. It is my recommendation that an award for the Provision of Health Insurance/Employee Benefits Consultant be provided to the Contractor, price and other factors considered.

I have reviewed the rules of the Division of Local Government Services pursuant to N.J.A.C. 5:34-2.1 et seq. and certify that the proposed contract may be considered an extraordinary unspecifiable service in accordance with the requirements thereof.

Respectfully,



Robert E. Laux, Executive Director

(Original to be retained by governing body's Clerk with the affirmed copy of the resolution; signed duplicate to be kept by appropriate official.)

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, there exists the need to retain legal counsel to perform requisite legal services to represent the the Bergen County Utilities Authority (the "Authority") as its **General Legal Counsel**; and

WHEREAS, the professional legal services performed by **General Legal Counsel** are recognized as "professional services" as such services shall be rendered by person(s) authorized by law to practice a recognized profession, whose practice is regulated by law, and the performance of which services requires knowledge of an advanced type of learning acquired by a prolonged formal course of specialized instruction and study, pursuant to and in accordance with N.J.S.A. 40A:11-2(6); and

WHEREAS, N.J.S.A. 40A:11-1, et seq. provides that a contract for legal services may be awarded without competitive bidding as a "professional service"; and

WHEREAS, this contract was awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq. through a publicly advertised Request for Qualifications ("RFQ"); and

WHEREAS, **Kaufman, Semeraro & Leibman, L.L.P** has submitted a proposal to serve as **General Legal Counsel** to the Authority, dated February 10, 2015, which proposal has been reviewed by the Authority; and

WHEREAS, the Authority's Commissioners have determined that **Kaufman, Semeraro & Leibman, L.L.P** is competent and qualified to serve as the Authority's **General Legal Counsel**; and

WHEREAS, the Authority desires to appoint and retain **Kaufman, Semeraro & Leibman, L.L.P** to serve as the Authority's **General Legal Counsel** for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

WHEREAS, N.J.S.A. 40A:11-1, et seq. requires that the resolution authorizing the award of contracts for professional services and the contract itself be available for public inspection; and

WHEREAS, the Chief Financial Officer of the Authority 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. **Kaufman, Semeraro & Leibman, L.L.P** shall be and is hereby appointed to serve as **General Legal Counsel** to the Authority for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively.

2. The Chairman shall be and is hereby authorized to execute an agreement, similar in form and substance to the agreement on file at the Authority by and between the Authority and **Kaufman, Semeraro & Leibman, L.L.P**, memorializing the scope of services and compensation to be paid for such services, in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

3. A copy of the Agreement retaining **Kaufman, Semeraro & Leibman, L.L.P** to serve as **General Legal Counsel** to the Authority shall be placed on file and made available for public inspection in the Office of the Executive Director, upon execution by **Kaufman, Semeraro & Leibman, L.L.P** and the Authority.

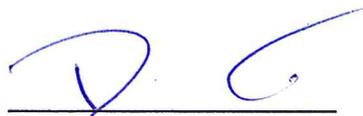
4. The Hourly Rate for General Legal Counsel Services shall be \$145.00 per hour as set forth in the proposal dated **February 10, 2015**, on file at the Authority. The total amount authorized to be paid pursuant to the contract herein awarded shall not exceed the total sum of **\$85,000.00** without further action by the Board of Commissioners.

5. The Chief Financial Officer's Certification that funds are available shall be placed on file and made available for public inspection at the Authority and made a part hereof.

6. A notice of this contract award shall be published in the form prescribed by law.

7. 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 February 26, 2015.



Richard Wierer
Acting Secretary

DATED: February 26, 2015

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 02/26/2015

RESOLUTION #: 15-1-013

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

LEGAL
W-350-50800-000

VENDOR

KAUFMAN, SEMERARO & LEIBMAN, L.L.P.

CONTRACT NUMBER

15022606

REASON

GENERAL LEGAL COUNSEL

AMOUNT

\$85,000.00

CONTRACT LENGTH

MARCH 1, 2015 - FEBRUARY 29, 2016


ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, there exists the need to retain legal counsel to perform requisite legal services to represent the Bergen County Utilities Authority (the "Authority") as its **Bond Counsel**, in connection with the authorization and issuance of obligations for projects the Authority elects to undertake, and for other related legal services the Authority may request; and

WHEREAS, the legal services performed by **Bond Counsel** are recognized as "professional services" as such services shall be rendered by person(s) authorized by law to practice a recognized profession, whose practice is regulated by law, and the performance of which services requires knowledge of an advanced type of learning acquired by a prolonged formal course of specialized instruction and study, pursuant to and in accordance with N.J.S.A. 40A:11-2(6); and

WHEREAS, N.J.S.A. 40A:11-1 et seq., provides that a contract for legal services may be awarded without competitive bidding as a "professional service"; and

WHEREAS, this contract was awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq. through a publicly advertised Request for Qualifications ("RFQ"); and

WHEREAS, **McManimon, Scotland & Baumann, L.L.C.** has submitted a proposal to serve as **Bond Counsel**, dated **February 13, 2015**, which proposal has been reviewed by the Authority; and

WHEREAS, the Authority desires to appoint and retain **McManimon, Scotland & Baumann, L.L.C.** to serve as the Authority's **Bond Counsel** for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

WHEREAS, the Authority Commissioners have determined that **McManimon, Scotland & Baumann, L.L.C.** is competent, qualified and experienced to serve as the Authority's **Bond Counsel**; and

WHEREAS, the Authority has determined on the basis of the foregoing, that it is necessary for its efficient operation to retain the services of **McManimon, Scotland & Baumann, L.L.C.** to serve as **Bond Counsel** to the Authority; and

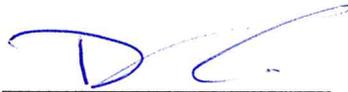
WHEREAS, N.J.S.A. 40A:11-1 et seq. requires that the resolution authorizing the award of contracts for professional services and the contract itself be available for public inspection; and

WHEREAS, the Chief Financial Officer of the Authority 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. **McManimon, Scotland & Baumann, L.L.C.** shall be and is hereby appointed to serve as **Bond Counsel** to the Authority for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively.
2. The Chairman shall be and is hereby authorized to execute an Agreement in form and substance similar to the agreement on file at the Authority, by and between the Authority and **McManimon, Scotland & Baumann, LLC**, memorializing the scope of services to be rendered and compensation to be paid for such services, in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.
3. A copy of the this resolution and the agreement engaging **McManimon, Scotland & Baumann, L.L.C.** as **Bond Counsel**, shall be placed on file and made available for public inspection in the Office of the Executive Director, upon execution by **McManimon, Scotland & Baumann, L.L.C.** and the Authority.
4. The total amount authorized to be paid pursuant to the contract herein awarded shall not exceed **\$17,500.00** for services billed on an hourly basis, without further action by the Board of Commissioners. For all legal services with respect to the authorization and the issuance of a permanent bond issue or other financing, the amount paid shall be in accordance with the aforesaid proposal.
5. A notice of this contract award shall be published in the form prescribed by law.
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-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 February 26, 2015.



Richard Wierer
Acting Secretary

DATED: February 26, 2015

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 02/26/2015
RESOLUTION #: 15-1-014

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

FUNDS AVAILABLE

X

FUNDS ARE NOT AVAILABLE

15022607

BUDGET ACCOUNT

LEGAL
W-350-50800-000

VENDOR

MC MANIMON, SCOTLAND & BAUMANN, L.L.C.

CONTRACT NUMBER

15022607

REASON

BOND COUNSEL

AMOUNT

\$17,500.00

CONTRACT LENGTH

MARCH 1, 2015 - FEBRUARY 29, 2016



ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, there exists the need to continue to engage **Special Legal Counsel** to represent the Bergen County Utilities Authority (the "Authority") in various labor and employment matters, related litigation, and performing such additional legal services which may, from time to time, be requested by the Authority; and

WHEREAS, legal services are recognized as "professional services" as such services shall be rendered by person(s) authorized by law to practice a recognized profession, whose practice is regulated by law, and the performance of which services requires knowledge of an advanced type of learning acquired by a prolonged formal course of specialized instruction and study, pursuant to and in accordance with N.J.S.A. 40A:11-2(6); and

WHEREAS, N.J.S.A. 40A:11-1, et seq. provides that a contract for legal services may be awarded without competitive bidding as a "professional service"; and

WHEREAS, this contract was awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq. through a publicly advertised Request for Qualifications ("RFQ"); and

WHEREAS, **Florio Perrucci Steinhardt & Fader, LLC** has submitted a proposal to continue to serve as **Special Legal Counsel** to the Authority, dated **February 13, 2015**, which proposal has been reviewed by the Authority; and

WHEREAS, the Authority has determined on the basis of the foregoing, that it is necessary for its efficient operation to retain the services of **Florio Perrucci Steinhardt & Fader, LLC** as **Special Legal Counsel** to represent the Authority in various labor and employment matters, related litigation, and performing such additional legal services which may, from time to time, be requested by the Authority; for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever first occurs or be exercised, respectively; and

WHEREAS, N.J.S.A. 40A:11-1, et seq. requires that the resolution authorizing the award of contracts for professional services and the contract itself be available for public inspection; and

WHEREAS, the Chief Financial Officer of the Authority 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. **Florio Perrucci Steinhardt & Fader, LLC** shall be and it is hereby engaged by the Authority as **Special Legal Counsel** to represent the Authority in various labor and

employment matters, related litigation, and performing such additional legal services which may, from time to time, be requested by the Authority; for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever first occurs or be exercised, respectively.

2. The Chairman shall be and is hereby authorized to execute an Agreement in form and substance similar to the agreement on file at the Authority, by and between the Authority and **Florio Perrucci Steinhardt & Fader, LLC** memorializing the scope of services to be rendered and compensation to be paid for such services, in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

3. A copy of this resolution and a copy of the the agreement engaging **Florio Perrucci Steinhardt & Fader, LLC** to serve as **Special Legal Counsel** to the Authority 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 **Florio Perrucci Steinhardt & Fader, LLC** and the Authority.

4. The total amount authorized to be paid pursuant to the contract herein awarded shall not exceed the total sum of **\$75,000.00** without further action by the Board of Commissioners. The hourly rate shall not exceed **\$145.00 per hour**.

5. The Chief Financial Officer's Certification that funds are available shall be placed on file and made available for public inspection at the Authority and made a part hereof.

6. A notice of this contract award shall be published in the form prescribed by law.

7. 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 February 26, 2015.



Richard Wierer
Acting Secretary

DATED: February 26, 2015

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 02/26/2015
RESOLUTION #: 15-1-015

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 LEGAL
W-350-50800-000

VENDOR FLORIO, PERRUCCI, STEINHARDT & FADER, L.L.C.

