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BERGEN COUNTY UTILITIES AUTHORITY

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

ROBERT E. LAUX
Executive Director

THOMAS S. KELLEY
PETER C. MASSA, JR.
DIANE TESTA
JON WARMS

RONALD PHILLIPS, Chairman
LOUIS J. DELISIO, Vice Chairman
CATHERINE T. BENTZ
BRUCE BONAVENTURO
DANIEL GUMBLE

March 26, 2020

The Honorable James J. Tedesco III
Bergen County Executive
One Bergen County Plaza
Hackensack, New Jersey 07601

Dear County Executive Tedesco:

Pursuant to N.J.S.A. 40:14B-14(b) enclosed please find minutes and certification of the BCUA Secretary regarding the Regular Meeting of the Commissioners of The Bergen County Utilities Authority held on March 26, 2020 and action, consistent with the applicable provisions of the aforementioned legislation.

Very truly yours,

Robert E. Laux
Executive Director

REL/mh

Enclosure

C: All Commissioners

**BERGEN COUNTY UTILITIES AUTHORITY
MINUTES OF THE REGULAR MEETING
MARCH 26, 2020**

**In the matter of the 492nd Regular Meeting of
The Bergen County Utilities Authority**

1. The **proof of meeting notice** calling the March 26, 2020, meeting was read into the record by Michael Henwood, Board Secretary.

2. Roll Call:

COMMISSIONERS PRESENT:

Ronald Phillips, Chairman (Telephonically) t
Louis DeLisio, Vice Chairman (Telephonically)
Catherine T. Bentz, Commissioner (Telephonically)
Bruce Bonaventuro, Commissioner (Telephonically)
Thomas S. Kelley, Commissioner (Telephonically)
Daniel Gumble, Commissioner (Telephonically)
Peter C. Massa, Jr. Commissioner (Telephonically)
Diane T. Testa, Commissioner (Telephonically)
Jon Warms, Commissioner (Telephonically)

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

3. Motion that the Minutes covering the February 27, 2020 Work Session be approved was moved by Commissioner Kelley and Seconded by Commissioner DeLisio.

4. Chairman Phillips opened the meeting to the public and asked if anyone present wished to be heard.

5. FINANCE AND LEGAL COMMITTEE:

Resolution 20-1-023 - Approve bills and the claims supported by vouchers totaling \$4,461,980.39 for the month of March and authorize the Acting Treasurer to issue the necessary checks therefor, and to charge the accounts indicated, all as more fully set forth on the Acting Treasurer's check list. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-1-024 - Ratify and Approve Financial Actions directed by Mathew McCarter, Acting Treasurer, during the month of February 2020. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-1-025 - Authorize renewal of annual membership in Water Research Foundation. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-1-026 - Declaration of a State of Emergency at the Bergen County Utilities Authority due to Public Health Emergency impacts of COVID-19, and authorizing actions in response thereto. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

6. CONSTRUCTION & ENGINEERING COMMITTEE:

Resolution 20-2-023 - Award Contract 20-09 to Sherwood-Logan & Associates – Furnish and Deliver Liquid Polymer Blending System. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-2-024 - Reject Bids and Re-Advertise and Rebid Contract 19-30 - Two (2) Digester Gas Flare Assemblies. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-2-025 - Award Contract 204 to Iron Hills Construction Company, Inc. – Meter Chamber Access Hatch Replacement. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-2-026 - Exercise first year option - Contract 19-06 to North Jersey Landcare Services, LLC - Grounds Maintenance (One (1) Year with Two (2) One (1) Year Options). Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-2-027 - Authorize rejection of bid for Contract 20-07 Grounds Maintenance Services. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-2-028 - Authorize Amendment of Professional Services Contract – Consulting Engineer – Neglia Engineering Associates, Inc. Emergency preparation and response needed during COVID-19 public health emergency. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-2-029 - Authorize Amendment of Professional Services Contract – Consulting Engineer – Arcadis - FEMA - COVID-19 Public Assistance Grant Administration. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

7. PERSONNEL & ADMINISTRATIVE COMMITTEE:

Resolution 20-3-004 – Authorize Chairman and Executive Director to execute the CWA – AFL-CIO Local 1040 Collective Bargaining Agreement for the term 1/1/20 - 12/31/23. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Bonaventuro. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-3-005 – Authorize Chairman and Executive Director to execute the Local 534 Collective Bargaining Agreement for the term 1/1/20 - 12/31/24. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Bonaventuro. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-3-006 – Authorize Chairman and Executive Director to execute Supervisors Association Collective Bargaining Agreement. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Bonaventuro. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-3-007 – Approve modification of non-bargaining unit employee benefits to be consistent with Collective Bargaining Agreements. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Bonaventuro. A roll call was taken and the resolution was adopted as reflected in these minutes.

8. STRATEGIC PLANNING COMMITTEE:

Resolution 20-3-003 – Authorize Execution of an Intergovernmental Agreement by and between the Bergen County Utilities Authority and the Borough of Teterboro providing for Certified Recycling Professional Services. Motion to adopt the resolution was made by Commissioner Warms and Seconded by Commissioner Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

9. Chairman Phillips announced a short recess to allow time for the Board Secretary to prepare minutes of this Regular Meeting.
10. Chairman Phillips announced the Regular Meeting would reconvene.
11. The Board Secretary then distributed proposed minutes of the March 26, 2020 Regular Meeting for review by the Commissioners.
12. Motion to approve the Minutes of the Regular Meeting March 26, 2020 as distributed by the 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 March 26, 2020 was made by Commissioner Kelley and Seconded by Commissioner Massa and was unanimously carried.
13. Upon motion duly made, seconded and unanimously carried, the meeting was adjourned.

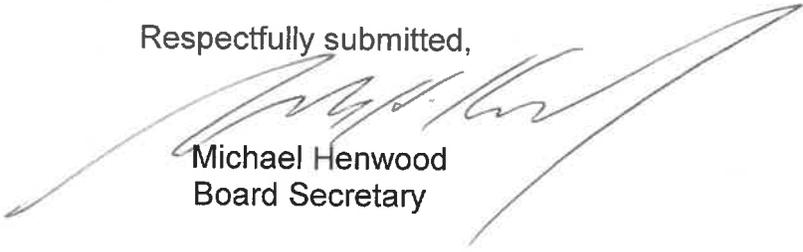
BERGEN COUNTY UTILITIES AUTHORITY
 Minutes of the Regular Meeting
 March 26, 2020

Resolution #	20-1-023	20-1-024	20-1-025	20-1-02	20-2-023	20-2-024	20-2-025	20-2-026
Chairman Phillips	Y	Y	Y	Y	Y	Y	Y	Y
V. Chair. DeLisio	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Bentz	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Bonaventuro	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Gumble	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Kelley	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Massa, Jr.	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Testa	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Warms	Y	Y	Y	Y	Y	Y	Y	Y

Resolution #	20-2-027	20-2-028	20-2-029	20-3-004	20-3-005	20-3-006	20-3-007	20-6-003
Chairman Phillips	Y	Y	Y	Y	Y	Y	Y	Y
V. Chair. DeLisio	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Bentz	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Bonaventuro	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Gumble	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Kelley	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Massa, Jr.	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Testa	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Warms	Y	Y	Y	Y	Y	Y	Y	Y

Y = Yes R = Recuse A = Abstain N = No - = Absent
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Respectfully submitted,



Michael Henwood
 Board Secretary

Date: March 26, 2020

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

BE IT RESOLVED by the Commissioners of the Bergen County Utilities Authority that the Financial Actions directed by Mathew McCarter, Acting Treasurer, during the month of February 2020 be and are hereby ratified and approved.

