

**BERGEN COUNTY UTILITIES AUTHORITY  
MINUTES OF THE REGULAR MEETING  
JUNE 27, 2013**

**In the matter of the 414<sup>TH</sup> Regular Meeting of  
The Bergen County Utilities Authority**

1. The **proof of meeting notice** calling the June 27, 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  
Richard D. Schooler, Commissioner  
George P. Zilocchi, Commissioner

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

3. Chairman Vaccaro led the Commissioners and others present in the salute to the flag.
4. Motion that the Minutes covering the May 23, 2013 Work Session, April 25, 2013 Closed Work Session and the March 28, 2013 Closed Work Session be approved was moved by Commissioner Schooler and seconded by Commissioner Cassella and was carried.
5. Chairman Vaccaro opened the meeting to the public and asked if anyone present wished to be heard. Hearing no further response, the meeting was closed to the public.
6. FINANCE AND LEGAL COMMITTEE;

Resolution 13-1-027 – Approve bills and the claims supported by vouchers totaling \$ 7,034,901.76 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 Schooler. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 13-1-028 – Adoption of 2013/2014 Connection Fees. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Schooler. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 13-1-029 – Acceptance of Independent Auditor's Report for the year ending December 31, 2012. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Schooler. A roll call was taken and the resolution was adopted as reflected in these minutes

Resolution 13-1-030 – Authorize Qualified Purchasing Agent to use "catalogue purchasing" for certain goods and services pursuant to Local Public Contracts Law ("LPC"), N.J.S.A. 40A:11-1, et seq.; Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Schooler. A roll call was taken and the resolution was adopted as reflected in these minutes

Resolution 13-1-031 – Appointment of Laura Ashley as custodian of the Safety Shoe Petty Cash Fund. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Schooler. A roll call was taken and the resolution was adopted as reflected in these minutes

Resolution 13-1-032 – Approve amendment to 2013 Cash Management Plan. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Schooler. A roll call was taken and the resolution was adopted as reflected in these minutes

Resolution 13-1-033 – Adoption of the Rate for Sale of Treated Effluent to remain in effect until December 31, 2018. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Schooler. A roll call was taken and the resolution was adopted as reflected in these minutes

7. CONSTRUCTION & ENGINEERING COMMITTEE:

Resolution 13-2-045 - Award Contract No. 13-18 to Gardner Denver Nash LLC to Furnish and Deliver Nash Compressor and Parts (2 Years). Motion to adopt the resolution was made by Commissioner Phillips and Seconded by Commissioner Schooler. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 13-2-046 – Award Contract No. 13-19 to Hisco Pump Inc to Furnish and Deliver Sludge Pump Spare Parts (2 Years). Motion to adopt the resolution was made by Commissioner Phillips and Seconded by Commissioner Schooler. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 13-2-047 - Award Contract No. 13-20 to Wastecorp Pumps LLC to Furnish and Deliver Marlow Positive Displacement Pump Spare Parts (2 Years). Motion to adopt the resolution was made by Commissioner Phillips and Seconded by Commissioner Schooler. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 13-2-048 - Award Contract No. 13-23 to Grant Supply Company Inc. to Furnish and Deliver Valves (Two Years). Motion to adopt the resolution was made by Commissioner Phillips and Seconded by Commissioner Schooler. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 13-2-049 - Authorize Renewal of the Contract with International Business Machines Corporation for the IBM Maximo Authorized User Annual Subscription. Motion to adopt the resolution was made by Commissioner Phillips and Seconded by Commissioner Schooler. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 13-2-050 - Authorize Professional Engineering Services Agreement – Special Engineering Services to Update Authority's Wastewater Management Plan – Arcadis US, Inc. /Malcolm Pirnie. Motion to adopt the resolution was made by Commissioner Phillips and Seconded by Commissioner Schooler. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 13-2-051 - Authorize Professional Engineering Services Agreement - RDI/I Reduction Plan Engineering Consulting Services for the Borough of Haworth – Boswell Engineering. Motion to adopt the resolution was made by Commissioner Phillips and Seconded by Commissioner Schooler. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 13-2-052 - Authorize Mutual Agreement with Arcadis US, Inc. to accept State Contract terms and Conditions regarding Super-storm Sandy Disaster Debris Management monitoring services. Motion to adopt the resolution was made by Commissioner Phillips and Seconded by Commissioner Schooler. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 13-2-053 - Authorize Professional Engineering Services Agreement with Alaimo Engineering to perform Value Engineering Study of the Edgewater WPCF Outfall Extension Project as required by the NJDEP. Motion to adopt the resolution was made by Commissioner Phillips and Seconded by

BERGEN COUNTY UTILITIES AUTHORITY  
 Minutes of the Regular Meeting  
 June 27, 2013

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

Resolution 13-2-054 - Award Contract No. 13-22 to Applied Analytics Inc. to Furnish and Deliver Instrumentation Equipment, Parts and Supplies to the Bergen County Utilities Authority (Two Years). Motion to adopt the resolution was made by Commissioner Phillips and Seconded by Commissioner Schooler. A roll call was taken and the resolution was adopted as reflected in these minutes.

8. Chairman Vaccaro announced a short recess to allow time for the Acting Secretary to prepare minutes of this Regular Meeting.
9. Chairman Vaccaro announced the Regular Meeting would reconvene.
10. The Acting Secretary then distributed proposed minutes of the June 27, 2013 Regular Meeting for review by the Commissioners.
11. Move to approve the Minutes of the Regular Meeting of June 27, 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 June 27, 2013 was made by Commissioner Vaccaro and second by Commissioner Juliano and was unanimously carried.
12. Upon motion duly made, seconded and unanimously carried, the meeting was adjourned.

Resolution #	13-1-027	13-1-028	13-1-029	13-1-030	13-1-031	13-1-032
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	-	-	-	-	-	-
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  
 June 27, 2013

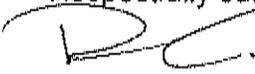
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Resolution #	13-1-033
Chairman Vaccaro	Y
Comm. Phillips	Y
Comm. Bentz	Y
Comm. Cassella	Y
Comm. DeLisio	Y
Comm. Juliano	Y
Comm. Lorenzo	-
Comm. Schooler	Y
Comm. Zilocchi	Y

Resolution #	13-2-045	13-2-046	13-2-047	13-2-048	13-2-049	13-2-050
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	-	-	-	-	-	-
Comm. Schooler	Y	Y	Y	Y	Y	Y
Comm. Zilocchi	Y	Y	Y	Y	Y	Y

Resolution #	13-2-051	13-2-052	13-2-053	13-2-054
Chairman Vaccaro	Y	Y	Y	Y
Comm. Phillips	Y	Y	Y	Y
Comm. Bentz	Y	Y	Y	Y
Comm. Cassella	Y	Y	Y	Y
Comm. DeLisio	Y	Y	Y	Y
Comm. Juliano	Y	Y	Y	Y
Comm. Lorenzo	-	-	-	-
Comm. Schooler	Y	Y	Y	Y
Comm. Zilocchi	Y	Y	Y	Y

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

Respectfully submitted,  
  
 Richard Wierer  
 Acting Secretary

June 27, 2013

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, the Authority has a substantial investment in its sanitary sewer treatment and collection systems (the "System"), which has been paid for over the years primarily by the ratepayers through bond issues and capital outlays, and

**WHEREAS**, by resolution dated March 24, 2005, the Authority adopted a connection fee program under N.J.S.A. 40:14B-24 which specifically authorizes the Authority to adopt a program requiring the payment of a connection fee by individuals or parties making new connections to the System, pursuant to its terms; and

**WHEREAS**, N.J.S.A. 40:14B-24 states "[t]he connection fee shall be recomputed at the end of each fiscal year of the authority, after a public hearing is held in the manner prescribed in section 23 of P.L. 1957, c. 183 (C. 40:14B-23). The revised connection fee may be imposed upon those who subsequently connect in that fiscal year to the system"; and