CONTRACT NUMBER 15022608

REASON SPECIAL LEGAL COUNSEL

AMOUNT \$75,000.00

CONTRACT LENGTH MARCH 1, 2015 - FEBRUARY 29, 2016


ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, there exists the need to continue to engage **Waters, McPherson, McNeill, P.C.** as **Special Legal Counsel** to represent the Bergen County Utilities Authority (the "Authority") in completing various matters in dispute, performing requisite legal services in connection with the implementation of various regulatory matters, pending administrative consent orders and plans, and performing such additional legal services which may, from time to time, be requested by the Authority; and

WHEREAS, the legal services performed by **Waters, McPherson, McNeill, P.C.** are recognized as "professional services" as such services shall be rendered by person(s) authorized by law to practice a recognized profession, whose practice is regulated by law, and the performance of which services requires knowledge of an advanced type of learning acquired by a prolonged formal course of specialized instruction and study, pursuant to and in accordance with N.J.S.A. 40A:11-2(6); and

WHEREAS, N.J.S.A. 40A:11-1, et seq. provides that a contract for legal services may be awarded without competitive bidding as a "professional service"; and

WHEREAS, this contract was awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq. through a publicly advertised Request for Qualifications ("RFQ"); and

WHEREAS, **Waters, McPherson, McNeill, P.C.** has submitted a proposal to serve as **Special Legal Counsel** to the Authority, dated **February 10, 2015**, which proposal has been reviewed by the Authority; and

WHEREAS, the Authority has determined on the basis of the foregoing, that it is necessary for its efficient operation to retain the services of **Waters, McPherson, McNeill, P.C.** as **Special Legal Counsel** to represent the Authority for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever first occurs or be exercised, respectively; and

WHEREAS, N.J.S.A. 40A:11-1, et seq. requires that the resolution authorizing the award of contracts for professional services and the contract itself be available for public inspection; and

WHEREAS, the Chief Financial Officer of the Authority 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. **Waters, McPherson, McNeill, P.C.** shall be and it is hereby engaged by the Authority to serve as **Special Legal Counsel** to represent the Authority in various matters in dispute, performing requisite legal services in connection with the implementation of various regulatory matters, administrative consent orders and plans, and performing such additional legal services which may, from time to time, be requested by the Authority, for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever first occurs or be exercised, respectively.

2. The Chairman shall be and is hereby authorized to execute an Agreement in form and substance similar to the agreement on file at the Authority, by and between the Authority and **Waters, McPherson, McNeill, P.C.** memorializing the scope of services to be rendered and compensation to be paid for such services, in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

3. A copy of this resolution and the agreement engaging **Waters, McPherson, McNeill, P.C.** to serve as **Special Legal Counsel** to the Authority 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 the Authority.

4. The total amount authorized to be paid pursuant to the contract herein awarded shall not exceed \$ **17,500.00** without further action by **Waters, McPherson, McNeill, P.C.** and the Authority. The Hourly Rate shall not exceed **\$145.00 per hour**.

5. The Chief Financial Officer's Certification that funds are available shall be placed on file and made available for public inspection at the Authority and made a part hereof.

6. A notice of this contract award shall be published in the form prescribed by law.

7. 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 February 26, 2015.



Richard Wierer
Acting Secretary

DATED: February 26, 2015

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 02/26/2015

RESOLUTION #: 15-1-016

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

LEGAL
W-350-50800-000

VENDOR

WATERS, MC PHERSON, MC NEILL, P.C.

CONTRACT NUMBER

15022609

REASON

SPECIAL LEGAL COUNSEL

AMOUNT

\$17,500.00

CONTRACT LENGTH

MARCH 1, 2015 - FEBRUARY 29, 2016



ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, there exists the need to continue to engage **Law Offices of Stephen P. Sinisi, Esq., LLC** as **Special Legal Counsel** to represent the Bergen County Utilities Authority (the "Authority") in completing various matters in dispute, performing requisite legal services in connection with the implementation of various regulatory matters, pending administrative consent orders and plans, and performing such additional legal services which may, from time to time, be requested by the Authority; and

WHEREAS, the legal services performed by **Law Offices of Stephen P. Sinisi, Esq., LLC** are recognized as "professional services" as such services shall be rendered by person(s) authorized by law to practice a recognized profession, whose practice is regulated by law, and the performance of which services requires knowledge of an advanced type of learning acquired by a prolonged formal course of specialized instruction and study, pursuant to and in accordance with N.J.S.A. 40A:11-2(6); and

WHEREAS, N.J.S.A. 40A:11-1, et seq. provides that a contract for legal services may be awarded without competitive bidding as a "professional service"; and

WHEREAS, this contract was awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq. through a publicly advertised Request for Qualifications ("RFQ"); and

WHEREAS, the **Law Offices of Stephen P. Sinisi, Esq., LLC** has submitted a proposal to serve as **Special Legal Counsel** to the Authority, dated **February 9, 2015** which proposal has been reviewed by the Authority; and

WHEREAS, the Authority has determined on the basis of the foregoing, that it is necessary for its efficient operation to retain the services of **Law Offices of Stephen P. Sinisi, Esq., LLC** as **Special Legal Counsel** to represent the Authority for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever first occurs or be exercised, respectively; and

WHEREAS, N.J.S.A. 40A:11-1, et seq. requires that the resolution authorizing the award of contracts for professional services and the contract itself be available for public inspection; and

WHEREAS, the Chief Financial Officer of the Authority 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. **Law Offices of Stephen P. Sinisi, Esq., LLC** shall be and it is hereby engaged by the Authority to serve as **Special Legal Counsel** to represent the Authority in various matters in dispute, performing requisite legal services in connection with the implementation of various regulatory matters, administrative consent orders and plans, and performing such additional legal services which may, from time to time, be requested by the Authority, for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever first occurs or be exercised, respectively.

2. The Chairman shall be and is hereby authorized to execute an Agreement in form and substance similar to the agreement on file at the Authority, by and between the Authority and **Law Offices of Stephen P. Sinisi, Esq., LLC** memorializing the scope of services to be rendered and compensation to be paid for such services, in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

3. A copy of this resolution and a copy of the agreement engaging **Law Offices of Stephen P. Sinisi, Esq., LLC** to serve as **Special Legal Counsel** to the Authority 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 the **Law Offices of Stephen P. Sinisi, Esq., LLC** and the Authority.

4. The total amount authorized to be paid pursuant to the contract herein awarded shall not exceed the total sum of **\$37,500.00** without further action by the Board of Commissioners. The Hourly Rate shall not exceed **\$145.00 per hour**.

5. The Chief Financial Officer's Certification that funds are available shall be placed on file and made available for public inspection at the Authority and made a part hereof.

6. A notice of this contract award shall be published in the form prescribed by law.

7. 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 February 26, 2015.



Richard Wierer
Acting Secretary

DATED: February 26, 2015

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 02/26/2015
RESOLUTION #: 15-1-017

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 LEGAL
W-350-50800-000

VENDOR LAW OFFICES OF STEPHEN P. SINISI, ESQ., L.L.C.

CONTRACT NUMBER 15022610

REASON SPECIAL LEGAL COUNSEL

AMOUNT \$37,500.00

CONTRACT LENGTH MARCH 1, 2015 - FEBRUARY 29, 2016



ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, there exists the need for the Bergen County Utilities Authority (the "Authority") to engage the services of a consultant to provide **Public Relations Consultant Services**; and

WHEREAS, N.J.S.A. 40A:11-5(1)(a)(ii) authorizes and permits the procurement of public relations services without competitive bidding, where said services are in the nature of "extraordinary unspecifiable services", and

WHEREAS, **Public Relations Consultant Services** are considered "extraordinary unspecifiable services," as said services are specialized and qualified in nature requiring expertise, extensive training and proven reputation in the field of endeavor, pursuant to and in accordance with N.J.S.A. 40A:11-2(7); and

WHEREAS, pursuant to and in accordance with N.J.A.C. 5:34-2-3, the Authority's Executive Director has provided the Authority's Commissioners with a Certification, dated **February 26, 2015**, attached hereto and made a part hereof, describing, *inter alia*, the nature of the work to be done and describing in detail why the contract satisfied the Statutory and Administrative Code requirements for "extraordinary unspecifiable services;" and

WHEREAS, this contract was awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq. through a publicly advertised Request for Qualifications ("RFQ"); and

WHEREAS, **The Catania Consulting Group, Inc.** has submitted a proposal to serve as **Public Relations Consultant** to the Authority, dated **February 13, 2015**, which proposal has been reviewed by the Authority; and

WHEREAS, the Authority desires to enter into a contract with **The Catania Consulting Group, Inc.** to serve as **Public Relations Consultant** to the Authority for the year 2015, until the Authority's annual 2016 reorganization meeting, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

WHEREAS, the Authority Commissioners have determined that **The Catania Consulting Group, Inc.** is competent, qualified and experienced to serve as the Authority's **Public Relations Consultant**; and

WHEREAS, the Authority has determined, on the basis of the foregoing, that it is necessary for its efficient operation to retain the services of **The Catania Consulting Group, Inc.** to serve as **Public Relations Consultant** to the Authority; and

15-1-018

WHEREAS, N.J.S.A. 40A:11-1, et seq. requires that the resolution authorizing the award of a contract for extraordinary unspecifiable services without public bidding and the contract itself be available for public inspection; and

WHEREAS, the Chief Financial Officer of the Authority 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. **The Catania Consulting Group, Inc.** shall be and is hereby appointed to serve as **Public Affairs and Media Relations Consultant** to the Authority for the year 2015, until the Authority's annual 2016 reorganization meeting, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively.
2. The Chairman shall be and is hereby authorized to execute an agreement, similar in form and substance to the agreement on file at the Authority, by and between the Authority and **The Catania Consulting Group, Inc.** memorializing the scope of services and compensation to be paid for such services, in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.
3. A copy of this resolution and the agreement retaining **The Catania Consulting Group, Inc.** 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 **The Catania Consulting Group, Inc.** and the Authority.
4. The total amount authorized to be paid pursuant to the contract herein awarded shall not exceed the total sum of **\$42,000.00** without further action by the Board of Commissioners.
5. The Chief Financial Officer's Certification that funds are available shall be placed on file and made available for public inspection at the Authority and made a part hereof.
6. A notice of this contract award shall be published in the form prescribed by law.
7. 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 February 26, 2015.



Richard Wierer
Acting Secretary

DATED: February 26, 2015

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 02/26/2015

RESOLUTION #: 15-1-018

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

PUBLIC INFORMATION

W-350-51100-000

VENDOR

THE CATANIA CONSULTING GROUP, INC.