1. 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 March 26, 2020.



Michael Henwood
Board Secretary

Dated: March 26, 2020

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, the **Water Research Foundation ("WRF")** is a not-for-profit foundation dedicated to advancing science and technology to address water quality issues as they impact water resources, the atmosphere, lands, and the quality of life; and

WHEREAS, **WRF** produces peer-reviewed research reports used by its subscribers and others to develop scientifically-based approaches, processes, and technologies to improve the management of waters resources; and

WHEREAS, **WRF** represents that it is staffed by a team of environmental professionals, including a committee of distinguished scientists and engineers who provide oversight, advice, and review of the wastewater and stormwater collection and treatment projects of the Bergen County Utilities Authority (the "Authority"); and

WHEREAS, **WRF** further represents that its investigators are comprised of individuals and organizations from municipal agencies, academia, government laboratories, and various industrial and consulting firms whose experience extends the spectrum of **WRF's** research covering the areas of wastewater and stormwater collection and treatment systems, watersheds and ecosystems, and of human and environmental health; and

WHEREAS, **WRF** is funded through contributions and subscriptions from utilities, municipal agencies, corporations, consulting firms, associations, state regulatory agencies, private individuals and foundations, as well as congressional appropriations, the United States Environmental Protection Agency, and other governmental agencies; and

WHEREAS, **WRF** has submitted a proposal dated February 18, 2020, to induce the Authority to renew its subscription and re-join **WRF** as a wastewater utility, which proposal has been reviewed by the Executive Director and Director of Engineering of the Authority; and

WHEREAS, the Authority's Executive Director and Director of Engineering have recommended that the Authority renew its subscription to **WRF** as a wastewater utility; and

WHEREAS, the proposed annual subscription/dues to be paid by the Authority to **WRF** for the renewal of the Authority's subscription and for the Authority to re-join **WRF** as a wastewater utility is \$38,072.00; and

WHEREAS, the Authority has determined, based upon the foregoing, that it is necessary and/or desirable for its efficient operations to renew its subscription and re-join **WRF** as a wastewater utility for 2020.

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

1. The Chairman shall be and is hereby authorized to execute any agreement(s) or other document(s) necessary for the renewal of the Authority's subscription and for the Authority to re-join **WRF** as a wastewater utility for 2020 and the Authority shall be and is hereby authorized to make payment to **WRF** in an amount not to exceed the sum of \$38,072.00 as and for payment of the annual subscription/dues to be paid by the Authority to **WRF** for the renewal of the Authority's subscription and for the Authority to re-join **WRF** as a wastewater utility for 2020 as is authorized by this Resolution.

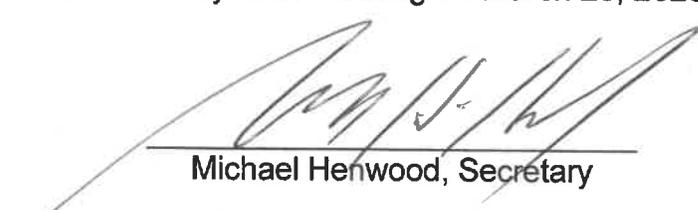
2. The Acting Treasurer's Certification that funds are available shall be maintained on file at the Authority.

3. A copy of this Resolution and the agreement(s) entered into by and between the Authority and **WRF** for the Authority to subscribe/re-join **WRF** as a wastewater utility for 2020 as is authorized by this Resolution shall be placed on file and made available for public inspection in the office of the Executive Director, upon execution by **WRF** and the Authority.

4. A notice of this subscription renewal shall be published in the form prescribed by law.

5. The formal action(s) of the Commissioners of the Bergen County Utilities Authority embodied herein are expressly contingent upon and subject to the provisions 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 on March 26, 2020.



Michael Henwood, Secretary

Dated: March 26, 2020

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 3/26/2020

RESOLUTION #: 20-1-025

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

FUNDS AVAILABLE

X

FUNDS ARE NOT AVAILABLE

BUDGET ACCOUNT

PERMITS, FEES & LICENCES

ORG: 15221000

OBJECT: 532070

VENDOR

WATER RESEARCH FOUNDATION

CONTRACT NUMBER

N/A

REASON

RENEWAL OF THE AUTHORITY'S SUBSCRIPTION

IN WRF FOR 2020 AS A WASTEWATER UTILITY

AMOUNT

\$38,072.00

CONTRACT LENGTH

N/A

Matthew McCarter
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, Coronavirus disease 2019 (“COVID-19”) is a contagious, and at times fatal, respiratory disease caused by the SARS-CoV-2 virus; and

WHEREAS, COVID-19 is responsible for the 2019 novel coronavirus outbreak, which was first identified in Wuhan, the People’s Republic of China in December 2019 and quickly spread to the Hubei Province and multiple other countries; and

WHEREAS, on January 30, 2020, the International Health Regulations Emergency Committee of the World Health Organization declared the outbreak a “public health emergency of international concern,” which means “an extraordinary event which is determined to constitute a public health risk to other States through the international spread of disease and to potentially require a coordinated international response,” and thereafter raised its global risk assessment of COVID-19 from “high” to “very high”; and

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services Secretary declared a public health emergency for the United States to aid the nation’s healthcare community in responding to COVID-19; and

WHEREAS, as of March 24, 2020, according to the World Health Organization, there were more than 234,000 confirmed cases of COVID-19 worldwide, with over 9,800 of those cases having resulted in death; and

WHEREAS, as of March 20, 2020, according to the Centers for Disease Control and Prevention (“CDC”), there were more than 15,000 confirmed cases of COVID-19 in the United States, with at least 201 of those cases having resulted in death; and

WHEREAS, as of March 20, 2020, there were at least 890 presumed positive cases of COVID-19 in New Jersey, with at least 11 of those cases having resulted in death; and

WHEREAS, the CDC expects that additional cases of COVID-19 will be identified in the coming days, including more cases in the United States, and that person-to-person spread is likely to continue to occur; and

WHEREAS, if COVID-19 spreads in New Jersey at a rate comparable to the rate of spread in other affected areas, it will greatly strain the resources and capabilities of county and municipal governments, including public health agencies, that provide essential services for containing and mitigating the spread of contagious diseases, such as COVID-19, and the situation may become too large in scope to be handled in its entirety by the normal county and municipal operating services in some parts of this State, and this situation may spread to other parts of the State; and

WHEREAS, the spread of COVID-19 may make it difficult or impossible for citizens to obtain consumer goods and other necessities of life due to supply chain disruption and price increases, as well as hamper the delivery of essential services such as police, fire, and first aid; and

WHEREAS, it is critical that the Bergen County Utilities Authority ("Authority") prepare for and implement appropriate measures to mitigate the spread of COVID-19 and, as an employer with more than 150 employees, the Authority is required to prepare for staffing shortages and flexibility in work rules to ensure that its employees can fully comply with all medically appropriate measures while also ensuring the continuous delivery of essential governmental services which are performed and provided by the Authority; and

WHEREAS, the continuous delivery of these essential governmental services by the Authority is also essential; and

WHEREAS, the spread of COVID-19 within New Jersey constitutes an imminent public health hazard that threatens and presently endangers the health, safety, and welfare of the residents of one or more municipalities or counties of the State; and

WHEREAS, Philip D. Murphy, the Governor of the State of New Jersey, in order to protect the health, safety and welfare of the people of the State of New Jersey, issued Executive Order 103 on March 9, 2020, declaring and proclaiming that a Public Health Emergency and State of Emergency exist in the State of New Jersey due to the existence and impact of COVID-19; and

