

**BERGEN COUNTY UTILITIES AUTHORITY
MINUTES OF THE REGULAR MEETING
FEBRUARY 26, 2013**

**In the matter of the 410TH Regular Meeting of
The Bergen County Utilities Authority**

1. The **proof of meeting notice** calling the February 26, 2013 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 E. Laux, Executive Director
Richard D. Wierer, Deputy Executive Director
Authority Staff and Professional Consultants

3. Chairman Vaccaro led the Commissioners and others present in the salute to the flag.
4. BY-LAWS COMMITTEE:

The Chairman requested that the Executive Director conduct the appointment of Chairman and Vice Chairman portion of the regular meeting. The Executive Director asked for nominations for Chairman. Commissioner Schooler nominated Commissioner Vaccaro for the position of Chairman. The nomination was seconded by Commissioner Juliano. 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 Juliano nominated Commissioner Phillips for Vice Chairman. Commissioner Lorenzo 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 13-4-001 – Resolution to elect the Chairman and Vice Chairman.
Motion to adopt the resolution was made by Commissioner Schooler and

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

Resolution 13-4-002 – Resolution to adopt By-Laws. Motion to adopt the resolution was made by Commissioner Schooler and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

5. Motion that the Minutes covering the January 24, 2013 Work Session be approved was moved by Commissioner Vaccaro and seconded by Commissioner Cassella and was carried.
6. 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.
7. FINANCE AND LEGAL COMMITTEE:

Resolution 13-1-007 - Approve bills and the claims supported by vouchers totaling \$ 10,198,856.99 for the month of February and Authorize the Chief Financial Officer to issue the necessary checks therefor, and to charge the accounts indicated, all as more fully set forth on the Chief Financial Officer's check list. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Lorenzo. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 13-1-008 – Resolution 2013 Reorganization – Adoption of Cash Management Plan. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Lorenzo. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 13-1-009 – Resolution to authorize professional services agreement with Lerch, Vinci and Higgins, LLP for Audit and Accounting. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Lorenzo. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 13-1-010 – Resolution to authorize professional services agreement with Acacia Financial Group, Inc., for Financial Advisor. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Lorenzo. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 13-1-011 – Resolution to authorize professional services agreement with Gibbons P.C. for Grants/Governmental Services Consultant. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Lorenzo. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 13-1-012 – Resolution to authorize professional services agreement with LaMendola Associates, Inc. for Health Insurance Consulting Services. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Lorenzo. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 13-1-013 – Resolution to authorize professional services agreement with Kaufman, Semeraro, Bern, Deutsch & Leibman, L.L.P. for General Legal Counsel. Motion to adopt the resolution was made by Commissioner Bentz and Seconded by Commissioner Schooler. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 13-1-014 – Resolution to authorize professional services agreement with McManimon, Scotland & Baumann, L.L.C. for Bond Counsel. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Lorenzo. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 13-1-015 – Resolution to authorize professional services agreement with Florio, Perrucci, Steinhardt & Fader, L.L.C. for Special Counsel. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Lorenzo. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 13-1-016 – Resolution to authorize professional services agreement with Waters, McPherson, McNeill, P.C., for Special Counsel. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Lorenzo. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 13-1-017 – Resolution to authorize professional services agreement with Stephen P. Sinisi, Esq., L.L.C., for Special Counsel. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Lorenzo. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 13-1-018 – Resolution to qualify firms pursuant to N.J.S.A. 19:44A-20 et seq. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Lorenzo. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 13-1-019 – Resolution to approve donation to the Little Ferry First Aid Corps, Little Ferry Hook and Ladder 1 and Little Ferry Hose Company #1. Motion to adopt the resolution was made by Commissioner Zilocchi and Seconded by Commissioner Cassella. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 13-1-020 – Resolution to Authorize New Jersey Environmental Infrastructure Loan Application. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Lorenzo. A roll call was taken and the resolution was adopted as reflected in these minutes.

8. CONSTRUCTION AND ENGINEERING COMMITTEE:

Resolution 13-2-009 - Resolution to authorize professional services agreement with Birdsell Services Group for Energy Management and Related Air Pollution Control Permit Engineering Services. Motion to adopt the resolution was made by Commissioner Phillips and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 13-2-010 – Resolution to authorize professional services agreement with Remington, Vernick and Arrango for Energy Management and Related Air Pollution Control Permit Engineering Services. Motion to adopt the resolution was made by Commissioner Phillips and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 13-2-011 – Resolution to authorize professional services agreement with Neglia Engineering Associates for Site Work/Land Surveying Engineer. Motion to adopt the resolution was made by Commissioner Phillips and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 13-2-012 – Resolution to authorize professional services agreement with Arcadis US, Inc./Malcolm Pirnie for Environmental Consulting Engineers. Motion to adopt the resolution was made by Commissioner Phillips and

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

Resolution 13-2-013 – Resolution to authorize professional services agreement with Alaimo Group for Consulting Engineers. Motion to adopt the resolution was made by Commissioner Phillips and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 13-2-014 - Resolution to Award Contract No. 13-03 to Polydyne, Inc. to Furnish and Deliver Liquid Emulsion High Molecular Weight Cationic Polymer for Waste Activated Sludge/Gravity Belt Thickener (Two Years). Motion to adopt the resolution was made by Commissioner Phillips and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 13-2-015 – Resolution to Award Contract EW2-2013 to Univar USA Inc. for Furnish and Deliver Sodium Permanganate to Edgewater Plant (Two Years). Motion to adopt the resolution was made by Commissioner Phillips and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 13-2-016 – Resolution to Award Contract EW3-2013 to JCI Jones Chemicals, Inc. for Furnish and Deliver Sodium Hypochlorite to Edgewater Plant (Two Years). Motion to adopt the resolution was made by Commissioner Phillips and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 13-2-017 – Resolution to Award Contract 13-05 to Pat Scanlon Landscaping for Grounds Maintenance Services (One Year with Two One Year Options). Motion to adopt the resolution was made by Commissioner Phillips and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 13-2-018 – Resolution to Award Contract 13-07 to Spectraserv Inc. for Disposal of Grits and Screenings (2 Years). Motion to adopt the resolution was made by Commissioner Phillips and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 13-2-019 – Authorize rejection and re-advertisement for Contract 13-08 for VWR International, LLC – Furnish and Deliver Lab Supplies (2 Years).

