



# BERGEN COUNTY UTILITIES AUTHORITY

Box 9, Foot of Mehrhof Road, Little Ferry, New Jersey 07643

ROBERT E. LAUX  
Executive Director

ANDREW "CHUCK" VACCARO, Chairman  
RONALD PHILLIPS, Vice Chairman  
CATHERINE T. BENTZ  
JAMES L. CASSELLA  
LOUIS J. DeLISIO

PAUL A. JULIANO  
DAVID J. LORENZO  
RICHARD D. SCHOOLER  
GEORGE P. ZILOCCHI

## Via Hand - Delivery

November 26, 2013

The Honorable Kathleen A. Donovan  
Bergen County Executive  
One Bergen County Plaza  
Hackensack, New Jersey 07601

Dear County Executive Donovan:

Pursuant to N.J.S.A. 40:14B-14(b) enclosed please find minutes and certification of the BCUA Acting Secretary regarding the Regular Meeting of the Commissioners of The Bergen County Utilities Authority held on November 26, 2013, and action, consistent with the applicable provisions of the aforementioned legislation.

Very truly yours,

Robert E. Laux  
Executive Director

RLhn

Enclosure

C: All Commissioners

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

**In the matter of the 418<sup>TH</sup> Regular Meeting of  
The Bergen County Utilities Authority**

1. The **proof of meeting notice** calling the November 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  
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. Motion that the Minutes covering the October 24, 2013 Work Session be approved was moved by Commissioner Zilocchi and seconded by Commissioner Lorenzo 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 13-1-043 – Approve bills and the claims supported by vouchers totaling \$ 5,108,392.83 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 13-1-044 – Authorize Shared Services Agreement with the Borough of Little Ferry for the Provision of Municipal Services. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Schooler. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 13-1-045 – Resolution to establish the Annual Schedule of Meetings for 2014. Motion to adopt the resolution was made by Commissioner Casella and Seconded by Commissioner Schooler. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 13-1-046 – Approve 2013 Supplemental Bond Resolution of the Bergen County Utilities Authority Supplementing and amending certain provisions of the Authority's General Bond Resolution duly adopted October 31, 1985, as amended and supplemented, and providing for the issuance of not to exceed \$12,000,000 principal amount of Water Pollution Control System Revenue Bonds, series 2013, of the Bergen County Utilities Authority. 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 13-1-047 – Approve Amendment of Professional Services Agreement - Special Labor Counsel - Florio Perrucci Steinhardt & Fader. 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 13-1-048 – Approve Amendment of Professional Services Agreement - General Counsel - Kaufman, Semeraro & Leibman, L.L.P. 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 13-2-065 - Award Contract No. 13-26 to Clariant Corporation for the Purchase of Eight (8) SUD-Chemie Replacement Catalysts (OneYear). 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 13-2-066 - Award Contract No. 13-28 to Control Sales, Inc. to Furnish and Deliver Fluorescent Dissolved Oxygen Meters (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 13-2-067 - Award Contract No. 13-29 to Vulcan Industries, Inc. to Furnish and Deliver Complete Vulcan Bar Drive Motor and Associated Parts (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 13-2-068 - Approve agreement with Maumee Express, Inc. for Household Hazardous Waste Collection, Transportation and Disposal, pursuant to and in accordance with Contract No. 11-29, which exercises the One Year Option by the Authority to extend the contract for an additional one year period (from January 1, 2014 through January 1, 2015). 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 13-2-069 - Approve Amendment of Professional Services Agreement – Special Consulting Engineer - Arcadis US Inc. 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 13-2-070 - Approve Professional Services Agreement – PS&S - Special Consulting Engineers for CHP Heat Recovery Boiler Corrosion Engineering Study. 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 13-2-071 - Approve Professional Services Agreement – Alaimo Group - Special Consulting Engineers for Capacity Assurance Study of Rt. 4 Interceptors and Flow Meters 24 and 18 for the Borough of Fort Lee. 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 13-2-072 - Authorize execution of Change Order No. 1 to process the net increase of \$6,004.20 as stated in the November 21, 2013 change order proposal of Scientific Boiler Water Conditioning Co., Inc. to Furnish and Deliver Hot Water System Chemicals, in accordance with Contract No. 12-17, for an adjusted total amount of \$72,682.10 for 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 13-2-073 - Authorize execution of Purchase Order for One Electric Blower Repair/Upgrade Control System in accordance with New Jersey State Contract SC- A85089 (Index T-0983). 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 13-2-074 - Approve Professional Services Agreement – Remington Vernick & Arango - Special Consulting Engineers for BioPower Expansion Project Management 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.

8. STRATEGIC PLANNING COMMITTEE

Resolution 13-6-004 - Authorize execution of a Shared Services Agreement arranging and providing for a Certified Recycling Professional to Prepare the Annual Recycling Tonnage Report with municipalities wishing to participate. Motion to adopt the resolution was made by Commissioner Schooler and Seconded by Commissioner Zilocchi. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 13-6-005 - Authorize Application and Agreement with New Jersey Department of Environmental Protection for Recycling Enhancement Act Tax Fund to fund the Authority's recycling Programs. Motion to adopt the resolution was made by Commissioner Schooler and Seconded by Commissioner Zilocchi. A roll call was taken and the resolution was adopted as reflected in these minutes.

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

10. Chairman Vaccaro announced the Regular Meeting would reconvene.

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

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11. The Acting Secretary then distributed proposed minutes of the November 26, 2013 Regular Meeting for review by the Commissioners.
  
12. Move to approve the Minutes of the Regular Meeting of November 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 November 26, 2013 was made by Commissioner Schooler and second by Commissioner Juliano and was unanimously carried.
  
13. Upon motion duly made, seconded and unanimously carried, the meeting was adjourned.

Resolution #	13-1-043	13-1-044	13-1-045	13-1-046	13-1-047	13-1-048
Chairman Vaccaro	Y	Y	Y	Y	Y	Y
Comm. Phillips	Y	Y	Y	Y	Y	Y
Comm. Bentz	-	-	-	-	-	-
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

Resolution #	13-2-065	13-2-066	13-2-067	13-2-068	13-2-069	13-2-070
Chairman Vaccaro	Y	Y	Y	Y	Y	Y
Comm. Phillips	Y	Y	Y	Y	Y	Y
Comm. Bentz	-	-	-	-	-	-
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  
 November 26, 2013

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Resolution #	13-2-071	13-1-072	13-1-073	13-1-074
Chairman Vaccaro	Y	Y	Y	Y
Comm. Phillips	Y	Y	Y	Y
Comm. Bentz	-	-	-	-
Comm. Cassella	Y	Y	Y	Y
Comm. DeLisio	Y	Y	Y	Y
Comm. Juliano	Y	Y	Y	Y
Comm. Lorenzo	Y	Y	Y	Y
Comm. Schooler	Y	Y	Y	Y
Comm. Zilocchi	Y	Y	Y	Y

Resolution #	13-6-004	13-6-005
Chairman Vaccaro	Y	Y
Comm. Phillips	Y	Y
Comm. Bentz	-	-
Comm. Cassella	Y	Y
Comm. DeLisio	Y	Y
Comm. Juliano	Y	Y
Comm. Lorenzo	Y	Y
Comm. Schooler	Y	Y
Comm. Zilocchi	Y	Y

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

Respectfully submitted,



Richard Wierer  
 Acting Secretary

November 26, 2013

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

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

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

**WHEREAS**, the Authority owns, operates and maintains a wastewater treatment plant located in the Borough of Little Ferry, a constituent municipality in the Authority's sewer service district; and

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

**WHEREAS**, in lieu of any other compensation or payment(s), the Authority agrees to pay to the Borough of Little Ferry for the 2013 calendar year only, the sum of **\$150,000.00**, for Little Ferry's provision to the Authority of extraordinary services above and beyond the provision of standard or routine municipal services historically and presently provided by the Borough of Little Ferry to the Authority; and

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

**WHEREAS**, the Authority has engaged in discussions with Little Ferry regarding the nature and extent of providing municipal services, and the Authority's payment of compensation for said services for the 2013 calendar year and considers the formation of an agreement to be necessary and/or desirable for the Authority's continued efficient operations; and

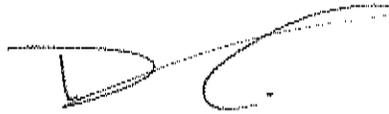
**WHEREAS**, the Executive Director has reviewed a proposed inter-local agreement with Little Ferry and recommends that the Commissioners of the Authority accept the terms of the proposed agreement with Little Ferry on file at the Authority offices, for the provision of extraordinary municipal services to the Authority for the calendar year 2013; and

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

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

1. The Authority Chairman shall be and he is hereby authorized to execute an Agreement with the Borough of Little Ferry in final form acceptable to the Commissioners, as evidenced by the Chairman's signature thereon, for the provision of extraordinary municipal services rendered by Little Ferry on behalf of the Authority for the calendar during the calendar year 2013 for **\$150,000.00**.
2. Upon execution, a fully executed and confirmed copy of the Agreement shall be placed on file in the office of the Executive Director and available for public inspection.
3. The Chief Financial Officer's Certificate, confirming the availability of funds for this obligation shall be maintained on file at the Authority.
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 November 26, 2013.



Richard Wierer  
Acting Secretary

**DATED: November 26, 2013**

BERGEN COUNTY UTILITIES AUTHORITY  
CERTIFICATE OF FUNDS

RESOLUTION DATE: 11/26/2013  
RESOLUTION #: 13-1-044

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-620-55300-000

VENDOR

BOROUGH OF LITTLE FERRY

CONTRACT NUMBER

REASON

EXTRAORDINARY MUNICIPAL SERVICES FOR 2013

AMOUNT

\$150,000.00

CONTRACT LENGTH

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

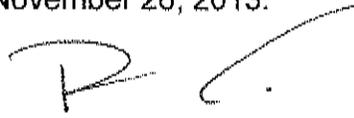
**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**BE IT RESOLVED** by the Commissioners of The Bergen County Utilities Authority that the **Annual Schedule of Meetings for the Year Commencing January 1, 2014** shall be and is set forth on the notice on file in the Office of the Executive Director and annexed hereto; and

**BE IT FURTHER RESOLVED** that the Executive Director or his designee shall cause said notice to be published in the official publication of the Authority before January 1, 2014 and

**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.

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



Richard Wierer  
Acting Secretary

**Dated: November 26, 2013**



**Bergen County Utilities Authority**  
**2014 Meeting Dates**

**\*\* All Work Sessions are 6:00 p.m. \*\***

**\*\* All Regular Meetings are immediately following the Work Sessions \*\***

<b>Thursday</b>	<b>January 23</b>	<b>Work Session &amp; Regular</b>
<b>Thursday</b>	<b>February 27</b>	<b>Work Session &amp; Regular</b>
<b>Thursday</b>	<b>March 27</b>	<b>Work Session &amp; Regular</b>
<b>Thursday</b>	<b>April 24</b>	<b>Work Session &amp; Regular</b>
<b>Thursday</b>	<b>May 22</b>	<b>Work Session &amp; Regular</b>
<b>Thursday</b>	<b>June 26</b>	<b>Work Session &amp; Regular</b>
<b>Thursday</b>	<b>July 24</b>	<b>Work Session &amp; Regular</b>

**\*\*\*\*\*No August Meeting\*\*\*\*\***

<b>Thursday</b>	<b>September 25</b>	<b>Work Session &amp; Regular</b>
<b>Thursday</b>	<b>October 23</b>	<b>Work Session &amp; Regular</b>
<b>Tuesday</b>	<b>November 25</b>	<b>Work Session &amp; Regular</b>
<b>Thursday</b>	<b>December 18</b>	<b>Work Session &amp; Regular</b>

