

**BERGEN COUNTY UTILITIES AUTHORITY  
MINUTES OF THE REGULAR MEETING  
DECEMBER 17, 2015**

**In the matter of the 441<sup>st</sup> Regular Meeting of  
The Bergen County Utilities Authority**

1. The **proof of meeting notice** calling the December 17, 2015 meeting was read into the record by Michael Henwood, Board Secretary.

2. Roll Call:

**COMMISSIONERS PRESENT:**

Ronald Phillips, Chairman

Lou DeLisio, Vice Chairman

Catherine T. Bentz, Commissioner

Bruce Bonaventuro, Commissioner

James I. Cassella, Commissioner

Paul A. Juliano, Commissioner

Richard D. Schooler, Commissioner

Jon Warms, Commissioner

George P. Zilocchi, Commissioner

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

3. Motion that the Minutes covering the November 23, 2015 Work Session be approved was moved by Commissioner Schooler and Seconded by Commissioner Juliano and was carried. Commissioner's Bonaventuro and Warms abstained.

4. Chairman Phillips opened the meeting to the public and asked if anyone present wished to be heard. No members of the public wished to speak. The meeting was closed to the public.

5. FINANCE AND LEGAL COMMITTEE:

Resolution 15-1-048– Approve bills and the claims supported by vouchers totaling \$5,033,052.64 for the month of December and authorize the Acting Treasurer to issue the necessary checks therefor, and to charge the accounts indicated, all as more fully set forth on the Acting Treasurer's check list. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-1-049– Resolution designating the "Official" newspapers for 2016. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-1-050– Resolution to Establish the Annual Schedule of Meetings for 2016. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-1-051– Resolution approving five cent (\$0.05) charge to cover expenses for Notices of Meeting Schedule. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-1-052– Approve Adoption of the 2016 Solid Waste Management Budget. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-1-053– Approve Adoption of the 2016 Water Pollution Control Budget. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-1-054– Resolution to adopt 2016 Solid Waste Disposal Schedule of charges. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-1-055– Resolution to adopt the 2016 Schedule of Wastewater User Charges. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-1-056– Appointment of Dominic DiSalvo as custodian of the Safety Shoe Petty Cash Fund. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

6. CONSTRUCTION & ENGINEERING COMMITTEE:

Resolution 15-2-068 – Authorization to Endorse Treatment Works Approval Applications. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-2-069 – Approve Change Order No. 1 for Contract C-189 (rebid) to PKF – Mark III, Inc. – Replacement of Feeders N2, MCC 4-A and MCC 4-B. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-2-070 – Award Contract 15-32 to Maumee Express Inc.- Household Hazardous Waste Collection, Transportation and Disposal Two (2) Years With Two (2) One (1) Year Options. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-2-071 – Award Contract C-191 to CMS Construction Inc. – Concrete Repairs of Primary Settling Tanks No. 5 & 6. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-2-072– Award Contract 15-36 (Rebid) to Atlantic Analytical Laboratory, L.L.C. - Digester Gas Pretreatment Testing (2 Years). Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

7. PERSONNEL & ADMINISTRATION COMMITTEE:

Resolution 15-3-010 – Approve Renewal of Third Party Administration Service Agreement with IDA for the BCUA Self Insurance Health Benefits for a one (1) year term. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-3-011 – Approve Renewal of Cafeteria Plan Section 125 Flexible Spending Account Administration Service Agreement with IDA for a one (1) year term. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-3-012 – Approve Renewal of Third Party Administration Service Agreement with Delta Dental of New Jersey, Inc. for a one (1) year term. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-3-013 – Establish Title – Manager of Safety Training and Compliance. U.U.A.E. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-3-014 – Express Appreciation to Eric Andersen, P.E. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

8. Chairman Phillips announced a short recess to allow time for the Board Secretary to prepare minutes of this Regular Meeting.
9. Chairman Phillips announced the Regular Meeting would reconvene.
10. The Board Secretary then distributed proposed minutes of the December 17, 2015 regular Meeting for review by the Commissioners.
11. Move to approve the Minutes of the Regular Meeting of December 17, 2015 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

BERGEN COUNTY UTILITIES AUTHORITY  
 Minutes of the Regular Meeting  
 December 17, 2015

adopt the Minutes of the Regular Meeting December 17, 2015 was made by Commissioner Zilocchi and second by Commissioner Schooler and was unanimously carried.

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

Resolution #	15-1-048	15-1-049	15-1-050	15-1-051	15-1-052	15-1-053	15-1-054
Chairman Phillips	Y	Y	Y	Y	Y	Y	Y
V. Chair. DeLisio	Y	Y	Y	Y	Y	Y	Y
Comm. Bentz	Y	Y	Y	Y	Y	Y	Y
Comm. Bonaventuro	A	A	A	A	A	A	A
Comm. Cassella	Y	Y	Y	Y	Y	Y	Y
Comm. Juliano	Y	Y	Y	Y	Y	Y	Y
Comm. Schooler	Y	Y	Y	Y	Y	Y	Y
Comm. Warms	A	A	A	A	A	A	A
Comm. Zilocchi	Y	Y	Y	Y	Y	Y	Y

Resolution #	15-1-055	15-1-056	15-2-068	15-2-069	15-2-070	15-2-071	15-2-072
Chairman Phillips	Y	Y	Y	Y	Y	Y	Y
V. Chair. DeLisio	Y	Y	Y	Y	Y	Y	Y
Comm. Bentz	Y	Y	Y	Y	Y	Y	Y
Comm. Bonaventuro	A	A	A	A	A	A	A
Comm. Cassella	Y	Y	Y	Y	Y	Y	Y
Comm. Juliano	Y	Y	Y	Y	Y	Y	Y
Comm. Schooler	Y	Y	Y	Y	Y	Y	Y
Comm. Warms	A	A	A	A	A	A	A
Comm. Zilocchi	Y	Y	Y	Y	Y	Y	Y

Resolution #	15-3-010	15-3-011	15-3-012	15-3-013	15-3-014
Chairman Phillips	Y	Y	Y	Y	Y
V. Chair. DeLisio	Y	Y	Y	Y	Y
Comm. Bentz	Y	Y	Y	Y	Y
Comm. Bonaventuro	A	A	A	A	Y
Comm. Cassella	Y	Y	Y	Y	Y
Comm. Juliano	Y	Y	Y	Y	Y
Comm. Schooler	Y	Y	Y	Y	Y
Comm. Warms	A	A	A	A	Y
Comm. Zilocchi	Y	Y	Y	Y	Y