CONTRACT NUMBER

15022611

REASON

PUBLIC RELATIONS CONSULTANT SERVICES

AMOUNT

\$42,000.00

CONTRACT LENGTH

MARCH 1, 2015 - FEBRUARY 29, 2016



ACTING TREASURER

**CERTIFICATION FOR AN EXTRAORDINARY
UNSPECIFIABLE SERVICES CONTRACT**

TO: Members of the Board of Commissioners

FROM: Robert E. Laux
Executive Director, Bergen County Utilities Authority

DATE: February 26, 2015

SUBJECT: **Award of Contract for Public Relations Services Consultant**

This is a contract for the Provision of Consulting – Public Relations. This certification is submitted to request your approval of a resolution authorizing a contract to be executed as follows:

Firm: The Catania Consulting Group Inc. (“Contractor”)

Duration: Until the Authority’s 2016 reorganization meeting.

Cost: Monthly amount of \$3,500.00 not to exceed \$42,000.00 annually.

Purpose: To provide services to the Authority for provision of Public Relations Consulting Services.

This is to request an award of a contract without the receipt of formal bids as an Extraordinary Unspecifiable Service pursuant to N.J.S.A. 40A:11-5(1)(a)(ii) and N.J.A.C. 5:34-2.3(b).

I do hereby certify to the following:

I. Provide a clear description of the nature of the work to be done.

The contract will be for the provision of public relations consulting services. Contractor will assist the Authority with the identification of public relations opportunities and the formulation and processing of public outreach and education for the Authority’s benefit and use in furtherance of its operations. As Executive Director, I am familiar with the nature of the work to be done under the contract for Public Relations Consultant which is to be performed by an entity with expertise, extensive training, and a proven reputation in the field of endeavor. It is critical to the efficient operations of the BCUA, that the services related to public relations consulting be performed by an entity with expertise, extensive training and a proven reputation in the field of endeavor of providing such consulting service.

II. Describe in detail why the contract meets the provisions of the statute and rules:

This contract is a contract for extraordinary unspecifiable services, as provided for under N.J.S.A. 40A:11-5, as such services are of such a qualitative nature that the performance of the services cannot be reasonably described by written specifications. Written specifications cannot be drafted because the services to be undertaken will evolve depending upon the rapidly changing landscape that shapes public perception through the media.

III. The service(s) is of such a specialized and qualitative nature that the performance of the service(s) cannot be reasonably described by written specifications because:

It is not reasonably possible to draft specifications for these services adequately defining the expertise and skill required in such complex type matters as covered by the contract to be let, such services being of such a qualitative nature as well as the scope of which is not reasonably determinable in advance of the receipt of proposals from those with certain expertise and skill. Written specifications cannot be drafted because the contracted services depend heavily upon expertise, knowledge and the experience in Public Communications.

IV. Describe the informal solicitation of quotations:

Pursuant to the New Jersey Pay-to-Play Law, N.J.S.A. 19:44A-20.5 et seq., a Request for Qualifications ("RFQ") for the Provision of Grants Consultant Services was advertised on December 23, 2014, and statements of qualifications were received. The Contractor was duly qualified by resolution of the Authority dated January 21, 2015. Informal Quotations from qualified providers of Public Relations Services were informally solicited, and the BCUA has determined the proposal of the Contractor to be fair and reasonable. It is my recommendation that an award for the Provision of Public Relations Consultant services be provided to the Contractor, price and other factors considered.

I have reviewed the rules of the Division of Local Government Services pursuant to N.J.A.C. 5:34-2.1 et seq. and certify that the proposed contract may be considered an extraordinary unspecifiable service in accordance with the requirements thereof.

Respectfully,



Robert E. Laux, Executive Director

(Original to be retained by governing body's Clerk with the affirmed copy of the resolution; signed duplicate to be kept by appropriate official.)

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, the Bergen County Utilities Authority (the "Authority") deems it necessary to engage the services of an **Insurance Consultant** on its behalf to provide insurance advisory services to the Authority; and

WHEREAS, N.J.S.A. 40A:11-5 (1)(m) authorizes and permits the procurement of **Insurance Consultant** services without competitive bidding, where said services are in the nature of an "extraordinary unspecifiable service"; and

WHEREAS, **Insurance Consultant** services are recognized as "extraordinary unspecifiable services" as said services are specialized and qualified in nature, requiring expertise, extensive training and proven reputation in the field of endeavor, pursuant to and in accordance with N.J.S.A. 40A:11-2(7); and

WHEREAS, the Authority's Chief Financial Officer has determined that the engagement of an **Insurance Consultant** is necessary to provide for the efficient operation of the Authority; and

WHEREAS, pursuant to and in accordance with N.J.A.C. 5:34-2.3, the Authority's Chief Financial Officer has provided the Authority's Commissioners with a Certification, dated February 26, 2015, describing the nature of the work to be done, stating that it is not reasonably possible to draft specifications, and describing why the contract satisfies the Statutory and Administrative Code requirements for extraordinary unspecifiable services; and

WHEREAS, **Otterstedt Insurance Agency** has submitted a proposal to serve as **Insurance Consultant** to the Authority, dated February 10, 2015, which proposal has been reviewed by the Authority's Executive Director and Chief Financial Officer and determined to be fair and reasonable; and

WHEREAS, the Authority has determined, based upon the foregoing, that it is necessary for its efficient operation to retain the services of **Otterstedt Insurance Agency** to provide **Insurance Consultant** services to the Authority for the term March 1, 2015 through February 28, 2018, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

WHEREAS, the Commissioners of the Authority have determined that **Otterstedt Insurance Agency** is competent, qualified, experienced and has a proven reputation in the field of **Insurance Consultant** services; and

WHEREAS, this contract was awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq. through a publicly advertised Request for Qualifications ("RFQ"), and **Otterstedt Insurance Agency** was found to be qualified to provide these services; and

WHEREAS, the Authority desires to enter into a contract with **Otterstedt Insurance Agency** to serve as **Insurance Consultant** to the Authority for the term March 1, 2015 through February 28, 2018, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

WHEREAS, N.J.S.A. 40A:11-1, et seq. requires that the resolution authorizing the award of a contract for extraordinary unspecifiable services without public bidding and the contract itself be available for public inspection; and

WHEREAS, the Chief Financial Officer of the Authority 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. **Otterstedt Insurance Agency** shall be and is hereby appointed to serve as **Insurance Consultant** to the Authority for the term March 1, 2015 through February 28, 2018, until a successor is appointed, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively.
2. The Chairman shall be and is hereby authorized to execute an Agreement, similar in form and substance to the agreement attached hereto, by and between the Authority and **Otterstedt Insurance Agency** memorializing the scope of services and compensation to be paid for such services, which is based upon commissions as set forth in the attached agreement, in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.
3. A copy of this Resolution and the Agreement retaining **Otterstedt Insurance Agency** as **Insurance Consultant** 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 **Otterstedt Insurance Agency** and the Authority.
4. The Chief Financial Officer's Certification that funds are available shall be placed on file and made available for public inspection at the Authority and made a part hereof.
5. A notice of this contract award shall be published in the form prescribed by law.
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-14(b).

15-1-019

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of February 26, 2015.



Richard Wierer
Acting Secretary

Dated: February 26, 2015

DRAFT

AGREEMENT

This Agreement made this ____ day of February, 2015, by and between The Bergen County Utilities Authority, a body politic and corporate of the State of New Jersey reorganized pursuant to N.J.S.A. 40:14B-1 et seq., with principal offices for the performance of essential governmental functions and services located at Foot of Mehrhof Road, in the Borough of Little Ferry, Bergen County, New Jersey (hereinafter referred to as the "Authority") and Otterstedt Insurance Agency, Inc., with principal offices for the transaction of business associated with this Agreement located at 417 Boulevard, Hasbrouck Heights, New Jersey (hereinafter referred to as "Otterstedt");

WITNESSETH:

WHEREAS, the Authority requires the services of an insurance agency to serve as Insurance Consultant to the Authority for the Term March 1, 2015 through February 28, 2018, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

WHEREAS, on the ____ day of February, 2015, the Commissioners of the Authority appointed Otterstedt Insurance Agency, Inc. to serve as Insurance Consultant to the Authority; and

WHEREAS, on the ____ day of February, 2015, pursuant to N.J.S.A. 40:14:B-1 et seq., the Commissioners of the Authority resolved that the Chairman shall be authorized to enter into an agreement with Otterstedt setting forth the services to be rendered and the compensation to be paid for such consulting services; and

WHEREAS, the services to be performed by Otterstedt are not exempt from the competitive bidding requirements of N.J.S.A. 40A-11-5 (1) et seq. (the "Local Public Contracts Law") ; and

WHEREAS, the Authority deems it necessary for its efficient operations to identify the services Otterstedt shall render and the method and/or source of compensation to be paid for such services, so that the Authority, Otterstedt and the public may be aware of the terms of this Agreement and the rights, duties and obligations of the parties hereunder; and

WHEREAS, the Chief Financial Officer of the Authority has certified that adequate funds are available for this purpose;

NOW, THEREFORE, BE IT AGREED by and between the parties hereto as follows:

1. The Authority hereby appoints and retains Otterstedt to serve as General Insurance Consultant to the Authority. Otterstedt shall serve for the term March 1, 2015 through February 28, 2018, until a successor is appointed, or at the pleasure of the Authority, whichever shall be first or be exercised, respectively, pursuant to and in accordance with N.J.S.A. 40:14B-1 et seq.
2. Otterstedt shall be paid exclusively from the commissions from insurance policies purchased by or on behalf of the Authority.
3. Notwithstanding anything to the contrary herein in the proposal of General Insurance Consultant or elsewhere herein, Travel will be reimbursed at a rate not to exceed the applicable

IRS mileage rate in effect at the time the travel occurs, and any out of pocket costs for tolls and parking shall be reimbursed at actual cost.

4. Otterstedt shall perform the following services:
 - a. Placement of any and all insurance policies pertinent to existing risk and exposure at the Authority, as authorized by the Authority.
 - b. Advise the Authority Commissioners as to the renewal of existing contracts of insurance.
 - c. Annual review of all insurance policies with the Authority Commissioners and Executive Director prior to placement and annual review of current exposures with the Authority Commissioners and Executive Director prior to the renewal of any insurance policy.
 - d. Review of the possible liabilities affecting Authority offices, departments and personnel and recommend the types and amounts of coverage necessary.
 - e. Review legislation affecting insurance coverage relating to the Authority and advise the Authority as to any necessary changes in policies mandated by such legislation.
 - f. Act as Agent and Broker for the placement of the various coverages required and approved by the Authority.
 - g. Attendance at any Authority meetings deemed necessary by the Commissioners of the Authority and/or the Executive Director.
 - h. Supply the Authority with all available loss information and have available at the Authority's disposal all necessary engineering services in connection therewith.
 - i. Assignment of full-time personnel to perform requisite services.
 - j. Provide full claims service coordinated between Otterstedt and companies underwriting insurance.
 - k. Periodic engineering arranged through underwriting companies.
 - l. Provide occasional educational and safety seminars and films to reduce risk at the Authority.
 - m. Provide consulting services relating to insurance provisions required for bid procurement specifications of the Authority.
 - n. Review and investigations of tort claims and any litigation to ascertain and identify insurance coverage with respect to such claim(s) or litigation.
5. Otterstedt shall render reports to the Authority as may be requested by the Commissioners and Executive Director.
6. Otterstedt will make its representatives available and will devote whatever time is required for the performance of the services required.
7. Otterstedt shall present separate evidence that it maintains in effect the following policies of insurance during the term of this Agreement:
 - a. Workers' Compensation Insurance in accordance with the provisions of the Workers' Compensation Law of the State of New Jersey, for each employee engaged to work under this Agreement;

- b. Comprehensive General Liability Insurance, with a combined single limit of at least \$2,000,000.00; and
- c. Professional Liability Insurance with a combined single limit of at least \$2,000,000.00.