Motion to adopt the resolution was made by Commissioner Phillips and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 13-2-020 – Resolution to Award Contract Requisition No. 91940-13 to Winner Ford for Furnish and Deliver F-350 Super Cab. Motion to adopt the resolution was made by Commissioner Phillips and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 13-2-021 – Resolution to Authorize confirming Purchase Order to Optimum Controls Corporation, Co. for emergency Replacement of Security Cameras, Gate Barrier Arms and Security Guard House Equipment. Motion to adopt the resolution was made by Commissioner Phillips and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 13-2-022 – Resolution to Authorize confirming Purchase Orders to Spectraserv Inc. and Earthcare for emergency Sludge Removal Services by Truck. Motion to adopt the resolution was made by Commissioner Phillips and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 13-2-023 - – Resolution to Authorize confirming Purchase Order to Spectraserv Inc. for emergency Sludge Removal Services by Truck. Motion to adopt the resolution was made by Commissioner Phillips and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

9. PERSONNEL & ADMINISTRATION COMMITTEE:

Resolution 13-3-003 – Resolution to authorize Non-Bargaining Unit Salary Adjustment for 2013. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Cassella. A roll call was taken and the resolution was adopted as reflected in these minutes.

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

11. Chairman Vaccaro announced the Regular Meeting would reconvene.

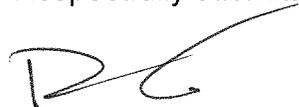
BERGEN COUNTY UTILITIES AUTHORITY
 Minutes of the Regular Meeting
 February 26, 2013

12. The Acting Secretary then distributed proposed minutes of the February Regular Meeting for review by the Commissioners.

13. Move to approve the Minutes of the Regular Meeting of February 26, 2013 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 of February 26, 2013 was made by Commissioner Vaccaro and second by Commissioner Cassella and was unanimously carried.

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

Respectfully submitted,



Richard Wierer
 Acting Secretary

February 26, 2013

Resolution #	13-4-001	13-4-002
Chairman Vaccaro	Y	Y
Comm. Phillips	Y	Y
Comm. Bentz	Y	Y
Comm. Cassella	Y	Y
Comm. DeLisio	Y	Y
Comm. Juliano	Y	Y
Comm. Lorenzo	Y	Y
Comm. Schooler	Y	Y
Comm. Zilocchi	Y	Y

Resolution #	13-1-007	13-1-008	13-1-009	13-1-010	13-1-011	13-1-012
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	A	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

BERGEN COUNTY UTILITIES AUTHORITY
 Minutes of the Regular Meeting
 February 26, 2013

Resolution #	13-1-013	13-1-014	13-1-015	13-1-016	13-1-017	13-1-018
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	A	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	N	Y	Y	Y	Y	Y

Resolution #	13-1-019	13-1-020
Chairman Vaccaro	Y	Y
Comm. Phillips	Y	Y
Comm. Bentz	Y	Y
Comm. Cassella	Y	Y
Comm. DeLisio	Y	Y
Comm. Juliano	Y	Y
Comm. Lorenzo	Y	Y
Comm. Schooler	Y	Y
Comm. Zilocchi	Y	Y

Resolution #	13-2-009	13-2-010	13-2-011	13-2-012	13-2-013	13-2-014
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	A	Y	Y	Y	Y	Y

Resolution #	13-2-015	13-2-016	13-2-017	13-2-018	13-2-019	13-2-020
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

BERGEN COUNTY UTILITIES AUTHORITY
 Minutes of the Regular Meeting
 February 26, 2013

Resolution #	13-2-021	13-2-022	13-2-023
Chairman Vaccaro	Y	Y	Y
Comm. Phillips	Y	Y	Y
Comm. Bentz	Y	Y	Y
Comm. Cassella	Y	Y	Y
Comm. DeLisio	Y	Y	Y
Comm. Juliano	Y	Y	Y
Comm. Lorenzo	Y	Y	Y
Comm. Schooler	Y	Y	Y
Comm. Zilocchi	Y	Y	Y

Resolution #	13-3-003
Chairman Vaccaro	Y
Comm. Phillips	Y
Comm. Bentz	Y
Comm. Cassella	Y
Comm. DeLisio	Y
Comm. Juliano	Y
Comm. Lorenzo	Y
Comm. Schooler	Y
Comm. Zilocchi	Y

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

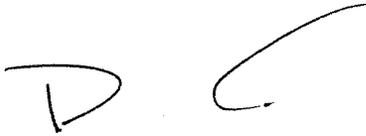
13-4-001

**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 2013 or until the Authority's annual 2014 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, 2013.



Richard Wierer
Acting Secretary

DATED: February 26, 2013

**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, 2013.



Richard Wierer
Acting Secretary

DATED: February 26, 2013

**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 2013; 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, 2013.



Richard Wierer
Acting Secretary

DATED: February 26, 2013

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 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, 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; and

WHEREAS, **Lerch, Vinci & Higgins, LLP** has submitted a proposal to provide **Audit and Accounting Services**, dated **February 11, 2013**, 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, 2013.



Richard Wierer
Acting Secretary

Dated: February 26, 2013

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, there exists the need for the 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, 2013, 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**, dated **February 14, 2013**, 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** for the year 2013 until the Authority's annual 2014 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, and **Acacia Financial Group, Inc.** was found to be qualified to provide these services.

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 2013, until the Authority's annual 2014 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, upon execution by the Authority.

4. The total amount authorized to be paid for services provided on an hourly basis pursuant to the contract herein awarded shall not exceed \$27,000.00 without further action by the Board of Commissioners.

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 the Authority.

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, 2013.

A handwritten signature in black ink, consisting of a stylized 'R' followed by a 'W' and a checkmark-like flourish.

Richard Wierer
Acting Secretary

Dated: February 26, 2013

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 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; and

WHEREAS, **Gibbons P.C.** has submitted a proposal to serve as **Grants/Government Service Consultant**, dated **February 14, 2013**, 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 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 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.** 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 **\$65,460.00** 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, 2013.