**WHEREAS**, the firm of Lerch, Vinci & Higgins, L.L.P., the auditors for the Authority, has prepared a report dated May 6, 2013 for the Authority, with the assistance of the Authority staff, on the proper amount for a connection fee payable by an individual or party making a new connection to the System for remainder of 2013 and until the fee is recomputed in 2014, in accordance with the formula set forth in N.J.S.A. 40:14B-24, for the privilege of making the connection (the "Lerch Report"); and

**WHEREAS**, on June 5, 2013, in accordance with the requirements of N.J.S.A. 40:14B-24, the Authority conducted a public hearing ("Hearing") on the proposed revision of its connection fee in the manner prescribed by N.J.S.A. 40:14B-23; and

**WHEREAS**, testimony at the Hearing was taken by the Director of Solid Waste and Information and Technology Systems as the hearing officer; and

**WHEREAS**, the Director of Solid Waste and Information Technology Systems rendered an oral report to the Commissioners of the Authority; and

**WHEREAS**, the Authority, having considered: (1) the report of the Director of Solid Waste and Information Technology Systems of the testimony provided at the June 5, 2013 public hearing; (2) the Lerch Report; and (3) the exhibits entered into evidence at the hearing, has determined that it would be in the best interest of the Authority and the ratepayers to revise the connection fee program; and

**WHEREAS**, the Authority has determined that the appropriate connection fee for the remainder of 2013 and until a new rate is established in 2014 shall be a rate of \$1,666.00 per service unit as calculated in the Lerch Report;

13-1-028

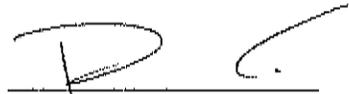
**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the Bergen County Utilities Authority, as follows:

1. The Authority hereby amends the connection fee to \$1,666.00 per service unit as calculated in the Lerch Report effective as of the date of this Resolution until a new rate is adopted in 2014.

2. The Executive Director is hereby authorized to take any and all steps necessary for the implementation of the connection fee program.

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of June 27, 2013.



Richard Wierer  
Acting Secretary

**DATED: June 27, 2013**

13-1-028

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, N.J.S.A. 40A:5A-15 requires the governing body of each local authority to cause an annual audit of its accounts to be made; and

**WHEREAS**, the annual audit report for the fiscal year ended December 31, 2012 has been completed and filed with the Commissioners of The Bergen County Utilities Authority, pursuant to N.J.S.A. 40A:5A-15; and

**WHEREAS**, N.J.S.A. 40A:5A-17 requires the governing body of each authority to, within 45 days of receipt of the annual audit, certify by resolution to the Local Finance Board that each member thereof has personally reviewed the annual audit report, and specifically the sections of the audit report entitled "General Comments" and "Recommendations," and has evidenced same by group affidavit in the form prescribed by the Local Finance Board;

**WHEREAS**, the members of the governing body have received the annual audit and have personally reviewed the annual audit, and have specifically reviewed the sections of the annual audit report entitled "General Comments" and "Recommendations" in accordance with N.J.S.A. 40A:5A-17, and have received and reviewed the corrective action plan prepared by the Authority's Chief Financial Officer in response thereto;

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

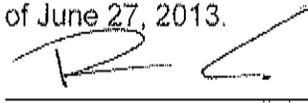
1. The Commissioners of the Authority hereby certify to the Local Finance Board of the State of New Jersey that each Commissioner has personally reviewed the annual audit report for the fiscal year ended December 31, 2012, and specifically has reviewed the sections of the audit report entitled "General Comments" and "Recommendations," and has evidenced same by group affidavit in the form prescribed by the Local Finance Board.

2. The Acting Secretary of the Authority is hereby directed to promptly submit to the Local Finance Board the aforesaid group affidavit, accompanied by a certified true copy of this resolution.

3. The Commissioners of the Authority do hereby adopt the corrective action plan prepared by the Chief Financial Officer.

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of June 27, 2013.

  
Richard Wierer  
Acting Secretary

**Dated: June 27, 2013**

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, the Bergen County Utilities Authority ("BCUA") intends to adopt "catalogue purchasing" for certain goods and services under the Local Public Contracts Law ("LPCL"), N.J.S.A. 40A:11-1, et seq.; and

**WHEREAS**, "catalogue purchasing" provides access to a distributor's catalogue for a certain line of manufacturer's products for a set length of time at a maximum, aggregate purchase amount; and

**WHEREAS**, using "catalogue purchasing," the BCUA would "go out to bid" for such access and the lowest responsible bidder would be the bidder with the highest percentage discount off purchase from the distributor's catalogue; and

**WHEREAS**, under "catalogue purchasing," the authorization would be for a maximum purchase amount from the catalogue, but the BCUA would not be obligated to purchase; of

**WHEREAS**, "catalogue purchasing" would enable the BCUA to have ready access to necessary products, rather than having to individually bid for a particular part or piece of equipment requiring a replacement; and

**WHEREAS**, the LPCL permits the BCUA to "go out to bid" for "brand names or an equivalent"; and

**WHEREAS**, the LPCL permits the BCUA to "go out to bid" for "proprietary" goods or services where the BCUA finds that:

[the] goods or services [are] of a specialized nature, that may be made or marketed by a person or persons having the exclusive right to make or sell them, when the need for such goods or services has been certified in writing by the governing body of the contracting unit to be necessary for the conduct of its affairs; and

**WHEREAS**, the BCUA finds that in certain situations a "brand name" has no equivalent because, for example, a replacement part must be compatible with a larger, existing system or piece of equipment at the BCUA; and

**WHEREAS**, for the above reason, the BCUA finds that the line of products listed below satisfy the definition of "proprietary" in the LPCL because "the use of a good or service other than the proprietary one will undermine the functionality or operational performance of existing facilities..." and the line of products below are "necessary for the conduct of [the BCUA's] affairs," as the BCUA "has a substantial investment in facilities, training, replacement parts, or complimentary items that

warrants reliance on a specific manufacturer or vendor to maintain the value of the investment..."; and

**WHEREAS**, upon the recommendation of the BCUA's Qualified Purchasing Agent, the BCUA has determined that the following product lines should be bid as "catalogue purchasing": **ABB, Polysonics, and Pulsar**; and

**WHEREAS**, upon the recommendation of the BCUA's Qualified Purchasing Agent and based upon the history of purchases in prior years, the BCUA has determined that the maximum purchase amount for "catalogue purchasing" for these product lines should be \$200,000.00; and

**WHEREAS**, N.J.A.C. 5:30-5.5(b) and N.J.A.C. 5:30-11.10(a) permit "open-ended" contracts like "catalogue purchasing"; and

**WHEREAS**, N.J.S.A. 40A:11-13(d) and N.J.A.C. 5:34-9.1(c) require the BCUA to adopt a resolution explaining why a particular line of products is "proprietary"; and

**NOW THEREFORE BE IT RESOLVED** by the BCUA that: (1) "catalogue purchasing" is adopted for the line of products listed in this resolution; (2) the maximum purchase amount for each catalogue shall be \$200,000.00; (3) the contract for each catalogue shall be two years; and (4) the Qualified Purchasing Agent is authorized to solicit bids for "catalogue purchasing" pursuant to the terms set forth in this resolution.

I hereby certify the foregoing to be true copy of the Resolution adopted by The Bergen County Utilities Authority at its meeting of June 27, 2013.

  
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Richard Wierer  
Acting Secretary

Dated: June 27, 2013

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**BE IT RESOLVED** by the Commissioners of the Bergen County Utilities Authority that;

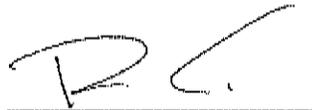
**WHEREAS**, Patricia Bromley was custodian of the Safety Shoe Petty Cash Fund; and

**WHEREAS**, due to Patricia Bromley's retirement and in accordance with the N.J.S.A. 40-5-21, The Bergen County Utilities Authority is changing the custodian to Laura Ashley; and

**WHEREAS**, Laura Ashley is bonded in the amount of \$ 2,000.00 by virtue of a surety bond.

**NOW, THEREFORE, BE IT RESOLVED** that the Bergen County Utilities Authority hereby authorizes such action and two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of June 27, 2013.