**2013 SUPPLEMENTAL BOND RESOLUTION OF THE BERGEN COUNTY UTILITIES AUTHORITY SUPPLEMENTING AND AMENDING CERTAIN PROVISIONS OF THE AUTHORITY'S GENERAL BOND RESOLUTION DULY ADOPTED OCTOBER 31, 1985, AS AMENDED AND SUPPLEMENTED, AND PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$12,000,000 PRINCIPAL AMOUNT OF WATER POLLUTION CONTROL SYSTEM REVENUE BONDS, SERIES 2013, OF THE BERGEN COUNTY UTILITIES AUTHORITY AND DETERMINING CERTAIN OTHER MATTERS IN CONNECTION THEREWITH.**

**WHEREAS**, The Bergen County Utilities Authority (the "Authority"), was duly created by resolution of the County of Bergen, New Jersey (the "County"), duly adopted February 19, 1947, as a public body corporate and politic of the State of New Jersey and has been reorganized and is existing under the Municipal and County Utilities Authorities Law, constituting Chapter 183 of the Pamphlet Laws of 1957 of the State of New Jersey and the acts amendatory thereof and supplemental thereto (the "Act"); and

**WHEREAS**, on March 19, 1992, the Authority adopted a resolution entitled "Resolution Authorizing the Issuance of Water Pollution Control System Revenue Bonds of the Bergen County Utilities Authority" (said resolution as amended and supplemented hereinafter referred to as the "General Bond Resolution") amending a resolution of the Authority adopted October 31, 1985 (the "Original General Bond Resolution"), providing for, among other things, the construction, acquisition, improvement or replacement of all or any part of the Authority's water pollution control system and the issuance of obligations to provide for the payment of the costs of construction of any project; and

**WHEREAS**, the Authority has determined to issue its long-term revenue bonds pursuant to the General Bond Resolution in the principal amount not exceeding \$12,000,000 (the "Bonds") to provide for (i) the funding of certain capital projects attached hereto on Exhibit A (the "2013 Capital Projects"), (ii) the funding of the Bond Reserve Requirement relating to the Bonds and (iii) the payment of the costs of issuance associated with the issuance of the Bonds (collectively, the "Project"); now therefore

**BE IT RESOLVED BY THE COMMISSIONERS OF THE BERGEN COUNTY UTILITIES AUTHORITY**, as follows:

**ARTICLE I**

**Definitions and Interpretations**

Section 101. **Short Title.** This resolution may hereinafter be cited by the Authority and is hereinafter sometimes referred to as, "2013 Supplemental Resolution".

Section 102. **Authorization for Series 2013 Supplemental Resolution.** This Series 2013 Supplemental Resolution is authorized by and adopted pursuant to the provisions of Section 317 of the General Bond Resolution.

Section 103. **Certain Definitions and Amendments to General Bond Resolution.**

(1) Terms which are used as defined terms herein shall, unless specifically defined herein or unless the context clearly requires otherwise, have the meanings assigned to such terms in the General Bond Resolution.

(2) For the purpose of this Series 2013 Supplemental Resolution, the term "Bond Insurer" shall mean the bond insurer, if any, selected by the Authority prior to the issuance of the Bonds described in Section 201 hereof.

## ARTICLE II

## Authorization and Issuance of Bonds

Section 201. Amount, Title and Purpose of Bonds. Not to exceed \$12,000,000 principal amount of the Bonds are hereby authorized to be issued and sold by the Authority in accordance with the provisions of the General Bond Resolution and this 2013 Supplemental Resolution. Such Bonds shall be designated "Water Pollution Control Revenue Bonds, Series 2013", or such other title as shall be determined in a certificate of an Authority Officer. designate. The purpose for which the Bonds are being issued is to fund the Project.

Section 202. Description of Bonds.

(1) Amount and Term. The Bonds shall be in such amount, shall be dated and shall bear interest from such date, and shall mature on such date in each of the years and in the respective principal amounts and shall be subject to prior redemption as set forth in a resolution of the Authority or an Officer's Certificate adopted or executed, as applicable, prior to delivery of the Bonds.

(2) Interest Rates Per Annum and Interest Payment Dates. The Bonds shall bear interest at the interest rates per annum payable on such dates (each such date being an "Interest Payment Date") in each year until the Authority's obligation with respect to the payment of the principal of and interest on the Bonds shall be discharged as set forth in a resolution of the Authority or an Officer's Certificate adopted or executed, as applicable, prior to delivery of the Bonds.

(3) Denomination and Place of Payment. The Bonds shall be issued in fully registered form, without coupons, and are issuable in the denomination of \$5,000 each, or any integral multiple thereof. The principal or Redemption Price of the Bonds shall be payable to the Registered Owner thereof, or registered assigns, at maturity or on the applicable date fixed for redemption upon presentation and surrender of the Bonds at the principal corporate trust office of the Paying Agent. Interest on the Bonds will be paid to the Registered Owner by check and such payment will be mailed by the Paying Agent to such Registered Owner (as determined on the Record Date) at the most recent address appearing on the registration books of the Authority. All other terms and conditions with respect to the payment of the principal or Redemption Price of and interest on the Bonds shall be as provided in the General Bond Resolution.

(4) Form of Bonds. The Bonds shall be in substantially the form described in Section 1207 of the General Bond Resolution.

Section 203. Book-Entry System.

(1) Except as provided in paragraph (3) of this Section 203, the Registered Owner of all of the Bonds shall be The Depository Trust Company, New York, New York ("DTC") and the Bonds shall be registered in the name of Cede & Co., as nominee of DTC. Payment of interest on any Bond registered as of each Record Date in the name of Cede & Co. shall be made by wire transfer to the account of Cede & Co. on the interest payment date for the Bonds at the address indicated on the Record Date for Cede & Co. in the registry books of the Authority kept by the Bond Registrar.

(2) The Bonds shall be issued initially in the form of one authenticated fully registered Bonds for each separate stated maturity of the Bonds in the principal amount of each such maturity. Upon initial issuance, the ownership of each such Bond shall be registered in the registry book of the Authority kept by the Bond Registrar in the name of Cede & Co., as nominee of DTC. The Trustee and the Authority may treat DTC (or its nominee) as the sole and exclusive owner of the Bonds registered in its name for the purposes of payment of the principal or Redemption Price of and interest on the Bonds, selecting the Bonds or portions thereof to be redeemed, giving any notice permitted or required to be given to the Bondholders under the General Bond Resolution, registering the transfer of Bonds, obtaining any consent or other action to be taken by Bondholders and for all other purposes whatsoever; and neither the Trustee nor the Authority shall be affected by any notice to the contrary. Neither the Trustee nor the Authority shall have any responsibility or obligation to any DTC participant any person claiming a beneficial ownership interest in the Bonds under or through DTC or any DTC participant, or any other person which is not shown on the registration books of the Authority kept by the Bond Registrar as being a Bondholder. The Authority, the Trustee, the Bond Registrar and the Paying Agent shall have no responsibility with respect to the accuracy of any records maintained by DTC, Cede & Co. or any DTC participant with respect to any ownership interest in the Bonds; the payment by DTC or any DTC participant to any beneficial owner of any amount in respect of the principal or Redemption Price of or interest on the Bonds; the delivery to any DTC participant or any beneficial owner of any notice which is permitted or required to be given to Bondholders under the General Bond Resolution; the selection by DTC or any DTC participant of any person to receive payment in the event of a partial redemption of the Bonds; or any consent given or other action taken by DTC as the Bondholder. The Paying Agent shall pay the principal or Redemption Price of and interest on the Bonds only to or "upon the order of" (as that term is used in the Uniform Commercial Code as adopted in the State of New Jersey) Cede & Co., as nominee of DTC, and all such payments shall be valid and effective to fully satisfy and discharge the Authority's obligations with respect to the principal or Redemption Price of and interest on the Bonds to the extent of the sum or sums so paid. Upon delivery by DTC to the Trustee of written notice to the effect that DTC had determined to substitute a new nominee in place of Cede & Co., and subject to the provisions herein with respect to record dates, the words "Cede & Co." in this 2013 Supplemental Resolution shall refer to such new nominee of DTC.

(3) In the event the Authority determines that it is in the best interest of the beneficial owners of the Bonds that they be able to obtain Bond certificates, the Authority may notify DTC and the Trustee, whereupon DTC will notify the DTC participants of the availability through DTC of Bond certificates. In such event, the trustee shall authenticate, transfer and exchange Bond certificates as requested by DTC and any other Bondholders in appropriate amounts. DTC may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the Authority and the Trustee and discharging its responsibilities with respect thereto under applicable law. Under such circumstances (if there is no successor securities depository), the Authority and Trustee shall be obligated to deliver Bond certificates as described in the General Bond Resolution. In the event Bond certificates are issued to Bondholders other than DTC, the provisions of the General Bond Resolution shall apply to, among other things, the transfer and exchange of such certificates and the method of payment of principal or Redemption Price of and interest on such certificated Bonds. Whenever DTC requests the Authority and the Trustee to do so, the Trustee and the Authority will cooperate with DTC in taking appropriate action after reasonable notice (a) to make available one or more separate certificates evidencing the Bonds to any DTC participant having Bonds credited to its DTC account or (b) to arrange for another securities depository to maintain custody of certificates evidencing the Bonds.

(4) Notwithstanding any other provision of the General Bond Resolution to the contrary, so long as any Bond is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to the principal or Redemption Price of and interest on such Bonds and all notices with respect to such Bonds shall be made and given to DTC as provided in the representation letter to be entered into on or prior to the date of issuance and delivery of the Bonds by and among DTC, the Authority and the Trustee.

(5) In connection with any notice or other communication to be provided to the Bondholders pursuant to the General Bond Resolution by the Authority or the Trustee with respect to any consent or other action to be taken by the Bondholders, so long as any Bond is registered in the name of Cede & Co., as nominee of DTC, the Authority or the Trustee, as the case may be, shall establish a record date for such consent or other action and give DTC notice of such record date not less than 15 calendar days in advance of such record date to the extent possible.

Section 204. **Appointment of Trustee, Paying Agent and Registrar.** In accordance with the provisions of Article XI of the General Bond Resolution, the appointment of The Bank of New York Mellon, Woodland Park, New Jersey (the "Bank") as Trustee, (the "Trustee"), Paying Agent (the "Paying Agent") and Registrar (the "Registrar") for the Bonds is hereby confirmed, ratified and approved. The Bank shall accept and shall carry out its duties and obligations as Trustee, Paying Agent and Registrar as provided in and as required by the terms of the General Bond Resolution.

Section 205. **Execution of Bonds.** The Bonds shall be executed in the name and on behalf of the Authority by the manual or facsimile signature of its Chairman or Vice-Chairman,

or Executive Director and its corporate seal (or a facsimile thereof) shall be affixed, imprinted, engraved or otherwise reproduced thereon, and such seal and the Bonds shall be attested by the manual or facsimile signature of its Secretary or Assistant Secretary. In case any officer of the Authority who shall have executed, sealed or attested any of the Bonds shall cease to be such officer of the Authority before the Bonds so executed, sealed or attested shall have been authenticated and delivered upon original issuance, such Bonds may nevertheless be authenticated and delivered as herein provided as if the person who so executed, sealed or attested such Bonds had not ceased to be such officer.

Section 206. **Authentication of Bonds.** The Bonds shall bear thereon a certificate of authentication, substantially in the form set forth in Section 1207 of the General Bond Resolution, duly executed by the Trustee. Only such Bonds as shall bear thereon such certificate of authentication, duly executed, shall be entitled to any right or benefit under the General Bond Resolution. No Bond shall be valid or obligatory for any purpose unless such certificate of authentication upon such Bond shall have been duly executed by the Trustee, and such certificate of authentication by the Trustee upon any Bond executed on behalf of the Authority shall be conclusive and the only evidence that the Bond so authenticated has been duly authenticated and delivered under this 2013 Supplemental Resolution and that the holder thereof is entitled to the benefits of the General Bond Resolution.