WHEREAS, Philip D. Murphy, the Governor of the State of New Jersey, in light of the rapidly rising incidence of COVID-19 and in order to further protect the health, safety and welfare of the people of the State of New Jersey from the continuing rapid spread of COVID-19, issued Executive Order 107 on March 21, 2020, now commonly referred to as the "Stay at Home Order", ordering and directing, among other things, certain limitations on travel and the conducting of business operations, declaring therein that "[i]t shall be the duty of every person or entity in this State or doing business in this State and of the members of the governing body and every official, employee, or agent of every political subdivision in this State and of each member of all other governmental bodies, agencies, and authorities in this State of any nature whatsoever, to cooperate fully in all matters concerning [Executive Order 107]"; and

WHEREAS, it is necessary and appropriate for the Authority to take action against this public health hazard consistent with Executive Order 103 and Executive Order 107 in order to protect and maintain the health, safety, and welfare of the Authority's employees and Bergen County residents and visitors; and

WHEREAS, said COVID-19 has created conditions which meet the definition of an emergency under N.J.S.A. 40A:11-6(a) and N.J.A.C. 5:34-6.1 which requires that needs must be met immediately to protect the public health, safety and welfare; and

WHEREAS, because of said conditions it was necessary for the Authority to declare a state of emergency as of March 21, 2020; and

WHEREAS, these emergency conditions continue until the Bergen County Utilities Authority's operations return to normal; and

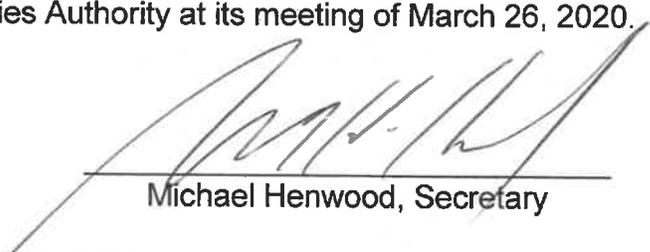
WHEREAS, the actions now being taken and authorized by the adoption of this Resolution are necessary for the continuing operations of the Authority.

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

1. Based on the foregoing, emergency conditions constituting a State of Emergency began at the Authority as of March 21, 2020 and these emergency conditions continue to exist and, as a direct result of these emergency conditions, the Executive Director shall be and is hereby authorized to take all measures necessary and appropriate to protect the Bergen County Utilities Authority and its assets and facilities and to ensure that the health, safety and welfare of the Authority's employees and the member municipalities of the Authority are protected.

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of March 26, 2020.



Michael Henwood, Secretary

Dated: March 26, 2020

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Bergen County Utilities Authority (the "Authority") solicited bid proposals to **Furnish and Deliver Liquid Polymer Blending System (One (1) Year Period)**, pursuant to and in accordance with **Contract No. 20-09**; and

WHEREAS, the following sole bid proposal was received by the Authority on **March 24, 2020** for **Contract No.20-09**:

Vendor	Unit Price	Total Bid Price (One (1) Year)
Sherwood-Logan & Associates, Inc. Annapolis, MD	\$36,484.00	\$109,452.00

; and

WHEREAS, the Authority's **Director of Engineering** and the Authority's consulting engineer, **Alaimo Group**, have reviewed the sole bid proposal and have recommended that **Sherwood-Logan & Associates, Inc.** be awarded **Contract No. 20-09** in accordance with N.J.S.A. 40:11-1 et seq., as the lowest complying and responsible bidder; and

WHEREAS, on the basis of the foregoing, the Authority has determined that **Sherwood-Logan & Associates, Inc.** constitutes the lowest complying and responsible bidder for **Contract No. 20-09**, in accordance with N.J.S.A. 40A:11-1 et seq.; and

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

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

WHEREAS, the Authority's Acting Treasurer 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. **Sherwood-Logan & Associates, Inc.** shall be and is hereby determined to be the lowest complying and responsible bidder to **Furnish and Deliver Liquid Polymer Blending System**, constituting **Contract No. 20-09** for a **One (1) Year Period** for a unit price of **\$36,484.00** and for a total amount not to exceed the sum of **\$109,452.00**.

2. The Chairman shall be and is hereby authorized to execute a contract with **Sherwood-Logan & Associates, Inc.** of 2140 Renard Court, Annapolis, MD 21401 to **Furnish**

20-2-023

and Deliver Liquid Polymer Blending System, constituting Contract No.20-09 for a One (1) Year Period for a total amount not to exceed the sum of \$109,452.00.

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

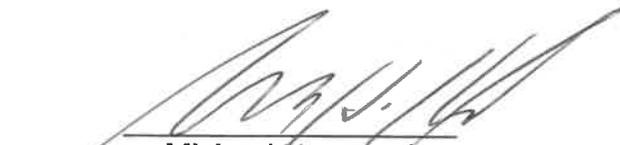
4. The Acting Treasurer's Certification that funds are available shall be maintained on file at the Authority and made a part hereof.

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

6. A copy of this Resolution and the contract executed pursuant to this Resolution, along with **Contract No. 20-09**, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by **Sherwood-Logan & Associates, Inc.** and the Authority.

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of March 26, 2020.



Michael Henwood
Secretary

Dated: March 26, 2020

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 3/26/2020

RESOLUTION #: 20-2-023

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

POLYMER
ORG: 15224000
OBJECT: 532210

VENDOR

SHERWOOD-LOGAN & ASSOCIATES, INC.

CONTRACT NUMBER

20-09

REASON

FURNISH AND DELIVER LIQUID POLYMER
BLENDING SYSTEM

AMOUNT

\$109,452.00

CONTRACT LENGTH

APRIL 1, 2020 TO MARCH 31, 2021

Matthew McCarter

ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Bergen County Utilities Authority (the "Authority") solicited bid proposals for **Two (2) Digester Gas Flare Assemblies**, pursuant to and in accordance with **Contract No. 19-30**; and

WHEREAS, the following bid proposals were received by the Authority on **March 6, 2020** for **Contract No.19-30**:

Vendor	Total Bid Price
G.P. Jager, Inc. Boonton, NJ	\$1,022,475.00
Varec Biogas, Inc. Huntington Beach, CA	\$1,298,400.00

; and

WHEREAS, the Authority's **Interim Qualified Purchasing Agent** and the Authority's consulting engineer, **AECOM**, has reviewed the bid proposals provided by **G.P. Jager, Inc.** and **Varec Biogas, Inc.** and has indicated that the bid proposal of **G.P. Jager, Inc.** has been deemed incomplete, nonconforming and nonresponsive based upon the failure to submit a copy of fully completed New Jersey Economic Development Authority Section 3 Compliance Documents with the submitted bid proposal and also taking exceptions with the scope of services as presented in the bid package documents for **Contract No. 19-30** making it an incomplete, nonconforming and nonresponsive bid and the bid proposal of **G.P. Jager, Inc.** is therefore deficient and the bid proposal of **Varec Biogas, Inc.** has been deemed incomplete, nonconforming and nonresponsive based upon the failure to submit a copy of fully completed New Jersey Economic Development Authority Section 3 Compliance Documents with the submitted bid proposal making it an incomplete, nonconforming and nonresponsive bid and the bid proposal of **Varec Biogas, Inc.** is therefore deficient; and

WHEREAS, the Authority's **Interim Qualified Purchasing Agent** and the Authority's consulting engineer, **AECOM**, have recommended that the bid proposals provided by **G.P. Jager, Inc** and **Varec Biogas, Inc.** be rejected for the reasons aforementioned; and