Richard Wierer  
Acting Secretary

**Dated: June 27, 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** which was adopted by the Commissioners of the Authority on February 26, 2013, and

**WHEREAS**, an additional procedure for the wire transfer of funds has been inserted into the **Cash Management Plan**,

**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 true copy of the Resolution adopted by The Bergen County Utilities Authority at its meeting of June 27, 2013.



Richard Wierer  
Acting Secretary

**DATED:** June 27, 2013

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, on March 25, 1993, the Bergen County Utilities Authority ("BCUA") and Public Service Electric and Gas Company ("PSEG") entered into an Agreement for Use of Treated Effluent (the "Agreement"), which permitted PSEG to use treated effluent generated at the BCUA's Little Ferry Water Pollution Control Facility for cooling purposes at PSEG's Bergen Generating Station; and

**WHEREAS**, the Agreement was the first of its kind, and provided substantial benefits to both parties and the public, as it served to both conserve water resources and reduce the quantity of liquid discharged from both facilities; and

**WHEREAS**, pursuant to the Agreement, PSEG was required to pay to BCUA an annual fee of \$75,000.00 for the provision of liquid effluent, subject to an annual adjustment based upon the Gross Domestic Product Deflator for the previous year, as published by the Bureau of Economic Analysis, United States Department of Commerce. Because no similar agreement had ever been previously contemplated by the BCUA, there was very little guidance available for the purpose of calculating the service fee which was established in the Agreement; and

**WHEREAS**, the term of the Agreement expired in March 2013; and

**WHEREAS**, in the interim, the BCUA has been approached by several other parties expressing an interest in purchasing treated effluent; and

**WHEREAS**, as a result, the BCUA determined that it would be more appropriate to establish a fee schedule for the distribution and sale of treated effluent for beneficial re-use to all users, similar to the manner in which all of the BCUA's other rates are set at the beginning of each year; and

**WHEREAS**, on April 4, 2013, a public hearing, on notice, was held by the BCUA with respect to the service fee schedule for the distribution and sale of treated effluent for beneficial re-use; and

**WHEREAS**, at the public hearing on April 4, 2013, Robert E. Laux, Executive Director of the BCUA presided as Hearing Officer and the BCUA was represented by special counsel, Stephen P. Sinisi, Esq. in addition to Paul Kaufman, Esq., the BCUA's general counsel; and

**WHEREAS**, PSEG Fossil, LLC ("PSEG Fossil") requested and was granted the opportunity to fully participate in the hearing, at which PSEG Fossil appeared through its

special counsel, Thomas Bruinooge, Esq. of the firm of Bruinooge & Associates, together with Michael Palumbo, Esq., PSEG Fossil's Associate General Counsel; and

**WHEREAS**, during the hearing, the following exhibits were marked into evidence:

- BCUA-1: Proof of publication of the Notice of Hearing in The Herald News and The Record;
- BCUA-2: Certification of Service of Richard Wierer, Acting Secretary of BCUA, dated March 13, 2013, confirming that the Notice of Hearing was forwarded by first class mail to BCUA's constituent municipalities and also forwarded to the Bergen County Clerk, Bergen County Executive and the Clerk of the Bergen County Board of Chosen Freeholders;
- BCUA-3: Notice of Hearing;
- BCUA-4: BCUA's 2013 Water Pollution Control Budget;
- BCUA-5: Report dated February 11, 2013 prepared by Arcadis U.S. Inc./Malcolm Pirnie;
- BCUA-6: Letter dated March 25, 2013 to Thomas Bruinooge, Esq. from Robert E. Laux in response to questions presented by Mr. Bruinooge on behalf of PSEG Fossil;
- PSEG-1: Summary of testimony of Brian J. Clark, Power Plant General Manager for PSEG Fossil's Bergen Generating Station;
- PSEG-2: Summary of testimony of Richard Preiss, independent consultant with Gabel Associates, Inc., an environmental and energy consulting firm;
- PSEG-3: Review and Report of Treated Effluent Fee proposed by BCUA dated April 3, 2013 and prepared by Gabel Associates, Inc.; and

**WHEREAS**, the BCUA presented the testimony of the following witnesses:

- (a) Wallace Nowosielecki, Treasurer and Chief Financial Officer of the BCUA; and
- (b) Robert Schneider, a licensed professional engineer specializing in environmental projects and Senior Vice President of the firm of Malcolm Pirnie, which is the Water Division of Arcadis U.S. Inc., who was qualified and accepted as an expert in his field; and

**WHEREAS**, PSEG Fossil presented the testimony of the following witnesses:

- (a) Brian J. Clark, Power Plant General Manager for the Bergen Generating Station operated by PSEG (or a subsidiary);
- (b) Richard Preiss, an independent consultant with the firm of Gabel Associates, Inc., an environmental and energy consulting firm, who was qualified and accepted as an expert in his field; and

**WHEREAS**, the BCUA has reviewed all of the evidence as set forth above, and heard and considered the testimony of the witnesses, and offered members of the public the opportunity to offer testimony, having heard the arguments of counsel, and for good cause shown:

**NOW, THEREFORE, BE IT RESOLVED** that the BCUA makes the following findings of fact and conclusions:

1. Because the reuse of treated effluent is beneficial to all parties, the BCUA seeks to establish a reasonable fee for its distribution and sale.
2. Based upon the information contained in the BCUA's Water Pollution Control Budget, Capital Budget and other financial documents, the cost to the BCUA to treat sewage in order to provide treated effluent is approximately \$2.00 per 1,000 gallons.
3. The BCUA finds that the cost of providing treated effluent is a relevant consideration in determining the fee to be charged to potential re-users. However, as set forth in Exhibit BCUA-5 and described in testimony by Robert Schneider of Malcolm Pirnie, the cost alone is an incomplete method for valuing the treated effluent, as it does not account for the benefits that its reuse provides to the users and the public.
4. The BCUA has reviewed a sampling of the fees charged for treated effluent by other authorities throughout the United States, as set forth in Table 1 annexed to Exhibit BCUA-5. The BCUA finds that the fees range from \$0.165 to \$3.60 per 1,000 gallons, and that the median fee is \$1.50 per 1,000 gallons.
5. The BCUA notes that the higher service fees charged by the utilities listed in Table 1 include the cost of delivery of treated effluent to customers. The BCUA finds that the two (2) New Jersey utilities listed in Table 1 which do not include the cost of delivery in their service fees, the Linden Roselle Sewerage Authority and the Passaic Valley Sewerage Commission, charge the lowest and fourth lowest fees, respectively.
6. The BCUA has also considered the prices of viable alternative supplies in determining an appropriate service fee. The BCUA finds that the nearest alternative source of treated effluent is the Secaucus Municipal Utilities Authority treatment plan located in Secaucus, New Jersey. Utilizing the PSEG Fossil facility in Ridgefield, New Jersey as an example, the BCUA finds that the estimated cost to construct and use the appropriate infrastructure to deliver the necessary quantities of treated effluent for a period of twenty (20) years, is in the range of \$0.98 to \$2.10 per 1,000 gallons.
7. As set forth in the United States Environmental Protection Agency Guidelines for water re-use, the median price of reclaimed water is 80 percent of the rate for potable

water. The BCUA finds that the lowest service fee for potable water in the immediate area is \$2.90 per 1,000 gallons, as charged by United Water to wholesale distributors, and that an effluent service fee of \$1.45 to \$2.32 per 1,000 gallons would represent 50 to 80 percent of the cost of potable water.

8. Based upon the foregoing, the BCUA finds that a rate of \$1.25 per 1,000 gallons for the distribution and sale of treated effluent, to be applicable to all potential re-users, is reasonable and appropriate. This rate constitutes 43 percent of the cost of potable water and is comparable with the service fee charged by the Passaic Valley Sewerage Commission, a State agency operating a sewer treatment facility in Newark and serving a portion of Southeast Bergen County. In addition, the rate of \$1.25 per 1,000 gallons is slightly less than the median fee charged by the authorities listed in Table 1 as referenced above.