Section 207. **Application of Proceeds of Bonds.** The proceeds which are derived from the sale of the Bonds, including any accrued interest thereon, shall be applied by the Trustee, upon receipt, in the manner set forth in a resolution of the Authority or an Officer's Certificate adopted or executed, as applicable, prior to delivery of the Bonds.

Section 208. **Appointment of Underwriter.** The Executive Director is hereby authorized to appoint the underwriter (the "Underwriter") for the Bonds. The Underwriter shall be compensated in accordance with the Purchase Agreement authorized below.

Section 209. **Approval of Purchase Agreement.** The Chairman, Executive Director and Secretary of the Authority are, and each of them is hereby, authorized and directed to negotiate, execute and deliver a purchase agreement (the "Purchase Agreement") with the Underwriter. Such Purchase Agreement, along with a resolution of the Authority or an Officer's Certificate adopted or executed, as applicable, prior to delivery of the Bonds, shall determine the terms and conditions relating to the sale of the Bonds, including the rate(s) of interest to be borne by the Bonds and the underwriter's discount, which is payable to the Underwriter in connection with the sale of the Bonds. The Bonds shall be delivered to the Underwriter at such time and place as shall be determined by the Authority, subject to the terms and conditions of the Purchase Agreement. The Chairman, Executive Director and Secretary of the Authority are, and each of them is, hereby authorized and directed to do and perform all things and execute all papers in the name of the Authority, and to make all payments necessary to the end that the Authority may carry out its obligations under the terms of said Purchase Agreement.

Section 210. Bergen County Improvement Authority. Notwithstanding anything stated herein, the Authority reserves the right and is hereby authorized to issue the Bonds to or through the Bergen County Improvement Authority (the "BCIA") for the Project, upon a showing that such conduit financing through the BCIA for the Project would be advantageous to the Authority. In such event, the Authority Officers are hereby severally authorized and, after consultation with the professionals working on behalf of the Authority, are hereby severally directed to execute or acknowledge, as the case may be, or cause to be executed or acknowledged such other certificates, notices, instruments, agreements and other documents in such form as the Executive Director, after consultation with the professionals working on behalf of the Authority, shall determine to be necessary, desirable or convenient in order to effect the issuance of Bonds through the BCIA, which respective forms thereof shall be dispositively evidenced by the Authority Officer's execution or acknowledgment, as the case may be, and delivery thereof or with respect to such documents of a party other than the Authority, shall be evidenced by an Authority Officer's execution thereof. Such documents shall include, but not be limited to, the Preliminary Official Statement(s), the Official Statement(s), Supplemental Indenture if necessary, Continuing Disclosure Agreement, Bond Purchase Agreement(s), tax certificate, escrow agreement, services agreements, investment agreements, related certifications, bond insurance agreement and the DTC Representation Letter.

## ARTICLE III

## Miscellaneous

Section 301. **Payments Under Bond Insurance Policy.** The Executive Director shall arrange for any necessary bond insurance in order to obtain the best possible interest rates and the most cost effective financing in accordance with the recommendation of the Underwriter. To the extent that bond insurance is obtained, the Bond Insurer shall be deemed to be the sole holder of the Bonds for the purpose of exercising any voting right or privilege or giving any consent or direction or taking any other action that the holders of the Bonds are entitled to take pursuant to the General Bond Resolution.

Section 302. **Continuing Market Disclosure.** The Authority shall enter into a Continuing Disclosure Undertaking in such form as approved by Bond Counsel and shall comply with all requirements of SEC Rule 15c2-12 so long as any Bonds remain outstanding.

Section 303. **Distribution of Preliminary Official Statement; Approval of Official Statement.**

(a) **Preliminary Official Statement.** The Authority hereby authorizes the preparation and distribution of a preliminary official statement (the "Preliminary Official Statement") relating to the Bonds, substantially in such form as shall be approved by the Executive Director of the Authority in consultation with Bond Counsel. As of the date of such Preliminary Official Statement, the Executive Director of the Authority, in consultation with Bond Counsel, shall make the determination that the Authority deems such Preliminary Official Statement "final", as that term is used in paragraph (b)(1) of Rule 15c2-12 of the Securities Exchange Act of 1934 (the "Rule"), except for the omission of no more than the information permitted by paragraph (b)(1) of the Rule. The Authority hereby authorizes said Preliminary Official Statement and the information contained therein to be used in connection with the offering and sale of the Bonds and authorizes the Underwriter to distribute the Preliminary Official Statement, in electronic or hard copy form, to prospective purchasers of the Bonds.

(b) **Official Statement.** The Authority hereby authorizes the preparation of an official statement (the "Official Statement") relating to the Bonds, to be dated the date of execution of the Purchase Contract and to be substantially in the form of the Preliminary Official Statement with such changes therein as shall be approved by the Executive Director of the Authority, in consultation with Bond Counsel, and by the Underwriter. The Authority hereby authorizes the execution of the Official Statement by the Executive Director of the Authority, the delivery thereof to the Underwriter and the distribution of the Official Statement in connection with the offering and sale of the Bonds.

Section 304. **Covenant of Authority as to Compliance with Federal Tax Matters.** The Authority hereby covenants that it will take all actions within its control that are necessary to

assure that interest on the Bonds is excludable from gross income under the Internal Revenue Code of 1986, as amended (the "Code"), and the Authority will refrain from taking any action that would adversely affect the exclusion of interest on the Bonds from gross income under the provisions of the Code.

Section 305. **Supplemental Resolutions; Amendment of 2013 Supplemental Resolution.** At any time or from time to time, a Supplemental Resolution of the Authority may be adopted for the purpose of supplementing or amending the General Bond Resolution or amending or supplementing this 2013 Supplemental Resolution in each case upon the terms and conditions which are set forth in Articles VIII and IX of the General Bond Resolution.

Section 306. **Effective Date.** In accordance with the terms of Section 809 of the General Bond Resolution, this 2013 Supplemental Resolution shall be fully effective in accordance with its terms upon the filing with the Trustee of a copy of this 2013 Supplemental Resolution.

Section 307. **Prior Filing.** This 2013 Supplemental Resolution, or a draft hereof, has been filed with Moody's Investors Service, Inc. and Standard & Poor's Rating Services, a division of the McGraw-Hill Companies, Inc. at least fifteen days prior to the adoption hereof or a waiver of such 15 day notice will be obtained.

Section 308. **Signing Powers.** The Authority Officers are hereby severally authorized and, after satisfaction of all conditions precedent thereto and after consultation with the professionals working on behalf of the Authority, are hereby severally directed to execute or acknowledge, as the case may be, or cause to be executed or acknowledged such other certificates, notices, instruments, agreements and other documents in such form as the Executive Director, after consultation with the professionals working on behalf of the Authority, shall determine to be necessary, desirable or convenient in order to effect the issuance of Bonds or any other transaction contemplated hereby and thereby, which respective forms thereof shall be dispositively evidenced by the Authority Officer's execution or acknowledgment, as the case may be, and delivery thereof or with respect to such documents of a party other than the Authority, shall be evidenced by an Authority Officer's execution thereof. Such documents shall include, but not be limited to, the Preliminary Official Statement(s), the Official Statement(s), Supplemental Indenture if necessary, Continuing Disclosure Agreement, Bond Purchase Agreement(s), tax certificate, escrow agreement, services agreements, investment agreements, related certifications, bond insurance agreement and the DTC Representation Letter.

Section 309. **Rescission of Supplemental Bond Resolution of September 26, 2013.** The supplemental bond resolution of the Authority entitled "2013 SUPPLEMENTAL BOND RESOLUTION OF THE BERGEN COUNTY UTILITIES AUTHORITY SUPPLEMENTING AND AMENDING CERTAIN PROVISIONS OF THE AUTHORITY'S GENERAL BOND RESOLUTION DULY ADOPTED OCTOBER 31, 1985, AS AMENDED AND SUPPLEMENTED, AND PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED

**13-1-046**

\$12,000,000 PRINCIPAL AMOUNT OF WATER POLLUTION CONTROL SYSTEM REVENUE BONDS, SERIES 2013, OF THE BERGEN COUNTY UTILITIES AUTHORITY," having never been acted upon, is hereby rescinded and shall be of no further force and effect, it being the intent of the Authority to issue the Bonds pursuant to this 2013 Supplemental Resolution and to include the ability to issue the Bonds to or through the BCIA as stated herein.

**CERTIFICATE**

I, the undersigned of The Bergen County Utilities Authority, a body corporate and politic of the State of New Jersey, HEREBY CERTIFY that the foregoing resolution is a true copy of an original resolution which was duly adopted by said Authority at a meeting duly called and held on September 26, 2013 and at which a quorum was present and acted throughout, and that said copy has been compared by me with the original resolution recorded in the records of the Authority and that it is a correct transcript thereof and of the whole of said resolution, and that said original resolution has not been altered, amended or repealed but is in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand this 26<sup>th</sup> day of November, 2013.

**THE BERGEN COUNTY UTILITIES  
AUTHORITY**

By: 

**Richard Wierer  
Acting Secretary**

EXHIBIT A- LIST OF PROJECTS TO BE FINANCED

The Authority proposes to fund infrastructure improvements as described below:

- Hackensack River Anti-Degradation Sampling and Modeling Program
  - Ongoing water quality monitoring program in support of reduced regulatory capital improvement program aimed at savings million of dollars over the next 5-10 years
- Little Ferry/Edgewater Wastewater Management Amendments/Facilities Plan
  - Wastewater management plan updates required every six years to meet regulatory requirements which is due in 2014
- Equipment Replacement At Little Ferry WPCF
  - Miscellaneous improvements to repair/replace antiquated and inefficient equipment
- Infiltration and Inflow Reducation/SSO Elimination
  - Studies to identify and prioritize areas targeted for construction rehabilitation to remove extraneous flows. Construction costs to be developed based on results of studies and anticipated to require approximately \$25 million of capital investment
- Energy Conservation and Management Master Plan
  - Plan to reduce energy consumption and cost associated with operation and maintenance of facilities with renewable sources, to be updated every 5-10 years
- Third CHP Engine
  - Design and construction of the third CHP engine to increase onsite generation of electricity therefore leading to cost savings from less electricity to be purchased. Total Project cost is estimated to be \$6.6 million, with \$2.5 million is anticipated to be funded through a grant
- Phase III Buried Infrastructure Assessment and Rehabilitaion Plan
  - Condition assessment of over 30 years old existing force mains. Design and construction costs to be developed based on the results of the assessment and is anticipated to be \$2 million of capital investment

Moved by: Commissioner Cassella

Seconded by: Commissioner Schooler

RECORDED VOTE:

Commissioners	YES	NO	ABSTAIN	NOT VOTING	NOT PRESENT
Andrew Vaccaro	X				
Ronald Phillips	X				
Catherine T. Bentz					X
Louis J. DeLisio	X				
Paul A. Juliano	X				
David J. Lorenzo	X				
Richard D. Schooler	X				
George P. Zilocchi	X				

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, Resolution No. 13-1-015 was adopted on February 26, 2013 and a contract (the "2013 Contract") was awarded to the law firm of Florio, Perrucci, Steinhardt & Fader to represent the Authority as Special Legal Counsel for labor matters for a total amount not to exceed \$75,000 during the term of the contract; and

**WHEREAS**, there is a need to amend the 2013 Contract to provide additional funding not to exceed \$25,000 for such hourly legal services.