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

Respectfully submitted,

Michael Henwood  
 Board Secretary

December 17, 2015

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, the New Jersey Open Public Meetings Act (N.J.S.A. 10:4-6 et seq.) requires that public bodies, such as the Authority, designate two newspapers as being the official newspapers of the Authority, which newspapers have the greatest likelihood of informing the public within the Authority's jurisdiction of its meetings, for the purpose of receiving adequate notice as defined and prescribed by N.J.S.A. 10:4-8(d); and

**WHEREAS**, The Record and The North Jersey Herald News constitute qualified newspapers to serve as legal or "Official" newspapers within the meaning of N.J.S.A. 35:1-2; and

**NOW THEREFORE BE IT RESOLVED** by the Commissioners of The Bergen County Utilities Authority that The Record and The North Jersey Herald News be and are hereby designated by the Authority as authorized to receive notices required by N.J.S.A. 10:4-8(d);

**BE IT FURTHER RESOLVED** by the Commissioners of The Bergen County Utilities Authority that, effective for the year commencing January 1, 2016 The Record and The North Jersey Herald News shall be and are hereby designated as the Authority's official newspapers; 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(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 December 17, 2015.

  
\_\_\_\_\_  
Michael Henwood  
Secretary

**Dated: December 17, 2015**

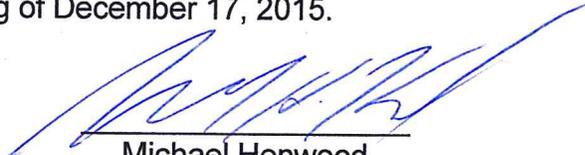
**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**BE IT RESOLVED** by the Commissioners of The Bergen County Utilities Authority that the **Annual Schedule of Meetings for the Year Commencing January 1, 2016** 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, 2016 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 December 17, 2015.



\_\_\_\_\_  
Michael Henwood  
Secretary

**Dated: December 17, 2015**



**Bergen County Utilities Authority**  
**2016 Meeting Dates**

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

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

<b>Thursday</b>	<b>January 28</b>	<b>Work Session &amp; Regular</b>
<b>Thursday</b>	<b>February 25</b>	<b>Work Session &amp; Regular</b>
<b>Thursday</b>	<b>March 24</b>	<b>Work Session &amp; Regular</b>
<b>Thursday</b>	<b>April 28</b>	<b>Work Session &amp; Regular</b>
<b>Thursday</b>	<b>May 26</b>	<b>Work Session &amp; Regular</b>
<b>Thursday</b>	<b>June 23</b>	<b>Work Session &amp; Regular</b>
<b>Thursday</b>	<b>July 28</b>	<b>Work Session &amp; Regular</b>
<b>Thursday</b>	<b>August 25</b>	<b>Work Session &amp; Regular</b>
<b>Thursday</b>	<b>September 22</b>	<b>Work Session &amp; Regular</b>
<b>Thursday</b>	<b>October 27</b>	<b>Work Session &amp; Regular</b>
<b>Monday</b>	<b>November 21</b>	<b>Work Session &amp; Regular</b>
<b>Thursday</b>	<b>December 22</b>	<b>Work Session &amp; Regular</b>

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, the Open Public Meetings Act (N.J.S.A. 10:4-6 et seq., the ("Act")) became law on January 19, 1976; and

**WHEREAS**, N.J.S.A. 10:4-19 provides that any person may request that The Bergen County Utilities Authority mail copies of any regular meeting schedule revision and any advance written notice of any regular, special or rescheduled meeting or provide advance written notice, pursuant to Section 3(d) of the Act; and

**WHEREAS**, the Act allows The Bergen County Utilities Authority to require prepayment by such person of a reasonable sum to cover the costs of providing such notice; and

**WHEREAS**, the Act further provides that the resolution establishing the charge to cover the costs of reproduction and mailing the notices sought by the news media may be mailed to the news media free of charge;

**NOW, THEREFORE, BE IT RESOLVED** that, for one year commencing January 1, 2016, The Bergen County Utilities Authority hereby establishes that to all other persons other than The Record and The North Jersey Herald and News, the reasonable charge for notices requested pursuant to N.J.S.A. 10:4-19 shall be five cents (\$.05) per notice to cover the costs of reproduction and mailing; 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(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 December 17, 2015.



Michael Henwood  
Secretary

**Dated: December 17, 2015**

# 2016 ADOPTED BUDGET RESOLUTION BERGEN COUNTY UTILITIES AUTHORITY

**FISCAL YEAR: FROM:** January 1, 2016 **TO:** December 31, 2016

WHEREAS, the Water Pollution Control System Annual Budget and Capital Budget/Program for the Bergen County Utilities Authority for the fiscal year beginning January 1, 2016 and ending, December 31, 2016 has been presented for adoption before the governing body of the Bergen County Utilities Authority at its open public meeting of December 17, 2016; and

WHEREAS, the Water Pollution Control System Annual Budget and Capital Budget as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services; and

WHEREAS, the Water Pollution Control System Annual Budget as presented for adoption reflects Total Revenues of \$ 74,401,509 Total Appropriations, including any Accumulated Deficit, if any, of \$74,401,509 and Total Unrestricted Net Position utilized of \$0; and

WHEREAS, the Capital Budget as presented for adoption reflects Total Capital Appropriations of \$8,050,000 and Total Unrestricted Net Position planned to be utilized of \$0; and

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Bergen County Utilities Authority, at an open public meeting held on December 17, 2015 that the Water Pollution Control System Annual Budget and Capital Budget/Program of the Bergen County Utilities Authority for the fiscal year beginning, January 1, 2016 and, ending, December 31, 2016 is hereby adopted and shall constitute appropriations for the purposes stated; and

BE IT FURTHER RESOLVED, that the Water Pollution Control System Annual Budget and Capital Budget/Program as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services.