9. The BCUA has considered the testimony presented by PSEG Fossil in this matter. Brian J. Clark, Power Plant General Manager for the Bergen Generating Station, testified that PSEG Fossil's use of the treated effluent is unique and that the rate under consideration would represent a nine-fold increase over the fees previously paid by PSEG Fossil pursuant to the Agreement. In addition, Richard Preiss, an independent consultant with Gabel Associates, Inc., testified that in his opinion, Exhibit BCUA-5 does not provide the proper criteria for setting a service rate as to PSEG Fossil and the appropriate rate to be charged to PSEG Fossil is \$0.32 per 1,000 gallons.

10. The BCUA finds that the testimony provided on behalf of PSEG Fossil was directly related to a potential contract rate with PSEG Fossil rather than to a general rate applicable generically to potential users.

**NOW, THEREFORE, BE IT RESOLVED**, commencing on the first day following the adoption of the Service Fee until December 31, 2018, the service fee for the distribution and sale of treated effluent by the BCUA to potential re-users be and it is hereby established as follows:

**\$1.25 per thousand gallons.** The Service Fee Schedule for the Distribution and Sale of Treated Effluent for Beneficial Reuse will be revised on an annual basis, based on the increase or decrease in Consumer Price Index for the New York/Northern New Jersey area as published by the United States Department of Labor. Notwithstanding the above, any annual increase shall be a minimum increase of two and one half percent (2.5%) and a maximum increase of five percent (5.0%). The Authority reserves the right, upon notice, to revise the Service Fee Schedule for the Distribution and Sale of Treated Effluent for Beneficial Reuse on an annual basis as circumstances and/or conditions may dictate.

13-1-033

The Commission shall have the right to negotiate and enter into separate distribution and Sale of Treated Effluent agreements with alternative rate structures with substantial purchasers.

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of June 27, 2013.



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Richard Wierer  
Acting Secretary

**Dated: June 27, 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 Nash Compressor and Parts (2 Years)**, pursuant to and in accordance with **Contract No. 13-18**; and

**WHEREAS**, no bid proposals were received by the Authority on May 16, 2013, the date set forth in the Invitation to Bid for the receipt of bid proposals pursuant to and in accordance with **Contract No. 13-18**; and

**WHEREAS**, the Authority's Commissioners, by way of Resolution dated May 23, 2013, authorized the Executive Director or his designee to re-advertise for the solicitation of bid proposals for **Contract No. 13-18(Rebid)**, pursuant to N.J.S.A. 40A:11-4; and

**WHEREAS**, the following bid proposals were received by the Authority on June 13, 2013 for **Contract No. 13-18(Rebid)**:

Vendor	Total Amount Bid for Two Years	Notes
Gardner Denver Nash, LLC. Charleroi, PA	\$140,441.32	
Motion Industries Teterboro, NJ	\$197,694.60	

**WHEREAS**, the Authority's Plant Manager has reviewed the bid proposals and has recommended that **Gardner Denver Nash LLC** should be awarded **Contract No. 13-18(Rebid)** in accordance with N.J.S.A. 40A:11-4, as the lowest complying and responsible bidder; and

**WHEREAS**, on the basis of the foregoing, the Authority has determined that **Gardner Denver Nash LLC** constitutes the lowest complying and responsible bidder for **Contract No. 13-18(Rebid)**, 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:

13-2-045

1. **Gardner Denver Nash LLC** shall be and is hereby determined to be the lowest complying and responsible bidder to **Furnish and Deliver Nash Compressor and Parts (2 Years)**, constituting **Contract No. 13-18(Rebid)** for a total of **\$140,441.32**.

2. The Chairman be and he is hereby authorized to execute an agreement with **Gardner Denver Nash LLC** of Alta Vista Business Park, 1200 Simko Blvd, Charleroi, PA 15022 to **Furnish and Deliver Nash Compressor and Parts (2 Years)**, constituting **Contract No. 13-18(Rebid)** for a total of **\$140,441.32**.

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 June 27, 2013.

  
Richard Wierer  
Acting Secretary

**Dated: June 27, 2013**

BERGEN COUNTY UTILITIES AUTHORITY  
CERTIFICATE OF FUNDS

RESOLUTION DATE: 06/27/2013  
RESOLUTION #: 13-2-045

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

FUNDS AVAILABLE X

FUNDS ARE NOT AVAILABLE \_\_\_\_\_

BUDGET ACCOUNT W-550-61600-000

VENDOR GARDNER DENVER NASH, LLC

CONTRACT NUMBER C 13-18

REASON NASH COMPRESSOR & PARTS

AMOUNT \$140,441.32

CONTRACT LENGTH JULY 1, 2013 - JUNE 30, 2015

  
TREASURER/CFO

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, on prior occasion, upon advertisement and pursuant to specifications, the Authority solicited bid proposals to **Furnish and Deliver Sludge Pump Spare Parts (2 Years)**, pursuant to and in accordance with **Contract No. 13-19**; and

**WHEREAS**, no conforming bid proposals were received by the Authority on May 16, 2013, the date set forth in the Invitation to Bid for the receipt of bid proposals pursuant to and in accordance with **Contract No. 13-19**; and

**WHEREAS**, the Authority's Commissioners, by way of Resolution dated May 23, 2013, authorized the Executive Director or his designee to re-advertise for the solicitation of bid proposals for **Contract No. 13-19(Rebid)**, pursuant to N.J.S.A. 40A:11-4; and

**WHEREAS**, the following bid proposals were received by the Authority on June 13, 2013 for **Contract No. 13-19(Rebid)**:

Vendor	Total Amount Bid for Two Years	Notes
Hisco Pump Inc. Bloomfield, CT	\$159,881.84	
Moyno Inc. Springfield, Ohio	\$269,798.48	

**WHEREAS**, the Authority's Plant Manager has reviewed the bid proposals and has recommended that **Hisco Pump Inc.** should be awarded **Contract No. 13-19(Rebid)** in accordance with N.J.S.A. 40A:11-4, as the lowest complying and responsible bidder; and

**WHEREAS**, on the basis of the foregoing, the Authority has determined that **Hisco Pump Inc.** constitutes the lowest complying and responsible bidder for **Contract No. 13-19(Rebid)**, 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:

13-2-046

1. **Hisco Pump Inc.** shall be and is hereby determined to be the lowest complying and responsible bidder to **Furnish and Deliver Sludge Pump Spare Parts (2 Years)**, constituting **Contract No. 13-19(Rebid)** for a total of **\$159,881.84**.

2. The Chairman be and he is hereby authorized to execute an agreement with **Hisco Pump Inc.** of 4 Mosey Drive, Bloomfield, CT 06002 to **Furnish and Deliver Sludge Pump Spare Parts (2 Years)**, constituting **Contract No. 13-19(Rebid)** for a total of **\$159,881.84**.

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 June 27, 2013.



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Richard Wierer  
Acting Secretary

Dated: June 27, 2013

BERGEN COUNTY UTILITIES AUTHORITY  
CERTIFICATE OF FUNDS

RESOLUTION DATE: 06/27/2013

RESOLUTION #: 13-2-046

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

FUNDS AVAILABLE

X

FUNDS ARE NOT AVAILABLE

BUDGET ACCOUNT

W-550-61300-000

VENDOR

HISCO PUMPS, INC.