Richard Wierer
Acting Secretary

Dated: February 26, 2013

- 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 31, 2012, and statements of qualifications were received. The Contractor was duly qualified by resolution of the Authority dated January 24, 2013. 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**; and

WHEREAS, the BCUA has utilized a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq. through a publicly advertised Request for Qualifications; and

WHEREAS, **LaMendola Associates Inc.** has submitted a proposal to serve as **Health Insurance/Employee Benefits Consultant**, dated **February 14, 2013**, which proposal has been reviewed by the Authority; and

WHEREAS, the Commissioners of the Authority have determined that **LaMendola Associates Inc.** is competent, qualified and experienced to serve as **Health Insurance/Employee Benefits Consultant**; 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 **Health Insurance/Employee Benefits Consultant** services to be performed by **LaMendola Associates Inc.** are "extraordinary unspecifiable services", pursuant to and in accordance with N.J.S.A. 40A:11-2(7), and this contract is awarded without competitive bidding as an "extraordinary unspecifiable service", pursuant to and in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, the Chief Financial Officer 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 **LaMendola Associates Inc.** shall be and is hereby appointed 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.

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** 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 **\$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, 2013.



Richard Wierer
Acting Secretary

DATED: February 26, 2013

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, there exists the need to retain legal counsel to perform requisite legal services to represent 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; and

WHEREAS, **Kaufman, Semeraro, Bern, Deutsch, & Leibman, L.L.P** has submitted a proposal to serve as **General Legal Counsel**, dated February 14, 2013, which proposal has been reviewed by the Authority; and

WHEREAS, the Authority's Commissioners have determined that **Kaufman, Semeraro, Bern, Deutsch, & 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, Bern, Deutsch, & 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:

13-1-013

1. **Kaufman, Semeraro, Bern, Deutsch, & 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, Bern, Deutsch, & 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, Bern, Deutsch, & 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 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 14, 2013**, on file at the Authority. The total amount authorized to be paid pursuant to the contract herein awarded shall not exceed **\$85,000**, 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, 2013.



Richard Wierer
Acting Secretary

DATED: February 26, 2013

BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION

WHEREAS, there exists the need to retain legal counsel to perform requisite legal services to represent 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; and

WHEREAS, **McManimon, Scotland & Baumann, LLC** has submitted a proposal to serve as **Bond Counsel**, dated **February 14, 2013**, which proposal has been reviewed by the Authority; and

WHEREAS, the Authority desires to appoint and retain **McManimon, Scotland & Baumann, LLC** 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, LLC** 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, LLC** 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, LLC** shall be and is hereby appointed to serve as **Bond Counsel** 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 in form and substance similar to the agreement attached hereto, 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 agreement engaging **McManimon, Scotland & Baumann, LLC** as **Bond Counsel**, 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** 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, 2013.



Richard Wierer
Acting Secretary

DATED: February 26, 2013

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, there exists the need to continue to engage **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; 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; and

WHEREAS, **Florio Perrucci Steinhardt & Fader, LLC** has submitted a proposal to continue to serve as **Special Legal Counsel**, dated **February 11, 2013**, 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 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 attached hereto, 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 the agreement engaging **Florio Perrucci Steinhardt & Fader, LLC** to serve as **Special 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 the Authority.

4. The total amount authorized to be paid pursuant to the contract herein awarded shall not exceed **\$75,000.00** without further action by the Board of Commissioners. The hourly rate shall not exceed **\$145 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, 2013.



Richard Wierer
Acting Secretary

DATED: February 26, 2013

**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 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; and

WHEREAS, **Waters, McPherson, McNeill, P.C.** has submitted a proposal to serve as **Special Legal Counsel**, dated **February 12, 2013** 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 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 attached hereto, 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 the agreement engaging **Waters, McPherson, McNeill, P.C.** to serve as **Special 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 the Authority.

4. The total amount authorized to be paid pursuant to the contract herein awarded shall not exceed **\$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, 2013.



Richard Wierer
Acting Secretary

DATED: February 26, 2013

**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 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; and

WHEREAS, **Law Offices of Stephen P. Sinisi, Esq., LLC** has submitted a proposal to serve as **Special Legal Counsel**, dated **February 12, 2013** 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 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 attached hereto, 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 the agreement engaging **Law Offices of Stephen P. Sinisi, Esq., LLC** to serve as **Special 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 the Authority.

4. The total amount authorized to be paid pursuant to the contract herein awarded shall not exceed **\$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, 2013.



Richard Wierer
Acting Secretary

DATED: February 26, 2013

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, the Authority has followed the fair and open process pursuant to N.J.S.A. 19:44A-20 *et seq.* for receiving Requests for Qualifications; and

WHEREAS, the Authority issued a Request For Qualifications for Auditor in accordance with the requirements of N.J.S.A. 19:44A-20, *et. seq.*; on February 13, 2013 and,

WHEREAS, the Authority received and opened Qualifications for Auditor on **February 20, 2013**; and

WHEREAS, pursuant to the Request For Qualifications, the Authority's Review Team conducted a review of the responses received and recommends that the firm listed below be deemed qualified; and

WHEREAS, the Authority's Finance & Legal Committee recommends that the firm listed below be deemed qualified.

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the Bergen County Utilities Authority that the following firm be and are hereby qualified to render services on behalf of the Authority for the year of 2013:

Auditor

Ferraioli, Wielkotz, Cerullo and Cuva, P.A.

BE IT FURTHER RESOLVED that 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, 2013.



Richard Wierer
Acting Secretary

Dated: February 26, 2013

**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 in the amount of \$2,500.00 each; 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 donation have been appropriated; and

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Bergen County Utilities Authority that the sums of \$2,500.00 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, 2013.



Richard Wierer
Acting Secretary

Dated: February 26, 2013

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, pursuant to and in accordance with N.J.S.A. 40:14B-1, the Authority is a public utility providing sewage disposal for forty-six (46) municipalities in Bergen County and solid waste planning services for seventy (70) municipalities in Bergen County; and

WHEREAS, the Authority is filing an application with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust to finance the **Edgewater Water Pollution Control Facility Outfall Extension Project**.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Bergen County Utilities Authority that Robert E. Laux, Executive Director, be authorized to act as the Authorized Representative to represent the Authority in all matters relating to the project undertaken pursuant to the above-referenced New Jersey Environmental Infrastructure Loan to be executed with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust. The Authorized Representative may be contacted at the Bergen County Utilities Authority, Foot of Mehrhof Road, Little Ferry, New Jersey 07643, 201-807-5801.