  
\_\_\_\_\_  
(Secretary's Signature)

12-17-15  
(Date)

Governing Body  
Member:

**Recorded Vote:**

COMMISSIONERS	AYE	NO	ABSTAIN	NOT PRESENT
Ronald Phillips	X			
Louis DeLisio	X			
Catherine T. Bentz	X			
Bruce Bonaventuro			X	
James I. Cassella	X			
Paul A. Juliano	X			
Richard D. Schooler	X			
Jon Warms			X	
George P. Zilocchi	X			

## 2016 ADOPTED BUDGET RESOLUTION BERGEN COUNTY UTILITIES AUTHORITY

**FISCAL YEAR: FROM: January 1, 2016 TO: December 31, 2016**

WHEREAS, the Solid Waste Division Annual Budget and Capital Budget/Program for the Bergen County Utilities Authority for the fiscal year beginning January 1, 2016 and ending, December 31, 2016 has been presented for adoption before the governing body of the Bergen County Utilities Authority at its open public meeting of December 17, 2016; and

WHEREAS, the Solid Waste Division Annual Budget and Capital Budget as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services; and

WHEREAS, the Solid Waste Division Annual Budget as presented for adoption reflects Total Revenues of \$ 7, 559, 765 Total Appropriations, including any Accumulated Deficit, if any, of \$8,637,636 and Total Unrestricted Net Position utilized of \$1,077,871; and

WHEREAS, the Capital Budget as presented for adoption reflects Total Capital Appropriations of \$0 and Total Unrestricted Net Position planned to be utilized of \$0; and

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Bergen County Utilities Authority, at an open public meeting held on December 17, 2015 that the Solid Waste Division Annual Budget and Capital Budget/Program of the Bergen County Utilities Authority for the fiscal year beginning, January 1, 2016 and, ending, December 31, 2016 is hereby adopted and shall constitute appropriations for the purposes stated; and

BE IT FURTHER RESOLVED, that the Solid Waste Division Annual Budget and Capital Budget/Program as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services.

  
\_\_\_\_\_  
(Secretary's Signature)

12-17-15  
\_\_\_\_\_  
(Date)

Governing Body  
Member:

**Recorded Vote:**

COMMISSIONERS	AYE	NO	ABSTAIN	NOT PRESENT
Ronald Phillips	X			
Louis DeLisio	X			
Catherine T. Bentz	X			
Bruce Bonaventuro			X	
James I. Cassella	X			
Paul A. Juliano	X			
Richard D. Schooler	X			
Jon Warms			X	
George P. Zilocchi	X			

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**BE IT RESOLVED** by the Commissioners of The Bergen County Utilities Authority that the below listed schedule of charges for the Solid Waste Division for the year ending December 31, 2016 be adopted, effective January 1, 2016.

**Conditionally, Exempt Small Quantity Generator  
Hazardous Waste Disposal Rates**

The Authority hereby proposes the following Conditionally Exempt Small Quantity Generator Hazardous Waste Disposal Charges to be charged for the Authority's Household Hazardous Waste Collection Programs:

CONDITIONALLY EXEMPT SMALL QUANTITY                      \$.01 PER POUND TO  
GENERATOR HAZARDOUS WASTE DISPOSAL RATE              \$100.00 PER POUND

**Computer and Computer Related Equipment  
Recycling Charges**

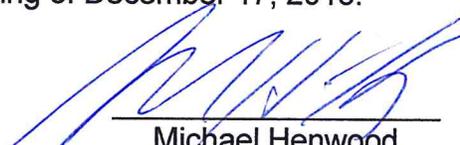
The Authority hereby proposes the following Recycling Charges to be charged for the delivery of computer and computer related equipment at the BCUA Computer Recycling Program, subject to prevailing market conditions:

COMPUTER AND COMPUTER RELATED                              \$.00 PER POUND TO  
EQUIPMENT    \$10.00 PER POUND

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(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 December 17, 2015.

  
\_\_\_\_\_  
Michael Henwood  
Board Secretary

**Dated:            December 17, 2015**

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**BE IT RESOLVED** by the Commissioners of The Bergen County Utilities Authority that the below listed schedule of Wastewater User Charges for the Authority's Water Pollution Control Division for the year 2016 be adopted, effective January 1, 2016 through December 31, 2016.

Operation and Maintenance - Flow	\$1,244.93 Per Million Gallons
Operation and Maintenance - B.O.D.	\$344.90 Per Thousand Pounds
Operation and Maintenance - S.S.	\$316.26 Per Thousand Pounds

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(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 December 17, 2015.

  
\_\_\_\_\_  
Michael Henwood  
Board Secretary

**Dated: December 17, 2015**

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, Eric Andersen was custodian of the Operations Department Petty Cash Fund, and

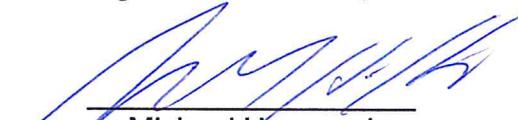
**WHEREAS**, in accordance with N.J.S.A. 40:5-21, the Bergen County Utilities Authority is changing custodians to Dominic DiSalvo; and

**WHEREAS**, Dominic DiSalvo is being bonded in the amount of \$2,500 by virtue of a surety bond.

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

1. Dominic DiSalvo shall be and is hereby designated as custodian of the Finance Department Petty Cash Fund.
2. Two (2) copies of this resolution shall be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of December 17, 2015.

  
\_\_\_\_\_  
Michael Henwood  
Secretary

**Dated: December 17, 2015**

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

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

**WHEREAS**, in accordance with N.J.S.A. 7:14A-22 *et. seq.* the persons who propose to build, install or modify treatment works that require the New Jersey Department of Environmental Protection (NJDEP) approval pursuant to N.J.S.A. 7:14-22 *et. seq.* are required to submit a Treatment Works Approval (TWA) application to the NJDEP which application shall include a WQM-003 form; and

**WHEREAS**, if acceptable to the owner of the receiving wastewater treatment facility, the TWA application WQM-003 form shall be endorsed by the owner of the receiving wastewater treatment facility; and

**WHEREAS**, the Bergen County Utilities Authority is the owner of the Little Ferry Water Pollution Control Facility and Edgewater Water Pollution Control Facility; and

**WHEREAS**, the Commissioners of The Bergen County Utilities Authority are desirous of granting to the Executive Director or, in his absence, the Director of Engineering authority to endorse the WQM-003 form; and

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

1. That the Executive Director or, in his absence, the Director of Engineering of the Authority be and is hereby authorized to execute and endorse the WQM-003 form, a copy of which is on file in the office of the Director of Engineering.
2. The formal action(s) of the Commissioners of the Bergen County Utilities Authority embodied herein are expressly contingent upon and subject to the provisions of N.J.S.A. 40:14B-14(b).

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of December 17, 2015.