CONTRACT NUMBER

C 13-19

REASON

SLUDGE PUMP SPARE PARTS

AMOUNT

\$159,881.84

CONTRACT LENGTH

JULY 1, 2013 - JUNE 30, 2015



TREASURER/CFO

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, on prior occasion, upon advertisement and pursuant to specifications, the Authority solicited bid proposals to **Furnish and Deliver Marlow Positive Displacement Pump Spare Parts (2 Years)**, pursuant to and in accordance with **Contract No. 13-20**; and

**WHEREAS**, no bid proposals were received by the Authority on May 16, 2013, the date set forth in the Invitation to Bid for the receipt of bid proposals pursuant to and in accordance with **Contract No. 13-20**; and

**WHEREAS**, the Authority's Commissioners, by way of Resolution dated May 23, 2013, authorized the Executive Director or his designee to re-advertise for the solicitation of bid proposals for **Contract No. 13-20(Rebid)**, pursuant to N.J.S.A. 40A:11-4; and

**WHEREAS**, the following bid proposal was received by the Authority on June 13, 2013 for **Contract No. 13-20(Rebid)**:

Vendor	Total Amount Bid for Two Years	Notes
Wastecorp Pumps LLC. Grand Island, NY	\$181,969.18	

**WHEREAS**, the Authority's Plant Manager has reviewed the bid proposal and has recommended that **Wastecorp Pumps LLC** should be awarded **Contract No. 13-20(Rebid)** in accordance with N.J.S.A. 40A:11-4, as the lowest complying and responsible bidder; and

**WHEREAS**, on the basis of the foregoing, the Authority has determined that **Wastecorp Pumps LLC** constitutes the lowest complying and responsible bidder for **Contract No. 13-20(Rebid)**, 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:

13-2-047

1. **Wastecorp Pumps LLC** shall be and is hereby determined to be the lowest complying and responsible bidder to **Furnish and Deliver Marlow Positive Displacement Pump Spare Parts (2 Years)**, constituting **Contract No. 13-20(Rebid)** for a total of **\$181,969.18**.

2. The Chairman be and he is hereby authorized to execute an agreement with **Wastecorp Pumps LLC** of P.O. Box 70, Grand Island, NY 14072-0070 to **Furnish and Deliver Marlow Positive Displacement Pump Spare Parts (2 Years)**, constituting **Contract No. 13-20(Rebid)** for a total of **\$181,969.18**.

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 June 27, 2013.



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Richard Wierer  
Acting Secretary

Dated: June 27, 2013

BERGEN COUNTY UTILITIES AUTHORITY  
CERTIFICATE OF FUNDS

RESOLUTION DATE: 06/27/2013  
RESOLUTION #: 13-2-047

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

FUNDS AVAILABLE X

FUNDS ARE NOT AVAILABLE \_\_\_\_\_

BUDGET ACCOUNT W-550-61300-000

VENDOR WASTECORP PUMPS, LLC

CONTRACT NUMBER C 13-20

REASON MARLOW POSITIVE DISPLACEMENT  
PUMP SPARE PARTS

AMOUNT \$181,969.18

CONTRACT LENGTH JULY 1, 2013 - JUNE 30, 2015

  
\_\_\_\_\_  
TREASURER/CFO

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, on prior occasion, upon advertisement and pursuant to specifications, the Authority solicited bid proposals to **Furnish and Deliver Valves (Two Years)**, pursuant to and in accordance with **Contract No. 13-23**; and

**WHEREAS**, the following bid proposals were received by the Authority on **June 13, 2013** for **Contract No.13-23**:

Vendor	Total Amount Bid for Two Years
Grant Supply Company Inc. North Brunswick, NJ	\$282,351.88
Bergen Industrial Supply Company, Inc. Elmwood Park, NJ	\$341,981.20
A&M Industrial Rahway, NJ	\$404,951.64
Raritan Pipe & Supply Co. New Brunswick, NJ	\$558,895.00

**WHEREAS**, the Authority's **Plant Manager** has reviewed the bid proposals and has recommended that **Grant Supply Company Inc.** be awarded **Contract No. 13-23** 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 **Grant Supply Company Inc.** constitutes the lowest complying and responsible bidder for **Contract No.13-23**, 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:

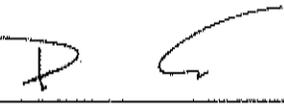
1. **Grant Supply Company Inc.** shall be and is hereby determined to be the lowest complying and responsible bidder to **Furnish and Deliver Valves (Two Years)**, constituting **Contract No.13-23** for a Two (2) year period for a total of **\$282,351.88**.
2. The Chairman is hereby authorized to execute an agreement with **Grant Supply Company Inc.** of 901 Joyce Kilmer Avenue, North Brunswick, NJ 08902 to **Furnish**

13-2-048

and Deliver Valves (Two Years), constituting Contract No.13-23 for a total of \$282,351.88.

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 June 27, 2013.



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Richard Wierer  
Acting Secretary

Dated: June 27, 2013

BERGEN COUNTY UTILITIES AUTHORITY  
CERTIFICATE OF FUNDS

RESOLUTION DATE: 06/27/2013  
RESOLUTION #: 13-2-048

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

FUNDS AVAILABLE X

FUNDS ARE NOT AVAILABLE \_\_\_\_\_

BUDGET ACCOUNT W-630-63100-000

VENDOR GRANT SUPPLY COMPANY, INC.

CONTRACT NUMBER C 13-23

REASON VALVES

AMOUNT \$282,351.88

CONTRACT LENGTH JULY 1, 2013 - JUNE 30, 2015

  
TREASURER/CFO

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, on prior occasion, upon advertisement on the Authority's website and pursuant to specifications, the Authority solicited proposals for **IBM Maximo Authorized User Annual Subscription Renewal**, pursuant to and in accordance with **Requisition No. 93236-13**, and

**WHEREAS**, the following proposal was received by the Authority on June 5, 2013:

<u>Vendor</u>	<u>Total Amount Bid</u>
International Business Machines Corporation Armonk, NY 10504	\$35,800.00

**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 Qualified Purchasing Agent has reviewed the proposal and has recommended that **International Business Machines Corporation** should be awarded **Requisition No.93236-13**, 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 **International Business Machines Corporation** constitutes the lowest complying and responsible proposal for **Requisition No. 93236-13**, 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 International Business Machines Corporation in the amount of **\$35,800.00** shall be and is hereby determined to be the lowest complying and responsible proposal for **IBM Maximo Authorized User Annual Subscription Renewal** constituting **Requisition No.93236-13**.

2. The Executive Director shall be and he is hereby authorized to execute an agreement with **International Business Machines Corporation of North Castle Drive, Armonk, NY 10504** for **IBM Maximo Authorized User Annual Subscription Renewal**, constituting **Requisition No. 93236-13** for the total amount of **\$35,800.00**.

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 June 27, 2013.



Richard Wierer  
Acting Secretary

**Dated: June 27, 2013**

BERGEN COUNTY UTILITIES AUTHORITY  
CERTIFICATE OF FUNDS

RESOLUTION DATE: 06/27/2013  
RESOLUTION #: 13-2-049

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

FUNDS AVAILABLE X

FUNDS ARE NOT AVAILABLE \_\_\_\_\_

BUDGET ACCOUNT A-620-56300-000

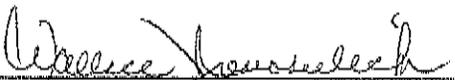
VENDOR INTERNATIONAL BUSINESS MACHINES, CORP

CONTRACT NUMBER REQ. NO. 93236-13

REASON USER ANNUAL SUBSCRIPTION RENEWAL  
FOR MAXIMO SYSTEM

AMOUNT \$35,800.00

CONTRACT LENGTH JULY 1, 2013 - JUNE 30, 2014

  
\_\_\_\_\_  
TREASURER/CFO

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, the Edgewater Water Pollution Control Facility (WPCF), which was acquired from the Edgewater Municipal Utilities Authority (EMUA) in year 2007, is in need of several long-term capital improvements to address both current and potential New Jersey Pollutant Discharge System (NJPDES) Surface Water Discharge Permit compliance issues and process equipment replacements; and

**WHEREAS**, the estimated cost to address NJPDES permitting requirements and recommended improvements to physical assets include Phase II Facility Upgrades (\$6.5 million), WPCF Outfall Extension Project (\$15.6 million), and the potential for regulatory changes requiring WPCF upgrade for nutrient removal (\$30 million); and

