BERGEN COUNTY UTILITIES AUTHORITY
MINUTES OF THE REGULAR MEETING
DECEMBER 20, 2018

In the matter of the 477th Regular Meeting of
The Bergen County Utilities Authority

1. The **proof of meeting notice** calling the December 20, 2018, meeting was read into the record by Michael Henwood, Board Secretary.

2. Roll Call:

   COMMISSIONERS PRESENT:
   Ronald Phillips, Chairman
   Louis J. DeLisio, Vice Chairman
   Catherine T. Bentz, Commissioner
   Bruce Bonaventuro, Commissioner
   Paul A. Juliano, Commissioner
   Thomas S. Kelley, Commissioner
   Peter C. Massa, Commissioner
   Jon Warms, Commissioner

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

3. Motion that the Minutes covering the November 19, 2018 Work Session be approved was moved by Commissioner Kelley and Seconded by Commissioner Warms and was carried. Commissioner Massa abstained.

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

5. FINANCE AND LEGAL COMMITTEE:

   Resolution 18-1-055 - Approve bills and the claims supported by vouchers totaling $7,574,974.89 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 DeLisio and Seconded by Commissioner Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

   Resolution 18-1-056 - Designation of the "Official" newspapers for 2019. 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 18-1-057 - Approve five-cent ($0.05) charge to cover expenses for Notices of Meeting Schedule. 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 18-1-058 - Approve Final Adoption of the 2019 Solid Waste Management Budget. 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 18-1-059 - Approve Final Adoption of the 2019 Water Pollution Control Budget. 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 18-1-060 - Approve adoption of the 2019 Schedule of Solid Waste Disposal User Charges. 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 18-1-061 - Approve adoption of the 2019 Schedule of Wastewater User Charges. 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 18-1-062 - Approve Adoption of Rate for Sale of Treated Effluent effective for period 1/1/19 – 12/31/23. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Kelley. A roll call was taken and the resolution as adopted as reflected in these minutes.

Resolution 18-1-063 - Authorize amended and restated Stipulation of Settlement by and among the Authority and Developers of American Dream Project. 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 18-2-073 – Award Purchase Order No. 126354 to Franklin Miller, Inc. - Taskmaster TMI600 Model #TM1630A for Pink Street Pump Station. Motion to adopt the resolution was made by Commissioner Juliano and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 18-2-074 - Award Purchase Order No.126340 to Maintainco, Inc. - Pallet Walkie Truck. Motion to adopt the resolution was made by Commissioner Juliano and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 18-2-075 - Authorize Online Auction of 2002 Ford E-250 Extended Crew Van through Govdeals.com auction service. Motion to adopt the resolution was made by Commissioner Juliano and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 18-2-076 - Authorize Amendment of Professional Services Contract – General Engineer Consulting – Alaimo Group. Motion to adopt the resolution was made by Commissioner Juliano and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 18-2-077 – Authorize Amendment of Professional Services Contract – Edgewater Force Main Project – Alaimo Group. Motion to adopt the resolution was made by Commissioner Juliano and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 18-2-078 – Authorize Amendment of Professional Services Contract – Edgewater Force Main Project – Arcadis US, Inc. Motion to adopt the resolution was made by Commissioner Juliano and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 18-2-079 – Authorize agreement with Weiss Acquisition, LLC for Scada System upgrade: extending the term of Contract No. 17-21 for an additional period of time not to exceed thirty (30) days (commencing December 31, 2018 and expiring January 31, 2019). Motion to adopt the resolution was made by Commissioner Juliano and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

7. PERSONNEL AND ADMINISTRATION COMMITTEE:

Resolution 18-3-007 – Authorize acceptance of Qualifications of firms - Third Party Administrator ("TPA") for Cafeteria Plan Section 125 and TPA for Health Benefits pursuant to N.J.S.A. 19:44A-20 et seq. Motion to adopt the resolution was made by Commissioner Juliano and Seconded by Commissioner Warms. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 18-3-008 – Approve Renewal of Third Party Administration Service Agreement with Insurance Design Administrators (IDA) for the BCUA Self Insurance Health Benefits for a one (1) year term. (1/1/19-12-31-19). Motion to adopt the resolution was made by Commissioner Juliano and Seconded by Commissioner Warms. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 18-3-009 – Approve Renewal of Cafeteria Plan Section 125 Flexible Spending Account Third Party Administration Service Agreement with Insurance Design Administrators (IDA) for a one (1) year term. (1/1/19 – 12/31/19). Motion to adopt the resolution was made by Commissioner Juliano and Seconded by Commissioner Warms. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 18-3-010 – Authorize Amendment of Contract – LaMendola Associates, Inc. – Health Insurance/Employee Benefits Consultant. Motion to adopt the resolution was made by Commissioner Juliano and Seconded by Commissioner Warms. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 18-3-011 – Authorize Non-Bargaining Unit Salary Adjustment for 2019. Motion to adopt the resolution was made by Commissioner Juliano and Seconded by Commissioner Warms. 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 November 19, 2018 Regular Meeting for review by the Commissioners.

11. Motion to approve the Minutes of the Regular Meeting December 20, 2018 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 December 20, 2018 was made by Commissioner DeLisio and Seconded by Commissioner Bentz and was unanimously carried.

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

Resolution #	**18-1-055**	**18-1-056**	**18-1-057**	**18-1-058**	**18-1-059**	**18-1-060**	**18-1-061**
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	Y	Y	Y	Y	Y	Y	Y
Comm. Gumble	-	-	-	-	-	-	-
Comm. Juliano	Y	Y	Y	Y	Y	Y	Y
Comm. Kelley	Y	Y	Y	Y	Y	Y	Y
Comm. Massa, Jr.	Y	Y	Y	Y	Y	Y	Y
Comm. Warms	Y	Y	Y	Y	Y	Y	Y

Resolution #	18-1-062	18-1-063	18-2-073	18-2-074	18-2-075	18-2-076	18-2-077
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	Y	Y	Y	Y	Y	Y	Y
Comm. Gumble	-	-	-	-	-	-	-
Comm. Juliano	Y	Y	Y	Y	Y	Y	Y
Comm. Kelley	Y	Y	Y	Y	Y	Y	Y
Comm. Massa, Jr.	Y	Y	Y	Y	Y	Y	Y
Comm. Warms	Y	Y	Y	Y	Y	Y	Y

Resolution #	18-2-078	18-2-079	18-3-007	18-3-008	18-3-009	18-3-010	18-3-011
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	Y	Y	Y	Y	Y	Y	Y
Comm. Gumble	-	-	-	-	-	-	-
Comm. Juliano	Y	Y	Y	Y	Y	Y	Y
Comm. Kelley	Y	Y	Y	Y	Y	Y	Y
Comm. Massa, Jr.	Y	Y	Y	Y	Y	Y	Y
Comm. Warms	Y	Y	Y	Y	Y	Y	Y

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

Respectfully submitted,

Michael Henwood
Board Secretary

Date: December 20, 2018

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, 2019 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 20, 2018.