**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**, the Commissioners deem it necessary to authorize an amendment to the 2013 Contract to provide additional funding for legal services performed by Florio, Perrucci, Steinhardt & Fader in an amount not to exceed \$25,000.00; and

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

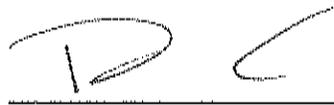
**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of The Bergen County Utilities Authority, as follows:

1. The 2013 Contract shall be amended to allow Florio, Perrucci, Steinhardt & Fader to perform additional legal services at the same hourly rate and to authorize additional funding for such services in the amount not to exceed \$25,000.00.
2. At no cost to the BCUA, Florio, Perrucci, Steinhardt & Fader shall provide a monthly status report to the Executive Director.
3. The Chairman shall be and is hereby authorized to execute an amendment to the 2013 Contract between the Authority and Florio, Perrucci, Steinhardt & Fader, memorializing the additional 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.
4. A copy of the 2013 Contract, as amended 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 amendment shall be published in the form prescribed by law.

13-1-047

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 November 26, 2013.

A handwritten signature in black ink, appearing to read 'R. Wierer', is written above a horizontal line.

Richard Wierer  
Acting Secretary

**DATED: November 26, 2013**

BERGEN COUNTY UTILITIES AUTHORITY  
CERTIFICATE OF FUNDS

RESOLUTION DATE: 11/26/2013  
RESOLUTION #: 13-1-047

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-350-50800-000

VENDOR

FLORIO, PERRUCCI, STEINHARDT & FADER

CONTRACT NUMBER

REASON

LEGAL SERVICES

AMOUNT

ADDITIONAL \$25,000.00

CONTRACT LENGTH



TREASURER/CFO

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, Resolution No. 13-1-013 was adopted on February 26, 2013 and a contract (the "2013 Contract") was awarded to the law firm of Kaufman, Semeraro & Leibman, L.L.P. to represent the Authority as its (i) General Counsel (ii) and for certain agreed upon matters at an total amount not to exceed \$85,000.00 during the term of the contract; and

**WHEREAS**, there is a need to amend the 2013 Contract to provide additional funding for such hourly legal services to an amount not to exceed \$25,000.00; 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**, the Commissioners deem it necessary to authorize an amendment to the 2013 Contract to provide additional funding for legal services performed by Kaufman, Semeraro & Leibman L.L.P. in an amount not to exceed \$25,000.00; and

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

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

1. The 2013 Contract shall be amended to allow Kaufman, Semeraro & Leibman L.L.P. to perform additional legal services at the same hourly rate and to authorize additional funding for such services in amount not to exceed \$25,000.00, pursuant to this resolution.
2. At no cost to the BCUA, Kaufman, Semeraro & Leibman L.L.P. shall provide a monthly status report to the Executive Director.
3. The Chairman shall be and is hereby authorized to execute an amendment to the 2013 Contract between the Authority and Kaufman, Semeraro & Leibman L.L.P., memorializing the additional 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.
4. A copy of the 2013 Contract, as amended 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 amendment and extension shall be published in the form prescribed by law.

13-1-048

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 November 26, 2013.



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Richard Wierer  
Acting Secretary

**DATED: November 26, 2013**

BERGEN COUNTY UTILITIES AUTHORITY  
CERTIFICATE OF FUNDS

RESOLUTION DATE: 11/26/2013  
RESOLUTION #: 13-1-048

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-350-50800-000

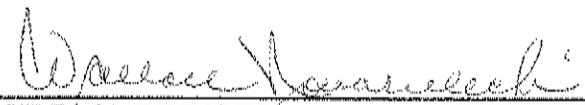
VENDOR KAUFMAN, SEMERARO & LEIBMAN LLP

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

REASON LEGAL SERVICES

AMOUNT \$25,000.00

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

  
TREASURER/CFO

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, on prior occasion, upon advertisement and pursuant to specifications, the Authority solicited bid proposals in the matter of the **Purchase of Eight (8) SÜD-CHEMIE Replacement Catalysts**, pursuant to and in accordance with **Contract No. 13-26**; and

**WHEREAS**, no conforming bid proposals were received by the Authority on either of the two occasions, of the dates set forth in the Invitation to Bid for the receipt of bid proposals pursuant to and in accordance with **Contract No. 13-26 Rebid**; and

**WHEREAS**, the Authority's Commissioners, by way of Resolution dated October 24, 2013, authorized the Executive Director or his designee to negotiate a proposal for **Contract No. 13-26 Rebid**, pursuant to N.J.S.A. 40A:11-4; and

**WHEREAS**, in accordance with N.J.S.A. 40A:11-5(3), a contract was negotiated with **Clariant Corporation** for the **Purchase of Eight (8) SÜD-CHEMIE Replacement Catalysts** for the total cost of **\$53,264.00**; and

**WHEREAS**, the Authority's Qualified Purchasing Agent has reviewed the proposal and has recommended that **Clariant Corporation** should be awarded **Contract No. 13-26 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 **Clariant Corporation** constitutes the lowest complying and responsible bidder for **Contract No. 13-26 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:

1. **Clariant Corporation** shall be and is hereby determined to be the lowest complying and responsible bidder for, **Purchase of Eight (8) SÜD-CHEMIE Replacement Catalysts** constituting **Contract No. 13-26 Rebid** for a total of **\$53,264.00**

13-2-065

2. The Chairman be and he is hereby authorized to execute an agreement with **Clariant Corporation of 32 Fremont Street, Needham, MA 02494** for the **Purchase of Eight (8) SUD-CHEMIE Replacement Catalysts**, constituting **Contract No. 13-26 Rebid** for a total cost of **\$53,264.00**
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 November 26, 2013.



Richard Wierer  
Acting Secretary

**Dated: November 26, 2013**

13-2-065

BERGEN COUNTY UTILITIES AUTHORITY  
CERTIFICATE OF FUNDS

RESOLUTION DATE: 11/26/2013  
RESOLUTION #: 13-2-065

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-550-62450-000

VENDOR

CLARIANT CORPORATION

CONTRACT NUMBER

C 13-26

REASON

PURCHASE OF EIGHT SUD-CHEMIE  
REPLACEMENT CATALYSTS

AMOUNT

\$53,264.00

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 Fluorescent Dissolved Oxygen Meters(Two Years)**, pursuant to and in accordance with **Contract No. 13-28**; and

**WHEREAS**, the following bid proposal was received by the Authority on **November 14, 2013** for **Contract No.13-28**:

Vendor	Total Amount Bid (2 Years)
Control Sales, Inc. Wayne, NJ	\$58,200.00

**WHEREAS**, the Authority's **Qualified Purchasing Agent** has reviewed the sole bid proposal and has recommended that **Control Sales, Inc.** be awarded **Contract No. 13-28** 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 **Control Sales, Inc.** constitutes the lowest complying and responsible bidder for **Contract No.13-28**, 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. **Control Sales, Inc.** shall be and is hereby determined to be the lowest complying and responsible bidder to **Furnish and Deliver Fluorescent Dissolved Oxygen Meters (Two Years)**, constituting **Contract No.13-28** for a Two (2) year period for a total of **\$58,200.00**.
2. The Chairman is hereby authorized to execute an agreement with **Control Sales, Inc. of 50 Galesi Drive, Wayne, NJ 07470** to **Furnish and Deliver Fluorescent Dissolved Oxygen Meters (Two Years)**, constituting **Contract No.13-28** for a total of **\$58,200.00**.
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.

13-2-066

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 November 26, 2013.



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Richard Wierer  
Acting Secretary

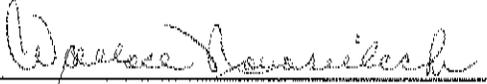
**Dated: November 26, 2013**

BERGEN COUNTY UTILITIES AUTHORITY  
CERTIFICATE OF FUNDS

RESOLUTION DATE: 11/26/2013  
RESOLUTION #: 13-2-066

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

FUNDS AVAILABLE	<u>FUNDS WILL BE CERTIFIED WHEN THE PURCHASE ORDERS ARE ISSUED</u>
FUNDS ARE NOT AVAILABLE	<u> </u>
BUDGET ACCOUNT	<u>W-550-62400-000</u>
VENDOR	<u>CONTROL SALES, INC.</u>
CONTRACT NUMBER	<u>C 13-28</u>
REASON	<u>FURNISH &amp; DELIVER FLUORESCENT DISSOLVED OXYGEN METERS</u>
AMOUNT	<u>\$58,200.00</u>
CONTRACT LENGTH	<u>DECEMBER 1, 2013 - NOVEMBER 30, 2015</u>

  
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 Complete Vulcan Bar Drive Motor and Associated Parts (Two Years)**, pursuant to and in accordance with **Contract No. 13-29**; and

**WHEREAS**, the following bid proposal was received by the Authority on **November 14, 2013** for **Contract No.13-29**:

Vendor	Total Amount Bid (2 Years)
Vulcan Industries, Inc. Missouri Valley, IA	\$113,590.00

**WHEREAS**, the Authority's **Qualified Purchasing Agent** has reviewed the sole bid proposal and has recommended that **Vulcan Industries, Inc.** be awarded **Contract No. 13-29** 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 **Vulcan Industries, Inc.** constitutes the lowest complying and responsible bidder for **Contract No.13-29**, 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. **Vulcan Industries, Inc.** shall be and is hereby determined to be the lowest complying and responsible bidder to **Furnish and Deliver Complete Vulcan Bar Drive Motor and Associated Parts (Two Years)**, constituting **Contract No.13-29** for a Two (2) year period for a total of **\$113,590.00**.
2. The Chairman is hereby authorized to execute an agreement with **Vulcan Industries, Inc. of 212 S. Kirlin St. Missouri Valley, IA 51555** to **Furnish and Deliver Complete Vulcan Bar Drive Motor and Associated Parts (Two Years)**, constituting **Contract No.13-29** for a total of **\$113,590.00**.
3. The bid security of all unsuccessful bidders shall be returned in accordance with N.J.S.A. 40A:11-1, et seq.

13-2-067

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 November 26, 2013.



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Richard Wierer  
Acting Secretary

**Dated:        November 26, 2013**

BERGEN COUNTY UTILITIES AUTHORITY  
CERTIFICATE OF FUNDS

RESOLUTION DATE: 11/26/2013  
RESOLUTION #: 13-2-067

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

FUNDS AVAILABLE FUNDS WILL BE CERTIFIED WHEN  
THE PURCHASE ORDERS ARE ISSUED

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

BUDGET ACCOUNT W-550-61400-000

VENDOR VULCAN INDUSTRIES, INC.

CONTRACT NUMBER C 13-29

REASON FURNISH & DELIVER COMPLETE VULCAN BAR  
DRIVE MOTOR & ASSOCIATED PARTS

AMOUNT \$113,590.00

CONTRACT LENGTH DECEMBER 1, 2013 - NOVEMBER 30, 2015

  
TREASURER/CFO

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, on prior occasion, upon advertisement and pursuant to specifications, the Authority solicited bid proposals for **Household Hazardous Waste Collection, Transportation and Disposal – Two Year Contract with Two, One Year Options**, pursuant to and in accordance with **Contract No. 11-29**; and

**WHEREAS**, by way of Resolution dated December 15, 2011, **Maumee Express, Inc.** was determined to be the lowest complying and responsible bidder for **Household Hazardous Waste Collection, Transportation and Disposal**, constituting **Contract No. 11-29** for a total contract price of \$975,150.00 per year; and for the optional year for a total contract price of \$975,150.00; and

**WHEREAS**, by way of Resolution dated December 15, 2011, the Chairman was authorized to execute an agreement with **Maumee Express, Inc.** for **Household Hazardous Waste Collection, Transportation and Disposal**, constituting **Contract No. 11-29** for a total of **\$975,150.00 per year for the initial two-year period**; and

**WHEREAS**, pursuant to the bid specifications of **Contract No. 11-29**, the Authority has the option to extend the contract for Household Hazardous Waste Collection, Transportation and Disposal with **Maumee Express, Inc.** for an additional **one year period** in the amount of **\$975,150.00 in year 3** of the contract; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-15(44) the Authority finds **Maumee Express, Inc.** has performed **Contract No. 11-29** for Household Hazardous Waste Collection, Transportation and Disposal in an effective and efficient manner; and

**WHEREAS**, exercising the Year Three Option of **Contract No. 11-29** to Maumee Express, Inc. for Household Hazardous Waste Collection, Transportation and Disposal is necessary for the efficient operation of the Authority; 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. The Executive Director shall be and he is hereby authorized to execute an agreement with **Maumee Express, Inc.** for Household Hazardous Waste Collection, Transportation and Disposal, pursuant to and in accordance with **Contract No. 11-29**, which exercises the One Year Option by the Authority to extend the contract for an additional **one year period** (from January 2, 2014 through January 1, 2015) in the amount of **\$975,150.00**.