**WHEREAS**, the Authority is financing the WPCF Outfall Extension through the New Jersey Environmental Infrastructure Trust (NJEIT), administered by the New Jersey Department of Environmental Protection (NJDEP); and

**WHEREAS**, as a condition of NJEIT funding and in compliance with *N.J.S.A. 40A:11-16.6*, any project over \$10 million in cost requires a value engineering study to be performed; and

**WHEREAS**, the value engineering study will provide an in-depth cost study of the proposed design improvements to achieve the Authority's required NJPDES permit compliance at the lowest life cycle cost; and

**WHEREAS**, the value engineering study will focus attention on the total life of the project, accounting for the future impacts of the operating costs, and the escalating cost of labor, materials, fees, power, etc.; and

**WHEREAS**, under the value engineering study, the Authority will consider the feasibility of converting the Edgewater WPCF to a sewage pumping station, constructing a force main discharge to the Authority's Overpeck Valley relief sewer, and processing the wastewater flow at the Authority's Little Ferry WPCF for a capital cost estimated at less than \$10 million; and

**WHEREAS**, the existing Edgewater WPCF outfall will be sealed under the alternate plan; and

**WHEREAS**, this alternative plan will increase the flow and pollutant loads to the Little Ferry WPCF and, therefore, requires an update of the Authority's Wastewater Management

Plan with subsequent amendment of the NJDEP's Northwest Water Quality Plan because that plan does not include flows from the Edgewater WPCF service area in the planned discharge from the Little Ferry WPCF; and

**WHEREAS**, there exists a need to engage special engineering services to assist the Authority update the Authority's Wastewater Management Plan; 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 satisfactorily served in the capacity of **Special Environmental Engineer** for the Authority since March 2004 and prepared the previously approved Wastewater Management Plan for the Authority; and

**WHEREAS**, based on **Arcadis US, Inc./Malcolm Pirnie's** Statement of Qualifications and prior history, the Authority issued a Request for Proposal (RFP) to **Arcadis US, Inc./Malcolm Pirnie**; and

**WHEREAS**, **Arcadis US, Inc./Malcolm Pirnie** has submitted a proposal to provide the aforesaid professional engineering services, dated June 24, 2013, to the Authority for an amount not to exceed \$191,000.00 based on hourly billing rates on file in the office of the Executive Director plus reimbursable expenses, for a **Special Engineering Services to Update Authority's Wastewater Management Plan**, which proposal has been reviewed and determined to be fair and reasonable by the Director of Water Pollution Control Division/Chief Engineer of the Authority; and

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

1. That **Arcadis US, Inc./Malcolm Pirnie** shall be and is hereby retained by the Authority to provide professional engineering services to assist the Authority with **Special Engineering Services to Update Authority's Wastewater Management Plan**, for an amount not to exceed \$191,000.00 based on hourly billing rates plus reimbursable expenses, without further approval of the Commissioners of the Authority.

2. That the project shall be completed within six (6) months of approval of this resolution, unless otherwise extended by mutual consent; and

3. The Chairman shall be and is hereby authorized to execute an agreement by and between the Authority and **Arcadis US, Inc./Malcolm Pirnie**, memorializing the scope of services to be performed and the compensation to be paid therefore, in the form acceptable to the Chairman and satisfactory to the Authority, as evidenced by the Chairman's signature thereon.

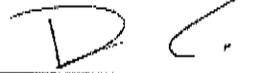
4. The Chief Financial Officer's certification that funds are available shall be maintained on file at the Authority.

5. A copy of this resolution and agreement retaining **Arcadis US, Inc./Malcolm Pirnie** to provide 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 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 June 27, 2013.



Richard Wierer  
Acting Secretary

Dated: June 27, 2013

BERGEN COUNTY UTILITIES AUTHORITY  
CERTIFICATE OF FUNDS

RESOLUTION DATE: 06/27/2013

RESOLUTION #: 13-2-050

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

FUNDS AVAILABLE

X

FUNDS ARE NOT AVAILABLE

BUDGET ACCOUNT

2008 WPC CONSTRUCTION FUND

VENDOR

ARCADIS US

CONTRACT NUMBER

REASON

ENGINEERING SERVICES

AMOUNT

\$191,000.00

CONTRACT LENGTH



TREASURER/CFO

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, there exists the need to engage professional engineering services to assist the Authority in regards to **Rain-Derived Infiltration and Inflow (RDI/I) Reduction Plan Engineering Consulting Services for the Borough of Haworth**; and

**WHEREAS**, on June 24, 2010, the Authority awarded a professional services contract to Birdsell Services Group for **RDI/I Reduction Plan Engineering Consulting Services for the Borough of Haworth**; and

**WHEREAS**, based upon extenuating special reasons, the Authority has informed Birdsell Services Group in writing that its contract for **RDI/I Reduction Plan Engineering Consulting Services for the Borough of Haworth** is terminated; and

**WHEREAS**, **Boswell Engineering** has submitted a proposal to provide the aforesaid professional engineering services dated June 14, 2013, to the Authority for an amount not to exceed \$170,000 for **RDI/I Reduction Plan Engineering Consulting Services for the Borough of Haworth**, which proposal has been reviewed and determined to be fair and reasonable by the Director of Water Pollution Control/Chief Engineer of the Authority; and

**WHEREAS**, said engineering 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:11-5(1)(a)(i)* provides that a contract for professional services may be awarded without competitive bidding as a "professional service"; and

**WHEREAS**, under the fair and open process pursuant to *N.J.S.A. 19:44A-20* et seq., **Boswell Engineering** responded to the Authority's publicly advertised "Request for Qualifications" and was qualified as competent to provide consulting engineer services in a resolution dated January 24, 2013; and

**WHEREAS**, the Authority has determined that **Boswell Engineering** is competent, qualified, and experienced to provide these professional engineering services to the Authority as outlined above; and

**WHEREAS**, the Authority has determined, based upon the foregoing, that it is necessary for its efficient operations to retain the services of **Boswell Engineering** to assist the Authority with **RDI/I Reduction Plan Engineering Consulting Services for the Borough of Haworth**; 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 procurement have been appropriated at **2008 WPC Construction Fund**; and

**WHEREAS**, *N.J.S.A 40A:11-1* et seq. requires that the resolution authorizing the award of contracts for said 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. **Boswell Engineering** shall be and is hereby retained by the Authority to provide professional engineering services to assist the Authority with **RDI/I Reduction Plan Engineering Consulting Services for the Borough of Haworth**, for an amount not to exceed \$170,000 without further approval of the Commissioners of the Authority.

2. The Chairman shall be and is hereby authorized to execute an agreement by and between the Authority and **Boswell Engineering**, memorializing the scope of services to be performed and the compensation to be paid therefore, in the form acceptable to the Chairman and satisfactory to the Authority, as evidenced by the Chairman's signature thereon.

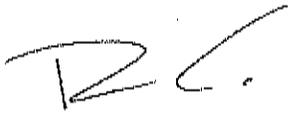
3. The Chief Financial Officer's certification that funds are available shall be maintained on file at the Authority.

4. A copy of this resolution and agreement retaining **Boswell Engineering** to provide 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.

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 June 27, 2013.

  
\_\_\_\_\_  
Richard Wierer  
Acting Secretary

**Dated: June 27, 2013**

BERGEN COUNTY UTILITIES AUTHORITY  
CERTIFICATE OF FUNDS

RESOLUTION DATE: 06/27/2013  
RESOLUTION #: 13-2-051

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

FUNDS AVAILABLE X

FUNDS ARE NOT AVAILABLE \_\_\_\_\_

BUDGET ACCOUNT 2008 WPC CONSTRUCTION FUND

VENDOR BOSWELL ENGINEERING

CONTRACT NUMBER \_\_\_\_\_

REASON ENGINEERING SERVICES - I & I FOR HAWORTH

AMOUNT \$170,000.00

CONTRACT LENGTH \_\_\_\_\_

  
TREASURER/CFO

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, Hurricane Sandy, a late-season post-tropical cyclone, swept through the Caribbean and up the East Coast of the United States in late October 2012, making landfall in New Jersey as a tropical "superstorm" with storm related effects commencing on Monday, Oct. 29, 2012.