Michael Henwood
Board Secretary

Dated: December 20, 2018

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, 2019, 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 20, 2018.

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Michael Henwood
Board Secretary

Dated: December 20, 2018

2019 ADOPTED BUDGET RESOLUTION
BERGEN COUNTY UTILITIES AUTHORITY
SOLID WASTE MANAGEMENT

FISCAL YEAR: **FROM:** January 1, 2019 **TO:** December 31, 2019

WHEREAS, the Solid Waste Division Annual Budget and Capital Budget/Program for the Bergen County Utilities Authority (the "Authority") for the fiscal year beginning January 1, 2019 and ending December 31, 2019 has been presented for adoption before the governing body of the Authority at its open public meeting of December 20, 2018; and

WHEREAS, 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; and

WHEREAS, the Solid Waste Division Annual Budget as presented for adoption reflects Total Revenues of $7,519,895 Total Appropriations, including any Accumulated Deficit, if any, of $8,235,076 and Total Unrestricted Net Position utilized of $715,181; 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.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Bergen County Utilities Authority, as the governing body thereof, at an open public meeting held on December 20, 2018 that the Solid Waste Division Annual Budget and Capital Budget/Program of the Bergen County Utilities Authority for the fiscal year beginning January 1, 2019 and ending December 31, 2019 shall be and 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; and

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be placed on file and made available for public inspection in the office of the Executive Director; and

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of December 20, 2018.

Michael Henwood, Secretary

Dated: December 20, 2018

Governing Body Member: **Recorded Vote:**

COMMISSIONERS	AYE	NO	ABSTAIN	NOT PRESENT
Ronald Phillips, Chairman	X			
Louis DeLisio, Vice Chairman	X			
Catherine T. Bentz	X			
Bruce Bonaventuro	X			
Daniel Gumble				X
Paul A. Juliano	X			
Thomas S. Kelley	X			
Peter C. Massa, Jr.	X			
Jon Warms	X			

2019 ADOPTED BUDGET RESOLUTION
BERGEN COUNTY UTILITIES AUTHORITY
WATER POLLUTION CONTROL

FISCAL YEAR: FROM: January 1, 2019 **TO:** December 31, 2019

WHEREAS, the Water Pollution Control System Annual Budget and Capital Budget/Program for the Bergen County Utilities Authority (the "Authority") for the fiscal year beginning January 1, 2019 and ending December 31, 2019 has been presented for adoption before the governing body of the Authority at its open public meeting of December 20, 2010; and

WHEREAS, 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; and

WHEREAS, the Water Pollution Control System Annual Budget as presented for adoption reflects Total Revenues of $77,648,929, Total Appropriations, including any Accumulated Deficit, if any, of $78,648,929 and Total Unrestricted Net Position utilized of $1,000,000; and

WHEREAS, the Capital Budget as presented for adoption reflects Total Capital Appropriations of $47,756,791 and Total Unrestricted Net Position planned to be utilized of $1,000,000.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Bergen County Utilities Authority, as the governing body thereof, at an open public meeting held on December 20, 2018, 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, 2019 and ending December 31, 2019 shall be and 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; and

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be placed on file and made available for public inspection in the office of the Executive Director; and

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of December 20, 2018.

Michael Henwood, Secretary

Dated: December 20, 2018

Governing Body Member: **Recorded Vote:**

COMMISSIONERS	AYE	NO	ABSTAIN	NOT PRESENT
Ronald Phillips, Chairman	X			
Louis DeLisio, Vice Chairman	X			
Catherine T. Bentz	X			
Bruce Bonaventuro	X			
Daniel Gumble				X
Paul A. Juliano	X			
Thomas S. Kelley	X			
Peter C. Massa, Jr	X			
Jon Warms	X			

BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION

BE IT RESOLVED by the Board of Commissioners of the Bergen County Utilities Authority (the "Authority") that the below listed schedule of charges for the Solid Waste Division for the calendar year ending December 31, 2019 shall be and is hereby adopted and is effective January 1, 2019 through December 31, 2019:

Conditionally, Exempt Small Quantity Generator Hazardous Waste Disposal Rates

The following Conditionally Exempt Small Quantity Generator Hazardous Waste Disposal Charges are to, and shall, be charged for the Bergen County Utilities Authority's Household Hazardous Waste Collection Programs:

CONDITIONALLY EXEMPT SMALL QUANTITY GENERATOR HAZARDOUS WASTE DISPOSAL RATE	$0.01 PER POUND TO $100.00 PER POUND

Computer and Computer Related Equipment Recycling Charges

The following Recycling Charges are to, and shall, be charged for the delivery of computer and computer related equipment at the Bergen County Utilities Authority's Computer Recycling Program, subject to prevailing market conditions:

COMPUTER AND COMPUTER RELATED EQUIPMENT	$0.00 PER POUND TO $10.00 PER POUND

; and

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be placed on file and made available for public inspection in the office of the Executive Director; 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 20, 2018.

Michael Henwood
Board Secretary

Dated: **December 20, 2018**

BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION

BE IT RESOLVED by the Board of Commissioners of the Bergen County Utilities Authority that the below listed schedule of Wastewater User Charges for the Bergen County Utilities Authority's Water Pollution Control Division for the calendar year 2019 shall be and is hereby adopted and is effective January 1, 2019 through December 31, 2019:

Flow	$1,036.65	Per Million Gallons
B.O.D.	$402.18	Per Thousand Pounds
T.S.S.	$346.10	Per Thousand Pounds

; and

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be placed on file and made available for public inspection in the office of the Executive Director; and

BE IT FURTHER RESOLVED that the formal action(s) of the Board of 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 20, 2018.