  
\_\_\_\_\_  
Michael Henwood  
Secretary

**Dated: December 17, 2015**

**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 **Replacement of Feeders N-2, MCC 4-A and MCC 4-B**, pursuant to and in accordance with **Contract No. 189 (Rebid)**; and

**WHEREAS**, on December 18, 2014, the Board of Commissioners of the Authority adopted Resolution 14-2-064 authorizing the execution of an agreement with **PKF-Mark III, Inc.** for the **Replacement of Feeders N-2, MCC 4-A and MCC 4-B**, constituting **Contract No. C-189 (Rebid)** for a total sum of **\$532,000.00**; and

**WHEREAS**, the Authority, subsequent to the awarding of **Contract C-189 (Rebid)** to **PKF-Mark III, Inc.**, determined that additional items were required to be purchased and installed in order to complete the **Replacement of Feeders N-2, MCC 4-A and MCC 4-B**, and this subsequent discovery was not observed and could not have been observed prior to the soliciting of bid proposals for **Replacement of Feeders N-2, MCC 4-A and MCC 4-B** and the awarding of **Contract C-189 (Rebid)** to **PKF-Mark III, Inc.**; and

**WHEREAS**, **PKF-Mark III, Inc.** has submitted to the Authority a change order proposal dated November 18, 2015 ("Change Order No. 1"), requesting an increase in the total sum of **\$490.17**, which sum shall fully satisfy the increased costs for the quantity adjustments and additional items installed to complete all additional work under **Contract No. C-189 (Rebid)** as requested by the Authority:

**WHEREAS**, the Authority's **Chief Engineer/Director of Water Pollution and Qualified Purchasing Agent** and the Authority's **Consulting Engineer, Alaimo Group**, have reviewed, approved and recommended Change Order No. 1 submitted by **PKF-Mark III, Inc.** to Process the Net Increase in the sum of **\$490.17** for the **Replacement of Feeders N-2, MCC 4-A and MCC 4-B**, in accordance with **Contract C-189 (Rebid)**, for a total amended sum of **\$532,490.17**; and

**WHEREAS**, Change Order No. 1 to Process the Net Increase in the sum of **\$490.17** is necessary for the efficient operation of the Authority; and

**WHEREAS**, **PKF-Mark III, Inc.** has submitted payment application no. 4 to the Authority in the total sum of **\$43,960.17**, which payment application is the final payment application to be submitted to the Authority by **PKF-Mark III, Inc.** pursuant to and in accordance with **Contract C-189 (Rebid)** and includes request for payment of Change Order No. 1 submitted to the Authority by **PKF-Mark III, Inc.**; and

15-2-069

**WHEREAS**, the aforesaid Change Order No. 1 to Process the Net Increase in the sum of **\$490.17** is necessary for the efficient operation of the Authority; and

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

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

1. The Executive Director, or his designee, shall be and is hereby authorized to execute Change Order No. 1 to Process the Net Increase in the sum of **\$490.17** as stated in the November 18, 2015 change order proposal of **PKF-Mark III, Inc.** for the **Replacement of Feeders N-2, MCC 4-A and MCC 4-B** in accordance with the terms of **Contract C-189 (Rebid)** for an adjusted total amended sum of **\$532,490.17**.

2. A copy of this Resolution and the change order to Process the Net Increase in the sum of \$490.17 shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by PKF-Mark III, Inc. and the Authority.

3. The total aggregate amount awarded together with this amendment shall not exceed the sum of \$532,490.17 without further action by the Board of Commissioners of the Authority.

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

5. A notice of this amendment 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-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 December 17, 2015.

  
\_\_\_\_\_  
Michael Henwood  
Secretary

**Dated: December 17, 2015**

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 12/17/2015

RESOLUTION #: 15-2-069

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 2014 WPC Bond Issue

VENDOR PFS-MRK III, INC.

CONTRACT NUMBER C 189 CHANGE ORDER # 1

REASON REPLACEMENT OF FEEDERS N-2, MCC 4-A AND  
MCC 4-B

AMOUNT \$490.17

CONTRACT LENGTH CONSTRUCTION PROJECT TO COMPLETION

  
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, on prior occasion, upon advertisement and pursuant to specifications, the Bergen County Utilities Authority (the "Authority") solicited bid proposals for **Household Hazardous Waste Collection, Transportation and Disposal Services – Two (2) Year Contract with Two (2) One (1) Year Options**, pursuant to and in accordance with **Contract No. 15-32**; and

**WHEREAS**, the following three (3) bid proposals were received by the Authority on **November 17, 2015**, for **Contract No. 15-32**:

Vendor	Total Amount Bid for Two (2) Years
Care Environmental Corp. Dover, NJ	\$824,600.00
Maumee Express Inc. Abingdon, VA	\$934,500.00
Clean Venture, Inc. Elizabeth, NJ	\$1,454,000.00

; and

**WHEREAS**, the Authority's **Qualified Purchasing Agent** has indicated that the bid proposal of **Care Environmental Corp.** has been deemed incomplete, nonresponsive and nonconforming based upon the submission by **Care Environmental Corp.** of a bid proposal failing to fully comply with numerous requests and requirements expressly set forth and contained in the Contract Documents and Bid Specifications constituting **Contract 15-32**, which failures and deficiencies include, but are not limited to:

- Failing to provide the required confirmation of qualifications to "unload sixteen (16) vehicles at a time at the Paramus location";
- Failed to include the required Disposal Location for Asbestos, Oxidizers, Photographic Chemicals, Reactives, Smoke Detectors, and Waxes/Films/Abrasives;
- Failed to include the required business registration certificate for each and every subcontractor listed as participating in the performance of work required under **Contract 15-32**; and
- Failed to include the required current licenses, including but not limited to its current State of New Jersey A-901 license,

making it an incomplete and nonresponsive bid subject to rejection as well as a nonconforming and nonresponsive bid constituting a non-waivable, incurable, material deviation from the Contract Documents and Bid Specifications constituting **Contract 15-32**, and the incomplete, nonresponsive and nonconforming bid proposal of **Care Environmental Corp.** is therefore deficient requiring rejection by the Authority; and

15-2-070

**WHEREAS**, the Authority's **Qualified Purchasing Agent** has recommended that the bid proposal of **Care Environmental Corp.** be rejected for the reasons aforementioned; and

**WHEREAS**, the Authority's **Qualified Purchasing Agent** and **Director of Solid Waste and Information Technology Systems** has further reviewed submitted by each of the above listed bidders and, based upon that review, have recommended that **Maumee Express Inc.** should be awarded **Contract No. 15-32** in accordance with N.J.S.A. 40A:11-1 et seq., as the lowest complying and responsible bidder; and

**WHEREAS**, on the basis of the foregoing, the Authority has determined that **Maumee Express Inc.** constitutes the lowest complying and responsible bidder for **Contract No. 15-32**, 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. The bid of **Care Environmental Corp.** shall be and is hereby rejected as being an incomplete and non-conforming bid, constituting a non-waivable, incurable, material deviation from **Contract No. 15-32**.

2. **Maumee Express Inc.** shall be and is hereby determined to be the lowest complying and responsible bidder for **Household Hazardous Waste Collection, Transportation and Disposal Services – Two (2) Year Contract with Two (2) One (1) Year Options**, constituting **Contract No. 15-32** for a total sum of **\$934,500.00**.