The above noted policies of insurance shall be maintained with carriers that are acceptable to the Authority, and the Authority's acceptance shall not be unreasonably withheld.

- 8. Otterstedt agrees to comply with all Federal, State and Local laws and regulations applicable to its rendering of the services hereunder. Specifically, Otterstedt shall comply with Non-Discrimination regulations and Affirmative Action requirements promulgated pursuant to P.L. 1975, c. 127. Otterstedt shall submit proof of such compliance, in the form required by law, upon execution of this Agreement.
- 9. Business Registration Certificate. Otterstedt shall provide written notice to its subcontractors of the responsibility to submit proof of business registration to Otterstedt prior to the entry into a contract with it.
"Subcontractor" means any business organization that is not a contractor that knowingly provides goods or performs services for Otterstedt or another subcontractor in the fulfillment of this Agreement where the aggregate cost of the subcontractor's work during the term of the contract exceeds 15% of \$36,000, (\$5,400.00) of the Authority's bid threshold.
Before final payment on the Agreement is made by the Authority, Otterstedt shall submit an accurate list and the proof of business registration of each subcontractor or supplier used in the fulfillment of this Agreement, or shall attest that no subcontractors were used.
A business organization that fails to provide a copy of a business registration as required pursuant to section 1 of P.L.2001, c.134 (C.52:32-44 et al.) or subsection e. or f. of section 92 of P.L.1977, c. 110 (C.5:12-92), or that provides false business registration information under the requirements of either of those sections, shall be liable for a penalty of \$25 for each day of violation, not to exceed \$50,000 for each business registration copy not properly provided under a contract with a contracting agency.
- 10. For the term of the contract, Otterstedt and each its affiliates and a subcontractor and each of its affiliates (N.J.S.A. 52:32-44(g)(3)) shall collect and remit to the Director, Division of Taxation, the use tax due pursuant to the Sales and Use Tax Act on all sales of tangible personal property delivered into this State, regardless of whether the tangible personal property is intended for a contract with a contracting agency.
- 11. As a courtesy, Otterstedt has been advised that a for-profit business entity that has received \$50,000 or more through government contracts in a calendar year, must file an annual disclosure statement on political contributions with the New Jersey Election Law Commission pursuant to P.L.2005, c. 271 by March 30. It is the Broker's responsibility to determine if filing is necessary. Additional information on this requirement is available from ELEC at 888-313-3532 or at www.elec.state.nj.us.

12. Otterstedt represents and agrees that it is duly licensed and experienced to perform all services under this Agreement in a manner consistent with that duty and level of due care and skill, respectively, ordinarily exercised by Insurance Consultants under similar circumstances.
13. Any notice required or committed to be given by either party to the other shall be in writing and shall be delivered personally, or sent by nationally recognized overnight carrier providing proof of service, registered mail or certified mail, return receipt requested,

If to Otterstedt:

Otterstedt Insurance Agency, Inc.
417 Boulevard
Hasbrouck Heights, NJ 07604
Attention: Kim Cosimano Loos, President

If to the Authority:

The Bergen County Utilities Authority
Foot of Mehrhof Road
P.O. Box 9, Little Ferry, NJ 07643
Attention: Mr. Robert E. Laux, Executive Director

14. This Agreement shall be subject to the Authority's annual availability and appropriation of sufficient funds as may be required to meet this obligation.
15. The parties agree that the Authority, its successors, and/or assigns shall have the right to terminate this Agreement at any time, with or without cause, by giving Otterstedt written notice of termination in accordance with the terms of this Agreement. Should termination occur, Otterstedt shall be paid for all services provided up to the date of written notice of termination, subject however, to set-off by the Authority. In determining the value of the work performed by Otterstedt prior to such termination, such compensation shall be based on hourly billings calculated at Otterstedt's rates for the services to be performed at the rate of \$60.00/hour; Otterstedt shall submit detailed vouchers for processing, approval and, if appropriate, payment on the Authority's prescribed forms.
16. This Agreement may be amended only upon the written agreement of the parties hereto.
17. No representations or promises shall be binding on the parties hereto except those representations or promises contained herein or in some future writing signed by the party making such representations or promises.
18. This Agreement is for the sole benefit of the Authority, its successors and assigns, and Otterstedt, its successors and assigns, and no third party beneficiary to this Agreement is contemplated or implied.
19. This Agreement is specifically subject to the Authority's availability and appropriation annually of sufficient funds as may be required to meet this extended obligation. In the

event it becomes apparent to the Authority that adequate funds will not be available to meet any extended obligation herein, the Authority shall immediately notify Otterstedt.

- 20. This Agreement shall be governed by the laws of the State of New Jersey.
- 21. This Agreement constitutes the entire Agreement between the parties pertaining to the subject matter hereof and supersedes all prior to contemporaneous agreements, understandings, negotiations and discussions, whether oral or written, pertaining to the subject matter hereof; there are no warranties, representations or agreements between the parties in connection with the subject matter hereof except as forth or referred to herein. Any provision appearing in any other agreement to the contrary, shall, to the extent of its contradiction or inconsistency herewith, be superseded hereby. No supplement, modification or waiver of this Agreement or any provisions therein shall be binding unless executed in writing by the parties. No waiver of any provision of this Agreement shall constitute a continuing waiver unless otherwise expressly provided.
- 22. If any paragraph or provision of this Agreement is judged to be invalid or unenforceable, then it should be severed from this Agreement, and the balance of this Agreement shall survive as if such paragraph or section was not contained within this Agreement. In the event of any conflict between the terms of the Otterstedt Insurance Agency proposal and the typewritten terms herein, it is agreed that the typewritten terms shall apply.
Notwithstanding anything in the terms of the Otterstedt proposal to the contrary, under no circumstances shall the Authority be liable for the payment to Otterstedt of any (i) interest charge; (ii) attorneys fees; or (iii) disbursements for meals or lodging.

IN WITNESS WHEREOF, the Authority and Otterstedt have caused this Agreement to be executed the day and year first here and above written.

ATTEST:

BERGEN COUNTY UTILITIES AUTHORITY

By: _____

ATTEST:

OTTERSTEDT INSURANCE AGENCY, INC.

By: _____

Re: Resolution

Dated:

**CERTIFICATION FOR AN EXTRAORDINARY
UNSPECIFIABLE SERVICES CONTRACT**

TO: Members of the Board of Commissioners

FROM: Robert E. Laux
Executive Director, Bergen County Utilities Authority

SUBJECT:

This is a contract for the Provision of Consulting - General Insurance Consultant

This certification is submitted to request your approval of a resolution authorizing a contract to be executed as follows:

Firm: Otterstedt Insurance("Contractor")

Duration: Three Years

Purpose: To provide services to the Authority in regards to the provision of consulting services - General Insurance Consultant

This is to request an award of a contract without the receipt of formal bids as an Extraordinary Unspecifiable Service pursuant to N.J.S.A. 40A:11-5(1)(a)(ii) and N.J.A.C. 5:34-2.3(b).

I do hereby certify to the following:

I. Provide a clear description of the nature of the work to be done.

The contract will be for the provision of General Insurance Consultant services. As Executive Director, I am familiar with the nature of the work to be done under the contract for p which is to be performed by an entity with expertise, extensive training, and a proven reputation in the field of endeavor. It is critical to the efficient operations of the BCUA, that General Insurance Consultant services be performed by an entity with expertise, extensive training and a proven reputation in the field of endeavor.

II. Describe in detail why the contract meets the provisions of the statute and rules:

This contract is a contract for extraordinary unspecifiable services as provided for under N.J.S.A. 40A:11-5, as such services are of such a qualitative nature that the performance of the services cannot be reasonably described by written specifications, and such services, being insurance consulting and administrative services, are automatically Extraordinary Unspecifiable Services. See also Local Finance Notice, and N.J.S.A. 40A:11-5(1)(m).

III. The service(s) is of such a specialized and qualitative nature that the performance of the service(s) cannot be reasonably described by written specifications because:

See II. Insurance consulting and administrative service contracts satisfy the criteria of Extraordinary Unspecifiable Services.

IV. Describe the informal solicitation of quotations:

Pursuant to the New Jersey Pay to Play Law, N.J.S.A. 19:44A-20.5 et seq., a Request for Qualifications ("RFQ") for the Provision of General Insurance Consultant services was advertised on December 23, 2014, and statements of qualifications were received. Only one vendor responded to the Request for Qualifications. Under the circumstances the solicitation of competitive quotations from more than one vendor is impracticable. The Contractor was duly qualified by resolution of the Authority dated January 21, 2015. Informal Quotations from the Contractor for General Insurance Consultant services were solicited, and the BCUA has determined the proposal of the Contractor to be fair and reasonable. It is my recommendation that an award for the Provision of General Insurance Consultant be provided to the Contractor, price and other factors considered.

I have reviewed the rules of the Division of Local Government Services pursuant to N.J.A.C. 5:34-2.1 et seq. and certify that the proposed contract may be considered an extraordinary unspecifiable service in accordance with the requirements thereof.

Respectfully,



Robert E. Laux, Executive Director

(Original to be retained by governing body's Clerk with the affirmed copy of the resolution; signed duplicate to be kept by appropriate official.)