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

13-2-068

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 November 26, 2013.



---

Richard Wierer  
Acting Secretary

**Dated: November 26, 2013**

BERGEN COUNTY UTILITIES AUTHORITY  
CERTIFICATE OF FUNDS

RESOLUTION DATE: 11/26/2013  
RESOLUTION #: 13-2-068

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

FUNDS AVAILABLE FUNDS WILL BE CERTIFIED WHEN  
THE PURCHASE ORDERS ARE ISSUED

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

BUDGET ACCOUNT S-530-52500-000

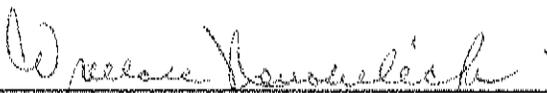
VENDOR MAUMEE EXPRESS

CONTRACT NUMBER C 11-29

REASON HOUSEHOLD HAZARDOUS WASTE COLLECTION,  
TRANSPORTATION & DISPOAL

AMOUNT \$975,150.00

CONTRACT LENGTH JANUARY - DECEMBER 2014

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

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, the Authority has previously procured the services of Malcolm Pirnie, the Water Division of Arcadis US, Inc, ("Arcadis"), a licensed professional engineer, to serve as Special Environmental 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**, contracts are awarded by the Authority through a fair and open process, *N.J.S.A. 19:44A-20.4 et seq.* pursuant to a publicly advertised Request for Qualifications (RFQ); and

**WHEREAS**, on February 26, 2013, Arcadis was appointed to serve as Special Environmental Engineering Consultant based on hourly rates and usage not to exceed \$400,000.00, without further action by the Board of Commissioners; and

**WHEREAS**, during the course of performing said services, the Authority recognized the need for additional services related to the Authority's Hurricane Sandy Recovery and Mitigation effort.

**WHEREAS**, the Authority tasked Arcadis with assisting in compiling all information and documentation required for the FEMA Recovery and Mitigation Programs administered from the Presidentially declared disaster, Hurricane Sandy FEMA - DR - 4086NJ.

**WHEREAS**, in performing its Hurricane Sandy Recovery and Mitigation effort, the Authority also utilized the services of Arcadis via mutual agreement to accept contract terms and conditions regarding Disaster Debris Management monitoring Operations contract with the State of New Jersey ("NJDEP Debris Monitoring Contract").

**WHEREAS**, the costs associated for the work are reimbursable in accordance with FEMA requirements;

**WHEREAS**, in performing the FEMA support and mitigation work through October 13, 2013, Arcadis has reached the contracted capacity remaining in the 2013 Environmental Consulting Agreement;

**WHEREAS**, Arcadis has submitted a proposal to provide additional Engineering Services dated October 15, 2013, which proposal has been reviewed by the Authority and is attached hereto; and

**WHEREAS**, the Director of Water Pollution Control Division/Chief Engineer has verified that the additional scope of work is necessary to continue to pursue all available FEMA Disaster Assistance;

**WHEREAS**, the contract amendment will not exceed \$270,000.00 for a total amended contract price of \$670,000, reimbursement for which will be sought from FEMA; and

**WHEREAS**, the Authority has determined, based upon the foregoing, that it is necessary for its efficient operation to amend the services agreement with Arcadis to perform additional Special Environmental Engineering Services for the Authority; and

**WHEREAS**, N.J.S.A. 40A:11-1, et seq. requires that the resolution authorizing the amendment of a contract for professional services and the amendment resolution 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. The agreement with Arcadis dated February 26, 2013 for the 2013 Special Engineering Services, approved by Resolution dated February 26, 2013, in the amount of \$400,000.00 shall be and is hereby amended to increase said agreement by an amount not to exceed \$270,000.00 to perform but necessary professional services.
2. The NJDEP Debris Monitoring Contract with Arcadis US, Inc. be and hereby approved with payment for said services to be reimbursed as part of FEMA – DR – 4086 – NJ;
3. The Chairman shall be and is hereby authorized to execute an amended agreement similar in form and substance to the agreement on file at the Authority offices, of and between the Authority and Arcadis memorializing the scope of services and capped amount to be paid for such services as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

13-2-069

4. A copy of this resolution and the amended agreement retaining Arcadis as Special Environmental 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.
5. The total aggregate amount awarded together with this contract amendment shall not exceed \$670,000.00 without further action by the Board of Commissioners.
6. 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.
7. A notice of this contract amendment shall be published in the form prescribed by law.
8. 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 November 26, 2013.



---

Richard Wierer  
Acting Secretary

**DATED: November 26, 2013**

BERGEN COUNTY UTILITIES AUTHORITY  
CERTIFICATE OF FUNDS

RESOLUTION DATE: 11/26/2013  
RESOLUTION #: 13-2-069

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

ARCADIS US

CONTRACT NUMBER

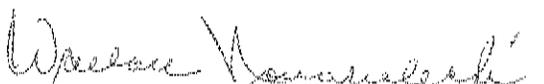
REASON

SPECIAL ENVIRONMENTAL  
ENGINEERING SERVICES

AMOUNT

\$270,000.00

CONTRACT LENGTH

  
TREASURER/CFO



The Water Division of ARCADIS

ARCADIS U.S., Inc  
17-17 Route 208 North  
Fair Lawn  
New Jersey 07410  
Tel 201 797 7400  
Fax 201 797 4389  
[www.arcadis-us.com](http://www.arcadis-us.com)

October 15, 2013

Robert E. Laux, Executive Director  
Bergen County Utilities Authority  
PO Box 9, Foot of Mehrhof Road  
Little Ferry, New Jersey 07643

Re: Amendment for FEMA Support and Emergency Mitigation Services

Dear Mr. Laux:

Malcolm Pirnie, the Water Division of ARCADIS (Pirnie/ARCADIS) has performed services to assist the Bergen County Utilities Authority (BCUA) with its Hurricane Sandy Recovery and Mitigation effort. In December 2012, the BCUA tasked Pirnie/ARCADIS with assisting in compiling all information and documentation required for the FEMA Recovery and Mitigation Programs administered from the Presidentially declared disaster, Hurricane Sandy FEMA-DR-4086-NJ. As previously discussed, the costs for the work performed are reimbursable in accordance with the FEMA requirements.

As approved by the BCUA, the contract mechanisms used for these services included the remaining capacity of 2012 Environmental Consulting Engineer Agreement, the 2013 Environmental Consulting Agreement and the ARCADIS Mutual Agreement to accept Contract Terms and Conditions regarding Disaster Debris Management Monitoring Operations contract with the State of New Jersey.

In performing the FEMA support and mitigation work through October 13, 2013, Pirnie/ARCADIS has met or exceeded the contractual capacity remaining in the 2013 Environmental Consulting Agreement. As such, we respectfully submit for your consideration this request for an amendment to our contract.

Pirnie/ARCADIS has performed an asset component level inventory of the Little Ferry WPCF and identified more eligible impacts and damage than was originally anticipated. In addition, the development of the mitigation strategy has determined that there are significant opportunities for both 406 Mitigation improvements, as well as the 404 Mitigation (aka Hazard Mitigation Grant Program). For your reference, Attachment A presents a summary of the status of the work performed to date.

Pirnie/ARCADIS has been working with FEMA to organize the potential mitigation proposals and the Project Worksheets (PW(s)) to expedite the funding process. The information for the PW(s) was completed in March 2013 and submitted to FEMA. The debris removal and Emergency Protective Measures PWs (Categories A & B) are complete and were submitted to FEMA in February 22, 2013. FEMA has requested numerous clarifications. The Pre-Storm Restoration PWs (Category F) had been prepared and were submitted to FEMA for review on March 27, 2013.

FEMA has taken the completed PWs and rearranged them. This has required extensive coordination and reconciling to ensure that all of the assets are accounted for. Since March 2013, FEMA's review and comment on the submitted documents has required extensive effort of the BCUA and our firm. There has been numerous on-site facility inspections and comments from FEMA that have resulted in significant changes on the documentation. The improvement opportunities for the 406 Mitigation have been confirmed and finalized. Draft narratives, scopes of work and cost estimates were developed for potential mitigation proposals to be submitted under the 406 Mitigation program.

Pirnie/ARCADIS prepared a draft vulnerability assessment and draft benefit cost analyses, which cannot be finalized until FEMA finalizes the PWs and HMPs.

The Hazard Mitigation Grant Program process is dictated by the State of New Jersey was completed in August 2013. Through the aforementioned mitigation strategy development, the potential mitigation initiatives for Hazard Mitigation Grant Program were identified.

Through the work performed for the FEMA documentation support and emergency mitigation services, Pirnie/ARCADIS has identified approximately [\$83M] of mitigation work.

#### **Current Status**

As noted in our original proposal, dated December 17, 2012, the original assumptions regarding the damage to the Little Ferry Water Pollution Control Facility (Little Ferry WPCF or the facility) led Pirnie/ARCADIS to an estimated initial budget of approximately \$200K to compile the Project Worksheets and 406 Mitigation Proposals, as well as developing a strategy for the mitigation alternatives based on assumed conditions at the WPCF. Subsequent to our initial field visits and as the investigations progressed, the damage incurred as a result of Superstorm Sandy and the future mitigation requirements were significantly greater than originally anticipated. We endeavored to fully document the storm impacts and provide the appropriate documentation to most favorably position the BCUA to achieve the maximum FEMA funding. Please note that this original budget did not include long-term administration of the FEMA grants nor the development of mitigation plans. Additionally, the level of comment and reorganization of the PWs was not anticipated since the format and content of the submittals were initially reviewed with BCUA and FEMA. This has led to significant additional site visits and administrative work associated with the required documentation to FEMA.

The BCUA submitted approximately \$18M on PWs including all categories of work. We are working with FEMA to finalize the PWs scope of work and costs. The BCUA also submitted approximately \$75 Million in 406 Mitigation Proposals. The Hazard Mitigation Grant Program Applications will be submitted for any funding not approved through the 406 Mitigation.

In order to ensure FEMA reimbursement for our services, the mitigation work was incurred and invoiced under project/task number 00761261.0000/00500 for 2012 and 00761263.0000/00500 for 2013 to

Mr. Robert E. Laux  
Bergen County Utilities Authority  
October 15, 2013  
Page 3 of 6

separately track these services for FEMA reimbursement. The New Jersey contract for emergency response work was incurred and invoiced under 00761262.0000.