WHEREAS, no acceptable or responsive bid proposals were received by the Authority as of **March 6, 2020**, which was the date set forth in the Invitation to Bid for the receipt of bid proposals pursuant to and in accordance with **Contract 19-30**; and

WHEREAS, the Contract Documents and Bid Specifications constituting **Contract No. 19-30** provide that the Authority, as the contracting unit, reserves the right to reject any and all bids, including but not limited to, all nonconforming, nonresponsive or conditional bids; and

WHEREAS, the Authority's consulting engineer, **AECOM**, based upon its review of the bid proposals has indicated that during its review it was discovered that the bid specifications should be substantially revised and the Authority's consulting engineer, **AECOM**, further indicated that all bids should therefore be rejected so that the bid documents may be so revised to correct and provide for necessary critical characteristics for **Two (2) Digester Gas Flare Assemblies**, pursuant to and in accordance with **Contract No. 19-30** and so that **Contract No. 19-30** may then be re-advertised for bid proposals; and

WHEREAS, N.J.S.A. 40A:11-13.2(d) permits the Authority to reject any and all proposals when the contracting unit desires to substantially revise the specifications; and

WHEREAS, the Authority's **Interim Qualified Purchasing Agent** and the Authority's consulting engineer, **AECOM**, have recommended that all bid proposals received for **Contract No. 19-30** be rejected for the reasons aforementioned pursuant to and in accordance with N.J.S.A. 40A:11-13.2(d) so that the Authority may substantially revise the specifications for **Two (2) Digester Gas Flare Assemblies**, and re-advertise for solicitation of bid proposals for **Contract No. 19-30**; and

WHEREAS, based upon the above, the Board of Commissioners of the Authority are desirous of re-advertising for the solicitation of bid proposals for **Contract No. 19-30** pursuant to N.J.S.A. 40A:11-4 et seq., as an award of **Contract No. 19-30** 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. All bid proposals received for **Contract No. 19-30** shall be and are hereby rejected for the reasons set forth in this Resolution and pursuant to and in accordance with N.J.S.A. 40A:11-13.2(d).

2. The Authority's **Interim Qualified Purchasing Agent**, with the assistance of the Authority's consulting engineer, **AECOM**, shall be and is hereby authorized and directed to revise the bid documents to correct and provide for necessary critical technical information which is to be provided with any responsive bid for **Two (2) Digester Gas Flare Assemblies**, pursuant to and in accordance with **Contract No. 19-30**.

3. The Executive Director, or his designee, shall be and is hereby authorized to re-advertise for the solicitation of bid proposals for **Two (2) Digester Gas Flare Assemblies** pursuant to and in accordance with **Contract No. 19-30**.

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

20-2-024

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of March 26, 2020.



Michael Henwood
Secretary

Dated: March 26, 2020

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Bergen County Utilities Authority (the "Authority") solicited bid proposals for **Meter Chamber Access Hatch Replacement** pursuant to and in accordance with **Contract No. 204**; and

WHEREAS, the following three (3) bid proposals were received by the Authority for **Contract No. 204** on **March 17, 2020**, the date set forth in the Invitation to Bid for the receipt of bid proposals pursuant to and in accordance with **Contract No. 204**:

Vendor	Total Amount Bid
Iron Hills Construction Co., Inc. Wayne, NJ	\$24,600.00
T.R. Weniger, Inc. Piscataway, NJ	\$25,000.00
William Kohl Construction Lincroft, NJ	\$56,900.00

; and

WHEREAS, the Authority's **Director of Engineering** and the Authority's consulting engineer, **Boswell Engineering**, have reviewed the bid proposals and have recommended that **Iron Hills Construction Co., Inc.** be awarded **Contract No. 204** in accordance with N.J.S.A. 40:11-1 et seq., as the lowest complying and responsible bidder; and

WHEREAS, on the basis of the foregoing, the Authority has determined that **Iron Hills Construction Co., Inc.** constitutes the lowest complying and responsible bidder for **Contract No. 204**, in accordance with N.J.S.A. 40A:11-1 et seq.; and

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

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

WHEREAS, the Authority's Acting Treasurer 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. **Iron Hills Construction Co., Inc.** shall be and is hereby determined to be the lowest complying and responsible bidder for **Meter Chamber Access Hatch Replacement**, constituting **Contract No. 204** for an amount not to exceed the total sum of **\$24,600.00**.

2. The Chairman shall be and is hereby authorized to execute an agreement with **Iron Hills Construction Co., Inc.** of 17 Alpine Drive, Wayne, NJ 07470 for **Meter Chamber Access Hatch Replacement**, constituting **Contract No. 204** for an amount not to exceed the total sum of **\$24,600.00**.

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

4. The Acting Treasurer's Certification that funds are available shall be maintained on file at the Authority and made a part hereof.

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

6. A copy of this Resolution and the agreement executed pursuant to this Resolution, along with **Contract No. 204**, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by **Iron Hills Construction Co., Inc.** and the Authority.

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of March 26, 2020.



Michael Henwood
Secretary

Dated: March 26, 2020

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 3/26/2020

RESOLUTION #: 20-2-025

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

FUNDS AVAILABLE

X

FUNDS ARE NOT AVAILABLE

BUDGET ACCOUNT

CAPITAL OUTLAY

ORG: 15441000

OBJECT: 560100

VENDOR

IRON HILLS CONSTRUCTION CO., INC.

CONTRACT NUMBER

204

REASON

METER CHAMBER ACCESS HATCH REPLACEMENT

AMOUNT

\$24,600.00

CONTRACT LENGTH

TO COMPLETION

Matthew M Carter
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Bergen County Utilities Authority (the "Authority") solicited bid proposals for **Grounds Maintenance Services** for a **One (1) Year Period with Two (2) One (1) Year Options**, pursuant to and in accordance with **Contract No. 19-06**; and

WHEREAS, by way of Resolution 19-2-017 adopted March 28, 2019 by the Board of Commissioners of the Authority, **North Jersey Landscape Services, LLC** was determined to be the lowest complying and responsible bidder for **Grounds Maintenance Services**, constituting **Contract No. 19-06**, for a total contract price of **\$67,580.00** for the initial **One (1) Year Period**; and for a total contract price of **\$67,580.00** for each additional **One (1) Year Option** exercised by the Authority; and

WHEREAS, by way of Resolution 19-2-017 adopted March 28, 2019 by the Board of Commissioners of the Authority, the Chairman of the Board of Commissioners of the Authority was authorized to execute a contract with **North Jersey Landscape Services, LLC** for **Grounds Maintenance Services**, constituting **Contract No. 19-06** for a total contract price of **\$67,580.00** for the initial **One (1) Year Period**; and

WHEREAS, pursuant to the terms of **Contract No. 19-06**, the Authority has the option to extend the contract for **Grounds Maintenance Services** with **North Jersey Landscape Services, LLC** for an additional **One (1) Year Period** by exercising the first **One (1) Year Option** for the total sum of **\$67,580.00**; and

WHEREAS, pursuant to N.J.S.A. 40A:11-15, the Authority finds that **North Jersey Landscape Services, LLC** has performed **Contract No. 19-06** for **Grounds Maintenance Services** in an effective and efficient manner; and

WHEREAS, exercising the first **One (1) Year Option** of **Contract No. 19-06** with **North Jersey Landscape Services, LLC** for **Grounds Maintenance Services** is necessary for the efficient operation of the Authority; and

WHEREAS, the Acting Treasurer 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 Executive Director shall be and he is hereby authorized to execute a contract with **North Jersey Landscape Services, LLC** for **Grounds Maintenance Services**, pursuant to and in accordance with **Contract No. 19-06**, which contract exercises the first **One (1) Year Option** by the Authority to extend the term of **Contract No. 19-06** for an additional **One (1) Year Period** (commencing April 1, 2020 and expiring March 31, 2021) for the total sum of **\$67,580.00**.