Michael Henwood
Board Secretary

Dated: December 20, 2018

BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION

WHEREAS, following a public hearing, on notice, conducted by the Authority on April 4, 2013 with respect to a proposed service fee schedule for the distribution and sale of treated effluent by the Authority for beneficial re-use, on June 27, 2013 the Board of Commissioners of the Authority adopted Resolution 13-1-033, effective July 8, 2013, pursuant to which the Authority adopted a service fee to be in effect through December 31, 2018 for the distribution and sale of treated effluent by the Authority to potential re-users; and

WHEREAS, the service fee for the distribution and sale of treated effluent by the Authority set by the adoption of Resolution 13-1-033 expires on December 31, 2018; and

WHEREAS, the Authority, desirous of continuing to offer treated effluent for beneficial re-use, held a public hearing, on notice, on November 19, 2018 with respect to the proposed service fee schedule for the distribution and sale of treated effluent by the Authority for beneficial re-use; and

WHEREAS, at the public hearing on November 19, 2018, Robert E. Laux, Executive Director of the Authority presided as Hearing Officer and the Authority was represented by Jaime R. Placek, Esq., the Authority's general counsel; and

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

BCUA-1: Proof of publication of the Notice of Hearing in The Herald News and The Record;

BCUA-2: Certification of Service of Richard Wierer, Deputy Executive Director of the Authority, dated October 24, 2018, confirming that the Notice of Hearing was forwarded by first class mail to the Authority's constituent municipalities and also forwarded to the Bergen County Clerk, Bergen County Executive and the Clerk of the Bergen County Board of Chosen Freeholders;

BCUA-3: Public Notice of Hearing;

BCUA-4: Report dated October 25, 2018 prepared by Arcadis U.S. Inc. (the "Arcadis 2018 Report"); and

BCUA-5: Written testimony of Robert J. Schneider, P.E. dated November 19, 2018.

; and

WHEREAS, the Authority presented the testimony of the following witnesses: Robert J. Schneider, P.E., a licensed professional engineer specializing in environmental projects

and Senior Vice President of the firm of Arcadis US Inc., who was qualified and accepted as an expert in his field; and

WHEREAS, the Authority has reviewed all of the evidence as set forth above, and heard and considered the testimony of the witnesses, and offered members of the public the opportunity to offer testimony, and has determined it is in the best interests of the Authority and its ratepayers, and necessary for the efficient operation of the Authority, that the Authority adopt a Service Fee to be used commencing January 1, 2019 for the distribution and sale of treated effluent by the Authority to potential re-users.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Bergen County Utilities Authority makes the following findings of fact and conclusions:

1. Because the reuse of treated effluent is beneficial to all parties, and as the existing service fee for its distribution and sale previously set by the adoption of Resolution 13-1-033 expires on December 31, 2018, the Authority seeks to re-establish a reasonable fee for its distribution and sale commencing January 1, 2019.

2. Pursuant to the methodology for calculation of the fee as set by the adoption of Resolution 13-1-033, the fee was initially set at $1.25 per 1,000 gallons and was to be revised on an annual basis for the following five (5) years based on the increase or decrease in the Consumer Price Index (the "CPI") for the New York/Northern New Jersey area as published by the United States Department of Labor and any annual increase was to be a minimum increase of two and one-half percent (2.5%) and a maximum increase of five percent (5%) and the application of that methodology results in a present fee to be charged of $1.45 per 1,000 gallons.

3. The Authority engaged Arcadis US Inc. to evaluate effluent use rates being charged by other utilities similar to the Authority for the beneficial re-use of effluent, to assess the costs of potable water use in lieu of the beneficial re-use of effluent and to assess the reasonableness of the Authority's proposed $1.45 per 1,000 gallon effluent rate to be effective on January 1, 2019, and as a result of that engagement Arcadis US Inc. issued the Arcadis 2018 Report which was marked as Exhibit BCUA-4 at the November 19, 2018 public hearing.

4. The Arcadis 2018 Report provides that the updated cost for the purchase of potable water is $3.24 per 1,000 gallons of water, but advised that it is questionable whether the sale of the amount of potable water as would be required for cooling purposes would be approved.

5. The Arcadis 2018 Report concluded that using the USEPA Guidelines for Water Reuse which state that "in general reclaimed water is priced from 50 percent to 100 percent of the price of potable water with a median rate of 80 percent" supports an effluent rate range of $1.62 to $2.59 per 1,000 gallons

6. The Arcadis 2018 Report updated the findings of the fees charged by effluent providers surveyed in 2013, and reported its finding that current effluent rates range from

$0.19 to $4.14 per 1,000 gallons with a median rate of $1.60 per 1,000 gallons and an average rate of $1.90 per 1,000 gallons.

7. The Arcadis 2018 Report also reviewed the rates for the sale of effluent being charged by other suppliers to power plants for cooling purposes as identified by the National Energy Technology Laboratory, and found that those effluent rates ranged from $0.35 per 1,000 gallons to $3.96 per 1,000 gallons with a mean rate of $1.37 per 1,000 gallons and an average rate of $1.79 per 1,000 gallons.

8. The Arcadis 2018 Report advises that rates surveyed by the National Association of Clean Water Authorities in 2017 resulted in a fee range from $0.25 per 1,000 gallons to $5.27 per 1,000 gallons with a mean rate of $1.25 per 1,000 gallons and an average rate of $1.75 per 1,000 gallons, which rates were then escalated by two and one-half percent (2.5%) for two (2) years for comparison with the Authority's proposed 2019 rate, resulting in a mean rate of $1.31 per 1,000 gallons and an average rate of $1.84 per 1,000 gallons.

9. The Arcadis 2018 Report concluded that:

A. In accordance with AWWA and USEPA industry guidelines, reclaimed water is typically priced from fifty percent (50%) to one hundred percent (100%) of potable water with a median rate of eighty percent (80%);

B. The Authority's proposed fee of $1.45 per 1,000 gallons is slightly below fifty percent (50%) to eighty percent (80%) range of the cost of potable water ($1.62 to $2.59 per 1,000 gallons); and

C. The Authority's proposed fee of $1.45 per 1,000 gallons is below the current average rates from the previous sources surveyed in 2013, the additional suppliers surveyed that deliver municipal wastewater treated effluent to power plants for cooling tower make-up and the NACWA beneficial reuse suppliers and it is also within the median rate range from all the above sources.