3. The Chairman shall be and he is hereby authorized to execute an agreement with **Maumee Express Inc.** for **Household Hazardous Waste Collection, Transportation and Disposal Services – Two (2) Year Contract with Two (2) One (1) Year Options**, constituting **Contract No. 15-32** for a total sum of **\$934,500.00**.

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

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

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

**15-2-070**

7. A copy of this Resolution and the agreement executed pursuant to this Resolution, along with Contract No. 15-32, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by Maumee Express Inc. and the Authority.

8. 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 December 17, 2015.



\_\_\_\_\_  
Michael Henwood  
Secretary

**Dated: December 17, 2015**

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 12/17/2015

RESOLUTION #: 15-2-070

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

S-530-52510-000 / S-530-52520-000  
2011 REA GRANT, 2012 REA GRANT

VENDOR

MAUMEE EXPRESS INC.

CONTRACT NUMBER

15-32

REASON

HOUSEHOLD HAZARDOUS WASTE COLLECTION,  
TRANSPORTATION AND DISPOSAL SERVICES

AMOUNT

\$934,500.00

CONTRACT LENGTH

01/01/2016 TO 12/31/2017



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 the **Concrete Repairs of Primary Settling Tanks No. 5 & 6**, pursuant to and in accordance with **Contract No. C-191**; and

**WHEREAS**, the following bid proposals were received by the Authority on **December 10, 2015** for **Contract No.C-191**:

<b>Vendor</b>	<b>Total Amount Bid</b>
CMS Construction Inc. Plainfield, NJ	\$129,225.00
RML Construction Carlstadt, NJ	\$184,750.00
Sparwick Contracting Lafayette, NJ	\$227,850.00
J. Fletcher Creamer Hackensack, NJ	\$276,875.00
Montana Construction Lodi, NJ	\$347,850.00

**WHEREAS**, the Authority's **Chief Engineer/Director of Water Pollution Control** and the Authority's **Consulting Engineer, Alaimo Group**, have reviewed the bid proposals and have recommended that **CMS Construction Inc.** be awarded **Contract No. C-191** 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 **CMS Construction Inc.** constitutes the lowest complying and responsible bidder for **Contract No. C-191**, 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. **CMS Construction Inc.** shall be and is hereby determined to be the lowest complying and responsible bidder for the **Concrete Repairs of Primary Settling Tanks No. 5 & 6**, constituting **Contract No. C-191**, for a total sum of **\$129,225.00**.

2. The Chairman shall be and is hereby authorized to execute an agreement with **CMS Construction Inc.** of 521 North Ave, Plainfield, NJ 07060 for the **Concrete Repairs of Primary Settling Tanks No. 5 & 6**, constituting **Contract No.C-191** for a total sum of **\$129,225.00**.

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.C-191, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by CMS Construction 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 December 17, 2015.

  
\_\_\_\_\_  
Michael Henwood, Secretary

**Dated: December 17, 2015**

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 12/17/2015

RESOLUTION #: 15-2-071

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

CAPITAL  
W-200-80800-000

VENDOR

CMS CONSTRUCTION INC.

CONTRACT NUMBER

C-191

REASON

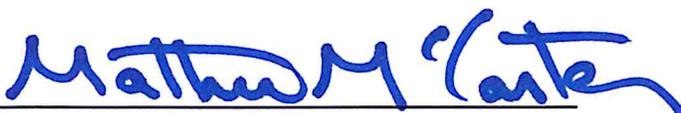
CONCRET REPAIRS OF PRIMARY  
SETTLING TANKS NO. 5 & 6

AMOUNT

\$129,225.00

CONTRACT LENGTH

CONSTRUCTION TO COMPLETION



ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, on prior occasion, upon advertisement and pursuant to specifications, the Bergen County Utilities Authority (the "Authority") solicited bid proposals for **Digester Gas Pretreatment Testing (for a Two (2) Year Period)**, pursuant to and in accordance with **Contract No. 15-36**; and

**WHEREAS**, no bid proposals were received by the Authority on November 17, 2015, the date set forth in the Invitation to Bid for the receipt of bid proposals pursuant to and in accordance with **Contract No. 15-36**; and

**WHEREAS**, the Board of Commissioners of the Authority, by way of Resolution 15-2-066 adopted November 23, 2015, authorized the Executive Director, or his designee, to re-advertise for the solicitation of bid proposals for **Contract No. 15-36 (Rebid)**, pursuant to N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, the following sole bid proposal was received by the Authority on December 15, 2015 for **Contract No. 15-36 (Rebid)**:

Vendor	Total Amount Bid for Two (2) Years
Atlantic Analytical Laboratory, L.L.C. Whitehouse, NJ	\$112,000.00

**WHEREAS**, the Authority's **Qualified Purchasing Agent** has reviewed the sole bid proposal and has recommended that **Atlantic Analytical Laboratory, L.L.C.** should be awarded **Contract No. 15-36 (Rebid)** in accordance with N.J.S.A. 40A:11-1 et seq., as the lowest complying and responsible bidder; and

**WHEREAS**, on the basis of the foregoing, the Authority has determined that **Atlantic Analytical Laboratory, L.L.C.** constitutes the lowest complying and responsible bidder for **Contract No. 15-36 (Rebid)**, 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.

15-2-072

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

1. **Atlantic Analytical Laboratory, L.L.C.** shall be and is hereby determined to be the lowest complying and responsible bidder for **Digester Gas Pretreatment Testing**, constituting **Contract No. 15-36 (Rebid)** for a **Two (2) Year Period** for a total sum of **\$112,000.00**.

2. The Chairman shall be and he is hereby authorized to execute an agreement with **Atlantic Analytical Laboratory, L.L.C.** of 291 Route 22 East, Salem Industrial Park Building # 4, Whitehouse, NJ 08888 for **Digester Gas Pretreatment Testing**, constituting **Contract No. 15-36 (Rebid)** for a **Two (2) Year Period** for a total sum of **\$112,000.00**.

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. 15-36 (Rebid), shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by Atlantic Analytical Laboratory, L.L.C. 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 December 17, 2015.



Michael Henwood  
Secretary

Dated: December 17, 2015

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 12/17/2015

RESOLUTION #: 15-2-072

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-000-11960-000

CONSTRUCTION COSTS TO BE REIMBURSED

VENDOR

ATLANTIC ANALYTICAL LABORATORY, L.L.C.