BE IT FURTHER RESOLVED that the actions of the Executive Director in filing the application as aforesaid are hereby ratified.

BE IT FURTHER RESOLVED that the formal actions of the Commissioners of the Bergen County Utilities Authority embodied herein are expressly contingent upon and subject to 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, 2013.



Richard Wierer
Acting Secretary

DATED: February 26, 2013

**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 **Birdsall Services Group**, 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

WHEREAS, **Birdsall Services Group** has submitted a proposal to serve as **Energy Management and related Air Pollution Control Permit Engineering Consultant** dated February 14, 2013, on a time and material basis not to exceed \$150,000, which proposal has been reviewed by the Director of Water Pollution Control Division/Chief Engineer; and

WHEREAS, the proposal submitted by **Birdsall Services Group** includes the following scope of work:

1. monitoring and documentation of the on-going economic benefit of BCUA's combined heat and power cogeneration system,
2. air permitting and regulatory compliance,

3. continuous emission monitoring system for gas-powered aeration blower engines and excess emission reporting,
4. other air compliance permitting services as outlined in the proposal dated February 14, 2013; and

WHEREAS, the Director of Water Pollution Control Division/Chief Engineer of the Authority has determined from recent services and the statement of qualifications that **Birdsall Services Group** 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 **Birdsall Services Group** to serve as **Energy Management and related Air Pollution Control Permit Engineering Consultant** for a **One (1) Year Term ending March 1, 2014**, 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 **Birdsall Services Group** 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; and

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

1. That **Birdsall Services Group** 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 March 1, 2014**, 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 **Birdsall Services 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 **Birdsall Services Group** 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 the Authority.

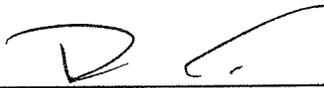
4. The total amount authorized to be paid pursuant to the contract herein awarded shall not exceed **\$150,000** without further action by the Board of Commissioners.

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 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, 2013.



Richard Wierer
Acting Secretary

Dated: February 26, 2013

**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 **Remington, Vernick & Arango Engineers**, a licensed professional engineer, to serve as **Energy Management 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

WHEREAS, **Remington, Vernick & Arango Engineers** has submitted a proposal to serve as **Energy Management Engineering Consultant** dated February 14, 2013, which proposal has been reviewed by the Director of Water Pollution Control Division/Chief Engineer; and

WHEREAS, as **Energy Management Engineering Consultant**, **Remington, Vernick & Arango Engineers** scope work includes as follows:

1. Provide energy engineering and other technical support to the BCUA.
2. Have a New Jersey licensed professional engineer attend regular monthly meetings of the BCUA commissioners.
3. Provide summary reports in advance of the regular monthly meetings pursuant to the schedule provided by the BCUA. At the discretion of the commissioners,

engineer will present the report or be prepared to discuss as appropriate at the regular monthly meetings.

4. Serve as on-call engineer at the direction of the Director/Chief Engineer. Engineer will provide BCUA with 24-hour professional engineering contact for services, as needed beyond typical business hours.
5. Coordinate with the BCUA and Director/Chief Engineer with regard to advisement and implementation of the energy master plan.
6. Provide support services in any anticipated phase including: studies and reports, preliminary design, final design, bidding and negotiations, construction and operations.
7. Provide support services for energy procurement.

WHEREAS, the Director of Water Pollution Control Division/Chief Engineer of the Authority has determined from recent services and statement of qualifications that **Remington, Vernick & Arango Engineers** is competent, qualified, and experienced to serve as **Energy Management Engineering Consultant**.

WHEREAS, the Authority desires to appoint and retain **Remington, Vernick & Arango Engineers** to serve as **Energy Management Engineering Consultant** for a **One (1) Year Term ending March 1, 2014**, 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 **Remington, Vernick & Arango Engineers** to serve as **Energy Management 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; and

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

1. That **Remington, Vernick & Arango Engineers** shall be and is hereby appointed to serve as **Energy Management Engineering Consultant** for a **One (1) Year Term ending March 1, 2014**, 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 **Remington, Vernick & Arango Engineers**

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 **Remington, Vernick & Arango Engineers** as **Energy Management Engineering Consultant** 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 **\$150,000** 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 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, 2013.



Richard Wierer
Acting Secretary

Dated: February 26, 2013

**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; 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., 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 8, 2013; 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 | D. Bidding or Negotiating |
| B. Preliminary Design | E. Construction; and |
| C. Final Design | |

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, during a period of service of three hundred and sixty-five consecutive calendars 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 14, 2013**, on a time and material basis not to exceed \$100,000, 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; and

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of 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 or 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 **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 the Authority.

4. The total amount authorized to be paid pursuant to the contract herein awarded shall not exceed **\$100,000** 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, 2013.


Richard Wierer
Acting Secretary

Dated: February 26, 2013

**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 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.

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; and

WHEREAS, **Arcadis US, Inc./Malcolm Pirnie** has submitted a Statement of Qualifications and the Commissioners of the Authority have determined that **Arcadis US**,

Inc./Malcolm Pirnie is competent, qualified and experienced to serve as the Authority's **Special Environmental Engineer**; and

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

WHEREAS, Arcadis US, Inc./Malcolm Pirnie has satisfactorily served in the capacity of **Special Environmental Engineer** for the Authority since March 2004; and

WHEREAS, based on Arcadis US, Inc./Malcolm Pirnie's Statement of Qualifications and prior history, the Authority issued a Request for Proposal (RFP) dated February 8, 2013; 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 \$400,000, during a period of service of three hundred and sixty-five consecutive calendars days without further written authorization by contract amendment; and

WHEREAS, **Arcadis US, Inc./Malcolm Pirnie** has submitted a proposal to serve as **Special Environmental Engineer**, dated **February 14, 2013**, 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 Authority as additional insured, New Jersey Business Registration Certificate, Ownership Disclosure Statement, Affirmative Action Compliance Notice, 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 US, Inc./Malcolm Pirnie** to serve as **Special Environmental Engineer** to the Authority; and

WHEREAS, the Authority desires to appoint and retain **Arcadis US, Inc./Malcolm Pirnie** 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

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

1. That **Arcadis US, Inc./Malcolm Pirnie** shall be and is hereby appointed to serve as **Special Environmental Engineer** 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 offices, by and among the Authority and **Arcadis US, Inc./Malcolm Pirnie** 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./Malcolm Pirnie** 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 the Authority.