10. The Arcadis 2018 Report determined, and the testimony of Robert J. Schneider, P.E. concluded, that the Authority's proposed fee of $1.45 per 1,000 gallons of effluent for beneficial re-use is reasonable.

11. Based upon the foregoing, the Authority finds that a rate of $1.45 per 1,000 gallons for the distribution and sale of treated effluent, to be applicable to all potential re-users, is reasonable and appropriate.

12. The Authority has considered the Arcadis 2018 Report, the Exhibits marked for identification during the November 19, 2018 public hearing and the written testimony of Robert J. Schneider, P.E. marked as Exhibit BCUA-5 during the November 19, 2018 public hearing.

NOW, THEREFORE, BE IT RESOLVED, commencing January 1, 2019 until December 31, 2023, the service fee for the distribution and sale of treated effluent by the Authority to potential re-users be and it is hereby established as follows:

$1.45 per one thousand (1,000) gallons. The Service Fee Schedule for the Distribution and Sale of Treated Effluent for Beneficial Reuse will be revised on an annual basis, based on the increase or decrease in Consumer Price Index for the New York/Northern New Jersey area as published by the United States Department of Labor. Notwithstanding the above, any annual increase shall be a minimum increase of two and one half percent (2.5%) and a maximum increase of five percent (5.0%). The Authority reserves the right, upon notice, to revise the Service Fee Schedule for the Distribution and Sale of Treated Effluent for Beneficial Reuse on an annual basis as circumstances and/or conditions may dictate.

The Authority shall have the right to negotiate and enter into separate distribution and sale of treated effluent agreements with alternative rate structures with substantial purchasers.

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of December 20, 2018.

Michael Henwood, Secretary

Dated: December 20, 2018

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 services enumerated in N.J.S.A. 40:14B-2 in the County of Bergen, including but not limited to sewage collection and disposal services and the relief of waters in or bordering the State from pollution arising from causes within the district and the relief of waters in, bordering or entering the district from pollution or threatened pollution on behalf of its constituent members; and

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

WHEREAS, Meadow ERC Developer, LLC, Meadow Outparcels Developer, LLC, Ameream LLC, Meadow Baseball, LLC, Meadow A-B Office, LLC, Meadow C-D Office, LLC and Meadow Hotel, LLC (collectively, the "Developers"), are the current developer of the project now commonly known and referred to as the American Dream Entertainment and Retail Complex project (the "American Dream Project"); and

WHEREAS, the American Dream Project is located at the Meadowlands Sports Complex in the Borough of East Rutherford, New Jersey (the "Borough") on approximately 117 acres of land, designated as Block 107.02, Lots 1.01, 1.03, 1.04, 1.05, 1.06 and 3 on the official Tax Map of the Borough (the "Property"); and

WHEREAS, the Meadowlands Sports Complex is owned by the New Jersey Sports and Exposition Authority (the "NJSEA"); and

WHEREAS, the Developers' predecessors obtained from the New Jersey Department of Environmental Protection (the "NJDEP") Treatment Works Approval Permit No. #05-0368a (the "ERC TWA Permit") for the former Xanadu multi-use project (the "ERC Project"), which is included in and is now part of the American Dream Project; and

WHEREAS, the ERC Project is primarily an entertainment and retail complex with additional structures to be included on the Property; and

WHEREAS, the ERC TWA Permit provided for: (i) an entertainment and retail center, with permitted flows of 554,348 GPD; (ii) an office complex, with permitted flows

of 176,000 GPD; (iii) a hotel, with permitted flows of 62,750 GPD; and (iv) a baseball field, with permitted flows of 24,000 GPD; and

WHEREAS, the ERC TWA Permit provided for total permitted flows for the ERC Project of 820,000 GPD; and

WHEREAS, subsequent to Developers taking over the American Dream Project from their predecessors, Developers applied for and obtained from the NJDEP Treatment Works Approval Permit No. #14-0226 (the "APWP TWA Permit", collectively with the ERC TWA Permit, the "TWA Permits") for the proposed Amusement Park and Water Park project (the "APWP Project"), which is included in and is part of the American Dream Project; and

WHEREAS, the APWP Project includes the construction of an amusement park and a water park; and

WHEREAS, the APWP TWA Permit authorizes additional flows of 126,800 GPD; and

WHEREAS, at the time of the submissions of the respective applications for the ERC TWA Permit and the APWP TWA Permit, the ERC Project and the APWP Project were to be developed as two (2) separate and distinct projects pursuant to a certain leasehold agreement now held by Developers with the NJSEA; and

WHEREAS, as a result of the existence of two (2) separate projects, Developers and their predecessors applied for and obtained the two (2) separate TWA permits, with the ERC TWA Permit accounting for the flows at the ERC Project site and the APWP TWA Permit accounting for the flows at the APWP Project site; and

WHEREAS, subsequent to the granting of the ERC TWA Permit and the APWP TWA Permit by the NJDEP, the design of the American Dream Project was revised so that, among other things, the flow of pedestrian foot traffic through the building complexes could be better accommodated by the construction of a connector building (the "Connector Building"), rather than the smaller connector bridge previously proposed to join the ERC Project site and the APWP Project site; and

WHEREAS, the Connector Building is now located between the ERC Project structures and the APWP Project structures, with the wastewater flow from the Connector Building being split between the ERC Project and the APWP Project in terms of the allocations of the ERC TWA Permit and the APWP TWA Permit; and

WHEREAS, Developers have represented to the Authority that they are not seeking any additional flow allocation as a result of or in connection with this modification; and

WHEREAS, Developers have represented to the Authority that the combined overall flow from the ERC Project and the APWP Project shall in fact remain at the same levels as previously permitted as certain components of the ERC Project have been reduced in scale, size and, as a result of those changes, a reduction in flow for the ERC Project; and