CONTRACT NUMBER

15-36

REASON

DIGESTER GAS PRETREATMENT TESTING

AMOUNT

\$112,000.00

CONTRACT LENGTH

01/01/2016 TO 12/31/2017



ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, the Authority deems it beneficial to continue the self-insured health benefits program and to engage the services of a risk manager/third party administrator for the Authority's self-insured benefits program (the "Third-Party Administrator"); and

**WHEREAS**, Insurance Design Administrators ("IDA") has submitted a proposal received December 9, 2015 to provide third-party administration services on behalf of the Authority in furtherance of its self-insured benefits program, which proposal is on file at the Authority and made a part hereof; and

**WHEREAS**, the cost to perform the third-party administration services proposed by IDA, is based upon a monthly fee, per covered employee, in amounts not to exceed: Medical \$42.60; Prescription \$2.50; Vision \$1.10; and

**WHEREAS**, the Authority desires to appoint and retain IDA to serve as Third-Party Administrator for the Authority's self-insured health benefits program effective January 1, 2016, for a period of one (1) year or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

**WHEREAS**, the Authority proposes to enter into a contract memorializing the scope of services to be performed by IDA and the compensation to be paid for Third-Party Administrator; and

**WHEREAS**, the Authority Commissioners have determined that IDA is competent, qualified and experienced to serve as the Authority's Third-Party Administrator for its self-insured health benefits program; and

**WHEREAS**, the Authority Commissioners have determined on the basis of the foregoing, that it is necessary for its efficient operation to retain the services of IDA to continue to serve as Third-Party Administrator for the Authority's self-insured health benefits program; and

**WHEREAS**, said services are exempt from the requirements of public bidding pursuant to N.J.S.A. 40A:11-5 (1)(m); and

**WHEREAS**, pursuant to and in accordance with N.J.A.C. 5:34-2.3, the Authority's Executive Director has provided the Authority's Commissioners with a Certification, dated December 17, 2015 describing the nature of the work to be done, stating that it is not reasonably possible to draft specifications, and describing why the contract satisfies the Statutory and Administrative Code requirements for Extraordinary Unspecifiable Services pursuant to N.J.S.A. 40A:11-5 (1)(m); and

**WHEREAS**, under the fair and open process pursuant to N.J.S.A. 19:44A-20 et seq., IDA responded to the Authority's publicly advertised Request for Qualifications and was qualified as competent to provide third party administration for health benefits; and

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

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

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

1. IDA shall be and is hereby appointed to serve as Third-Party Administrator to The Bergen County Utilities Authority's self-insured health benefits program effective January 1, 2016, for a period of one (1) year or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively.

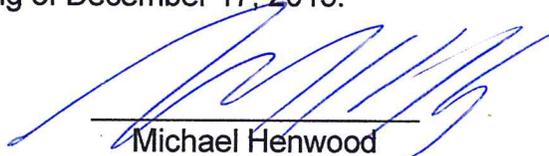
2. The Chairman shall be and is hereby authorized to execute an Agreement with IDA memorializing the scope of services and compensation to be paid, in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

3. A copy of this Resolution and the Agreement retaining IDA as Third-Party Administrator for the Authority's self-insured health benefits program shall be placed on file and made available for public inspection in the Office of the Executive Director, upon execution by the Authority.

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

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of December 17, 2015.

  
\_\_\_\_\_  
Michael Henwood  
Secretary

**DATED: December 17, 2015**

**CERTIFICATION FOR AN EXTRAORDINARY  
UNSPECIFIABLE SERVICES CONTRACT**

**TO: Members of the Board of Commissioners**

**FROM: Robert Laux  
Executive Director, Bergen County Utilities Authority**

**SUBJECT:**

This is a contract for the Provision of Consulting – Third Party Administration Services

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

**Firm: Insurance Design Administrators (“Contractor”)**

**Duration: One Year**

**Purpose: To provide on behalf of the Authority Third Party Administration of if its self-insurance benefits program**

---

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

I do hereby certify to the following:

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

The contract will be for the provision of an insurance consulting services. As Executive Director, I am familiar with the nature of the work to be done under the contract which is to be performed by an entity with expertise, extensive training, and a proven reputation in the field of endeavor. It is critical to the efficient operations of the BCUA, that insurance consulting services for self-insured benefits be performed by an entity with expertise, extensive training and a proven reputation in the field of endeavor. There is a close relationship between the services rendered as Third Party Administrator (with respect to the Authority’s self-insured health benefits program) and the services to be rendered as Cafeteria Plan Administrator.

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

This is a contract for extraordinary unspecifiable services as provided for under N.J.S.A. 40A:11-5, as such services are of such a qualitative nature that the performance of the services cannot be reasonably described by written specifications, and such services, being insurance consulting and administrative services, are automatically Extraordinary Unspecifiable Services, See Local Finance Notice AU 2002-2, and N.J.S.A. 40A:11-5(1)(m).

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

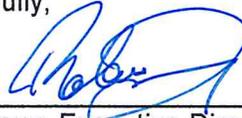
See II. Insurance consulting and administrative service contracts satisfy the criteria of Extraordinary Unspecifiable Services.

**IV. Describe the informal solicitation of quotations:**

Pursuant to the New Jersey Pay to Play Law, N.J.S.A 19:44A-20.5 et seq., a Request for Qualifications ("RFQ") for the Provision of Third Party Administrators services was duly advertised, and statements of qualifications were received. Only one vendor responded to the Request for Qualifications. Under the circumstances the solicitation of competitive quotations from more than one vendor is impracticable. A proposal from the Contractor for Third Party Administrators for Health Benefits services was requested, and the BCUA has determined the proposal of the Contractor to be fair and reasonable. It is my recommendation that an award for the Provision of Health Insurance Consultant be provided to the Contractor, price and other factors considered.

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

Respectfully,



---

Robert Laux, Executive Director

December 17, 2015

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

**Re: Resolution 15-3-010**

**THE BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, Resolution dated Feb. 24, 2011 the Authority adopted a Cafeteria Plan, which includes (a) a Premium Payment Plan effective as of January 1, 2011 and (b) a Health Flexible Spending Account effective July 1, 2011 (the "**Cafeteria Plan**") pursuant to N.J.S.A. 40A:10-23.5 and pursuant to Section 125 of the Internal Revenue Code (26 U.S.C § 125); and

**WHEREAS**, by prior Resolution, the Authority appointed Insurance Design Administrators ("IDA") as the third party administrator for the Authority's Cafeteria Plan (the "Cafeteria Plan Administrator") for a one year term through December 31, 2015 or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively;

**WHEREAS**, the Authority is desirous of reappointing Insurance Design Administrators ("IDA") as the third party administrator for the Authority's Cafeteria Plan (the "Cafeteria Plan Administrator") for a one (1) year period of commencing on January 1, 2016 or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

**WHEREAS**, Insurance Design Administrators ("IDA") currently serves as the Third party administrator for the Authority's self-insured health benefits program (the "Third Party Administrator"); and