2. All other terms of **Contract No. 19-06** shall remain in full force and effect without modification.

3. The Acting Treasurer'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.

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

5. A copy of this Resolution and the contract executed pursuant to this Resolution, along with **Contract No. 19-06**, shall be placed on file and made available for public inspection in the office of the Executive Director upon execution by **North Jersey Landscape Services, LLC** and the Authority.

6. The formal action(s) of the Commissioners of the Bergen County Utilities Authority embodied herein are expressly contingent upon and subject to the provisions of N.J.S.A. 40:14B-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 March 26, 2020.



Michael Henwood
Secretary

Dated: March 26, 2020

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 3/26/2020

RESOLUTION #: 20-2-026

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

BLDG & GRND OUTSOURCED

ORG: 15116000, 25116000

OBJECT: 531340

VENDOR

NORTH JERSEY LANDSCAPE SERVICES, LLC

CONTRACT NUMBER

19-06

REASON

GROUNDS MAINTENANCE SERVICES

EXERCISE OF FIRST ONE (1) YEAR OPTION

AMOUNT

\$67,580.00

CONTRACT LENGTH

APRIL 1, 2020 TO MARCH 31, 2021

Mathew M Carter

ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Bergen County Utilities Authority (the "Authority") solicited bid proposals for **Grounds Maintenance Services for a One (1) Year Period with Two (2) One (1) Year Options**, pursuant to and in accordance with **Contract No. 20-07**; and

WHEREAS, the following two (2) bid proposals were received by the Authority for **Contract No. 20-07** on **March 19, 2020**, the date set forth in the Invitation to Bid for the receipt of bid proposals pursuant to and in accordance with **Contract No. 20-07**:

Vendor	Total Amount Bid for One (1) Year
North Jersey Landcare Services, LLC Moonachie, NJ	\$95,500.00
Landscape Designs, Inc. Paramus, NJ	\$211,000.00

; and

WHEREAS, the Authority's **Interim Qualified Purchasing Agent** has reviewed the bid proposals submitted to the Authority by **North Jersey Landcare Services, LLC** and **Landscape Designs, Inc.** for **Contract No. 20-07** and has recommended that each of the bid proposals received for **Contract No. 20-07** be rejected as each of the bid proposals received were not reasonable as to price, on the basis of cost estimates prepared for or by the Authority prior to the advertising therefor and in accordance with N.J.S.A. 40A:11-13.2(a); and

WHEREAS, on the basis of the foregoing, the **Interim Qualified Purchasing Agent** determined that the bid proposals of **North Jersey Landcare Services, LLC** and **Landscape Designs, Inc.** for **Contract No. 20-07**, each received on March 19, 2020, were not reasonable as to price, on the basis of cost estimates prepared for or by the Authority prior to the advertising therefor, and the "lowest bid substantially exceeds the cost estimates for the goods or services" for **Contract No.20-07**, in accordance with N.J.S.A. 40A:11-13.2(a); and

WHEREAS, on the basis of the foregoing, the Authority's **Interim Qualified Purchasing Agent** has recommended that the bid proposals submitted to the Authority by **North Jersey Landcare Services, LLC** and **Landscape Designs, Inc.** for **Contract No. 20-07** be rejected for the reasons aforementioned.

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

1. The bid proposal of **North Jersey Landcare Services, LLC** submitted to the Authority on March 19, 2020 for **Contract No. 20-07** shall be and is hereby rejected as being not reasonable as to price on the basis of cost estimates prepared for or by the Authority prior to advertising therefor and in accordance with N.J.S.A. 40A:11-13.2(a).

2. The bid proposal of **Landscape Designs, Inc.** submitted to the Authority on March 19, 2020 for **Contract No. 20-07** shall be and is hereby rejected as being not reasonable as to price on the basis of cost estimates prepared for or by the Authority prior to advertising therefor and in accordance with N.J.S.A. 40A:11-13.2(a).

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

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of March 26, 2020.



Michael Henwood
Secretary

Dated: March 26, 2020

**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 forty-seven (47) municipalities in the County of Bergen serving approximately 575,000 people; and

WHEREAS, in furtherance of providing these essential services, the Board of Commissioners of the Authority, by Resolution 20-2-009 adopted February 27, 2020, appointed **Neglia Engineering Associates** to serve as **Site Work Engineer/Land Surveying Consultant** to the Authority for a One (1) Year Term or until a successor is selected or at the pleasure of the Authority, whichever shall first occur or be exercised; 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 **Neglia Engineering Associates** submitted a Statement of Qualifications and the Commissioners of the Authority determined that **Neglia Engineering Associates** is competent, qualified and experienced to serve as the Authority's **Site Work Engineer/Land Surveying Consultant**; and

WHEREAS, Resolution 20-2-009 Authorized the Chairman of the Board of Commissioners of the Authority to execute a contract by and between the Authority and **Neglia Engineering Associates** (the "Contract") memorializing the scope of services to be provided by **Neglia Engineering Associates** to the Authority, and performing such professional engineering services for the Authority on an as-needed basis as requested by the Authority, pursuant to which payment by the Authority to **Neglia Engineering Associates** is not to exceed the total sum of \$100,000.00 without further approval of the Board of Commissioners of the Authority; and

WHEREAS, the Contract was executed by and on behalf of the Authority and **Neglia Engineering Associates** on March 1, 2020; and

WHEREAS, subsequent to the execution of the Contract, the spread of Coronavirus 2019 ("COVID-19") within New Jersey created an imminent public health hazard, threatening and endangering the health, safety, and welfare of the residents of the State of New Jersey and Philip D. Murphy, the Governor of the State of New Jersey, in order to protect the health, safety and welfare of the people of the State of New Jersey, issued Executive Order 103 on March 9, 2020, declaring and proclaiming that a Public Health Emergency and State of Emergency exist in the State of New Jersey due to the existence and impact of COVID-19; and

WHEREAS, Philp D. Murphy, the Governor of the State of New Jersey, in light of the rapidly rising incidence of COVID-19 and in order to further protect the health, safety and welfare of the people of the State of New Jersey from the continuing rapid spread of COVID-19, issued Executive Order 107 on March 21, 2020, now commonly referred to as the "Stay at Home Order", ordering and directing, among other things, certain limitations on travel and the conducting of business operations, declaring therein that "[i]t shall be the duty of every person or entity in this State or doing business in this State and of the members of the governing body and every official, employee, or agent of every political subdivision in this State and of each member of all other governmental bodies, agencies, and authorities in this State of any nature whatsoever, to cooperate fully in all matters concerning [Executive Order 107]"; and

WHEREAS, COVID-19 created conditions which meet the definition of an emergency under N.J.S.A. 40A:11-6(a) and N.J.A.C. 5:34-6.1, requiring that needs be met immediately to protect the public health, safety and welfare; and

WHEREAS, because of said conditions, the Board of Commissioners of the Authority, in order for the Authority to provide for the continuous delivery of essential governmental services and in order to take action consistent with Executive Order 103 and Executive Order 107, adopted Resolution 20-1-026 on March 26, 2020, declaring a state of emergency at the Authority as of March 21, 2020 in order to protect and maintain the health, safety, and welfare of the Authority's employees and Bergen County residents and visitors; and