WHEREAS, Developers have represented to the Authority that the allocation of flow for the ERC TWA Permit and the APWP TWA Permit as is to be amended pursuant to the aforementioned requested modification shall be as summarized and set forth in the table annexed as Exhibit "B" to the Amended and Restated Stipulation of Settlement (the "American Dream Agreement"), the execution of which by the Authority is authorized by this Resolution, which represents a reallocation of flows under the ERC TWA Permit in the total amount of 262,750 GPD, which flows were previously allocated for the office, hotel and baseball complexes under the ERC TWA Permit, with a portion of those reallocated flows being transferred from the ERC TWA Permit to the APWP TWA Permit and the remaining reallocated flows being redistributed under the ERC TWA Permit; and

WHEREAS, this proposed amended flow takes into account and provides for the additional flow anticipated by Developers from the APWP Project and the Connector Building which is offset by the reduction in previously proposed future office building areas under control of the Developers; and

WHEREAS, the amendment of the APWP TWA Permit as proposed by Developers includes revisions to the proposed sanitary conveyance system and wastewater pump station for the proposed APWP Project; and

WHEREAS, the Developers have provided to the Authority a revised report issued by Developers' engineer, which fully sets forth in detail all plans and calculations relevant to the modification of the ERC TWA Permit and the APWP TWA Permit and is annexed to the American Dream Agreement as Exhibit "C"; and

WHEREAS, the ERC TWA Permit shall be amended for allocation of flow only, with no allowed changes to the proposed sanitary sewer infrastructure for the ERC Project; and

WHEREAS, the overall proposed flow for the American Dream Project of 946,800 GPD and the discharge point from the pump station to be located on the ERC Project site shall not change with the authorized amendments to the ERC TWA Permit and the APWP TWA Permit; and

WHEREAS, Developers' predecessors previously challenged their obligation to pay the required connection fee associated with the ERC TWA Permit to the Authority by the filing of a Complaint in Lieu of Prerogative Writs in the Superior Court of New Jersey, Law Division, Bergen County, Docket No. BER-L-2934-08 (the "Litigation"); and

WHEREAS, the Authority and the Developers' predecessors resolved the Litigation by the execution and delivery of a Stipulation of Settlement dated July 15, 2010 (the "Stipulation of Settlement"), which is attached to the American Dream Agreement as Exhibit "A"; and

WHEREAS, the Stipulation of Settlement provided for the payment of connection fees to the Authority; and

WHEREAS, the Developers' predecessors paid to the Authority the Initial Payment (as such term is defined in Section 6.1 of the Stipulation of Settlement) to be allocated to a portion of the Project Connection Fee (as that term is defined in the Section 5.4 of the Stipulation of Settlement) payable in connection with the first component to open for business on the ERC Project site; and

WHEREAS, Developers are desirous of continuing the right to connect to the Authority's services, which connection is necessary for completion of the American Dream Project; and

WHEREAS, the amendment of the ERC TWA Permit and the APWP TWA Permit by the NJDEP as requested by Developers requires the approval and consent of the Authority; and

WHEREAS, pursuant to Section 16 of the Stipulation of Settlement, in the event the Authority consents to the amendment of the ERC TWA Permit, such consent triggers acceleration of the payment of all remaining Project Connection Fees to be paid by Developers to the Authority; and

WHEREAS, under application of Section 16 of the Stipulation of Settlement, Developers are required to pay to the Authority accelerated connection fees in the amount of $4,762,360.00 (permitted flow of 678,000 GPD x connection fee of $7.62 per gallon ($5,166,360.00), less $404,000.00 in prior payments); and

WHEREAS, under application of the Authority's "connection fee program", Developers are required to pay to the Authority connection fees for the APWP Project in the amount of $1,082,040.00 (permitted flow of 268,750 GPD x connection fee of $7.62 per gallon, and taking into account prior payments from Developers); and

WHEREAS, the Authority is desirous of resolving the aforementioned open issues with Developers, and modifying the previous settlement reached by the Authority with the Developers' predecessors reflected in the Stipulation of Settlement as now set forth in greater detail in the American Dream Agreement.

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

1. The Executive Director, or his designee, shall be and is hereby authorized to execute the American Dream Agreement by and among the Authority and Developers providing for amendment of the previously executed Stipulation of Settlement, in the form acceptable to the Executive Director and satisfactory to the Authority as evidenced by his signature thereon.

2. A copy of this Resolution and a copy of the American Dream Agreement, entered into by the Authority 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 Developers and the Authority.

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of December 20, 2018.

Michael Henwood, Secretary

Dated: December 20, 2017

BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION

WHEREAS, on prior occasion, upon advertisement on the website of the Bergen County Utilities Authority (the "Authority") and pursuant to specifications, the Authority solicited bid proposals for the **Purchase of Taskmaster TMI600 Model # TM1630A for Pink Street Pump Station**, pursuant to and in accordance with **Purchase Order No. 126354**; and

WHEREAS, the following bid proposals were received by the Authority on **December 11, 2018** for **Requisition No. 126354**:

Vendor	Total Amount Bid
Franklin Miller Inc. Livingston, NJ	$29,325.00
GP Jager Inc. Boonton, NJ	$36,988.00

; and

WHEREAS, this procurement item is below the Authority's bid threshold of $40,000.00; and

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

WHEREAS, the Authority's **Interim Qualified Purchasing Agent and Director of Water Pollution Control** have reviewed the bid proposals submitted to the Authority by **Franklin Miller, Inc.** and **GP Jager Inc.** for **Purchase Order No.126354** and they has recommended that **Franklin Miller, Inc.** should be awarded **Purchase Order No. 126354** as the lowest complying and responsible vendor, as defined under N.J.S.A. 40A:11-2 and allowable under the fair and open process pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, on the basis of the foregoing, the Authority has determined that the proposal of **Franklin Miller, Inc.** constitutes the lowest complying and responsible proposal for **Purchase Order No. 126354**, in accordance with N.J.S.A. 40A:11-1 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 proposal of **Franklin Miller, Inc.** in the sum of $29,325.00 shall be and is hereby determined to be the lowest complying and responsible proposal for the **Purchase of Taskmaster TMI600 Model #TM1630A for Pink Street Pump Station,** constituting **Purchase Order No. 126354**, for the total sum of **$29,325.00**.