4. The total amount authorized to be paid pursuant to the contract herein awarded shall not exceed **\$400,000** 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, 2013.



Richard Wierer
Acting Secretary

Dated: February 26, 2013

**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 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.

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; 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 8, 2013; and

WHEREAS, the RFP provided a scope of work including meeting preparation and attendance; monthly reports; user charge and connection charge calculations and supporting report assistance; 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, during a period of service of three hundred and sixty-five consecutive calendars days without further written authorization by contract amendment; and

WHEREAS, Alaimo Group has submitted a proposal to serve as **General Consulting Engineer**, dated **February 14, 2013**, on a time and material basis, not to exceed \$100,000, 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 Authority as 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, 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

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

1. That **Alaimo Group** shall be and is hereby appointed to serve as **General Consulting Engineer** to Authority or 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 offices, 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 the Authority.

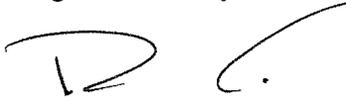
4. The total amount authorized to be paid pursuant to the contract herein awarded shall not exceed **\$100,000** without further action by the Board of Commissioners.

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, 2013.



Richard Wierer
Acting Secretary

Dated: February 26, 2013

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Authority solicited bid proposals to **Furnish and Deliver Liquid Emulsion High Molecular Weight Cationic Polymer for Waste Activated Sludge/Gravity Belt Thickener – Two Year Contract**, pursuant to and in accordance with **Contract No. 13-03**; and

WHEREAS, the following bid proposals for **Contract No. 13-03** were received by the Authority on January 15, 2013:

Vendor	Type	Unit Price (Per/ lb)	Total Bid Price (2 Years)
BASF Corporation Suffolk, VA 23434	Zetag 8846 FS Zetag 8848 FS	.90 .90	\$918,000.00 \$918,000.00
Polydyne, Inc. Riceboro, GA 31323	Clarifloc NE-1744 Claifloc NE-1811	.96 .92	\$979,200.00 \$979,200.00
Atlantic Coast Polymers, Inc. Austin, TX 78746	ACP- 515 ACP- 910	1.03 1.05	\$1,050,600.00 \$1,071,000.00
Tidewater Products, Inc. Toledo, OH 43615	Praestol K136L Praestol K279FLX	1.20 1.34	\$1,224,000.00 \$1,366,800.00
Miracle Chemical Company Farmingdale, NJ 07727	NO BID	NO BID	NO BID

*Atlantic Coast Polymers chose not to test ACP 910.

WHEREAS, Appendix A to the bid documents for **Contract No. 13-03** 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. 13-03** specified an extensive testing protocol to enable the Authority to evaluate and determine the lowest complying and responsible bidder; and

WHEREAS, following the receipt of bids, Authority staff tested the polymer samples in order to determine which vendor submitted the most cost effective polymer, and therefore, 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, 2013, from the Authority’s Assistant Plant Manager to the Authority’s Chief Engineer; and

WHEREAS, the Authority's Director of Water Pollution Control Division / Chief Engineer has reviewed the recommendation and results embodied in the performance test data as set forth in the memorandum dated February 19, 2013 from the Authority's Assistant Plant Manager and recommends that **Polydyne, Inc.** be awarded **Contract No. 13-03** for its product **Clarifloc NE-1744**, in the amount of **\$0.96 / lb.** for a 510,000 lbs. cost amount not to exceed **\$979,200.00** for two years 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 concluded that **Polydyne, Inc.** constitutes the lowest complying and responsible bidder for **Contract No. 13-03**, 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

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 Liquid Emulsion High Molecular Weight Cationic Polymer for Waste Activated Sludge/Gravity Belt Thickener - Two Year Contract**, constituting **Contract No. 13-03** for its product **Clarifloc NE-1744** for a 510,000 lbs. cost amount not to exceed **\$0.96 / lb.** for two years in an amount not to exceed **\$979,200.00**.

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 Liquid Emulsion High Molecular Weight Cationic Polymer for Waste Activated Sludge/Gravity Belt Thickener (2 Years)- Two Year Contract** constituting **Contract No. 13-03**, for its product **Clarifloc NE-1744** for a 510,000 lbs. cost amount not to exceed **\$0.96 / lb.**, for two years in an amount not to exceed **\$979,200.00**.

3. The Chief Financial Officer's Certification that funds are available shall be maintained on file at the Authority.

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

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of February 26, 2013.



Richard Wierer
Acting Secretary

Dated: February 26, 2013

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Authority solicited bid proposals to **Furnish and Deliver Sodium Permanganate to Edgewater Plant (2 Years)**, pursuant to and in accordance with **Contract No. EW2-2013**; and

WHEREAS, the following bid proposals were received by the Authority on **February 5, 2013** for **Contract No. EW2-2013**:

Vendor	Unit Price	Total Amount Bid for Item 1 (60 Totes Per Year) For Two Years
Univar USA Inc. Middletown, PA	\$2,116.50	\$253,980.00
Miracle Chemical Company Farmingdale, NJ	No Bid	No Bid

WHEREAS, the Authority's **Qualified Purchasing Agent** has reviewed the bid proposals and has recommended that **Univar USA Inc.** be awarded **Contract No. EW2-2013** in accordance with N.J.S.A. 40:11-4, as the lowest complying and responsible bidder; and

WHEREAS, on the basis of the foregoing, the Authority has determined that **Univar USA Inc.** constitutes the lowest complying and responsible bidder for **Contract No. EW2-2013**, in accordance with N.J.S.A. 40A:11-4; 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

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

1. **Univar USA Inc.** shall be and is hereby determined to be the lowest complying and responsible bidder to **Furnish and Deliver Sodium Permanganate to Edgewater Plant (2 Years)**, constituting **Contract No. EW2-2013** for a Two (2) year period for a total of **\$253,980.00**.
2. The Chairman is hereby authorized to execute an agreement with **Univar USA Inc. of 532 E. Emaus St., Middletown, PA 17057** to **Furnish and Deliver Sodium**

Permanganate to Edgewater Plant (2 Years), constituting **Contract No.EW2-2013** for a total of **\$253,980.00**.