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, the operation and maintenance of an effective and efficient water pollution control system represents a vital responsibility of government that is essential to ensuring the health, safety, and welfare of those whose daily life activities depend on such a system; and

WHEREAS, the Bergen County Utilities Authority ("Authority") plays an important role in providing this essential services within the Authority's sewer service district, which is comprised of fifty-two (52) municipalities in the County of Bergen serving approximately 575,000 people; and

WHEREAS, there exists the need to engage the services of **Remington, Vernick and Arango Engineers ("RVA")** of Secaucus, New Jersey, a licensed professional engineer, to serve as **Energy Management and related Air Pollution Control Permit Engineering Consultant**; and

WHEREAS, said services are recognized as "professional services" as same shall be rendered by person(s) authorized by law to practice a recognized profession, whose practice is regulated by law, and the performance of which services requires knowledge of an advanced type of learning acquired by a prolonged formal course of specialized instruction and study, pursuant to and in accordance with N.J.S.A. 40A:11-2(6); and

WHEREAS, N.J.S.A. 40A:11-1, et seq. provides that a contract for professional engineering services may be awarded without competitive bidding as a "professional service"; and

WHEREAS, the Authority has adopted a qualifications-based selection policy and a fair and open process for professional services, pursuant to N.J.S.A. 19:44A-20.4 et seq. through a publicly advertised Request for Qualifications ("RFQ") and Request for Proposals ("RFP"); and

WHEREAS, RVA has submitted a proposal to serve as **Energy Management and related Air Pollution Control Permit Engineering Consultant** dated February 11, 2015, which proposal has been reviewed by the Director of Water Pollution Control Division/Chief Engineer of the Authority; and

WHEREAS, the Director of Water Pollution Control Division/Chief Engineer of the Authority has determined from recent services and statement of qualifications that RVA is competent, qualified, and experienced to serve as **Energy Management and related Air Pollution Control Permit Engineering Consultant**; and

WHEREAS, the Authority desires to appoint and retain RVA to serve as **Energy Management and related Air Pollution Control Permit Engineering Consultant** for a

One (1) Year Term ending February 29, 2016, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

WHEREAS, the Authority has determined, based upon the foregoing, that it is necessary for its efficient operation to retain the services of **RVA** to serve as **Energy Management and related Air Pollution Control Permit Engineering Consultant** to the Authority; and

WHEREAS, N.J.S.A. 40A:11-1, et seq. requires that the resolution authorizing the award of a contract for professional services and the contract itself be available for public inspection; and

WHEREAS, the Chief Financial Officer of the Authority 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. That **RVA** shall be and is hereby appointed to serve as **Energy Management and related Air Pollution Control Permit Engineering Consultant** for a **One (1) Year Term ending February 28, 2016**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively.

2. The Chairman shall be and is hereby authorized to execute an agreement by and between the Authority and **RVA** memorializing the scope of services and hourly billing rates to be paid for such services as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

3. A copy of this resolution and the agreement retaining **RVA** as **Energy Management and related Air Pollution Control Permit Engineering Consultant** shall be placed on file and made available for public inspection in the office of the Executive Director, upon execution by **RVA** and the Authority.

4. The total amount authorized to be paid pursuant to the contract herein awarded shall not exceed **\$300,000.00** without further action by the Board of Commissioners.

5. The Chief Financial Officer's Certification that funds are available shall be placed on file and made available for public inspection in the Office of the Executive Director.

6. A notice of this contract award shall be published in the form prescribed by law.

15-2-005

7. The formal action(s) of the Commissioners of the 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 February 26, 2015.



Richard Wierer
Acting Secretary

Dated: February 26, 2015

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 02/26/2015

RESOLUTION #: 15-2-005

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

ENGINEERING
W-350-50400-000

VENDOR

REMINGTON, VERNICK & ARANGO ENGINEERS

CONTRACT NUMBER

15022612

REASON

ENREGY MANAGEMENT AND RELATED
AIR POLLUTION CONTROL PERMIT
ENGINEERING CONSULTANT

AMOUNT

\$300,000.00

CONTRACT LENGTH

MARCH 1, 2015 - FEBRUARY 29, 2016



ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, the operation and maintenance of an effective and efficient water pollution control system represents a vital responsibility of government that is essential to ensuring the health, safety, and welfare of those whose daily life activities depend on such a system; and

WHEREAS, The Bergen County Utilities Authority ("Authority") plays an important role in providing this essential service within the Authority's sewer service district, which is comprised of fifty-two (52) municipalities in the County of Bergen serving approximately 575,000 people; and

WHEREAS, the Authority's water pollution control system assets are located on approximate 200 acres of land and over 100 miles of sewer maintenance easements; and

WHEREAS, a portion of the 200 acres of property and 100 miles of easements are located on wetlands, tidelands, waterfront, streams and other restricted and regulated lands; and

WHEREAS, the Authority's capital improvement program may require the acquisition of land upon which the work is to be performed, rights-of-way for access thereto, and other such lands that may be designated for the use of construction, in addition to easements for permanent structures; and

WHEREAS, there exists the need to engage the services of an engineering firm authorized to provide professional engineering services in the State of New Jersey to serve as **Site Work Engineering/Land Surveying Consultant** to the Authority; and

WHEREAS, said services are recognized as "professional services" as same shall be rendered by person(s) authorized by law to practice a recognized profession, whose practice is regulated by law, and the performance of which services requires knowledge of an advanced type of learning acquired by a prolonged formal course of specialized instruction and study, pursuant to and in accordance with N.J.S.A. 40A:11-2(6); and

WHEREAS, these services were solicited through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq. through a publicly advertised Request for Qualifications ("RFQ"); and

WHEREAS, **Neglia Engineering Associates** has submitted a Statement of Qualifications and the Commissioners of the Authority have determined that **Neglia Engineering Associates** is competent, qualified and experienced to serve as the Authority's **Site Work Engineering/Land Surveying Consultant**; and

WHEREAS, Neglia Engineering Associates demonstrated in the Statement of Qualifications that **Neglia Engineering Associates** will provide professional staff to assist the Authority in various engineering and surveying projects. **Neglia Engineering Associates** has a modern technically advanced staff made up of managers, professional engineers, professional surveyors, a certified landscape architect, construction inspectors, etc. and over fifty-five (55) years of experience in all aspects of engineering.; and

WHEREAS, Neglia Engineering Associates has satisfactorily served in the capacity of **Site Work Engineering/Land Surveying Consultant** for the Authority since March 2004; and

WHEREAS, based on Neglia Engineering Associates' Statement of Qualifications and prior history, the Authority issued a Request for Proposal ("RFP") dated February 4, 2015; and

WHEREAS, the RFP provided a scope of work that includes: attending meetings, as required, with Authority staff; provide monthly summary reports; is on call; and at the direction of the Authority performs professional engineering services in the areas of civil and other site work related engineering expertise as may be required for the day-to-day operation of the Authority's physical assets, including, but not limited to, two large secondary level water pollution control facilities, eight pump stations and associated force mains, over one hundred miles of intercepting sewers and over one hundred and fifty sewage flow meters. In addition to being responsible for site work related projects, the **Site Work Engineering/Land Surveying Consultant shall perform land surveying work such as construction layout, deed searches, deed descriptions, easement searches, easement description, and all other land surveying related work as allowed by law, and as may be required and directed by the Authority; and**

WHEREAS, the RFP specified that the professional engineering services (including any services that may be considered as landscape design/architectural services) are anticipated to fall within the following five phases of work:

- A. Study and Report;
- B. Preliminary Design;
- C. Final Design;
- D. Bidding or Negotiating; and/or
- E. Construction; and

WHEREAS, the RFP specified that general consulting engineering, special consulting engineering, and energy and air pollution control permit management engineering may be performed by others for the Authority; and

WHEREAS, the RFP specified that the **Site Work Engineering/Land Surveying Consultant indemnify the Authority and provide insurance required by the Authority; and**

WHEREAS, the RFP specified that the proposal include a schedule of hourly billing rates; and

WHEREAS, the RFP specified that payment for services rendered shall be computed-based on an hourly billing rate, plus reimbursables, not to exceed \$100,000.00, during a period of service of three hundred and sixty-five (365) consecutive calendar days without further written authorization by contract amendment; and

WHEREAS, **Neglia Engineering Associates** has submitted a proposal to serve as **Site Work Engineering/Land Surveying Consultant**, dated **February 13, 2015**, on a time and material basis not to exceed \$100,000.00, which proposal has been reviewed by the Authority's Director/Chief Engineer; and

WHEREAS, the proposal included attachments including hourly billing rates; and

WHEREAS, the Authority's Engineering and Construction Committee has concluded that the disruption of professional services and additional learning costs associated with a change in **Site Work Engineering/Land Surveying Consultant** will far exceed any benefit to the Authority; and

WHEREAS, the Authority has determined, based upon the foregoing, that it is necessary for its efficient operation to retain the services of **Neglia Engineering Associates** to serve as **Site Work Engineering/Land Surveying Consultant** to the Authority; and

WHEREAS, the Authority desires to appoint and retain **Neglia Engineering Associates** to serve as **Site Work Engineering/Land Surveying Consultant** to the Authority for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

WHEREAS, N.J.S.A. 40A:11-1, et seq. provides that a contract for professional engineering services may be awarded without competitive bidding as a "professional service"; and

WHEREAS, N.J.S.A. 40A:11-1, et seq. requires that the resolution authorizing the award of a contract for professional services and the contract itself be available for public inspection; and

WHEREAS, the Chief Financial Officer of the Authority 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. That **Neglia Engineering Associates** shall be and is hereby appointed to serve as **Site Work Engineering/Land Surveying Consultant** to Authority for a **One (1) Year**

Term, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively.

2. The Chairman shall be and is hereby authorized to execute an agreement, similar in form and substance to the agreement on file at the Authority, by and among the Authority and **Neglia Engineering Associates**, memorializing the scope of services and hourly billing rates to be paid for such services as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

3. A copy of this resolution and the agreement retaining **Neglia Engineering Associates** as **Site Work Engineering/Land Surveying Consultant** shall be placed on file and made available for public inspection in the office of the Executive Director, upon execution by **Neglia Engineering Associates** and the Authority.

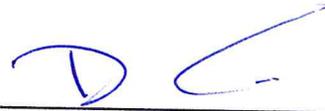
4. The total amount authorized to be paid pursuant to the contract herein awarded shall not exceed **\$100,000.00** without further action by the Board of Commissioners.

5. The Chief Financial Officer's Certification that funds are available shall be placed on file and made available for public inspection at the Authority and made a part hereof.