2. The Executive Director shall be and is hereby authorized to execute a contract with **Franklin Miller Inc., 60 Okner Pkwy, Livingston, NJ 07039** for the **Purchase of Taskmaster TMI600 Model #TM1630A for Pink Street Pump Station** constituting **Purchase Order No. 126354** for the total sum of **$29,325.00**.

3. The Acting Treasurer's Certification that funds are available shall be maintained on file 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 **Purchase Order No. 126354**, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by Franklin Miller, Inc. 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-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 20, 2018.

Michael Henwood
Board Secretary

Dated: December 20, 2018

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 12/20/2018
RESOLUTION #: 18-2-073

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

FUNDS AVAILABLE	X
FUNDS ARE NOT AVAILABLE	
BUDGET ACCOUNT	PUMPS W-550-61300-000
VENDOR	FRANKLIN MILLER, INC.
CONTRACT NUMBER	PURCHASE ORDER 126354
REASON	PURCHASE OF TASKMASTER TMI600 MODEL #TM1630A FOR PINK STREET PUMP STATION
AMOUNT	$29,325.00
CONTRACT LENGTH	N/A

Matthew McCarter

ACTING TREASURER

18-087

BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION

WHEREAS, on prior occasion, upon advertisement on the website of the Bergen County Utilities Authority (the "Authority") and pursuant to specifications, the Authority solicited bid proposals for the **Purchase of Pallet Walkie Truck**, pursuant to and in accordance with **Purchase Order No. 126340**; and

WHEREAS, the following proposals were received by the Authority on **December 11, 2018** for **Purchase Order No. 126340**:

Vendor	Total Amount Bid
Maintainco Inc. Hackensack, NJ	$10,234.00
Modern Group Ltd. Hasbrouck Heights, NJ	$11,351.00

; and

WHEREAS, this procurement item is below the Authority's bid threshold of $40,000.00; and

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

WHEREAS, the Authority's **Interim Qualified Purchasing Agent** and **Director of Water Pollution Control** have reviewed the bid proposals submitted to the Authority by **Maintainco Inc.** and **Modern Group Ltd.** for **Purchase Order No.126340** and they have recommended that **Maintainco, Inc.** should be awarded **Purchase Order No. 126340** as the lowest complying and responsible vendor, as defined under N.J.S.A. 40A:11-2 and allowable under the fair and open process pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, on the basis of the foregoing, the Authority has determined that the proposal from **Maintainco Inc.** constitutes the lowest complying and responsible proposal for **Purchase Order No. 126340**, in accordance with N.J.S.A. 40A:11-1 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 proposal of **Maintainco Inc.** in the sum of **$10,234.00** shall be and is hereby determined to be the lowest complying and responsible proposal for **Purchase of Pallet Walkie Truck** Constituting **Purchase Order No. 126340**, for the total sum of **$10,234.00**.

2. The Executive Director shall be and is hereby authorized to execute a contract with **Maintainco Inc., 65 East Leunig Street, Hackensack, NJ 07606** for the **Purchase of Pallet Walkie Truck** constituting **Purchase Order No. 126340** for the total sum of **$10,234.00**.

3. The Acting Treasurer's Certification that funds are available shall be maintained on file 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 **Purchase Order No. 126340**, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by **Maintainco Inc.** 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-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 20, 2018.

Michael Henwood
Board Secretary

Dated: December 20, 2018

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 12/20/2018

RESOLUTION #: 18-2-074

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 - MISCELLANEOUS EQUIPMENT W-200-80800-000
VENDOR	MAINTAINCO, INC.
CONTRACT NUMBER	PURCHASE ORDER 126340
REASON	PURCHASE OF PALLET WALKIE TRUCK
AMOUNT	$10,234.00
CONTRACT LENGTH	N/A

Matthew McCarter

ACTING TREASURER

BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION

WHEREAS, the Bergen County Utilities Authority (the "Authority") has determined that it is the owner of certain items, including but not limited to, one (1) 2002 Ford E-250 Extended Crew Van that is surplus property no longer needed by the Authority for public use; and

WHEREAS, the State of New Jersey permits the sale of surplus property no longer needed for public use through the use of online auction services, pursuant to the Local Unit Electronic Technology Pilot Program and Study Act, P.L. 2001, c.30; and

WHEREAS, the Authority is desirous of selling the surplus property owned by the Authority which is listed in **Schedule "A"**, attached hereto and incorporated herein by reference, in an "as is" condition, without express or implied warranties.

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 a purchase order, or purchase orders as may be required, memorializing the Authority's entry into an agreement with GovDeals, Inc. for the sale of surplus property owned by the Authority which sale(s) shall be conducted online through GovDeals.com pursuant to State Contract T-2581 in accordance with the terms and conditions of State Contract T-2581 and as follows:

Online Auction Site:	www.govdeals.com
Length of Auction:	Ten (10) Days.
List of Surplus Property to be sold:	See Schedule "A"
Auction Fees:	Authority pays zero (0%) percent and the winning bidder pays a twelve and one-half (12.50%) percent buyer's premium
Shipping:	All shipping arrangements and shipping costs are the responsibility of the buyer. Item pickup on location: Foot of Empire Blvd, Moonachie, NJ 07074.

Possession:	Within ten (10) business days (excluding holidays) of winning bid and at pickup location.
Other Terms:	The sale is being conducted pursuant to Local Finance Notice 2008-9. The surplus property is being sold in "as is, where is" condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property. Payment by the bidder must be submitted to GovDeals, Inc. within five (5) business days (excluding holidays) of winning the bid. Pickup of items auctioned must be made within ten (10) business days (excluding holidays) of winning the bid unless other arrangements have been made prior.

2. The Authority reserves the right to accept or reject any bid submitted.

3. The terms and conditions of the agreement entered into with GovDeals, Inc. by the Authority pursuant to this Resolution shall be made available online at www.govdeals.com and also be made available for public inspection at the administrative offices of the Authority.

4. The formal action(s) of the Commissioners of the Bergen County Utilities Authority embodied herein are expressly contingent upon and subject to the provisions of N.J.S.A. 40:14B-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 20, 2018.