As you are aware, Pirnie/ARCADIS annual contract for Environmental Consulting Services has an upset of \$400,000. With the unanticipated costs associated with the emergency mitigation services, we have exceeded the current 2013 contract capacity. Through October 13, 2013, we have incurred total costs of approximately \$442,000. The costs associated with our FEMA and Mitigation Services under this contract currently total of approximately \$270,000. As you may be aware, Pirnie/ARCADIS is also assisting the BCUA with a number of other projects under our 2013 Consulting Engineering Agreement. Such projects include, but are not limited to, support of the NJEIT funding under SFY 2015 for the anaerobic sludge digesters, Edgewater outfall and third combined heat and power cogeneration unit, finalization of the PSE&G agreement, and engineering support for the carbon filter vessel

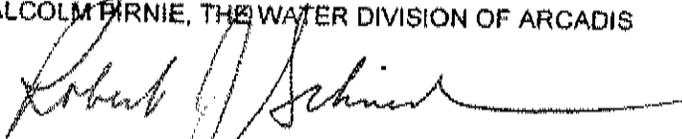
Given the anticipated future work to support the BCUA FEMA funding for mitigation and other future special engineering needs, we suggest that the original \$400,000 authorization be increased by the FEMA and Mitigation Services that have been expended under this contract and will be reimbursed by FEMA. As such, we respectfully request an amendment to our contract in the amount of \$270,000. Please note that any work performed under the Hazard Mitigation Grant Program Tasks as described in Attachment A were incurred under a separate task of the 2013 Environmental Consulting contract subject to BCUA's authorization. In addition, all other on-call consulting services for contract year 2013 were incurred under a new project number in accordance with our new contract for the 2013 Environmental Consulting services.

Pirnie/ARCADIS appreciates your consideration of this amendment request. We look forward to continuing to work with the BCUA and to maximize the funding of its mitigation projects.

If you have any questions or would like to discuss further, please do not hesitate to contact us.

Very truly yours,

MALCOLM PIRNIE, THE WATER DIVISION OF ARCADIS



Robert J. Schneider, P.E.  
Board Certified Environmental Engineer  
Senior Vice President

c: E. Andersen, P.E., Director of Water Pollution Control Division/Chief Engineer, BCUA

# Attachment A

## BCUA ARCADIS FEMA Status

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### Introduction

As requested by the BCUA, ARCADIS has conducted an internal review of the status of activities and the associated costs incurred on the Hurricane Sandy and Mitigation efforts. The contract mechanisms used for these services included the remaining capacity of 2012 Environmental Consulting Engineer Agreement, the 2013 Environmental Consulting Agreement and the ARCADIS Mutual Agreement to accept Contract Terms and Conditions regarding Disaster Debris Management Monitoring Operations contract with the State of New Jersey.

The Mutual Agreement was utilized to maximize the cost efficiencies within the contractual provisions. The allocation of costs was based on whether the activities would fall into the categories of direct administrative cost or engineering costs as described below. In addition the use of the mutual agreement afforded the BCUA the opportunity to expeditiously address the restoration needs of the BCUA for its continued operation.

### Definitions

#### Direct Administrative Costs (DAC)

Direct Administrative Costs (DAC) are reserved strictly for developing a grant application and managing a grant. They are costs incurred to meet the requirements of the Public Assistance Grant process. DAC include costs that can be tracked, charged, and accounted for directly to a specific project, such as staff time to complete field inspection and preparation of a project worksheet (PW). Direct costs are limited to actual reasonable costs incurred for a specific project.

#### Engineering/Contract Costs

Engineering costs or Contract costs and for any activities associated with the recovery of the facility that would be happening whether or not the utility was applying for any FEMA. For example, the process of identifying scopes of work for recovery and mitigation are necessary post disaster activities.

#### Categorizing Costs

All of ARCADIS' costs incurred to date have been separated between our three project numbers (00761261 - 2012 Consulting Engineer, 00761262 - NJDEP Mutual Agreement, and 0076263 - 2013 Consulting Engineer). Each individual's hours have also been categorized using FEMA's descriptions.

## Expenditures through October 13, 2013

### NJDEP Mutual Agreement: Superstorm Sandy FEMA Reimbursement Assistance and Debris Monitoring

All ARCADIS charges on the NJDEP Mutual Agreement (ARCADIS project number 00761262) will be reimbursed as part of DAC. A total of approximately \$372,281.37 has been expended by ARCADIS on this project as of October 15, 2013. ARCADIS has submitted six invoices associated with this project beginning March 1, 2013 (March, April, May, June, July and August). The September invoice is anticipated to be issued the week of October 14, 2013.

Under this project ARCADIS has assisted BCUA with the application for Public Assistance for Superstorm Sandy Costs (FEMA application). This work has included:

- The collection, compilation, and preparation of data, costs, impacts, scopes, and other documentation for facility assessments and potential projects,
- The completion of cost/benefit analyses,
- The development of recurrence intervals,
- The execution of vulnerability assessments.
- Preparation for and participation in meetings with Federal Emergency Management Agency (FEMA) regarding Project Worksheets for Category B (CAT B) (Emergency Response) and Category F (CAT F) (Permanent Restorative Work and Mitigation reimbursements,
- The delivery of 15 Project Workbooks (PW) to FEMA and State representatives,
- The addressing FEMA and State representative comments on PWs.

ARCADIS has also provided representation on behalf of the BCUA to state and federal agencies, including the New Jersey Office of Emergency Management (NJOEM), the New Jersey Department of Environmental Protection (NJDEP), and FEMA in support of project applications.

ARCADIS has also aided in the development of Hazard Mitigation Grant Program Funding documents and has explored additional funding resources, such as those provided by the United States Environmental Protection Agency (USEPA), Department of Housing and Urban Development (HUD), the Economic Development Administration (EDA), FEMA, and the National Science Foundation (NSF).

### Emergency/Mitigation Support Services

All charges on the Emergency / Mitigation Support Services (ARCADIS project number 00761261, Task 00500 and 00761263, Task 00500) will be reimbursed under the Contracts category of Public Assistance (PA) funding. A total of approximately \$257,016.14 has been expended by ARCADIS on this task as of October 15, 2013. ARCADIS has submitted three invoices under the 2012 contract and seven under the 2013 contract associated with this task beginning December 2012 through August, 2013. The September invoice is anticipated to be issued the week of October 14, 2013.

Under this task ARCADIS has executed the following work:

- Prepared documentation summarizing facility assessments and recommended actions to restore the impacted facilities to pre-storm conditions in support of the FEMA application,
- Developed scopes and cost estimates to complete mitigation actions to protect the BCUA from flood impacts to the 500-year recurrence interval,
- Conducted multiple walkthroughs/tours of the BCUA Little Ferry Water Pollution Control Facility (WPCF) with FEMA representatives,
- Attended training on the new web-based tool for FEMA Public Assistance (PA) and Hazard Mitigation Grant Program (HMGP),
- Executed a draft vulnerability assessment,
- Reviewed FEMA comments on Project Worksheets (PW),
- Paired assets to grant applications,
- Assisted BCUA in tracking of projects on the NJEMGrants.org website,
- Prepared for and attended meetings with the State, FEMA, and BCUA personnel and provided responses to issues and requests for information (RFI) from FEMA and State representatives.

## Current Status

### Hazard Mitigation Grant Program (HMGP) Application

The Hazard Mitigation Grant Program (HMGP), administered by the Federal Emergency Management Agency, ensures that critical mitigation measures are taken to reduce the risk of loss of life and property from future disasters during the reconstruction process following a disaster. On behalf of BCUA, fifteen projects were submitted under the HMGP on September 26, 2013 and additional information was submitted on ten of the fifteen projects on September 26, 2013. These projects were submitted via the online *eGrants* system. The applications are currently under review by the State.

### New Jersey Environmental Infrastructure Trust (NJEIT)

ARCADIS submitted 16 applications to the NJEIT program on October 7, 2013. This loan program can be used to cover the 10% that FEMA does not pay for the PA projects and any items that FEMA has deemed ineligible.

### Project Worksheets

Fifteen (15) Project Worksheets (PWs) were submitted to FEMA. Each one included a summary of work to be performed, justifications for each project, and estimated project costs. FEMA reviewed the PWs and combined different elements together into 10 PWs. ARCADIS has been:

- 1) Addressing FEMA's comments and questions;
- 2) Evaluating scopes of work and costs for the 10 FEMA Project Worksheets to reconcile project activities with the original 15 and to ensure that all elements of the originally proposed work is included; and

FEMA has provided a second round of comments on 8 of the 10 PWs. ARCADIS has addressed these comments and returned these 6 PWs to FEMA. We are in the process of reviewing and providing comments on 2 recently received PWs. FEMA owes initial comments on the remaining 2 PWs.

Coordination with FEMA is ongoing. We believe that by the end of October 2013 all comments can be addressed and differences reconciled in regards to scopes and cost estimates.

### **Reimbursement of DAC and Engineering/Contract Costs Process**

ARCADIS will provide the BCUA a spreadsheet that shows each person's hours organized around FEMA's guidance documents. This spreadsheet will then be submitted to FEMA as a Request for Reimbursement (RFR). Note that RFRs can only be submitted after the funds for the PWs have been obligated. ARCADIS must provide FEMA with proof of payment from BCUA to submit the RFR. ARCADIS will spread each individual's hours evenly across the 9 PWs to ensure that all costs are reimbursed.

### **A Reimbursement Summary of the 10 PW submittals, DAC and the 15 Hazard Mitigation Proposals**

Proposal submittals are presented in the tables below. FEMA has not reviewed any of the mitigation proposals developed by ARCADIS at this time.

Summary of BCUA Project Worksheet (PW) Costs

Project - BCUA PWs <sup>2</sup>		Restoration Costs (CEFs)	Mitigation Costs (CEFs)
PW001	- Bar Screens and Collection System	\$84,452.00	\$3,674,857.00
PW002	- Main pump station	\$374,778.00	\$4,408,050.00
PW003	- Power Supply	\$108,105.00	\$38,088,798.00
PW004	- Substations 2 and 3	\$3,216,872.00	\$3,753,680.00
PW005	- Conveyance, Disinfection, and Primary Sludge Removal	\$45,503.00	\$4,210,186.00
PW006	- Substation 4	\$1,605,577.00	\$1,524,045.00
PW007	- Blowers, Substation 1, and Grit Removal	\$2,432,784.00	\$5,495,847.00
PW008	- Secondary Sludge Pumping Stations	\$2,879,698.00	\$7,603,364.00
PW009	- Sludge Processing	\$1,002,451.00	\$8,723,075.00
PW010	- Substations 5 and 6	\$4,066,475.00	\$2,447,114.00
PW011	- Control Building	\$225,428.00	\$2,365,438.00
PW012	- Administration Building	\$1,328,878.00	\$366,295.00
PW013	- Operations and Support	\$406,385.00	\$123,064.00
PW014	- Security	\$495,429.00	\$79,405.00
PW015	- Stormwater	\$254,756.00	\$624,641.00
<b>Totals<sup>1</sup></b>		<b>\$18,527,571.00</b>	<b>\$83,487,859.00</b>

<sup>1</sup>Restoration costs in FEMA PWs to date are approximately \$1.2 -2.0M. An additional \$6.6M in potential costs to replace impacted feeder and/or distribution cables have been identified by FEMA but funds will not be obligated until testing or visual observations "verify" damage.

<sup>2</sup>FEMA has reorganized the BCUA PWs and will be submitting 9-10 PWs. Comments on six FEMA PWs have been provided to FEMA which may impact FEMA's identified scope of work and costs.