3. The bid security of all unsuccessful bidders 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. 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, 2013.



Richard Wierer
Acting Secretary

Dated: February 26, 2013

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Authority solicited bid proposals to **Furnish and Deliver Sodium Hypochlorite to Edgewater Plant (2 Years)**, pursuant to and in accordance with **Contract No. EW3-2013**; and

WHEREAS, the following bid proposals were received by the Authority on **February 5, 2013** for **Contract No. EW3-2013**:

Vendor	Unit Price (per/gal)	Total Amount Bid for Item (60,000 gallons per Year for Two Years)
JCI Jones Chemicals, Inc. Warwick, NY	.87	\$104,400.00
Univar USA, Inc Middletown, PA	.87	\$104,400.00
Kuehne Chemical Co., Inc. South Kearny, NJ	1.05	\$126,000.00
Miracle Chemical Company Farmingdale, NJ	1.023	\$122,760.00
Buckmans Inc. Pottstown, PA	No Bid	No Bid

WHEREAS, the Authority's **Purchasing Manager, Q.P.A. and Plant Manager** has reviewed the bid proposals. In light of the fact that the two lowest bidders submitted identical bids, it is recommended by the Purchasing Manager, Q.P.A. and Plant Manager that **Contract No. EW3-2013** be awarded to the incumbent, **JCI Jones, Inc.** in accordance with N.J.S.A. 40:11-4, 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. EW3-2013**, in accordance with N.J.S.A. 40A:11-4; 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

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

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 to Edgewater Plant (2 Years)**, constituting **Contract No.EW3-2013** for a Two (2) year period for a total of **\$104,400.00**.
2. The Chairman 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 to Edgewater Plant (2 Years)**, constituting **Contract No.EW3-2013** for a total of **\$104,400.00**.
3. The bid security of all unsuccessful bidders 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. 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, 2013.



Richard Wierer
Acting Secretary

Dated: February 26, 2013

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Authority solicited bid proposals for **Grounds Maintenance Services (One Year with Two One Year Options)**, pursuant to and in accordance with **Contract No. 13-05**; and

WHEREAS, the following bid proposals were received by the Authority on **February 14, 2013** for **Contract No.13-05**:

Vendor	Total Bid Price	Notes
Pat Scanlon Landscaping New City, NY	\$63,527.00	
Andy Matt Wharton, NJ	\$71,600.00	
LTI, Inc. Florham Park, NJ	\$75,950.00	
North Jersey Landscape Moonachie, NJ	\$79,320.00	Did not add up line items together correctly, should be \$84,120.00
Advance Contracting Hackensack, NJ	\$151,000.00	

WHEREAS, the Authority's **Qualified Purchasing Agent and Coordinator of Contractual Operations** has reviewed the bid proposals and has recommended that **Pat Scanlan Landscaping, Inc.** be awarded **Contract No. 13-05** in accordance with N.J.S.A. 40:11-4, as the lowest complying and responsible bidder; and

WHEREAS, on the basis of the foregoing, the Authority has determined that **Pat Scanlan Landscaping, Inc.** constitutes the lowest complying and responsible bidder for **Contract No.13-05**, in accordance with N.J.S.A. 40A:11-4; 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

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

1. **Pat Scanlan Landscaping, Inc.** shall be and is hereby determined to be the lowest complying and responsible bidder for **Grounds Maintenance Services (One Year with Two One Year Options)**, constituting **Contract No.13-05** for a One (1) year period for a total of **\$63,527.00**.
2. The Chairman is hereby authorized to execute an agreement with **Pat Scanlan Landscaping, Inc. of P.O. Box 1136 New City, NY 10956** for **Grounds Maintenance Services (One Year with Two One Year Options)**, constituting **Contract No.13-05** for a total of **\$63,527.00**.
3. The bid security of all unsuccessful bidders 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. 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, 2013.



Richard Wierer
Acting Secretary

Dated: February 26, 2013

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Authority solicited bid proposals for **Disposal of Grits and Screenings (2 Years)**, pursuant to and in accordance with **Contract No. 13-07**; and

WHEREAS, the following bid proposals were received by the Authority on **February 14, 2013** for **Contract No.13-07**:

Vendor	Total Bid Price	Notes
Spectraserv Inc. Kearny, NJ	\$738,700.00	
Environmental Protection & Improvement Company, LLC Mt. Arlington, NJ	NO BID	NO BID

WHEREAS, the Authority's **Qualified Purchasing Agent and Plant Manager** has reviewed the bid proposals and has recommended that **Spectraserve Inc.** be awarded **Contract No. 13-07** in accordance with N.J.S.A. 40:11-4, as the lowest complying and responsible bidder; and

WHEREAS, on the basis of the foregoing, the Authority has determined that **Spectraserve Inc.** constitutes the lowest complying and responsible bidder for **Contract No.13-07**, in accordance with N.J.S.A. 40A:11-4; 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

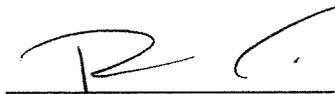
NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Bergen County Utilities Authority as follows:

1. **Spectraserve Inc.** shall be and is hereby determined to be the lowest complying and responsible bidder for **Disposal of Grits and Screenings (2 Years)**, constituting **Contract No.13-07** for a Two (2) year period for a total of **\$738,700.00**.
2. The Chairman is hereby authorized to execute an agreement with **Spectraserve Inc. of 75 Jacobus Avenue, Kearny, NJ 07032** for **Disposal of Grits and Screenings (2 Years)**, constituting **Contract No.13-07** for a total of **\$738,700.00**.

13-2-018

3. The bid security of all unsuccessful bidders 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. 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, 2013.