**WHEREAS**, Superstorm Sandy is estimated to have caused tens of billions of dollars in property damage and \$10 billion to \$30 billion more in lost business, making it one of the costliest natural disasters on record in the United States; and

**WHEREAS**, the BCUA sustained extensive damages and costs as a result of the superstorm; and

**WHEREAS**, the Authority immediately commenced efforts to apply for the FEMA Recovery and Mitigation Programs administered from the Presidentially declared disaster , Hurricane Sandy FEMA-DR-4086-NJ; and

**WHEREAS**, a number of federal aid programs are relevant to the BCUA pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as implemented by Title 44 Code of Federal Regulations. These include:

- Public Assistance Grant Program (PA)
- Public Assistance Grant Program 406 Mitigation
- Hazard Mitigation Grant Program (HMGP)

**WHEREAS**, MALCOLM PIRNIE/ ARCADIS-US, INC. ("Pirnie/ARCADIS") was awarded the NJDEP Contract AG-065 on November 2, 2012. The current expiration date for this contract is March 31, 2014. This contract can be utilized by any jurisdiction within the State of New Jersey, pursuant to an NJDEP Mutual Agreement, for disaster debris management, Public Assistance (PA) cost recovery consulting associated with FEMA reimbursement for Categories A through G, and 406 Mitigation; and

**WHEREAS**, under the terms of the NJDEP Mutual Agreement, ARCADIS is the designated contractor to prepare the appropriate documentation related to the Debris Management work for the BCUA and any other entities executing the Mutual Agreement; and

**WHEREAS**, given the nature of the recovery work required, the BCUA elected to utilize the services of MALCOM PIRNIE/ ARCADIS-US, INC. to perform a portion of this work under the terms of the NJDEP Mutual Agreement; and

**WHEREAS**, the following outlines the tasks performed by Pirnie/ARCADIS for the life of the FEMA eligible activities under the aforementioned programs. Pirnie/ARCADIS has prepared the appropriate documentation to ensure that the projects are developed as required and that efforts are consolidated as appropriate. Pirnie/ARCADIS is facilitating the development of applications by pulling together key findings and decisions made through the course of the project identification process. Basic elements of the applications include the project scope, cost estimate, cost-effectiveness requirement, and back-up documentation. These tasks include:

- Public Assistance Debris and Emergency Protective Measures
- Asset Inventory of Damage
- Public Assistance Permanent Work Project Worksheets (406)
- Mitigation Strategy
- Public Assistance 406 Mitigation

**WHEREAS**, the contract term for NJDEP Mutual Agreement coincides with the FEMA deadlines, and is currently March 31, 2014. If FEMA extends its deadlines again, the NJDEP will do the same; and

**WHEREAS**, Pirnie/Arcadis has determined that the BCUA FEMA funding for mitigation is currently estimated at \$98M; and

**WHEREAS**, the emergency response work under the NJDEP Mutual Agreement was incurred and invoiced separately (project number 00761262.0000). Through June 26, 2013, the charges incurred for the FEMA support and emergency mitigation services under the NJDEP Mutual Agreement are approximately \$248,000; and

**WHEREAS**, based on these charges and the anticipated work remaining Pirnie/ARCADIS estimates that a budget of \$330,000 would be appropriate for the NJDEP Mutual Agreement. This represents an additional amount to charges incurred to date of approximately \$82,000 to close out the work remaining under the Mutual Agreement.

**WHEREAS**, on or about June 26, 2012, FEMA announced an increase of the Federal cost-share for projects under the PA grant program from 75% to 90%. This provides the BCUA with an opportunity for increased reimbursement of its eligible projects. See attached copy of the FEMA notice of the 90 % reimbursement.

**WHEREAS**, there exists a need to ratify the NJDEP Mutual Agreement for the special engineering services performed by **Arcadis US, Inc./Malcolm Pirnie**;

**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 provide said services.

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

1. The NJDEP Mutual Agreement for the special engineering services performed by **Arcadis US, Inc. /Malcolm Pirnie** shall be and is hereby ratified by the Authority to assist the Authority with the Superstorm Sandy FEMA Reimbursement Assistance and Debris Monitoring project, for an amount not to exceed \$330,000 based on hourly billing rates plus reimbursable expenses set forth in the NJDEP Mutual Agreement, without further approval of the Commissioners of the Authority.

2. That the project shall be completed within the duration of the NJDEP Mutual Agreement and within FEMA established deadlines, unless otherwise extended by mutual consent; and

3. The Chairman shall be and is hereby authorized to execute the NJDEP Mutual Agreement by and between the Authority and **Arcadis US, Inc. /Malcolm Pirnie**, memorializing the scope of services to be performed and the compensation to be paid therefore, in the form acceptable to the Chairman and satisfactory to the Authority, as evidenced by the Chairman's signature thereon.

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

5. A copy of this resolution and agreement retaining **Arcadis US, Inc. /Malcolm Pirnie** to provide 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 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 June 27, 2013.



Richard Wierer  
Acting Secretary

**Dated: June 27, 2013**

BERGEN COUNTY UTILITIES AUTHORITY  
CERTIFICATE OF FUNDS

RESOLUTION DATE: 06/27/2013

RESOLUTION #: 13-2-052

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

FUNDS AVAILABLE

X

FUNDS ARE NOT AVAILABLE

BUDGET ACCOUNT

W-150-90900-000

VENDOR

ARCADIS US, INC.

CONTRACT NUMBER

REASON

SPECIAL ENGINEERING SERVICES

AMOUNT

\$330,000.00

CONTRACT LENGTH

NOVEMBER 2, 2012 - MARCH 31, 2014



TREASURER/CFO



## Federal Cost-Share For Sandy Cleanup, Rebuilding Projects In New Jersey Increased To 90 Percent

Release date: JUNE 26, 2013

Release Number: 4086-177

TRENTON, N.J. -- At the request of New Jersey Gov. Chris Christie, President Obama authorized a federal cost-share increase for projects funded by the Federal Emergency Management Agency's Public Assistance grant program from 75 percent to 90 percent.

"When federal disaster aid to a state meets or exceeds a set amount per state resident – currently \$133 – federal regulations allow for the President to authorize an increase to 90 percent," said Federal Coordinating Officer Gracia Szczech.

This increase allows FEMA to reimburse state and local governments and certain private nonprofit organizations 90 percent of eligible costs of emergency expenses, debris removal and infrastructure repair. The remaining 10 percent is provided by non-federal funds.

After Superstorm Sandy struck, the President authorized 100 percent federal funding for 15 days for emergency power restoration assistance and emergency public transportation assistance, including direct federal assistance, for those areas within New Jersey counties designated for Public Assistance.

To date, FEMA has approved more than \$556 million in Public Assistance grants to help New Jersey communities recover and rebuild.

FEMA's mission is to support our citizens and first responders to ensure that as a nation we work together to build, sustain, and improve our capability to prepare for, protect against, respond to, recover from, and mitigate all hazards.

Follow FEMA online at [www.fema.gov/blog](http://www.fema.gov/blog), [www.twitter.com/fema](http://www.twitter.com/fema), [www.facebook.com/fema](http://www.facebook.com/fema), and [www.youtube.com/fema](http://www.youtube.com/fema). Also, follow Administrator Craig Fugate's activities at [www.twitter.com/craigatfema](http://www.twitter.com/craigatfema).

The social media links provided are for reference only. FEMA does not endorse any non-government websites, companies or applications.