FEMA PW Descriptions and Review Status

FEMA PW	Location	Sites	Comments Received from FEMA	Comments Returned to FEMA
U32JY03	OFFSITE	Off-Site		
U32JY04	SECONDARY SLUDGE	Hypo/Dechlor Feed Bldg No. 2, Hypo/Dechlor Storage Bldg. No. 2, Chlorine Bldg. No. 1, Secondary Sludge Pumping Station No. 1, Secondary Sludge Pumping Station No. 2, Secondary Sludge Pumping Station No. 3, Secondary Sludge Pumping Station No. 4, Parshall Flume Primary Sludge Storage Thickener	X	X
U32JY05	PRIMARY SLUDGE STORAGE			
U32JY06	ADMIN BLDG	Administration Building		
U32JY07	GRIT BLDG 2	Grift Building No. 2	X	X
U32JY08	MAIN PUMP BLDG 1	Main Pump Building #1	X	X
U32JY09	PIPE GALLERIES	Gallery 1/1A, Gallery 2/2A, Gallery 3/3A/A3, Gallery 7, Gallery 8/8A, Gallery 9	X	X
U32JY10	GROUPS, LAGOON	Lagoon Pumping Station, Lagoon Aerator 1 (North) / Solar Panel, North Gate, South Gate, Vehicle Fuel Pumps, Paved Area Repair, Underground Fuel Tanks, Washout - RCA Stone Replacement, Site Lighting, Fence Repair, Truck Scale, Lagoon Aerator 2 (South), Lagoon Dock	X	
U32JY11	SUBSTATIONS	Switchgear & Generator Building, Substation 2, Substation 3, Substation 4, Substation 5, Electrical Feeder Cables.	X	X
U32JY12	CONTROL BUILDING	Control Building	X	

1. In some cases FEMA provided estimates of DAC, but there are not based upon ARCADIS numbers

Summary of Public Assistance Accounts (Restoration Only) for BCUA\*\*

Fed #	Title	Type	Size	Eligible Amount	Project Fed Percent	Obligated Amount	% Paid	Amount Paid	Project Closeout Status
3484	Debris Bergen County Utilities Authority	A	L	\$88,115.00	90%	\$79,303.50	50%	\$39,651.75	Open
4018	100% gens	B	S	\$51,732.74	100%	\$51,732.74	100%	\$51,732.74	Open
4050	Cat C Access Road	C	S	\$36,075.00	90%	\$32,467.50	100%	\$32,467.50	Open
4315	EPM	B	L	\$978,799.16	90%	\$880,919.24	50%	\$440,459.62	Open
4871	BCUA Administration Building	E	L	\$203,900.21					Un-obligated *
4872	Secondary Sludge Pumping	F	L	\$472,154.55					Un-obligated *
4913	Grit Building No. 2	F	L	\$193,468.03					Un-obligated *
4914	Substations and Cables	F	L	\$69,403.57					Un-obligated *
4931	BCUA Main Pump Building #1	F	L	\$68,534.00					Un-obligated *
4932	Pipe Galleries	F	L	\$295,174.90					Un-obligated *
				\$2,457,357.16					Un-obligated *

\* ARCADIS provided comments to FEMA in September on the PWs and we are awaiting FEMA's response.  
 \*\* Summary of information as shown on NIEMGRANT.ORG

Hazard Mitigation Proposals

PW #	Name/Location	Restoration	Mitigation	Total	HMGSP Funding Application Original Submission
1	Bar Screens Collection	\$84,452	\$3,674,857	\$3,759,309.00	09/06/2013
2	Main Pump Station	\$374,778	\$4,408,050	\$4,782,828.00	09/06/2013
3	Power Supply	\$108,105	\$38,088,798	\$38,196,903.00	09/06/2013
4	Substations 2 and 3	\$3,216,872	\$3,753,680	\$6,970,552.00	09/06/2013
5	Conveyance, Disinfection, and Primary Sludge Removal	\$45,503	\$4,210,186	\$4,255,689.00	09/06/2013
6	Substation No. 4	\$1,605,577	\$1,524,045	\$3,129,622.00	09/06/2013
7	Blowers, Substation 1, and Grit Removal	\$2,432,784	\$5,495,847	\$7,928,631.00	09/06/2013
8	Secondary Sludge Pumping Stations	\$2,879,698	\$7,603,364	\$10,483,062.00	09/09/2013
9	Sludge Processing	\$1,002,451	\$8,723,075	\$9,725,526.00	09/09/2013
10	Substations No. 5 & 6	\$4,066,475	\$2,477,114	\$6,543,589.00	09/09/2013
11	Control Building	\$225,428	\$2,365,438	\$2,590,866.00	09/09/2013
12	Administration Building	\$1,328,878	\$366,295	\$1,695,173.00	09/09/2013
13	Operations and Support	\$406,385	\$123,064	\$529,449.00	09/09/2013
14	Security	\$495,429	\$79,405	\$574,834.00	09/09/2013
15	Stormwater	\$254,756	\$624,641	\$879,397.00	09/09/2013
	<b>Total</b>	<b>\$18,527,571.00</b>	<b>\$83,517,859.00</b>	<b>\$102,045,430.00</b>	

**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, in part or whole, of fifty-two (52) municipalities in the County of Bergen serving approximately 575,000 people; and

**WHEREAS**, the Authority owns and operates a combined heat and power (CHP) cogeneration facility on the site of the Authority's Little Ferry water pollution control facility; and

**WHEREAS**, the CHP cogeneration facility has been in operation since 2008 and has saved ratepayers over \$11 million in energy costs since that time; and

**WHEREAS**, since 2008, there have been several shutdowns of CHP cogeneration facility engines attributed to corroded and leaking heat recover boilers (HRBs), and most recently a new HRB was installed and failed within four (4) months of installation; and

**WHEREAS**, there exists the need to engage the services of an engineering firm authorized to provide professional engineering services in the State of New Jersey to serve as **Special Consulting Engineer** to the Authority for **CHP Heat Recovery Boiler Corrosion Engineering Study (Study)**; 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**, **Paulus, Sokolowski, and Sartor, LLC.**, herein referred to as **PS&S Engineers**, has submitted a Statement of Qualifications and the Commissioners of the Authority have determined that **PS&S Engineers** is competent, qualified and experienced to serve as the Authority's **Special Consulting Engineers**; and

**WHEREAS**, based on **PS&S Engineers'** Statement of Qualifications and prior history, the Director of Water Pollution Control Division/Chief Engineer requested a proposal for **Study**; and

**WHEREAS**, the Director of Water Pollution Control Division/Chief Engineer specified that special environmental 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 Director of Water Pollution Control Division/Chief Engineer specified that **PS&S Engineers** indemnify the Authority and provide insurance required by the Authority; and

**WHEREAS**, the Director of Water Pollution Control Division/Chief Engineer specified that the fee be billed on a time and expenses basis; and

**WHEREAS**, **PS&S Engineers** has submitted a proposal to perform **Study**, dated **October 11, 2013**, which proposal has been reviewed by the Authority's Director of Water Pollution Control Division/Chief Engineer; and

**WHEREAS**, **PS&S Engineers** proposes to provide the consulting services described herein for a cost not to exceed a fee of \$22,500 as delineated below, to be billed on a time and expense basis:

1. Recommend a specific testing procedure, including frequency, to determine the concentrations of sulfuric acid, hydrogen sulfide, and moisture concentrations at several points in the gas and exhaust train.
2. Evaluate moisture removal systems for the CHP facility.
3. Provide recommended solutions to any moisture or chemical issues that are contributing to the corrosion issue.
4. Review the materials of construction and specifications for the most recent HRB, compared to previous units used previously, to determine if there was a material difference that led to the recent accelerated failure.
5. Employ a metallurgist to evaluate the recent fouling of the HRB.
6. Evaluate failed HRBs for possible salvage.
7. Issue a report of the findings of this evaluation.

**WHEREAS**, the Authority has determined, based upon the foregoing, that it is necessary for its efficient operation to retain the services of **PS&S Engineers** to perform **Study** for the Authority; and

**WHEREAS**, the Authority desires to appoint and retain **PS&S Engineers** to perform **Study** as **Special Consulting Engineer** to the Authority for a term necessary to complete the engineering work or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

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

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

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

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

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

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

1. That **PS&S Engineers** shall be and is hereby appointed to serve as **Consulting Engineer** to the Authority for a engineering fee not to exceed \$22,500, for a term necessary to complete the engineering work, 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 **PS&S 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 **PS&S Engineers** as **Special 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 **\$22,500** 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 November 26, 2013.



Richard Wierer  
Acting Secretary

**Dated: November 26, 2013**

BERGEN COUNTY UTILITIES AUTHORITY  
CERTIFICATE OF FUNDS

RESOLUTION DATE: 11/26/2013  
RESOLUTION #: 13-2-070

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

PAULUS, SOKOLOWSKI & SARTOR, LLC

CONTRACT NUMBER

REASON

ENGINEERING SERVICES

AMOUNT

\$22,500.00

CONTRACT LENGTH

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

**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 these essential services within the Authority's sewer service district, which is comprised of fifty-two (52) municipalities in the County of Bergen serving approximately 575,000 people; and

**WHEREAS**, the Authority requires the provision of special engineering services for the purposes of providing engineering reviews and construction-related engineering for proposed construction projects located in the Borough of Fort Lee (the "Borough") which is served by the Authority's Route 4 Interceptors and Flow Meters 24 and 18; and

**WHEREAS**, the Authority has determined the need for said special engineering services as during recent periods of severe wet weather, the Route 4 Interceptors and Flow Meters 24 and 18 were flowing full and, in addition, the Borough's wastewater flow to the Authority has increased by twenty (20%) percent year-over-year for the past two (2) years, and these developments require the undertaking of an engineering study to determine if there is sufficient capacity in the two (2) Route 4 Interceptors and Flow Meters 24 and 18 to serve the current and future flows from a portion of the Borough of Fort Lee; and

**WHEREAS**, because of the above mentioned developments, the Authority anticipates receiving requests from the Borough to endorse TWA applications for a new pumping station to service redevelopment projects in the Borough, proposed upgrades to the Lower Main Street Pumping Station, new force main for the Lower Main Pumping Station and force main connection to one (1) or both of the Route 4 Interceptors; and

**WHEREAS**, the purpose of the special engineering services to be provided is to determine the adequacy of the Route 4 Interceptors and Flow Meters 24 and 18 to convey existing and projected future wastewater flows from the Borough to the Authority; and

**WHEREAS**, Alaimo Group ("Alaimo") has submitted a proposal dated September 19, 2013 to the Authority to provide the aforesaid special engineering services; and

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

**WHEREAS**, the Authority has concluded that the professional special engineering services as outlined above are necessary for the efficient operation of 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 without public bidding and the contract itself be available for public inspection; and

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

**WHEREAS**, These services were solicited through a fair and open process pursuant to N.J.S.A. 19:44A-20.4 et seq. through a publicly advertised Request for Qualifications; 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. A Contract shall be and is hereby awarded to **Alaimo Group** and **Alaimo Group** shall be and is hereby retained by the Authority to provide services consisting of Special Engineering Services, at a compensation which shall not exceed \$120,000.00.

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

3. The Chief Financial Officer's Certification that the funds have been appropriated shall remain on file.

4. A copy of this Resolution and the Agreement executed pursuant to this Resolution, shall be placed on file and made available for public inspection in the Office of the Executive Director, upon execution by **Alaimo Group** and 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 November 26, 2013.

A handwritten signature in black ink, appearing to read 'R. Wierer', is written above a horizontal line.