6. A notice of this contract award shall be published in the form prescribed by law.

7. The formal action(s) of the Commissioners of 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 February 26, 2015.



Richard Wierer
Acting Secretary

DATED: February 26, 2015

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 02/26/2015

RESOLUTION #: 15-2-006

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

ENGINEERING
W-350-50400-000

VENDOR

NEGLIA ENGINEERING ASSOCIATES

CONTRACT NUMBER

15022613

REASON

SITE WORK ENGINEERING/LAND
SURVEYING CONSULTANT

AMOUNT

\$100,000.00

CONTRACT LENGTH

MARCH 1, 2015 - FEBRUARY 29, 2016



ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, the operation and maintenance of an effective and efficient water pollution control system represents a vital responsibility of government that is essential to ensuring the health, safety, and welfare of those whose daily life activities depend on such a system; and

WHEREAS, The Bergen County Utilities Authority ("Authority") plays an important role in providing this essential service within the Authority's sewer service district, which is comprised of fifty-two (52) municipalities in the County of Bergen serving approximately 575,000 people; and

WHEREAS, there exists the need to engage the services of an engineering firm authorized to provide professional engineering services in the State of New Jersey to serve as **Special Environmental Engineer** to the Authority; and

WHEREAS, said services are recognized as "professional services" as same shall be rendered by person(s) authorized by law to practice a recognized profession, whose practice is regulated by law, and the performance of which services requires knowledge of an advanced type of learning acquired by a prolonged formal course of specialized instruction and study, pursuant to and in accordance with N.J.S.A. 40A:11-2(6); and

WHEREAS, these services were solicited through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq. through a publicly advertised Request for Qualifications ("RFQ"); and

WHEREAS, ARCADIS U.S. Inc. has submitted a Statement of Qualifications and the Commissioners of the Authority have determined that **ARCADIS U.S. Inc.** is competent, qualified and experienced to serve as the Authority's **Special Environmental Engineer**; and

WHEREAS, ARCADIS U.S. Inc. has a staff of approximately 1,500 engineers, scientists, planners, management consultants, and support personnel in the Water Division, is able to locally provide the Authority with any professional services as may be required and offers national expertise from thousands of wastewater treatment projects throughout the country, including state-of-the-art technology and process innovations; and

WHEREAS, ARCADIS U.S. Inc. has satisfactorily served in the capacity of **Special Environmental Engineer** for the Authority since March 2004; and

WHEREAS, based on **ARCADIS U.S. Inc.'s** Statement of Qualifications and prior history, the Authority issued a Request for Proposal ("RFP") dated February 4, 2015; and

WHEREAS, the RFP provided a scope of work that includes:

- attending regular monthly meetings of the Authority's commissioners and attend other meetings upon request;
- provide monthly summary reports;
- being on-call and, at the direction of the Authority, perform professional engineering services in the areas of civil and environmental expertise as may be required for water pollution control facility wastewater, sludge management, associated NJPDES, and other related permitting management and planning;
- updating the Authority's operations and maintenance manuals, safety manual, and Emergency Response Plan as may be requested and regulations require;
- assisting with engineering and administration of Authority's participation in the New Jersey Environmental Infrastructure Trust ("NJEIT") Fund;
- provide FEMA support and hazard mitigation services; and
- any other special professional engineering service as may be authorized by the Authority for compliance with regulatory agencies and associated permit management and compliance; and

WHEREAS, the scope of work in the RFP is required for the proper planning and operation of the Authority's physical assets including, but not limited to, two large secondary level water pollution control facilities, eight pump stations and associated force mains, and over one hundred miles of intercepting sewers and over one hundred and fifty sewage flow meters; and

WHEREAS, the RFP specified that the professional engineering services are anticipated to fall within the following two phases of work: 1) Study and Report and 2) Operations; and

WHEREAS, the RFP specified that general consulting engineering, energy and air pollution control permit management engineering, site work, and property surveying projects may be performed by others for the Authority; and

WHEREAS, the RFP specified that the **Special Environmental Engineer** indemnify the Authority and provide insurance required by the Authority; and

WHEREAS, the RFP specified that the proposal include a schedule of hourly billing rates; and

WHEREAS, the RFP specified that payment for services rendered shall be computed based on an hourly billing rate, plus reimbursables, not to exceed \$200,000.00, during a period of service of three hundred and sixty-five (365) consecutive calendar days without further written authorization by contract amendment; and

WHEREAS, **ARCADIS U.S. Inc.** has submitted a proposal to serve as **Special Environmental Engineer**, dated **February 10, 2015**, which proposal has been reviewed by the Authority's Director of Water Pollution Control Division/Chief Engineer; and

WHEREAS, the proposal included attachments including hourly billing rates, Certificate of Liability Insurance naming the Authority as an additional insured, New Jersey Business Registration Certificate, Ownership Disclosure Statement, Affirmative Action Compliance Notice and Certificate of Employee Information Report; and

WHEREAS, the Authority's Engineering and Construction Committee has concluded that the disruption of professional services and additional learning costs associated with a change in **Special Environmental Engineer** will far exceed any benefit to the Authority; and

WHEREAS, the Authority has determined, based upon the foregoing, that it is necessary for its efficient operation to retain the services of **ARCADIS U.S. Inc.** to serve as **Special Environmental Engineer** to the Authority; and

WHEREAS, the Authority desires to appoint and retain **ARCADIS U.S. Inc.** to serve as **Special Environmental Engineer** to the Authority for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

WHEREAS, N.J.S.A. 40A:11-1, et seq. provides that a contract for professional engineering services may be awarded without competitive bidding as a "professional service"; and

WHEREAS, N.J.S.A. 40A:11-1, et seq. requires that the resolution authorizing the award of a contract for professional services and the contract itself be available for public inspection; and

WHEREAS, the Chief Financial Officer of the Authority has certified that funds are available for this purpose; and

WHEREAS, the health and safety of the individuals visiting, living, and working in the Authority's sewer service district necessitate the on-going operation and maintenance of the Authority's water pollution control assets including, but not limited to, the appointment of a **Special Environmental Engineer**; and

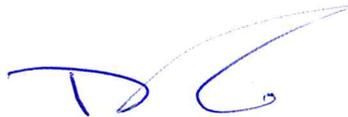
WHEREAS, failure to ensure those continued operations and maintenance of the Authority's water pollution control assets would result in unacceptable threats to the health and safety of Bergen County residents, most immediately those in the Authority's sewer service district, which would be too large in scope to be handled by ordinary municipal and county entities; and

WHEREAS, it is the Authority's responsibility that its assets are safeguarded and maintained and that all actions are taken to insure the integrity of the operation of the Authority and the expenditure of ratepayer funds.

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

1. That **ARCADIS U.S. Inc.** shall be and is hereby appointed to serve as **Special Environmental Engineer** to the Authority for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively.
2. The Chairman shall be and is hereby authorized to execute, an agreement, similar in form and substance to the agreement on file at the Authority, by and among the Authority and **ARCADIS U.S. Inc.** memorializing the scope of services and hourly billing rates to be paid for such services as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.
3. A copy of this resolution and the agreement retaining **ARCADIS U.S. Inc.** as **Special Environmental Engineer** shall be placed on file and made available for public inspection in the office of the Executive Director, upon execution by **ARCADIS U.S. Inc.** and the Authority.
4. The total amount authorized to be paid pursuant to the contract herein awarded shall not exceed **\$200,000.00** without further action by the Board of Commissioners.
5. The Chief Financial Officer's Certification that funds are available shall be placed on file and made available for public inspection at the Authority and made a part hereof.
6. A notice of this contract award shall be published in the form prescribed by law.
7. The formal action(s) of the Commissioners of 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 February 26, 2015.



Richard Wierer
Acting Secretary

DATED: February 26, 2015

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 02/26/2015
RESOLUTION #: 15-2-007

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

ENGINEERING
W-350-50400-000

VENDOR

ARCADIS U.S., INC.

CONTRACT NUMBER

15022614

REASON

SPECIAL ENVIRONMENTAL ENGINEER

AMOUNT

\$200,000.00

CONTRACT LENGTH

MARCH 1, 2015 - FEBRUARY 29, 2016


ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, the operation and maintenance of an effective and efficient water pollution control system represents a vital responsibility of government that is essential to ensuring the health, safety, and welfare of those whose daily life activities depend on such a system; and

WHEREAS, the Bergen County Utilities Authority ("Authority") plays an important role in providing this essential service within the Authority's sewer service district, which is comprised of fifty-two (52) municipalities in the County of Bergen serving approximately 575,000 people; and

WHEREAS, there exists the need to engage the services of an engineering firm authorized to provide professional engineering services in the State of New Jersey to serve as **General Consulting Engineer** to the Authority; and

WHEREAS, said services are recognized as "professional services" as same shall be rendered by person(s) authorized by law to practice a recognized profession, whose practice is regulated by law, and the performance of which services requires knowledge of an advanced type of learning acquired by a prolonged formal course of specialized instruction and study, pursuant to and in accordance with N.J.S.A. 40A:11-2(6); and

WHEREAS, these services were solicited through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq. through a publicly advertised Request for Qualifications ("RFQ"); and

WHEREAS, **Alaimo Group** has submitted a Statement of Qualifications and the Commissioners of the Authority have previously determined that **Alaimo Group** is competent, qualified and experienced to serve as the Authority's **General Consulting Engineers**; and

WHEREAS, **Alaimo Group** has satisfactorily served in the capacity of **General Consulting Engineer** for the Authority since March 2004; and

WHEREAS, based on Alaimo Group's Statement of Qualifications and prior history, the Authority issued a Request for Proposal ("RFP") dated February 4, 2015; and

WHEREAS, the RFP provided a scope of work including meeting preparation and attendance; monthly reports; user charge and connection change calculations and supporting report assistant; and completion of pre-existing general consulting projects; and

WHEREAS, the RFP specified that the **General Consulting Engineer** indemnify the Authority and provide insurance required by the Authority; and

WHEREAS, the RFP specified that the proposal include a schedule of hourly billing rates; and

WHEREAS, the RFP specified that payment for services rendered shall be computed-based on an hourly billing rate, plus reimbursables, not to exceed \$100,000.00, during a period of service of three hundred and sixty-five (365) consecutive calendar days without further written authorization by contract amendment; and

WHEREAS, **Alaimo Group** has submitted a proposal to serve as **General Consulting Engineer**, dated **February 11, 2015**, on a time and material basis, not to exceed \$200,000.00, which proposal has been reviewed by the Authority's Director/Chief Engineer; and

WHEREAS, the proposal included attachments including hourly billing rates, Certificate of Liability Insurance naming the Authority as an additional insured, New Jersey Business Registration Certificate, Ownership Disclosure Statement, Affirmative Action Compliance Notice, Certificate of Employee Information Report, Exhibit A, Mandatory Equal Employment Opportunity Language, Iran Disclosure Form and Certificate of Authorization; and

WHEREAS, previously the Authority's Engineering and Construction Committee has concluded that the disruption of professional services and additional learning costs associated with a change in **General Consulting Engineer** will far exceed any benefit to the Authority; and

WHEREAS, the Authority has determined, based upon the foregoing, that it is necessary for its efficient operation to retain the services of **Alaimo Group** to serve as **General Consulting Engineer** to the Authority; and

WHEREAS, the Authority desires to appoint and retain **Alaimo Group** to serve as **General Consulting Engineer** to the Authority for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

WHEREAS, N.J.S.A. 40A:11-1, et seq. provides that a contract for professional engineering services may be awarded without competitive bidding as a "professional service"; and

WHEREAS, N.J.S.A. 40A:11-1, et seq. requires that the resolution authorizing the award of a contract for professional services and the contract itself be available for public inspection; and

WHEREAS, the Chief Financial Officer of the Authority has certified that funds are available for this purpose; and

WHEREAS, the health and safety of the individuals visiting, living, and working in the Authority's sewer service district necessitate the on-going operation and maintenance of the Authority's water pollution control assets, including, but not limited to, the appointment of a **General Consulting Engineer**; and

WHEREAS, failure to ensure those continued operations and maintenance of the Authority's water pollution control assets would result in unacceptable threats to the health and safety of Bergen County residents, most immediately those in the Authority's sewer service district, which would be too large in scope to be handled by ordinary municipal and county entities.