Richard Wierer
Acting Secretary

Dated: February 26, 2013

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Authority solicited bid proposals to **Furnish and Deliver Lab Supplies (2 Years)**, pursuant to and in accordance with **Contract No. 13-08**; and

WHEREAS, the following sole bid proposal was received by the Authority on **February 14, 2013** for **Contract No.13-08**:

Vendor	Total Bid Price	Notes
VWR International, LLC Suwanee, GA	\$514,272.40	

WHEREAS, the Authority's **Qualified Purchasing Agent** has reviewed the sole bid proposal from **VWR International, LLC.**, and recommends that the bid be rejected and the contract be re-bid on the basis that the lowest bid substantially exceeds the contracting unit's appropriation for the goods or services in accordance with N.J.S.A. 40A:11-13.2; and

WHEREAS, on the basis of the foregoing the Authority has determined that the bid of **VWR International, LLC** substantially exceeds the contracting unit's appropriation for the goods or services in accordance with N.J.S.A. 40A:11-13.2; and

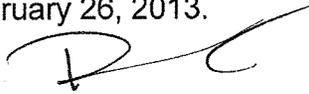
WHEREAS, publicly bid contracts shall comply with the fair and open process pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, the Commissioners of the Authority are desirous of re-advertising for the solicitation of bid proposals for **Contract No. 13-08**, pursuant to N.J.S.A. 40A:11-4; and

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

1. The aforesaid sole bid shall be and is hereby rejected and the Executive Director or his designee is hereby authorized to re-advertise for the solicitation of bid proposals for **Contract No. 13-08 to Furnish and Deliver Lab Supplies (2 Years)**
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, 2013.



 Richard Wierer
 Acting Secretary

Dated: February 26, 2013

BERGEN COUNTY UTILITIES AUTHORITY RESOLUTION

WHEREAS, on prior occasion, upon advertisement on the Authority's website and pursuant to specifications, the Authority solicited proposals to **Furnish and Deliver F-350 Super Cab**, pursuant to and in accordance with **Requisition No. 91940-13**, and

WHEREAS, the following proposals were received by the Authority on or before February 7, 2013:

<u>Vendor</u>	<u>Total Amount Bid</u>
Winner Ford Cherry Hill, NJ	\$28,954.00
Ditschman Flemington Ford Flemington, NJ	\$32,878.00

WHEREAS, this procurement item is below the Authority's bid threshold of \$36,000.00; and

WHEREAS, this contract has been solicited through a fair and open process and it was publicly advertised and opened pursuant to N.J.S.A. 19:44A-20.4; and

WHEREAS, the Authority's Purchasing Manager, Q.P.A. has reviewed the proposals and has recommended that **Winner Ford** should be awarded **Requisition No.91940-13**, as the lowest complying and responsible vendor, as defined under N.J.S.A. 40A:11-2 and allowable under the fair and open process pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, on the basis of the foregoing, the Authority has determined that the proposal from **Winner Ford** constitutes the lowest complying and responsible proposal for **Requisition No. 91940-13**, in accordance with N.J.S.A. 40A:11-3 and N.J.S.A. 19:44A-20.4; and

WHEREAS, the award of the 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

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

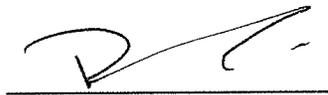
1. The proposal of Winner Ford in the amount of **\$28,954.00** shall be and is hereby determined to be the lowest complying and responsible proposal to **Furnish and Deliver F-350 Super Cab** constituting **Requisition No.91940-13**.

2. The Executive Director shall be and he is hereby authorized to execute an agreement with **Winner Ford** of **250 Berlin Road, Cherry Hill, NJ 08034** to **Furnish and Deliver F-350 Super Cab**, constituting **Requisition No. 91940-13** for the total amount of **\$28,954.00**.

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

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-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, 2013.



Richard Wierer
Acting Secretary

Dated: February 26, 2013

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, on October 29, 2012 Hurricane "Sandy" struck the State of New Jersey causing widespread destruction and resulting in the Governor of this state declaring an emergency, and;

WHEREAS, on or about on or about October 29, 2012, an unforeseeable emergency occurred requiring the **Emergency Repair or Replacement of Storm Damaged Security Cameras, Gate Barrier Arms and Security Guard House Equipment**; and

WHEREAS, the Authority's Director of Water Pollution/ Chief Engineer determined that the Repair or Replacement of **Storm Damaged Security Cameras, Gate Barrier Arms and Security Guard House Equipment** was emergently required and necessary to insure the safety and security of the facility and personnel, as set forth in a Certification of Emergency executed by the Authority's Director of Water Pollution/ Chief Engineer on January 31, 2013; and

WHEREAS, the equipment necessary for the work to be performed was unavailable at that time due to the "State of Emergency".

WHEREAS, **Purchase Order No. 108903**, was issued on or about January 31, 2013 in the amount of **\$31,559.00** for the Emergency Repair or Replacement of Storm Damaged Security Cameras, Gate Barrier Arms and Security Guard House Equipment to be performed by **Optimum Controls Corporation**; and

WHEREAS, the Authority's Security Administrator has determined and recommended that **Optimum Controls Corporation Co.** is competent, qualified, experienced and has a proven reputation performing camera maintenance, security gate maintenance and security equipment replacement; and

WHEREAS, subject to N.J.S.A. 40A:11-6, emergency contracts may be negotiated or awarded without competitive bidding, when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; and

WHEREAS, the Authority's Director of Water Pollution/ Chief Engineer executed a Certificate of Emergency for review by the Executive Director, and forwarded same to the Commissioners of the Authority, dated January 31, 2013 and said Certificate is attached hereto and made a part hereof; and

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

1. The Authority hereby confirms, ratifies and approves the declaration of emergency by the Authority's Director of Water Pollution/ Chief Engineer, dated January 31, 2013, resulting in emergency replacement work to the Authority's Security Infrastructure.

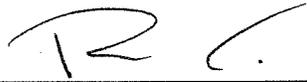
2. The Authority hereby accepts the Certificate of Emergency of the Authority's Director of Water Pollution/ Chief Engineer, dated January 31, 2013 and same is to be placed on file in the office of the Executive Director and available for public inspection.