Richard Wierer  
Acting Secretary

Dated: November 26, 2013

BERGEN COUNTY UTILITIES AUTHORITY  
CERTIFICATE OF FUNDS

RESOLUTION DATE: 11/26/2013  
RESOLUTION #: 13-2-071

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

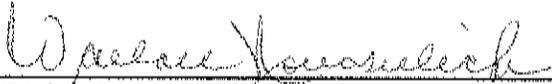
REASON

SPECIAL ENGINEERING SERVICES

AMOUNT

\$120,000.00

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 Hot Water System Chemicals (Two Years)**, pursuant to and in accordance with **Contract No. 12-17**; and

**WHEREAS**, by Resolution dated May 24, 2012, **Scientific Boiler Water Conditioning Co., Inc.** was determined to be the lowest complying and responsible bidder and was therefore awarded **Contract No. 12-17** in the amount of **\$66,677.90 for a (2) year period**; and

**WHEREAS**, as a result of increased usage of chemicals for the boilers at the Authority, **Contract 12-17** has exhausted its funds prior to the expiration date of May 31, 2014; and

**WHEREAS**, the Chief Engineer submitted a change order proposal, requesting an Increase of **\$6,004.20**, which does not change the quality or character of the items to be provided and are now required in order to successfully complete **Contract No. 12-17**; and

**WHEREAS**, the Authority's Chief Engineer and Qualified Purchasing Agent have reviewed, approved and recommended Change Order No. 1 to Process the Net Increase of **\$6,004.20** to **Furnish and Deliver Hot Water System Chemicals (Two Years)**, in accordance with **Contract No. 12-17**, for the adjusted amount of **\$72,682.10**; and

**WHEREAS**, The aforesaid Change Order No. 1 to Process the Net Increase of **\$6,004.20** 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 Chairman shall be and he is hereby authorized to execute Change Order No. 1 to Process the Net Increase of **\$6,004.20** as stated in the November 21, 2013 change order proposal of **Scientific Boiler Water Conditioning Co., Inc.** to **Furnish and Deliver Hot Water System Chemicals**, in accordance with **Contract No. 12-17**, for an adjusted total amount of **\$72,682.10 for Two Years**;
2. The Chief Financial Officer's Certification that funds are available shall be maintained on file at the Authority and made a part hereof.

13-2-072

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 November 26, 2013.



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Richard Wierer  
Acting Secretary

**Dated: November 26, 2013**

# CHANGE ORDER

No. 1

Contract No. & Name.: No. 12-17 -- Furnish and Deliver Hot Water System Chemicals

Owner: Bergen County Utilities Authority  
Foot of Mehrhof Road, P. O. Box 9  
Little Ferry, N. J. 07643

Contractor: Scientific Boiler Water Cond Co., Inc.

Purpose of Change Order: Change Order No. 1 -- Dated -- November 21, 2013 -- Contract 12-17 has exhausted its funds prior to the expiration date (5/31/14). Reason: Each year the Cleaver Brooks boilers are drained down for inspection which than requires refilling and excessive chemical usage. Also, this past year the hot water system was losing excessive amounts of boiler water. Inspection found the hot water lines to grit building #2 had rusted away. To address the loss of hot water, the pipe lines were disconnected and electric heat was installed inside the building. Lastly, this past year boiler operators began treating the water in the ~~Admiral~~ Building, DST Building and the Warehouse. Each uses the same chemical that the plant live-water loop requires.

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## CHANGE IN CONTRACT AMOUNT

Original Contract Price

\$66,677.90

Previous Change Order(s)

\$0.00

Contract Price prior to this Change Order

\$66,677.90

Net Increase of this Change Order

\$6,004.20

Contract Price with all approved Change Order(s)

\$72,682.10

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Percentage of Original Contract Price --  
9.00478% -- Less than 10%

Budget No. W-630-63300

Approved: *BLVA*

BY: *[Signature]*  
*Erin Anderson*

Date: *11/21/13*

Accepted: *Scientific Boiler Water Cond. Co*

By: *[Signature]*

Date: *11/26/13*



**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, there exists the need for **One Electric Blower Repair/Upgrade Control System** in order to ensure the Authority's necessary and efficient operations; and

**WHEREAS**, the Local Public Contracts Law, at N.J.S.A. 40A:11-12, provides that contracting units may purchase goods and/or services pursuant to contracts authorized by the State of New Jersey without the necessity of public bidding therefore; and

**WHEREAS**, **Applied Analytics, Inc.** has been awarded New Jersey State Contract **SC- A85089 (Index T-0983)** for **One Electric Blower Repair/Upgrade Control System**; and

**WHEREAS**, on November 11, 2013, **Applied Analytics, Inc.** provided the Authority with a quotation for **One Electric Blower Repair/Upgrade Control System** under New Jersey State Contract **SC- A85089 (Index T-0983)**, in the amount of **\$66,121.09** for the Little Ferry site; and

**WHEREAS**, the **One Electric Blower Repair/Upgrade Control System** may be procured through State Contract **SC- A85089 (Index T-0983)** for a total cost of **\$66,121.09** for the Little Ferry site as quoted by **Applied Analytics, Inc.**; and

**WHEREAS**, contracts awarded pursuant to authorization from the State of New Jersey are in compliance with the fair and open process pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

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

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

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

1. The Executive Director or his designee be and is hereby authorized to execute a purchase order, or purchase orders as may be required, for **One Electric Blower Repair/Upgrade Control System** in the amount of **\$66,121.09** for the Little Ferry site, as per the quotation of **Applied Analytics, Inc.**, dated November 11, 2013, and in accordance with the terms of, New Jersey State Contract **SC- A85089 (Index T-0983)**.

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

13-2-073

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 November 26, 2013.

A handwritten signature in black ink, appearing to read 'R. Wierer', is written above a horizontal line.

Richard Wierer  
Acting Secretary

**Dated: November 26, 2013**

BERGEN COUNTY UTILITIES AUTHORITY  
CERTIFICATE OF FUNDS

RESOLUTION DATE: 11/26/2013

RESOLUTION #: 13-2-073

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-630-63000-000

VENDOR

APPLIED ANALYTICS, INC.

CONTRACT NUMBER

STATE CONTRACT A85089

REASON

ONE ELECTROC BLOWER REPAIR/  
UPGRADE CONTROL SYSTEM

AMOUNT

\$66,121.09

CONTRACT LENGTH

  
TREASURER/CFO

**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 these essential services within the Authority's sewer service district, which is comprised of fifty-two (52) municipalities in the County of Bergen serving approximately 575,000 people; and

**WHEREAS**, in furtherance of providing these essential services, and in order to realize significant energy cost savings, the Authority constructed its Combined Heat and Power Facility (the "CHP Facility") on site of the Authority's Little Ferry Water Pollution Control Facility (the "LFWPCF"), with construction of the CHP Facility being completed in June 2008; and

**WHEREAS**, **Remington, Vernick & Arango Engineers ("RVA")** prepared a grant application that resulted in the Authority receiving a \$2,500,000.00 Renewable Energy Incentive Program grant (the "REIP Grant") awarded by the New Jersey Board of Public Utilities ("NJBPU") for up to forty percent of the estimated project cost of \$6,592,000; and

**WHEREAS**, the REIP Grant was awarded, and the grant funds are to be utilized, for the Authority's expanding of its CHP Facility to include the installation of a third cogeneration unit for generating heat and electricity powered by the biogas generated at the LFWPCF (the "Biopower Expansion Project"); and

**WHEREAS**, the project is to be completed in three (3) separate phases and it must be completed within eighteen (18) months after the award date of the REIP Grant, resulting in a completion deadline of May 2015; and

**WHEREAS**, the Authority requires and seeks to engage the services of a Professional Engineering Firm to serve as **Project Manager for the Biopower Expansion Project**; and

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

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

**WHEREAS, RVA** has submitted a Statement of Qualifications and the Commissioners of the Authority have previously determined that **RVA** is competent, qualified and experienced to serve as the Authority's **Project Manager for the Biopower Expansion Project**; and

**WHEREAS, RVA** has satisfactorily served in the capacity of **Energy and Air Pollution Control Permit Management Engineering Consultant** for the Authority since 2012; and

**WHEREAS,** based on **RVA's** Statement of Qualifications and prior history, the Authority issued a Request for Proposal ("RFP") dated June 11, 2013, for **Project Management Services for the Biopower Expansion Project**; and

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

**WHEREAS, RVA** submitted a proposal dated October 16, 2013, to serve as the **Project Manager for the Biopower Expansion Project**, on a time and material basis, not to exceed \$19,600.00 for Phase 1 (RFQ), \$32,700.00 for Phase 2 (RFP), and \$460,000.00 for Phase 3 (design and construction review) for a total amount not to exceed \$512,300.00, which proposal has been reviewed by the Authority's Director/Chief Engineer; and

**WHEREAS,** the proposal included attachments including hourly billing rates, Certificate of Liability Insurance naming 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,** the Authority has determined, based upon the foregoing, that it is necessary for its efficient operation to retain the services of **RVA** to serve as the Authority's **Project Manager for the Biopower Expansion Project**; and

**WHEREAS,** the Authority desires to appoint and retain **RVA** to serve as **the Authority's Project Manager for the Biopower Expansion Project** until project completion, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

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

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

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

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

1. That **RVA** shall be and is hereby appointed to serve as **the Authority's Project Manager for the Biopower Expansion Project** until project completion, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively.

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

3. A copy of this resolution and the agreement retaining **RVA** as the Authority's **Project Manager for the Biopower Expansion Project** 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 **\$512,300** 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 November 26, 2013.

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

Dated: November 26, 2013

BERGEN COUNTY UTILITIES AUTHORITY  
CERTIFICATE OF FUNDS

RESOLUTION DATE: 11/26/2013  
RESOLUTION #: 13-2-074

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

FUNDS AVAILABLE SUBJECT TO THE ISSUANCE OF  
THE 2013 WPC BOND ISSUE

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

BUDGET ACCOUNT \_\_\_\_\_

VENDOR REMINGTON, VERNICK & ARANGO ENGINEERS

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

REASON ENGINEERING SERVICES - PROJECT MANAGER  
FOR THE BIOPower EXPANSION PROJECT

AMOUNT \$512,300.00

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

  
TREASURER/CFO

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

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

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

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

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

**WHEREAS**, the Authority is desirous of assisting those municipalities that do not employ a CRP to ensure that those municipalities do not jeopardize the receipt of the annual recycling tonnage grant by providing the services of a CRP to sign and submit participating municipalities 2013 Annual Recycling Tonnage Report; and

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

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

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

1. The Executive Director shall be and is hereby authorized to execute a Shared Services Agreement arranging and providing for a Certified Recycling Professional to Prepare the 2013 Annual Recycling Tonnage Report with municipalities wishing to participate therein in substantially the form on file at the Authority Office, or in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

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

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

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

A handwritten signature in black ink, consisting of a large, stylized 'R' followed by a long, sweeping horizontal stroke that curves upwards at the end.

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Richard Wierer  
Acting Secretary

Dated: November 26, 2013

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, P.L. 2007, c. 311 et seq. provides for the awarding of Recycling Enhancement Tax entitlements by the Department of Environmental Protection to designate solid waste management districts to assist them in the preparation, revision and implementation of comprehensive solid waste management recycling plans; and

**WHEREAS**, The Bergen County Utilities Authority (the "Authority"), as planning and implementing agency for the Bergen County Solid Waste Management District, has made application for such financial assistance; and

**WHEREAS**, the application made by the Authority on behalf of the Bergen County Solid Waste Management District to the Commissioner of the New Jersey Department of Environmental Protection is for a **2013 Recycling Enhancement Act Tax Fund in the amount of \$610,500.00**; and

**WHEREAS**, upon approval of the foregoing application, the Authority proposes to utilize the funds derived from the **2013 Recycling Enhancement Act Tax Fund** to fund the Authority's Recycling Programs (the "Programs"); and

**WHEREAS**, the Authority, as planning and implementing agency for the Bergen County Solid Waste Management District, deems it in the best interest of the Authority's constituent municipalities and rate payers, to apply for the **2013 Recycling Enhancement Act Tax Fund** to fund its share of the costs of the Programs; and

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

1. The Chair shall be and is hereby authorized to execute an agreement by and between the Authority and the New Jersey Department of Environmental Protection for **the 2013 Recycling Enhancement Act Tax Fund** in the amount of **\$610,500.00** for the express purpose of funding solid waste services, to wit, the Programs;
2. The Authority does hereby hold the State of New Jersey, and its departments and agencies harmless from any damages, losses and claims which may arise directly or indirectly from the execution of the tax grant;
3. The Authority hereby accepts the terms and conditions set forth in the Recycling Enhancement Act and the guidelines promulgated under it;

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 November 26, 2013.



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Richard Wierer  
Acting Secretary

**Dated: November 26, 2013**