**WHEREAS**, the Authority Commissioners have determined that IDA is competent, qualified and experienced to continue to serve as the Cafeteria Plan Administrator for the Authority; and

**WHEREAS**, due to the relationship between the services rendered as Third Party Administrator (with respect to the Authority's self-insured health benefits program) and the services to be rendered as Cafeteria Plan Administrator, including access to covered members personal health information, and so the Authority anticipates that there will be savings and efficiencies resulting from utilizing the same consultant for both tasks; and

**WHEREAS**, IDA has submitted a proposal received December 9, 2015, which proposes to continue the administration services upon the same terms, conditions and fees as set forth the existing Agreement, (in accordance with the original Proposal dated as of Feb. 23, 2011) and as described in "Schedule F – FSA Administration Services" (the "Schedule") for the prices set forth therein with no increase in the monthly administrative fee; and

**WHEREAS**, the Authority has determined that the charges listed in the Schedule are reasonable and fair for the services to be provided as Cafeteria Plan Administrator; and

**WHEREAS**, the Authority Commissioners have determined, on the basis of the foregoing, that it is beneficial for its efficient operation to retain the services of IDA to serve as Cafeteria Plan Administrator, in addition to its services as Third Party Administrator; and

**WHEREAS**, the Authority desires to appoint and retain IDA to serve as its Cafeteria Plan Administrator for the Authority's Cafeteria Plan, effective January 1, 2016 for a period of one (1) year or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

**WHEREAS**, the Authority proposes to enter into the Cafeteria Plan Agreement memorializing the scope of services to be performed by IDA and the compensation to be paid for its services as Cafeteria Plan Administrator in accordance with the Schedule but not to exceed the sum of \$17,500; and

**WHEREAS**, said services are exempt from the requirements of public bidding pursuant to N.J.S.A. 40A:11-5 (1)(m); and

**WHEREAS**, pursuant to and in accordance with N.J.A.C. 5:34-2.3, the Authority's Executive Director has provided the Authority's Commissioners with a Certification, dated December 17, 2015, describing the nature of the work to be done, stating that it is not reasonably possible to draft specifications, and describing why the contract satisfies the Statutory and Administrative Code requirements for Extraordinary Unspecifiable Services pursuant to N.J.S.A. 40A:11-5 (1)(m); and

**WHEREAS**, under the fair and open process pursuant to N.J.S.A. 19:44A-20 et seq., IDA responded to the Authority's publicly advertised Request for Qualifications and was previously qualified as competent to provide third party administration for health benefits; and

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

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

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

1. IDA shall be and is hereby appointed to serve as Cafeteria Plan Administrator to The Bergen County Utilities Authority effective January 1, 2016 for a period of one (1) year or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and
2. The Chief Financial Officer's Certification that funds are available shall be maintained on file at the Authority and made a part hereof.
3. The Chairman shall be and is hereby authorized to execute a Cafeteria Plan Agreement with IDA memorializing the scope of services and compensation to be paid, in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon, all for a sum not to exceed \$17,500.
4. A copy of this Resolution and the Agreement retaining IDA as Cafeteria Plan Administrator shall be placed on file and made available for public inspection in the Office of the Executive Director, upon execution by the Authority.
5. A notice of this contract award shall be published in the form prescribed by law.

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of December 17, 2015.

  
\_\_\_\_\_  
Michael Henwood  
Secretary

**DATED: December 17, 2015**

**CERTIFICATION FOR AN EXTRAORDINARY  
UNSPECIFIABLE SERVICES CONTRACT**

**TO: Members of the Board of Commissioners**

**FROM: Robert Laux  
Executive Director, Bergen County Utilities Authority**

**SUBJECT: Third Party Administration Services Re: IRC Section 125 Cafeteria Plan**

This is a contract for the Third Party Administration Services in relation to the maintenance of the Authority's IRC Section 125 Cafeteria Plan.

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

**Firm: Insurance Design Administrators/UHY Advisors ("Contractor")**

**Duration: One Year**

**Purpose: To provide and administer on behalf of the Authority an IRC Section 125 Cafeteria Plan in furtherance of its self-insured benefits program**

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

I do hereby certify to the following:

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

The contract will be for the provision of an insurance consulting services. As Executive Director, I am familiar with the nature of the work to be done under the contract which is to be performed by an entity with expertise, extensive training, and a proven reputation in the field of endeavor. It is critical to the efficient operations of the BCUA, that insurance consulting services for self-insured benefits be performed by an entity with expertise, extensive training and a proven reputation in the field of endeavor. There is a close relationship between the services rendered as Third Party Administrator (with respect to the Authority's self-insured health benefits program) and the services to be rendered as Cafeteria Plan Administrator.

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

This is a contract for extraordinary unspecifiable services as provided for under N.J.S.A. 40A:11-5, as such services are of such a qualitative nature that the performance of the services cannot be reasonably described by written specifications, and such services, being insurance consulting and administrative services, are automatically Extraordinary Unspecifiable Services, See Local Finance Notice AU 2002-2, and N.J.S.A. 40A:11-5(1)(m).

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

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

**IV. Describe the informal solicitation of quotations:**

Under the circumstances the solicitation of competitive quotations from a vendor other than the Contractor is impracticable. There is a close relationship between the services already being rendered by the Contractor as the Third Party Administrator (with respect to the Authority's self-insured health benefits program) to the BCUA, and the services to be rendered as Cafeteria Plan Administrator. Under such circumstances, the retention of another vendor would result in increased costs and duplicative effort and work, as no other vendor is currently providing Third Party Administrator Services, and the current contract for such services with the Contractor expires in December 2014. Moreover, the Contractor, by virtue of its existing service contract, currently maintains access to member's health records protected by HIPAA laws. I have determined the proposal of the Contractor to be fair and reasonable. It is my recommendation that an award for the Provision of Cafeteria Plan Services be provided to the Contractor, price and other factors considered.

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

Respectfully,



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Robert Laux, Executive Director

December 17, 2015

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

**Re: Resolution 15-3-011**

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, the Authority deems it beneficial to continue the self-insured dental benefits program and to engage the services of a third party administrator for the Authority's self-insured benefits program (the "Third-Party Administrator"); and

**WHEREAS**, Delta Dental of New Jersey, Inc. ("Delta") has submitted a proposal received December 9, 2015 to provide third-party administration services on behalf of the Authority in furtherance of its self-insured benefits program, which proposal is on file at the Authority and made a part hereof; and

**WHEREAS**, the cost to perform the third-party administration services proposed by Delta, is based upon a monthly fee, per covered employee, of \$8.90 per month per employee.