3. **Purchase Order No. 108903 to Optimum Controls Corporation Co. for the Emergency Repair or Replacement of Storm Damaged Security Cameras, Gate Barrier Arms and Security Guard House Equipment** shall be and is hereby accepted for processing and payment, for an amount not to exceed **\$31,559.00**, in accordance with the Authority's emergency purchase protocol.

4. The Chief Financial Officer's Certification that funds are available shall be maintained on file at the Authority.

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

I hereby certify the forgoing to be a true copy of the resolution adopted by the Bergen County Utilities Authority at its meeting of February 26, 2013.



Richard Wierer
Acting Secretary

Dated: February 26, 2013

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, on or about February 12, 2013 thru February 16, 2013 an unforeseeable emergency occurred requiring the **Emergency Sludge Removal Services by Truck**; and

WHEREAS, liquid sludge normally barged to PVSC was delayed a number of times during the month of February, 2013. The Authority experienced scheduling problems with PVSC due to bridge failures and inclement weather issues. It was necessary to remove sludge from our system due to accumulating sludge backing up our process causing a wash out of solids in our final clarifiers and possible effluent permit violations; and

WHEREAS, the Chief Engineer determined that the **Required Emergency Sludge Removal Services by Truck** was emergently required and necessary to ensure the public's health and welfare, as set out in a Certification of Emergency executed by the Chief Engineer on February 15, 2013; and

WHEREAS, **Purchase Order No. 109045 to Spectraserv Inc. & Purchase Order No. 109046 to Earthcare** were issued on or about February 15, 2013, in the combined amount of **\$95,000.00** for the **Emergency Sludge Removal Services by Truck** to be performed by **Spectraserv Inc. & Earthcare**; and

WHEREAS, the Chief Engineer has determined and recommended that **Spectraserv Inc. & Earthcare** is competent, qualified, experienced and has a proven reputation performing sludge removal services; and

WHEREAS, subject to N.J.S.A. 40A:11-6, emergency contracts may be negotiated or awarded without competitive bidding, when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; and

WHEREAS, the Chief Engineer executed a Certificate of Emergency and forwarded same to the Commissioners of the Authority, dated February 15, 2013 and his Certificate is attached hereto and made a part hereof; and

WHEREAS, emergency contracts are exempt from compliance with the fair and open process under N.J.S.A. 19:44A-20.4 et seq; and

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

1. The Authority hereby confirms, ratifies and approves the declaration of emergency by the Authority's Chief Engineer, dated February 15, 2013, resulting in **Emergency Sludge Removal Services by Truck**.

2. The Authority hereby accepts the Certificate of Emergency of Eric Andersen, P.E., Chief Engineer, dated February 15, 2013, and same is to be placed on file in the office of the Executive Director and available for public inspection.

3. **Purchase Order No. 109045 to Spectraserv Inc. and Purchase Order No. 109046 to Earthcare for the Emergency Sludge Removal Services by Truck** shall be and are hereby accepted for processing and payment, for an amount not to exceed **\$95,000.00** in accordance with the Authority's emergency purchase protocol.

4. The Chief Financial Officer's Certification that funds are available shall be maintained on file at the Authority.

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



Richard Wierer
Acting Secretary

Dated: February 26, 2013

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, on or about January 17, 2013 thru January 29, 2013 an unforeseeable emergency occurred requiring the **Emergency Sludge Removal Services by Truck**; and

WHEREAS, liquid sludge normally barged to PVSC was delayed a number of times during the month of January, 2013. The Authority experienced scheduling problems with PVSC due to bridge failures and inclement weather issues. It became necessary to remove sludge from the Authority's system due to accumulating sludge backing up the process and causing a wash out of solids in the Authority's final clarifiers and possible effluent permit violations; and

WHEREAS, the Chief Engineer determined that the **Required Emergency Sludge Removal Services by Truck** was emergently required and necessary to ensure the public's health and welfare, as set out in a Certification of Emergency executed by the Chief Engineer on February 2, 2013; and

WHEREAS, **Purchase Order Numbers 109048 & 108789**, were issued on or about February 2, 2013, in the amount of **\$90,496.02** for the **Emergency Sludge Removal Services by Truck** to be performed by **Spectraserv Inc.**; and

WHEREAS, the Chief Engineer has determined and recommended that **Spectraserv Inc.** is competent, qualified, experienced and has a proven reputation performing sludge removal services; and

WHEREAS, subject to N.J.S.A. 40A:11-6, emergency contracts may be negotiated or awarded without competitive bidding, when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; and

WHEREAS, the Chief Engineer executed a Certificate of Emergency and forwarded same to the Commissioners of the Authority, dated February 2, 2013 and his Certificate is attached hereto and made a part hereof; and

WHEREAS, emergency contracts are exempt from compliance with the fair and open process under N.J.S.A. 19:44A-20.4 et seq; and

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

1. The Authority hereby confirms, ratifies and approves the declaration of emergency by the Authority's Chief Engineer, dated February 2, 2013, resulting in **Emergency Sludge Removal Services by Truck**.

2. The Authority hereby accepts the Certificate of Emergency of Eric Andersen, P.E., Chief Engineer, dated February 2, 2013, and same is to be placed on file in the office of the Executive Director and available for public inspection.

3. **Purchase Order Numbers 109048 & 108789 to Spectraserv Inc.** for the **Emergency Sludge Removal Services by Truck** shall be and are hereby accepted for processing and payment, for an amount not to exceed **\$90,496.02** in accordance with the Authority's emergency purchase protocol.

4. The Chief Financial Officer's Certification that funds are available shall be maintained on file at the Authority.

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



Richard Wierer
Acting Secretary

Dated: February 26, 2013

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

BE IT RESOLVED by the Commissioners of the Bergen County Utilities Authority that all Non-Bargaining Unit employees of the Authority (other than Non Bargaining Unit employees with written contracts, whose terms of employment shall be governed by those written contracts): (i) shall be provided with a one and one half percent (1.5%) salary increase effective Jan. 1, 2013.

BE IT FURTHER RESOLVED that the formal action(s) of the Commissioners of the Bergen County Utilities Authority embodied herein are expressly contingent upon and subject to 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, 2013.



Richard Wierer
Acting Secretary

DATED: February 26, 2013