_____

Michael Henwood
Secretary

Dated: December 20, 2018

Schedule A

1. **Auction 1:** Equipment:
   No. 6119: 2002 Ford E-250 Extended Crew Van (# 21)
   Vin # 1FTNS24L62HB62588

   Bid Start: **To Be Determined upon Advertisement**
   Bid Stop:

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 18-2-011 adopted February 22, 2018, appointed **Alaimo Group** to serve as **General Consulting 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, Resolution 18-2-011 Authorized the Chairman of the Board of Commissioners of the Authority to execute a contract by and between the Authority and **Alaimo Group** (the "Contract") memorializing the services to be provided by **Alaimo Group** to the Authority as **General Consulting Engineer** and providing the budget for compensation to be paid by the Authority to **Alaimo Group** for the providing of those services, pursuant to which payment 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 **Alaimo Group** on March 1, 2018; and

WHEREAS, **Alaimo Group**, operating under the Contract, has continued to provide significant necessary and valuable services to the Authority as the Authority's **General Consulting Engineer** on an as-requested basis on a number of critical ongoing projects as well as additional other projects the Authority identified since the commencement of the term of the Contract, which projects include:

- Primary Settling Tanks 1 thru 8 and Galleries Evaluation and Report;
- Effluent Channel and Grit Collector 2 and Galleries 1 thru 3 Leak Evaluations;
- Underground Kerosene Storage Tank Evaluation at Little Ferry;
- Flow Meters 32 and 134 Rehabilitation Study;

- CoGen Carbon System Performance Evaluation;
- Switchgear Roof Design Plans, Specification and Construction Administration;
- Administration and Screen Building Roofs design plans, specification and bid package;
- BCUA Roof Evaluation Study;
- Sludge Thickener Tanks design plans , specification and bid package;
- Grit Building HVAC design plans , specification and bid package;
- SDT Wet Wells Chemical Mixing System design plans , specification and bid package;
- Chemical Feed Building systems Evaluation;
- Haworth South PS Gas Conversion and UST removal design plans , specification and bid package;
- 72 " Outfall Televising and evaluations;
- Edgewater WPCF Clarifier 1 Mechanical Rehabilitation design plans and specification;
- Pump Building 2 48 " Suction Line Evaluation;
- Gas Conversion at Administration and Warehouse Buildings;
- Route 4 and 60" Overpeck Televising; and
- Miscellaneous General Engineering support.

; and

WHEREAS, by written correspondence dated December 12, 2018, **Alaimo Group** advised the Authority that as of December 1, 2018, **Alaimo Group** had expended approximately $317,100.00 in services to the Authority under the Contract and the Contract provides for a compensation budget of $300,000.00 to be paid by the Authority to **Alaimo Group** for services performed pursuant thereto; and

WHEREAS, **Alaimo Group**, by the December 12, 2018 written correspondence, requested that the Authority increase the compensation budget provided for by the Contract by the total sum of $200,000.00, resulting in an amended Contract compensation budget of an amount not to exceed the total sum of $500,000.00; and

WHEREAS, the Authority's Director of Engineering has determined that **Alaimo Group** has performed all services under the Contract in an effective and efficient manner and further determined that the remaining work to be performed by **Alaimo Group** under the Contract is essential to the proper and effective operation of the Authority's Water Pollution Control Division and critical to the health, welfare and safety of the ratepayers and employees of the Authority; and

WHEREAS, the Authority's Director of Engineering has reviewed the December 12, 2018 written correspondence of **Alaimo Group**, including the request of **Alaimo Group** to increase the compensation budget under the Contract for the total compensation to be paid by the Authority to **Alaimo Group**, and based upon the above determinations and his review of the December 12,. 2018 written correspondence of **Alaimo Group**, he has concluded and recommended that the Authority should amend the Contract by increasing the budget for compensation to be paid by the Authority to **Alaimo Group** pursuant to the Contract in the total sum of $200,000.00, resulting in an amended compensation budget under the Contract in an amount not to exceed the total sum of $500,000.00 without further approval of the Board of Commissioners of the Authority; 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 **Alaimo Group** shall be and is hereby modified by the Authority and the Contract shall be modified to provide that the compensation to be paid by the Authority pursuant thereto shall be increased in the amount of $200,000.00 and the total amount of compensation to now be paid by the Authority to **Alaimo Group** pursuant to the modified Contract shall not exceed the total sum of $500,000.00 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 among the Authority and **Alaimo Group**, modifying the Contract as approved and authorized by this Resolution, in the form acceptable to the Chairman, and satisfactory to the Authority as evidenced by the Chairman's signature thereon.

3. A copy of this Resolution, and the contract modifying the Contract with **Alaimo Group** pursuant to this Resolution, shall be placed on file and made available for

public inspection in the Office of the Executive Director, upon execution by **Alaimo Group** and the Authority.

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

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 December 20, 2018.

Michael Henwood, Secretary

Dated: December 20, 2018

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 12/20/2018
RESOLUTION #: 18-2-076

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	ENGINEERING W-350-50400-000
VENDOR	ALAIMO GROUP
CONTRACT NUMBER	18022213
REASON	INCREASE IN THE PROFESSIONAL SERVICES NEEDS OF THE AUTHORITY FOR GENERAL CONSULTING ENGINEERING
AMOUNT	$200,000.00
CONTRACT LENGTH	DECEMBER 20, 2018 - FEBRUARY 28, 2019

Mathew Carter
ACTING TREASURER

18-089

BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION

WHEREAS, in 1947, the Bergen County Utilities Authority (the "Authority"), known at that time as the Bergen County Sewerage Authority, was established by the Bergen County Board of Freeholders and chartered to clean-up polluted rivers and streams by replacing individual ineffective, costly, and outdated municipal wastewater treatment plants with a central, more modern, efficient, and effective treatment facility to be located in Little Ferry, New Jersey; and

WHEREAS, in 2007, in accordance with its charter, the Authority acquired the Edgewater wastewater treatment plant located at 520 River Road, Edgewater, New Jersey, from the Edgewater Municipal Utilities Authority (the "Edgewater MUA"); and

WHEREAS, the Edgewater MUA's New Jersey Pollutant Discharge Elimination System ("NJPDES") Surface Water Discharge Permit into the Hudson River required additional treatment for the pollutants copper, zinc, and summer and winter ammonia; and