WHEREAS, it is now necessary and there exists the need for the Authority to commence preparation for, including the developing of plans to be implemented in response to, the impact of COVID-19 on the daily operations of the Authority and the providing of essential governmental services by the Authority; and

WHEREAS, **Neglia Engineering Associates**, has the available staff of engineers and other consultants and support personnel to be able to locally provide the Authority with any professional services as may be required in preparing for, and addressing the impact of, COVID-19 on the Authority; and

WHEREAS, **Neglia Engineering Associates**, known by the Authority to have the available staff of engineers and other consultants and support staff experienced with providing services relating to addressing the impact of events such as the rapid spread of COVID-19 resulting in the declaration of a state of emergency, by written correspondence dated March 24, 2020, advised the Authority that **Neglia Engineering Associates** is ready and available to provide services to the Authority associated with preparing for and responding to the impact of COVID-19 the operations of the Authority and requested that the Authority increase the compensation budget provided for by the Contract by the total sum of \$50,000.00 in order to provide funding for the providing of those services, resulting in an amended Contract compensation budget of an amount not to exceed the total sum of \$150,000.00; and

WHEREAS, the Executive Director of the Authority has determined that **Neglia Engineering Associates** has performed all services under the Contract in an effective and

efficient manner and has further determined that **Neglia Engineering Associates** has provided numerous and significant services to the Authority in an effective and efficient manner and has further determined that the work to be performed by **Neglia Engineering Associates** under the Contract as set forth in the written correspondence dated March 24, 2020 is essential to the proper and effective operation of the Authority and critical to the health, welfare and safety of the ratepayers and employees of the Authority; and

WHEREAS, the Executive Director of the Authority has reviewed the March 24, 2020 written correspondence of **Neglia Engineering Associates**, including the request of **Neglia Engineering Associates** to increase the compensation budget for the total compensation to be paid by the Authority to **Neglia Engineering Associates** under the Contract, and based upon that review and the above determinations, he has concluded and recommended that the Authority should amend the Contract to provide for these additional services related to the impact of COVID-19 on the operations of the Authority to be performed by **Neglia Engineering Associates** and further amended by increasing the budget for compensation to be paid by the Authority to **Neglia Engineering Associates** pursuant to the Contract in the total sum of \$50,000.00, resulting in an amended compensation budget under the Contract in an amount not to exceed the total sum of \$150,000.00 without further approval of the Board of Commissioners of the Authority; 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 Authority's Acting Treasurer has certified that funds are available for the modification of the Contract pursuant to this Resolution.

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

1. The Contract entered into by and between the Authority and **Neglia Engineering Associates** shall be and is hereby modified by the Authority and the Contract shall be modified to provide that the services to be performed by **Neglia Engineering Associates** pursuant thereto shall include those COVID-19 related services, including but not limited to preparation for, and developing of plans to be implemented in response to, the spread of COVID-19 as such services are identified in the March 24, 2020 written correspondence submitted by **Neglia Engineering Associates** to the Authority and the Contract shall be further modified to provide that the compensation to be paid by the Authority pursuant thereto shall be increased in the amount of \$50,000.00 and the total amount of compensation to now be paid by the Authority to **Neglia Engineering Associates** pursuant to the modified Contract shall not exceed the total sum of \$150,000.00 without further approval of the Board of Commissioners of the Authority.

2. The Chairman of the Authority shall be and is hereby authorized to execute a contract by and between the Authority and **Neglia Engineering Associates** modifying the Contract as approved and authorized by this Resolution, in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

3. A copy of this Resolution and the contract modifying the Contract 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 **Neglia Engineering Associates** and the Authority.

4. The Acting Treasurer's Certification that funds are available shall be placed on file and made available for public inspection at the Authority and made a part hereof.

5. A notice of this modification of the Contract 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 March 26, 2020.



Michael Henwood
Secretary

DATED: **March 26, 2020**

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 3/26/2020

RESOLUTION #: 20-2-028

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

FUNDS AVAILABLE IN THE OPERATING BUDGET AND ALSO AS MAY
APPLY PURSUANT TO N.J.S.A. 40A:4-46 et seq.

FUNDS ARE NOT AVAILABLE _____

BUDGET ACCOUNT COVID 19 ENGINEERING
ORG: 15500080
OBJECT: 599021

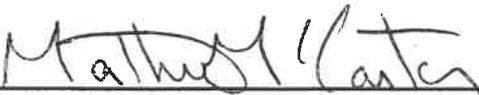
VENDOR NEGLIA ENGINEERING ASSOCIATES

CONTRACT NUMBER 20-2-009

REASON INCREASE IN ENGINEERING NEEDS TO INCLUDE
COVID19 RELATED SERVICES

AMOUNT \$50,000.00

CONTRACT LENGTH APRIL 1, 2020 TO FEBRUARY 28, 2021


ACTING TREASURER

BERGEN COUNTY UTILITIES AUTHORITY RESOLUTION

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

WHEREAS, the Bergen County Utilities Authority ("Authority") plays an important role in providing these essential services within the Authority's sewer service district, which is comprised of forty-seven (47) municipalities in the County of Bergen serving approximately 575,000 people; and

WHEREAS, in furtherance of providing these essential services, the Board of Commissioners of the Authority, by Resolution 20-2-010 adopted February 27, 2020, appointed **Arcadis US Inc.** to serve as **Special Environmental Engineer** to the Authority for a One (1) Year Term or until a successor is selected or at the pleasure of the Authority, whichever shall first occur or be exercised; 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 **ARCADIS U.S. Inc.** submitted a Statement of Qualifications and the Commissioners of the Authority determined that **ARCADIS U.S. Inc.** is competent, qualified and experienced to serve as the Authority's **Special Environmental Engineer**; and

WHEREAS, Resolution 20-2-010 Authorized the Chairman of the Board of Commissioners of the Authority to execute a contract by and between the Authority and **Arcadis US Inc.** (the "Contract") memorializing the scope of services to be provided by **Arcadis US Inc.** to the Authority, and performing such professional engineering services for the Authority on an as-needed basis as requested by the Authority, pursuant to which payment by the Authority to **Arcadis US Inc.** is not to exceed the total sum of \$300,000.00 without further approval of the Board of Commissioners of the Authority; and

WHEREAS, the Contract was executed by and on behalf of the Authority and **Arcadis US Inc.** on March 1, 2020; and

WHEREAS, subsequent to the execution of the Contract, the spread of Coronavirus 2019 COVID-19 within New Jersey created an imminent public health hazard, threatening and endangering the health, safety, and welfare of the residents of the State of New Jersey and Philip D. Murphy, the Governor of the State of New Jersey, in order to protect the health, safety and welfare of the people of the State of New Jersey, issued Executive Order 103 on March 9, 2020, declaring and proclaiming that a Public Health Emergency and State of Emergency exist in the State of New Jersey due to the existence and impact of COVID-19; and

WHEREAS, Philip D. Murphy, the Governor of the State of New Jersey, in light of the rapidly rising incidence of COVID-19 and in order to further protect the health, safety and

welfare of the people of the State of New Jersey from the continuing rapid spread of COVID-19, issued Executive Order 107 on March 21, 2020, now commonly referred to as the "Stay at Home Order", ordering and directing, among other things, certain limitations on travel and the conducting of business operations, declaring therein that "[i]t shall be the duty of every person or entity in this State or doing business in this State and of the members of the governing body and every official, employee, or agent of every political subdivision in this State and of each member of all other governmental bodies, agencies, and authorities in this State of any nature whatsoever, to cooperate fully in all matters concerning [Executive Order 107]"; and