EXHIBIT TO RESO. 13-2-052

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, the Authority is in the process of undertaking the design and construction of the **Edgewater WPCF Outfall Extension Project**; and

**WHEREAS**, there exists the need to engage special engineering services to assist the Authority in a **Value Engineering Study for the Edgewater WPCF Outfall Extension Project**; and

**WHEREAS**, the **Edgewater WPCF Outfall Extension Project** is intended to allow the Authority to achieve compliance with New Jersey Pollutant Discharge Elimination System (NJPDES) Surface Water Permit No. NJ0020591; and

**WHEREAS**, new pollutant effluent discharge limits for ammonia, copper, and zinc are scheduled to be effective on May 1, 2015; and

**WHEREAS**, the existing Edgewater WPCF cannot achieve compliance with new pollutant effluent discharge limits for ammonia, copper, and zinc; and

**WHEREAS**, the Authority's special engineering consultant, Malcolm Pirnie-Arcadis, Inc. has designed **Edgewater WPCF Outfall Extension Project** to achieve new pollutant effluent limits for ammonia, copper, and zinc; and

**WHEREAS**, the **Edgewater WPCF Outfall Extension Project** consists of a new manhole on the Hudson River shoreline, 42-inch diameter pre-stressed concrete cylinder pipe connection extending approximately 650 feet from the existing Edgewater WPCF outfall in an easterly direction under the Hudson River, 90 degree turn, and extending the pipe approximately 290 feet in a southerly direction; and

**WHEREAS**, effluent diffusers would be installed along the southerly section of the outfall to discharge the treated effluent from the Edgewater WPCF; and

**WHEREAS**, since periods of low tide the river bottom is exposed, the project requires the excavation of approximately 7,400 cubic yards of material within the Hudson River; and

**WHEREAS**, the estimated project cost of \$17.4 million is being financed through the New Jersey Environmental Infrastructure Trust Fund (NJEIT), administered by the New Jersey Department of Environmental Protection; and

**WHEREAS**, as a condition of NJEIT funding and in compliance with *N.J.S.A. 40A:11-16.6*, any project over \$10 million in cost requires a value engineering study to be performed; and

**WHEREAS**, the value engineering study will provide an in-depth cost study of the proposed design improvements to achieve the Authority's required NJPDES permit compliance at the lowest life cycle cost; and

**WHEREAS**, the value engineering study will focus attention on the total life of the project, accounting for the future impacts of the operating costs and the escalating cost of labor, materials, fees, power, etc.; and

**WHEREAS**, since the engineering design is substantially complete, the Authority is desirous to engage professional engineering services to assist the Authority in a **Value Engineering Study for the Edgewater WPCF Outfall Extension Project**; and

**WHEREAS**, **Alaimo Group** has submitted a proposal to provide the aforesaid professional engineering services, dated June 18, 2013, to the Authority for an amount not to exceed \$80,000 for a **Value Engineering Study for the Edgewater WPCF Outfall Extension Project**, which proposal has been reviewed and determined to be fair and reasonable by the Director of Water Pollution Control Division/Chief Engineer of the Authority; and

**WHEREAS**, said engineering 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:11-5(1)(a)(i)* provides that a contract for professional services may be awarded without competitive bidding as a "professional service"; and

**WHEREAS**, under the fair and open process pursuant to *N.J.S.A. 19:44A-20 et seq.*, **Alaimo Group** responded to the Authority's publicly advertised "Request for Qualifications" and was qualified as competent to provide consulting engineer services in a resolution dated January 24, 2013; and

**WHEREAS**, the Authority has determined that **Alaimo Group** is competent, qualified, and experienced to provide these professional engineering services to the Authority as outlined above; and

**WHEREAS**, the Authority has determined, based upon the foregoing, that it is necessary for its efficient operations to retain the services of **Alaimo Group** to assist the Authority for a **Value Engineering Study for the Edgewater WPCF Outfall Extension Project**; 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 procurement have been appropriated at **2008 WPC Construction Fund**; and

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

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

1. That **Alaimo Group** shall be and is hereby retained by the Authority to provide professional engineering services to assist the Authority with **Value Engineering Study for the Edgewater WPCF Outfall Extension Project**, for an amount not to exceed \$80,000 without further approval of the Commissioners of the Authority.

2. That the **Value Engineering Study for the Edgewater WPCF Outfall Extension Project** shall be completed within eight (8) weeks of approval of this resolution.

3. The Chairman shall be and is hereby authorized to execute an agreement by and between the Authority and **Alaimo Group**, memorializing the scope of services to be performed and the compensation to be paid therefore, in the form acceptable to the Chairman and satisfactory to the Authority, as evidenced by the Chairman's signature thereon.

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

5. A copy of this resolution and agreement retaining **Alaimo Group** to provide 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 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)*.

13-2-053

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of June 27, 2013.

A handwritten signature in black ink, appearing to be 'R. Wierer', written over a horizontal line.

Richard Wierer  
Acting Secretary

**DATED: June 27, 2013**

13-2-053

BERGEN COUNTY UTILITIES AUTHORITY  
CERTIFICATE OF FUNDS

RESOLUTION DATE: 06/27/2013  
RESOLUTION #: 13-2-053

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

FUNDS AVAILABLE X

FUNDS ARE NOT AVAILABLE \_\_\_\_\_

BUDGET ACCOUNT W-350-50400-000

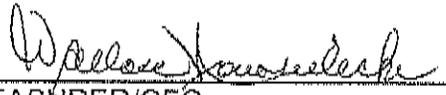
VENDOR ALAIMO GROUP

CONTRACT NUMBER \_\_\_\_\_

REASON ENGINEERING SERVICES - EDGEWATER  
OUTFALL EXTENSION PROJECT

AMOUNT \$80,000.00

CONTRACT LENGTH \_\_\_\_\_

  
TREASURER/CFO

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, on prior occasion, upon advertisement and pursuant to specifications, the Authority solicited bid proposals to **Furnish and Deliver Instrumentation Equipment, Parts and Supplies to the Bergen County Utilities Authority (Two Years)**, pursuant to and in accordance with **Contract No. 13-22**; and

**WHEREAS**, the following bid proposal was received by the Authority on **June 20, 2013** for **Contract No.13-22**:

Vendor	Percentage Discounted for ABB Products	Percentage Discounted for Polysonics Products	Percentage Discounted for Pulsar Products
Applied Analytics, Inc. Flemington, NJ	5%	2%	2%

**WHEREAS**, the Authority's **Qualified Purchasing Agent** has reviewed the bid proposal and has recommended that **Applied Analytics, Inc.** be awarded **Contract No. 13-22** 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 **Applied Analytics, Inc.** constitutes the lowest complying and responsible bidder for **Contract No.13-22**, 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

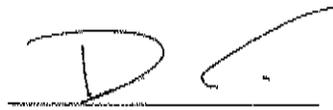
**WHEREAS**, the Authority's Chief Financial Officer has certified that funds are available for this purpose; and

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

1. **Applied Analytics, Inc.** shall be and is hereby determined to be the lowest complying and responsible bidder to **Furnish and Deliver Instrumentation Equipment, Parts and Supplies to the Bergen County Utilities Authority (Two Years)**, constituting **Contract No.13-22** for a Two (2) year period for a total not to exceed **\$400,000.00**.
2. The Chairman is hereby authorized to execute an agreement with **Applied Analytics, Inc. of One Highway 12, Plaza One, Flemington, NJ 08822** to **Furnish and Deliver Instrumentation Equipment, Parts and Supplies to the Bergen County Utilities Authority (Two Years)**, constituting **Contract No.13-22** for a total not to exceed **\$400,000.00**.

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 June 27, 2013.



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Richard Wierer  
Acting Secretary

**Dated:        June 27, 2013**

BERGEN COUNTY UTILITIES AUTHORITY  
CERTIFICATE OF FUNDS

RESOLUTION DATE: 06/27/2013  
RESOLUTION #: 13-2-054

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

FUNDS AVAILABLE X

FUNDS ARE NOT AVAILABLE \_\_\_\_\_

BUDGET ACCOUNT W-550-62100-000

VENDOR APPLIED ANALYTICS, INC.

CONTRACT NUMBER C 13-22

REASON INSTRUMENTATION EQUIPMENT,  
PARTS & SUPPLIES

AMOUNT \$400,000.00

CONTRACT LENGTH JULY 1, 2013 - JUNE 30, 2015

  
TREASURER/CFO