**WHEREAS**, the Authority desires to appoint and retain Delta to serve as Third-Party Administrator for the Authority's self-insured dental benefits program effective January 1, 2015, for a period of one (1) year or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

**WHEREAS**, the Authority proposes to enter into a contract memorializing the scope of services to be performed by Delta and the compensation to be paid for Third-Party Administrator; and

**WHEREAS**, the Authority Commissioners have determined that Delta is competent, qualified and experienced to serve as the Authority's Third-Party Administrator for its dental benefits program; and

**WHEREAS**, the Authority Commissioners have determined on the basis of the foregoing, that it is necessary for its efficient operation to retain the services of Delta to continue to serve as Third-Party Administrator for the Authority's self-insured dental benefits program; and

**WHEREAS**, said services are exempt from the requirements of public bidding pursuant to N.J.S.A. 40A:11-5 (1)(m); and

**WHEREAS**, pursuant to and in accordance with N.J.A.C. 5:34-2.3, the Authority's Executive Director has provided the Authority's Commissioners with a Certification, dated December 17, 2015, describing the nature of the work to be done, stating that it is not reasonably possible to draft specifications, and describing why the contract satisfies the Statutory and Administrative Code requirements for Extraordinary Unspecifiable Services pursuant to N.J.S.A. 40A:11-5 (1)(m); and

**WHEREAS**, under the fair and open process pursuant to N.J.S.A. 19:44A-20 et seq., **DELTA** responded to the Authority's publicly advertised Request for Qualifications and was qualified as competent to provide third party administration for dental benefits; and

15-3-012

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

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

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

1. Delta shall be and is hereby appointed to serve as Third-Party Administrator to The Bergen County Utilities Authority's self-insured dental benefits program effective January 1, 2016, for a period of one (1) year or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively.

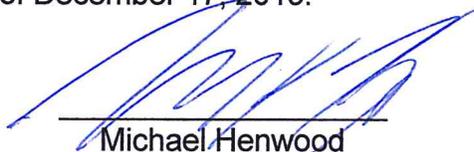
2. The Chairman shall be and is hereby authorized to execute an Agreement with Delta memorializing the scope of services and compensation to be paid, in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

3. A copy of this Resolution and the Agreement retaining Delta as Third-Party Administrator shall be placed on file and made available for public inspection in the Office of the Executive Director, upon execution by the Authority.

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

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of December 17, 2015.

  
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Michael Henwood  
Secretary

**DATED: December 17, 2015**

**CERTIFICATION FOR AN EXTRAORDINARY  
UNSPECIFIABLE SERVICES CONTRACT**

**TO: Members of the Board of Commissioners**

**FROM: Robert Laux  
Executive Director, Bergen County Utilities Authority**

**SUBJECT: Third Party Administration Services Re: Self-insured Dental  
Benefits Program – Delta Dental of New Jersey, Inc.**

This is a contract for the Third Party Administration Services in relation to the maintenance of the Authority's Dental Benefits Plan.

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

**Firm: Delta Dental of New Jersey, Inc. ("Contractor")**

**Duration: One Year**

**Purpose: To provide and administer on behalf of the Authority self-insured Dental benefits program**

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

I do hereby certify to the following:

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

The contract will be for the provision of an insurance consulting services. As Executive Director, I am familiar with the nature of the work to be done under the contract which is to be performed by an entity with expertise, extensive training, and a proven reputation in the field of endeavor. It is critical to the efficient operations of the BCUA, that insurance consulting services for self-insured benefits be performed by an entity with expertise, extensive training and a proven reputation in the field of endeavor. Contractor will serve as Third Party Administrators with respect to the Authority's self-insured dental benefits program.

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

This is a contract for extraordinary unspecifiable services as provided for under N.J.S.A. 40A:11-5, as such services are of such a qualitative nature that the performance of the services cannot be reasonably described by written specifications, and such services, being insurance consulting and administrative services, are automatically Extraordinary Unspecifiable Services, See Local Finance Notice AU 2002-2, and N.J.S.A. 40A:11-5(1)(m).

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

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

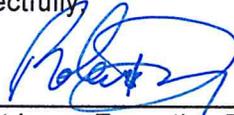
Extraordinary Unspecifiable Services.

**IV. Describe the informal solicitation of quotations:**

Under the circumstances the solicitation of competitive quotations from a vendor other than the Contractor is impracticable. There is an existing relationship with the Contractor as the Third Party Administrator (with respect to the Authority's self-insured dental benefits program). Under such circumstances, the retention of another vendor would result in increased costs and duplicative effort and work, as no other vendor is currently providing Third Party Administrator Services, and the current contract for such services with the Contractor expires in December 2015. Moreover, the Contractor, by virtue of its existing service contract, currently maintains access to member's health records protected by HIPAA laws. I have determined the proposal of the Contractor to be fair and reasonable. It is my recommendation that an award for the Provision of Dental Plan Services be provided to the Contractor, price and other factors considered.

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

Respectfully



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Robert Laux, Executive Director

December 17, 2015

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

**Re: Resolution 15-3-012**

**.BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, pursuant to N.J.S.A. 40:14B-18, the Authority may appoint and employ such personnel as the Authority may determine necessary for its efficient operations.

**WHEREAS**, the Board of Commissioners have determined the need to establish the position of Manager of Safety Training and Compliance, U.U.A.E.

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

1. The Authority creates a position of Manager of Safety Training and Compliance, U.U.A.E. and the table of organization for the Authority is hereby amended accordingly; and
2. The formal action(s) of the Commissioners of The Bergen County Utilities Authority embodied herein are expressly contingent upon and subject to the provisions of N.J.S.A. 40:14B-14(b).

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of December 17, 2015.

  
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Michael Henwood  
Secretary

**Dated: December 17, 2015**

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, Eric Andersen P.E. has been employed by the The Bergen County Utilities Authority since December 3, 1990.

**WHEREAS**, by his dedication, thoughtful considerations and judgment, he has contributed to the well-being and development of the Authority, and has earned the gratitude of his co-workers and professional associates; and

**WHEREAS**, those who have been associated with him have enjoyed the benefits of his expertise, experience and leadership;

**WHEREAS**, upon the occasion of his impending retirement, the Commissioners and Staff desire to wish Eric Andersen a happy and healthy future, and thank him for his 25 years of loyal service; and

**NOW, THEREFORE, BE IT RESOLVED** that the Commissioners of The Bergen County Utilities Authority do hereby express their appreciation to Eric Andersen P.E. for his twenty-five years of service to The Bergen County Utilities Authority;

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by The Bergen County Utilities Authority at its meeting of December 17, 2015.

  
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Michael Henwood  
Secretary

**Dated: December 17, 2015**