WHEREAS, COVID-19 created conditions which meet the definition of an emergency under N.J.S.A. 40A:11-6(a) and N.J.A.C. 5:34-6.1, requiring that needs be met immediately to protect the public health, safety and welfare; and

WHEREAS, because of said conditions, the Board of Commissioners of the Authority, in order for the Authority to provide for the continuous delivery of essential governmental services and in order to take action consistent with Executive Order 103 and Executive Order 107, adopted Resolution 20-1-026 on March 26, 2020, declaring a state of emergency at the Authority as of March 21, 2020 in order to protect and maintain the health, safety, and welfare of the Authority's employees and Bergen County residents and visitors; and

WHEREAS, it is now necessary for the Authority to immediately commence efforts to apply for the Federal Emergency Management Agency ("FEMA") public assistance and related programs which will soon be administered as a result of the impact of COVID-19; and

WHEREAS, **Arcadis US Inc.**, known by the Authority to be experienced with FEMA public assistance and related programs, by written correspondence dated March 24, 2020, advised the Authority that **Arcadis US Inc.** is ready and available to provide services to the Authority associated with COVID-19 FEMA assistance and requested that the Authority increase the compensation budget provided for by the Contract by the total sum of \$50,000.00 in order to provide funding for the providing of those services, resulting in an amended Contract compensation budget of an amount not to exceed the total sum of \$350,000.00; and

WHEREAS, the Executive Director of the Authority has determined that **Arcadis US Inc.** has performed all services under the Contract in an effective and efficient manner and has further determined that **Arcadis US Inc.** has provided FEMA assistance related services to the Authority in an effective and efficient manner and has further determined that the work to be performed by **Arcadis US Inc.** under the Contract as set forth in the written correspondence dated March 24, 2020 is essential to the proper and effective operation of the Authority and critical to the health, welfare and safety of the ratepayers and employees of the Authority; and

WHEREAS, the Executive Director of the Authority has reviewed the March 24, 2020 written correspondence of **Arcadis US Inc.**, including the request of **Arcadis US Inc.** to increase the compensation budget for the total compensation to be paid by the Authority to

Arcadis US Inc. under the Contract, and based upon that review and the above determinations, he has concluded and recommended that the Authority should amend the Contract to provide for these additional FEMA COVID-19 services, to be performed by **Arcadis US Inc.** and further amended by increasing the budget for compensation to be paid by the Authority to **Arcadis US Inc.** pursuant to the Contract in the total sum of \$50,000.00, resulting in an amended compensation budget under the Contract in an amount not to exceed the total sum of \$350,000.00 without further approval of the Board of Commissioners of the Authority; 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 Authority's Acting Treasurer has certified that funds are available for the modification of the Contract pursuant to this Resolution.

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

1. The Contract entered into by and between the Authority and **Arcadis US Inc.** shall be and is hereby modified by the Authority and the Contract shall be modified to provide that the services to be performed by **Arcadis US Inc.** pursuant thereto shall include those FEMA COVID-19 related services, including but not limited to FEMA public assistance and related programs, as such services are identified in the March 24, 2020 written correspondence submitted by **Arcadis US Inc.** to the Authority and the Contract shall be further modified to provide that the compensation to be paid by the Authority pursuant thereto shall be increased in the amount of \$50,000.00 and the total amount of compensation to now be paid by the Authority to **Arcadis US Inc.** pursuant to the modified Contract shall not exceed the total sum of \$350,000.00 without further approval of the Board of Commissioners of the Authority.

2. The Chairman of the Authority shall be and is hereby authorized to execute a contract by and between the Authority and **Arcadis US Inc.** modifying the Contract as approved and authorized by this Resolution, in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

3. A copy of this Resolution and the contract modifying the Contract pursuant to this Resolution, shall be placed on file and made available for public inspection in the Office of the Executive Director, upon execution by **Arcadis US Inc.** and the Authority.

4. The Acting Treasurer's Certification that funds are available shall be placed on file and made available for public inspection at the Authority and made a part hereof.

5. A notice of this modification of the Contract 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 March 26, 2020.



Michael Henwood
Secretary

DATED: March 26, 2020

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 3/26/2020

RESOLUTION #: 20-2-029

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

FUNDS AVAILABLE IN THE OPERATING BUDGET AND ALSO AS MAY
APPLY PURSUANT TO N.J.S.A. 40A:4-46 et seq.

FUNDS ARE NOT AVAILABLE _____

BUDGET ACCOUNT COVID 19 ENGINEERING
ORG: 15500080
OBJECT: 599021

VENDOR ARCADIS U.S. INC.

CONTRACT NUMBER 20-2-010

REASON INCREASE IN ENGINEERING NEEDS TO INCLUDE
COVID19 RELATED SERVICES

AMOUNT \$50,000.00

CONTRACT LENGTH APRIL 1, 2020 TO FEBRUARY 28, 2021


ACTING TREASURER

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

WHEREAS, the negotiations committee for the Bergen County Utilities Authority (the "Authority") and Local 1040 of the Communication Workers of America, AFL-CIO (the "Union") met on a number of occasions where they exchanged proposals and counterproposals for the terms and conditions of a successor collective bargaining agreement and, as a result of these good faith negotiations, the Authority and the Union have successfully negotiated a successor collective bargaining agreement (the "2020 Contract") to the agreement that expired on December 31, 2019; and

WHEREAS, the 2020 Contract, effective January 1, 2020 through December 31, 2023, applies to all members of the Union who are subject thereto on an Authority-wide basis, and provides for and governs the establishment of wages and other terms and conditions of employment of the members of the Union; and

WHEREAS, the Authority believes the 2020 Contract is fiscally responsible while providing operational flexibility to enable the Authority to meet its various enforcement and other obligations; and

WHEREAS, the Board of Commissioners of the Authority deems it necessary for the efficient operation of the Authority to approve, confirm and ratify the 2020 Contract with the Union.

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

1. The 2020 Contract by and between the Authority and the Local 1040 of the Communication Workers of America, AFL-CIO, effective for the period of January 1, 2020 through December 31, 2023 and providing for and governing wages and other terms and/or conditions of employment with the Authority of those employees who are members of the Union, shall be and is hereby approved and ratified.

2. The Chairman shall be and is hereby authorized to execute the 2020 Contract in form and substance substantially similar to the 2020 Contract on file in the Authority offices in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

3. The Chairman and the Executive Director of the Authority shall be and are hereby authorized to take such actions as are required to meet the Authority's requirements and obligations under the 2020 Contract.

4. The formal action(s) of the Commissioners of The Bergen County Utilities Authority embodied herein are expressly contingent upon the ratification by Local 1040 and subject to the provisions of N.J.S.A. 40:14B-14(b).

20-3-004

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of March 26, 2020.



Michael Henwood, Secretary

Dated: March 26, 2020

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

WHEREAS, the negotiations committee for the Bergen County Utilities Authority (the "Authority") and Local 534 of the Utility Workers Union of America, AFL-CIO (the "Union") met on a number of occasions where they exchanged proposals and counterproposals for the terms and conditions of a successor collective bargaining agreement and, as a result of these good faith negotiations, the Authority and the Union have successfully negotiated a successor collective bargaining agreement (the "2020 Contract") to the agreement that expired on December 31, 2019; and

WHEREAS, the 2020 Contract, effective January 1, 2020 through December 31, 2024, applies to all members of the Union who are subject thereto on an Authority-wide basis, and provides for and governs the establishment of wages and other terms and conditions of employment of the members of the Union; and

WHEREAS, the Authority believes the 2020 Contract is fiscally responsible while providing operational flexibility to enable the Authority to meet its various enforcement and other obligations; and

WHEREAS, the Board of Commissioners of the Authority deems it necessary for the efficient operation of the Authority to approve, confirm and ratify the 2020 Contract with the Union.