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

1. That **Alaimo Group** shall be and is hereby appointed to serve as **General Consulting Engineer** to the Authority for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively.

2. The Chairman shall be and is hereby authorized to execute an agreement, similar in form and substance to the agreement on file at the Authority, by and among the Authority and **Alaimo Group** memorializing the scope of services and hourly billing rates to be paid for such services as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

3. A copy of this resolution and the agreement retaining **Alaimo Group** as **General Consulting Engineer** shall be placed on file and made available for public inspection in the office of the Executive Director, upon execution by **Alaimo Group** and the Authority.

4. The total amount authorized to be paid pursuant to the contract herein awarded shall not exceed **\$200,000.00** without further action by the Board of Commissioners.

5. The Chief Financial Officer's Certification that funds are available shall be placed on file and made available for public inspection at the Authority and made a part hereof.

6. A notice of this contract award shall be published in the form prescribed by law.

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

15-2-008

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of February 26, 2015.


Richard Wierer
Acting Secretary

Dated: February 26, 2015

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 02/26/2015

RESOLUTION #: 15-2-008

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

ENGINEERING
W-350-50400-000

VENDOR

ALAIMO GROUP

CONTRACT NUMBER

15022615

REASON

GENERAL CONSULTING ENGINEER

AMOUNT

\$200,000.00

CONTRACT LENGTH

MARCH 1, 2015 - FEBRUARY 29, 2016



ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, the operation and maintenance of an effective and efficient water pollution control system represents a vital responsibility of government that is essential to ensuring the health, safety, and welfare of those whose daily life activities depend on such a system; and

WHEREAS, the Bergen County Utilities Authority (the "Authority") plays an important role in providing this and related essential services within the Authority's sewer service district, which is comprised of fifty-two (52) municipalities in the County of Bergen serving approximately 575,000 people; and

WHEREAS, failure to ensure those continued operations and maintenance of the Authority's water pollution control assets would result in unacceptable threats to the health and safety of Bergen County residents, most immediately those in the Authority's sewer service district, which would be too large in scope to be handled by ordinary municipal and county entities; and

WHEREAS, there exists the need to engage the services of an engineering firm authorized to provide professional engineering services in the State of New Jersey to serve as **Special Consulting Engineer** to the Authority for performing the **Computer Maintenance Management System ("CMMS")** and **Enterprise Resource Planning ("ERP") System Engineering Study** for the Authority; and

WHEREAS, said services are recognized as "professional services" as same shall be rendered by person(s) authorized by law to practice a recognized profession, whose practice is regulated by law, and the performance of which services requires knowledge of an advanced type of learning acquired by a prolonged formal course of specialized instruction and study, pursuant to and in accordance with N.J.S.A. 40A:11-2(6); and

WHEREAS, N.J.S.A. 40A:11-1, et seq. provides that a contract for professional engineering services may be awarded without competitive bidding as a "professional service"; and

WHEREAS, these services were solicited through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq. through a publicly advertised Request for Qualifications ("RFQ"); and

WHEREAS, **Arcadis US, Inc.** has submitted a Statement of Qualifications and the Commissioners of the Authority previously determined by Resolution that **ARCADIS US, Inc.** is competent, qualified and experienced to serve as the Authority's **Special Consulting Engineer**; and

WHEREAS, based on **ARCADIS US, Inc.**'s Statement of Qualifications and prior history, the Authority issued a Request for Proposal ("RFP") dated February 4, 2015; and

WHEREAS, the Authority utilizes MAXIMO 5.2 CMMS and Epicor 7.3.6 Service Pack 2 ERP to provide computerized maintenance management and financial management for the Authority's equipment, assets and property; and

WHEREAS, MAXIMO 5.2 CMMS and Epicor 7.3.6 Service Pack 2 ERP provide the Authority with important data and metrics to assist in determining the most cost effective and efficient methods of maintaining the Authority's equipment, assets and property; and

WHEREAS, the Authority has been utilizing MAXIMO 5.2 CMMS and Epicor 7.3.6 Service Pack 2 ERP since 2008; and

WHEREAS, the RFP provided a scope of work that includes the evaluation of the currently utilized MAXIMO 5.2 CMMS and Epicor 7.3.6 Service Pack 2 ERP to determine if these systems should be upgraded or replaced; and

WHEREAS, the RFP specified that the **Special Consulting Engineer** shall be required and obligated to indemnify the Authority and provide insurance required by the Authority; and

WHEREAS, the RFP specified that the proposal include a schedule of hourly billing rates; and

WHEREAS, in response to the RFP, **Arcadis US, Inc.** submitted to the Authority a proposal dated February 13, 2015 to provide the aforesaid professional engineering services and to serve as **Special Consulting Engineer** to the Authority for an amount not to exceed the total sum of \$190,000.00 for the Computer Maintenance Management System (CMMS) and Enterprise Resource Planning (ERP) System Engineering Study, which proposal has been reviewed and determined to be fair and reasonable by the Director of Solid Waste and Information Technology Systems; and

WHEREAS, that proposal included attachments including hourly billing rates, Certificate of Liability Insurance naming the Authority as an additional insured, New Jersey Business Registration Certificate, Ownership Disclosure Statement, Affirmative Action Compliance Notice, Iran Disclosure Form and Certificate of Employee Information Report; and

WHEREAS, the Authority has determined, based upon the foregoing, that it is necessary for its efficient operation to retain the services of **ARCADIS US, Inc.** to serve as **Special Consulting Engineer** to the Authority; and

WHEREAS, the Authority desires to appoint and retain **ARCADIS US, Inc.** to serve as **Special Consulting Engineer** for the **Computer Maintenance Management System (CMMS) and Enterprise Resource Planning (ERP) System Engineering Study** to the Authority for an amount not to exceed the total sum of \$190,000.00; and

WHEREAS, N.J.S.A. 40A:11-1, et seq. requires that the resolution authorizing the award of a contract for professional services and the contract itself be available for public inspection; and

WHEREAS, the Chief Financial Officer of the Authority has certified that funds are available for this purpose; and

WHEREAS, it is the Authority's responsibility that its assets are safeguarded and maintained and that all actions are taken to insure the integrity of the operation of the Authority and the expenditure of ratepayer funds.

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

1. That **ARCADIS US, Inc.** shall be and is hereby appointed to serve as **Special Consulting Engineer** to the Authority for the **Computer Maintenance Management System (CMMS) and Enterprise Resource Planning (ERP) System Engineering Study** for an amount not to exceed the total sum of \$190,000.00.

2. The Chairman shall be and is hereby authorized to execute an agreement, similar in form and substance to the agreement on file at the Authority, by and between the Authority and **ARCADIS US, Inc.** memorializing the scope of services and hourly billing rates to be paid for such services as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

3. A copy of this Resolution, and the agreement retaining **ARCADIS US, Inc.** as **Special Consulting Engineer** 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 **ARCADIS US, Inc.** and the Authority.

4. The total amount authorized to be paid pursuant to the contract herein awarded shall not exceed the total sum of **\$190,000.00** without further action by the Board of Commissioners.

5. The Chief Financial Officer's Certification that funds are available shall be placed on file and made available for public inspection at the Authority and made a part hereof.

15-2-009

6. A notice of this contract award shall be published in the form prescribed by law.

7. The formal action(s) of the Commissioners of 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 February 26, 2015.



Richard Wierer
Acting Secretary

DATED: February 26, 2015

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 02/26/2015

RESOLUTION #: 15-2-009

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

ENGINEERING
W-350-50400-000

VENDOR

ARCADIS US, INC.

CONTRACT NUMBER

15022616

REASON

CMMS & ENTERPRISE RESOURCE
PLANNING SYSTEM
ENGINEERING STUDY

AMOUNT

\$190,000.00

CONTRACT LENGTH

PROJECT COMPLETION



ACTING TREASURER

**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 to **Furnish and Deliver Hi-Molecular Weight Cationic Dry Polymer for Sludge Dewatering, Gravity Belt Thickeners (Two (2) Years)**, pursuant to and in accordance with **Contract No. 15-01**; and

WHEREAS, the following bid proposals were received by the Authority on **February 3, 2015** for **Contract No.15-01**:

Vendor	Product Type	Total Bid Price Per/lb	Total Bid Price (Two Years)
BASF Corporation Suffolk, VA	BASF ZETAG 7583	\$1.81/lb	\$905,000.00 (No Test Performed)
Polydyne, Inc. Riceboro, GA	Clarifloc NE-1528 Clarifloc NE-1942	\$1.45/lb \$1.49/lb	\$725,000.00 \$745,000.00
Miracle Chemical Farmingdale, NJ	No Bid		
Coyne Chemical Croydon, PA	No Bid		

WHEREAS, BASF Corporation confirmed in a writing included in its bid proposal submitted to the Authority that BASF Corporation chose not to test Zetag 7583; and

WHEREAS, Appendix A to the bid documents for **Contract No. 15-01** provides that the "determination of the most cost-effective product will be based upon the product performance relative to the other products bid and tested"; and

WHEREAS, **Contract No. 15-01** specifies an extensive testing protocol to enable the Authority to evaluate and determine the lowest complying and responsible bidder; and

WHEREAS, following the receipt of the bid proposals identified and listed above, Authority staff tested the polymer samples in order to determine which vendor submitted the most cost-effective polymer, and ultimately determining the lowest complying and responsible bid; and

WHEREAS, the performance test data has been reviewed and evaluated by the Authority's Operation and Maintenance Department as set forth in a memorandum, dated February 19, 2015, from the Authority's Plant Manager to the Authority's Chief Engineer (the "Data Memorandum"); and

WHEREAS, the Authority's Director of Water Pollution Control Division / Chief Engineer has reviewed the results and recommendation embodied in the Data Memorandum and recommends that **Polydyne, Inc.** be awarded **Contract No. 15-01** for its product **Clarifloc NE-1528**, in the amount of **\$1.45 / lb.** for a 250,000 lbs. per year cost with the total amount not to exceed **\$725,000.00** for a **Two (2) Year Period** pursuant to and in accordance with N.J.S.A. 40A:11-1 et seq., as the lowest complying and responsible bidder; and