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

1. The 2020 Contract by and between the Authority and the Local 534 of the Utility Workers Union of America, AFL-CIO, effective for the period of January 1, 2020 through December 31, 2024 and providing for and governing wages and other terms and/or conditions of employment with the Authority of those employees who are members of the Union, shall be and is hereby approved and ratified.

2. The Chairman shall be and is hereby authorized to execute the 2020 Contract in form and substance substantially similar to the 2020 Contract on file in the Authority offices in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

3. The Chairman and the Executive Director of the Authority shall be and are hereby authorized to take such actions as are required to meet the Authority's requirements and obligations under the 2020 Contract.

4. The formal action(s) of the Commissioners of The Bergen County Utilities Authority embodied herein are expressly contingent upon the ratification by Local 534 and subject to the provisions of N.J.S.A. 40:14B-14(b).

20-3-005

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of March 26, 2020.



Michael Henwood, Secretary

Dated: March 26, 2020

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

WHEREAS, the negotiations committee for the Bergen County Utilities Authority (the "Authority") and The Bergen County Utilities Authority Supervisors' Association (the "SA") met on a number of occasions where they exchanged proposals and counterproposals for the terms and conditions of a successor collective bargaining agreement and, as a result of these good faith negotiations, the Authority and the SA have successfully negotiated a successor collective bargaining agreement (the "2020 Contract") to the agreement that expired on December 31, 2019; and

WHEREAS, the 2020 Contract, effective January 1, 2020 through December 31, 2023, applies to all members of the SA who are subject thereto on an Authority-wide basis, and provides for and governs the establishment of wages and other terms and conditions of employment of the members of the SA; and

WHEREAS, the Authority believes the 2020 Contract is fiscally responsible while providing operational flexibility to enable the Authority to meet its various enforcement and other obligations; and

WHEREAS, the Board of Commissioners of the Authority deems it necessary for the efficient operation of the Authority to approve, confirm and ratify the 2020 Contract with the SA.

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

1. The 2020 Contract by and between the Authority and the The Bergen County Utilities Authority Supervisors' Association, effective for the period of January 1, 2020 through December 31 2023 and providing for and governing wages and other terms and/or conditions of employment with the Authority of those employees who are members of the SA, shall be and is hereby approved and ratified.

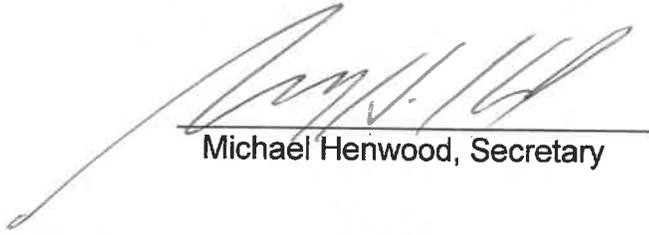
2. The Chairman shall be and is hereby authorized to execute the 2020 Contract in form and substance substantially similar to the 2020 Contract on file in the Authority offices in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

3. The Chairman and the Executive Director of the Authority shall be and are hereby authorized to take such actions as are required to meet the Authority's requirements and obligations under the 2020 Contract.

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

20-3-006

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of March 26, 2020.

A handwritten signature in black ink, appearing to read "Michael Henwood", is written over a horizontal line.

Michael Henwood, Secretary

Dated: March 26, 2020

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, the Bergen County Utilities Authority (the "Authority") recently engaged in negotiations with the respective committees for the Local 1040 of the Communication Workers of America, AFL-CIO and Local 534 of the Utility Workers Union of America, AFL-CIO (the "Unions") where they exchanged proposals and counterproposals for the terms and conditions of a successor collective bargaining agreements and, as a result of these good faith negotiations, the Authority and the Unions successfully negotiated successor collective bargaining agreements for each of the respective Unions (the "2020 Contracts"); and

WHEREAS, the 2020 Contracts for each of the respective Unions applies to all members of each of the respective Unions who are subject thereto on an Authority-wide basis, and provides for and governs the establishment of wages and other terms and conditions of employment of the members of the Union; and

WHEREAS, the Authority believes that each of the 2020 Contracts is fiscally responsible while providing operational flexibility to enable the Authority to meet its various enforcement and other obligations; and

WHEREAS, the Authority further believes that for FY/CY 2020-2024, the benefits provided to Non-Bargaining Unit employees of the Authority should be identical, including employee contributions thereto, to those benefits that are provided by the Authority to members of the respective Unions pursuant to the terms of the 2020 Contracts, effective as of January 1, 2020; and

WHEREAS, the Board of Commissioners of the Authority deems it necessary for the efficient operation of the Authority to adopt this Resolution.

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

1. Effective January 1, 2020, and continuing for the entirety of the period of FY/CY 2020-2024, the benefits provided by the Authority to Non-Bargaining Unit employees of the Authority shall be identical, including employee contributions thereto, to those benefits provided by the Authority to all members of the respective Unions pursuant to the terms of the 2020 Contracts.

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

20-3-007

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of March 26, 2020.



Michael Henwood
Board Secretary

DATED: March 26, 2020

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, the Bergen County Utilities Authority (the "Authority") is a county utilities authority organized and existing pursuant to the Municipal and County Utilities Authority Law, N.J.S.A. 40:14B-1 et seq., to provide the necessary governmental services enumerated in N.J.S.A. 40:14B-2 in the County of Bergen, including but not limited to the collection, treatment and disposal of storm water and waste water; and

WHEREAS, the Borough of Teterboro (the "Municipality", and collectively with the Authority, the "Parties") is a municipal corporation of the State of New Jersey, organized pursuant to N.J.S.A. 40:79-1 et seq., and authorized to provide essential municipal services to protect the public health, safety and welfare of its inhabitants; and

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 Reports prepared, approved and signed by a Certified Recycling Professional ("CRP"); and

WHEREAS, the REA further requires that the Annual Recycling Tonnage Reports must be submitted via electronic mail to the New Jersey Department of Environmental Protection (the "NJDEP"), utilizing a specified spreadsheet provided by the NJDEP, on or before April 30th of each calendar year; and

WHEREAS, the Parties are desirous of entering into an Intergovernmental Agreement, providing for the Municipality retaining the Authority for the providing of CRP services, including the preparing, signing and submitting of the above referenced Annual Recycling Tonnage Report to the NJDEP and for the providing of other ancillary CRP services by the Authority to the Municipality as outlined in the Intergovernmental Agreement; 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 the Municipality, to enter into an Intergovernmental 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).

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 an Intergovernmental Agreement with the Borough of Teterboro in such final form as is acceptable to the Authority, as evidenced by the Executive Director's signature thereon, providing for the Borough of Teterboro retaining the Authority for the providing of Certified Recycling Professional services, including the preparing, signing and submitting of the above referenced Annual Recycling Tonnage Report to the NJDEP, and for the providing of other ancillary

20-6-003

Certified Recycling Professional services by the Authority to the Borough of Teterboro as outlined in the Intergovernmental Agreement.

2. A copy of this Resolution, and the Intergovernmental 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 the Authority and the Borough of Teterboro.

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 March 26, 2020.



Michael Henwood
Secretary

Dated: March 26, 2020