WHEREAS, on the basis of the foregoing, the Authority has determined that **Polydyne, Inc.** constitutes the lowest complying and responsible bidder for **Contract No. 15-01**, in accordance with N.J.S.A. 40A:11-1 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 and the Certificate of Available Funds, maintained on file at the Authority, sets forth that sufficient funds for the subject procurement have been allotted in the Authority's budget

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

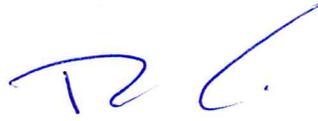
1. **Polydyne Inc.** shall be and is hereby determined to be the lowest complying and responsible bidder to **Furnish and Deliver Hi-Molecular Weight Cationic Dry Polymer for Sludge Dewatering, Gravity Belt Thickeners (Two (2) Year Contract)**, constituting **Contract No. 15-01** for its product **Clarifloc NE-1528** in the amount of **\$1.45 / lb.** for a 250,000 lbs. per year cost with the total amount not to exceed **\$725,000.00** for a **Two (2) Year Period**.
2. The Chairman shall be and is hereby authorized to execute an agreement with **Polydyne Inc.** of One Chemical Plant Road, Riceboro, GA 31323 to **Furnish and Deliver Hi-Molecular Weight Cationic Dry Polymer for Sludge Dewatering, Gravity Belt Thickeners-Two Year Contract** constituting **Contract No. 15-01**, for its product **Clarifloc NE-1528** in the amount of **\$1.45 / lb.** for a 250,000 lbs. per year cost with the total amount not to exceed **\$725,000.00** for a **Two (2) Year Period**.
3. The Chief Financial Officer's Certification that funds are available shall be maintained on file at the Authority and made a part hereof.
4. The bid security of all unsuccessful bidders shall be returned in accordance with N.J.S.A. 40A:11-1, et seq.
5. A notice of this contract award shall be published in the form prescribed by law.

15-2-010

6. A copy of this Resolution and the agreement executed pursuant to this Resolution, along with Contract No. 15-01, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by Polydyne, Inc. and the Authority.

7. 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 February 26, 2015.



Richard Wierer
Acting Secretary

Dated: February 26, 2015

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 02/26/2015

RESOLUTION #: 15-2-010

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

POLYMERS
W-320-59700-000

VENDOR

POLYDINE, INC.

CONTRACT NUMBER

15-01

REASON

FURNISH & DELIVER HI MOLECULAR WEIGHT
CATIONIC DRY POLYMER

AMOUNT

\$725,000.00

CONTRACT LENGTH

MARCH 1, 2015 - FEBRUARY 28, 2017 (2 YEAR)



ACTING TREASURER

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 to **Furnish and Deliver Spare Non-Metallic Sludge Collector Tank Parts (Two Years)**, pursuant to and in accordance with **Contract No. 15-03**; and

WHEREAS, the following bid proposals were received by the Authority on **February 10, 2015** for **Contract No.15-03**:

Vendor	Total Amount Bid (Two Years)
Brentwood Industries, Inc. Reading, PA	\$317,294.48
GMH Associates of America, Inc. Trenton, NJ	\$361,818.00
Bendlin Incorporated Clifton, NJ	\$434,260.00

WHEREAS, the Authority's **Qualified Purchasing Agent and Plant Manager** have reviewed the bid proposals and have recommended that **Brentwood Industries, Inc.** be awarded **Contract No. 15-03** in accordance with N.J.S.A. 40:11-1 et seq., as the lowest complying and responsible bidder; and

WHEREAS, on the basis of the foregoing, the Authority has determined that **Brentwood Industries, Inc.** constitutes the lowest complying and responsible bidder for **Contract No. 15-03**, in accordance with N.J.S.A. 40A:11-1 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

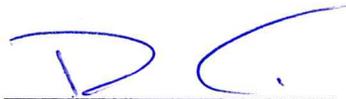
WHEREAS, the Authority's Chief Financial Officer has certified that funds are available for this purpose.

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

1. **Brentwood Industries, Inc.** shall be and is hereby determined to be the lowest complying and responsible bidder to **Furnish and Deliver Spare Non-Metallic Sludge Collector Tank Parts (Two Years)**, constituting **Contract No. 15-03**, for a **Two (2) Year Period** for a total sum of **\$317,294.48**.

2. The Chairman shall be and is hereby authorized to execute an agreement with **Brentwood Industries, Inc.** of 500 Spring Ridge Drive, Reading, PA 19610 to **Furnish and Deliver Spare Non-Metallic Sludge Collector Tank Parts (Two Years)**, constituting **Contract No.15-03** for a **Two (2) Year Period** for a total sum of **\$317,294.48**.
3. The bid security of all unsuccessful bidders, if any, shall be returned in accordance with N.J.S.A. 40A:11-1 et seq.
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 notice of this contract award shall be published in the form prescribed by law.
6. A copy of this Resolution and the agreement executed pursuant to this Resolution, along with Contract No. 15-03, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by Brentwood Industries, Inc. and the Authority.
7. 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 February 26, 2015.



Richard Wierer
Acting Secretary

Dated: February 26, 2015

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 02/26/2015

RESOLUTION #: 15-2-011

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

REPLACEMENT PARTS - PROCESS EQUIPMENT
W-550-61600-000

VENDOR

BRENTWOOD INDUSTRIES, INC.

CONTRACT NUMBER

15-03

REASON

FURNISH & DELIVER SPARE NON- METALLIC
SLUDGE COLLECTOR TANK PARTS

AMOUNT

\$317,294.48

CONTRACT LENGTH

MARCH 1, 2015 - FEBRUARY 28, 2017 (2 YEAR)


ACTING TREASURER

**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 to **Furnish and Deliver Sodium Hypochlorite (Two Years)**, pursuant to and in accordance with **Contract No. EW2-2015**; and

WHEREAS, the following bid proposals were received by the Authority on **February 19, 2015** for **Contract No. EW2-2015**:

Vendor	Unit Price (per/gal)	Total Amount Bid (Two Years)
JCI Jones Chemicals, Inc. Warwick, NY	.82	\$98,400.00
Univar USA Inc. Middletown, PA	.87	\$104,400.00
Kuehne Chemical Co., Inc. South Kearny, NJ	1.10	\$132,000.00
Miracle Chemical Company Farmingdale, NJ	.929	\$111,480.00
Buckmans Inc. Pottstown, PA	.97	\$116,400.00 (No Bid Bond Provided)
Coyne Chemical Croydon, PA	No Bid	No Bid

WHEREAS, the Authority's **Qualified Purchasing Agent and Plant Manager** have reviewed the bid proposals and have recommended that **JCI Jones Chemicals, Inc.** be awarded **Contract No. EW2-2015** in accordance with N.J.S.A. 40:11-1 et seq., as the lowest complying and responsible bidder; and

WHEREAS, on the basis of the foregoing, the Authority has determined that **JCI Jones Chemicals, Inc.** constitutes the lowest complying and responsible bidder for **Contract No. EW2-2015**, in accordance with N.J.S.A. 40A:11-1 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:

15-2-012

1. **JCI Jones Chemicals, Inc.** shall be and is hereby determined to be the lowest complying and responsible bidder to **Furnish and Deliver Sodium Hypochlorite (Two Years)**, constituting **Contract No. EW2-2015**, for a **Two (2) Year Period** for a total sum of **\$98,400.00**.
2. The Chairman shall be and is hereby authorized to execute an agreement with **JCI Jones Chemicals, Inc.** of 103 River Street, Warwick, NY 10990 to **Furnish and Deliver Sodium Hypochlorite (Two Years)**, constituting **Contract No. EW2-2015** for a **Two (2) Year Period** for a total sum of **\$98,400.00**.
3. The bid security of all unsuccessful bidders, if any, shall be returned in accordance with N.J.S.A. 40A:11-1 et seq.
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 notice of this contract award shall be published in the form prescribed by law.
6. A copy of this Resolution and the agreement executed pursuant to this Resolution, along with Contract No. EW2-2015, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by JCI Jones Chemicals, Inc. and the Authority.
7. 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 February 26, 2015.



Richard Wierer
Acting Secretary

Dated: February 26, 2015

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 02/26/2015
RESOLUTION #: 15-2-012

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 SODIUM HYPOCHLORITE
W-320-60350-000

VENDOR JCI JONES

CONTRACT NUMBER EW2 - 2015

REASON FURNISH & DELIVER
SODIUM HYPOCHLORITE

AMOUNT \$98,400.00

CONTRACT LENGTH MARCH 1, 2015 - FEBRUARY 28, 2017 (2 YEAR)


ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, commencing in 2012, New Jersey municipalities are required by the New Jersey Recycling Enhancement Act ("REA") P.L. 2008, CHAPTER 6, to have the mandatory Annual Recycling Tonnage Report approved and signed by a Certified Recycling Professional ("CRP"); and

WHEREAS, the Annual Recycling Tonnage Report must be submitted by email to the New Jersey Department of Environmental Protection ("NJDEP") utilizing a spreadsheet provided by the NJDEP on or before April 30 of each year; and

WHEREAS, failure to submit the Annual Recycling Tonnage Report signed by a CRP will jeopardize a municipality's receipt of the annual recycling tonnage grant; and

WHEREAS, certain Bergen County municipalities do not employ a CRP; and

WHEREAS, the Authority is desirous of assisting those municipalities that do not employ a CRP to ensure that those municipalities do not jeopardize the receipt of the annual recycling tonnage grant by providing the services of a CRP to sign and submit participating municipalities 2014 Annual Recycling Tonnage Report; and

WHEREAS, the New Jersey Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) authorizes and permits contracting units, such as the Authority and a Municipality to enter into a Service Agreement for the services contemplated herein without competitive bidding for same, pursuant to and in accordance with N.J.S.A. 40A:11-5(2); and

WHEREAS, the Commissioners of the Authority have determined, based upon the foregoing, that in order expand its ongoing municipal recycling assistance program it is necessary to enter into an agreement for Certified Recycling Professional Services ("Services Agreement for a Certified Recycling Professional to Prepare the Annual Recycling Tonnage Report") with municipalities wishing to participate therein; and

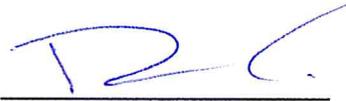
NOW THEREFORE, BE IT RESOLVED by the Commissioners of The Bergen County Utilities Authority as follows:

1. The Executive Director shall be and is hereby authorized to execute a Shared Services Agreement arranging and providing for a Certified Recycling Professional to Prepare the 2014 Annual Recycling Tonnage Report with municipalities wishing to participate therein in substantially the form on file at the Authority Office, or in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

2. A copy of this Resolution shall be placed on file and made available for public inspection in the Office of the Executive Director, upon execution by the Authority.

3. 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 February 26, 2015.



Richard Wierer
Acting Secretary

Dated: February 26, 2015