WHEREAS, the Edgewater MUA entered into a consent order with the New Jersey Department of Environmental Protection (the "NJDEP") including a compliance plan to achieve the additional treatment required for the pollutants copper, zinc, and summer and winter ammonia; and

WHEREAS, the compliance plan required the extension of the existing outfall sewer from the Edgewater MUA wastewater treatment plant at the bulkhead, and more than one thousand (1,000) feet into the Hudson River to provide an adequate dilution and mixing zone resulting in additional treatment; and

WHEREAS, after acquiring the Edgewater MUA's wastewater treatment plant, now known as the Authority's Edgewater Water Pollution Control Facility (the "Edgewater WPCF"), the Authority assumed responsibility for the compliance plan for the outfall extension project; and

WHEREAS, based upon a value engineering study and report, the Authority ultimately determined that the outfall extension project is not the best and most cost efficient means of achieving compliance with the Authority's NJPDES Surface Water Discharge Permit for the Edgewater WPCF; and

WHEREAS, the value engineering report recommended the closure of the Edgewater WPCF and outfall sewer in favor of the construction of a wastewater pump station and force main project (the "Edgewater WPCF Project"), resulting in the pumping of wastewater from the Edgewater WPCF influent pumping station to the Little Ferry Water Pollution Control Facility (the "Little Ferry WPCF") collection system; and

WHEREAS, in furtherance of the Authority providing essential services, and in furtherance of the Edgewater WPCF Project, the Board of Commissioners of the Authority, by Resolution 15-2-058 adopted September 24, 2015, appointed Alaimo Group to provide Preliminary Design Phase Services to the Authority for the Edgewater WPCF Project for the duration of the project or until a successor is selected or at the pleasure of the Authority, whichever shall first occur or be exercised; and

WHEREAS, Resolution 15-2-058 Authorized the Chairman of the Board of Commissioners of the Authority to execute an agreement by and between the Authority and Alaimo Group (the "Agreement") memorializing the Preliminary Design Phase Services to be provided by Alaimo Group to the Authority for the Edgewater WPCF Project and providing the budget for compensation to be paid by the Authority to Alaimo Group for the providing of those services, pursuant to which payment is not to exceed the total sum of $505,000.00 without further approval of the Board of Commissioners of the Authority; and

WHEREAS, the Agreement was executed by and on behalf of the Authority and Alaimo Group on September 24, 2015; and

WHEREAS, Alaimo Group, operating under the Agreement, continued to provide significant necessary and valuable Preliminary Design Phase Services to the Authority for the Edgewater WPCF Project since the commencement of the term of the Agreement, resulting in the Board of Commissioners of the Authority, by Resolution 17-2-042 adopted June 22, 2017, modifying the Agreement by authorizing an increase in the total amount of compensation to be paid by the Authority to Alaimo Group pursuant thereto in the sum of $100,000.00, resulting in an increase in the total amount of compensation to be paid by the Authority to Alaimo Group pursuant to the Agreement to the total sum of $605,000.00 without further approval of the Board of Commissioners of the Authority; and

WHEREAS, following the adoption of Resolution 17-2-042 by the Board of Commissioners on June 22, 2017, Alaimo Group, operating under the Agreement, continued to provide significant necessary and valuable Preliminary Design Phase Services to the Authority for the Edgewater WPCF Project, and by written correspondence dated March 13, 2018, Alaimo Group advised the Authority that, as of March 13, 2018, Alaimo Group had expended the authorized fee of $605,000.00 in services to the Authority under the Agreement as amended by Resolution 17-2-042; and

WHEREAS, the Board of Commissioners of the Authority, by Resolution 18-2-022 adopted March 22, 2018, modified the Agreement by authorizing an increase in the total amount of compensation to be paid by the Authority to Alaimo Group pursuant thereto in the sum of $125,000.00, resulting in an increase in the total amount of compensation to be paid by the Authority to Alaimo Group pursuant to the Agreement to the total sum of $730,000.00 without further approval of the Board of Commissioners of the Authority; and

WHEREAS, following the adoption of Resolution 18-2-022 by the Board of Commissioners on March 22, 2018, Alaimo Group, operating under the Agreement continued to provide significant necessary and valuable Preliminary Design Phase Services to the Authority for the Edgewater WPCF Project, and by written correspondence dated June 18, 2018, Alaimo Group advised the Authority that Alaimo Group would soon fully expend the authorized fee of $730,000.00 to be paid to Alaimo Group by the Authority under the Agreement as amended by Resolution 17-2-042 and 18-2-022; and

WHEREAS, the Board of Commissioners of the Authority, by Resolution 18-2-038 adopted June 28, 2018, modified the Agreement by authorizing an increase in the total amount of compensation to be paid by the Authority to Alaimo Group pursuant thereto in the sum of $84,480.00, resulting in an increase in the total amount of compensation to be paid by the Authority to Alaimo Group pursuant to the Agreement to the total sum of $814,480.00 without further approval of the Board of Commissioners of the Authority; and

WHEREAS, following the adoption of Resolution 18-2-038 by the Board of Commissioners on June 28, 2018, Alaimo Group, operating under the Agreement continued to provide significant necessary and valuable Preliminary Design Phase Services to the Authority for the Edgewater WPCF Project, and by written correspondence dated December 12, 2018, Alaimo Group advised the Authority that Alaimo Group would soon fully expend the authorized fee of $814,480.00 to be paid to Alaimo Group by the Authority under the Agreement as amended by Resolution 17-2-042, 18-2-022 and 18-2-038 and requested that the Authority increase the compensation budget for the Agreement by the amount of $75,000.00, resulting in an increase in the total amount of compensation to be paid by the Authority to Alaimo Group pursuant to the Agreement to the total sum of $889,480.00 without further approval of the Board of Commissioners of the Authority; and

WHEREAS, the Authority's Director of Engineering has determined that Alaimo Group has performed all services under the Agreement in an effective and efficient manner and further determined that the remaining work to be performed by Alaimo Group under the Agreement is essential to the proper and effective operation of the Authority's Water Pollution Control Division and critical to the health, welfare and safety of the ratepayers and employees of the Authority and necessary for the completion of the Edgewater WPCF Project; and

WHEREAS, the Authority's Director of Engineering has reviewed the December 12, 2018 written correspondence of Alaimo Group, including the request of Alaimo Group to increase the compensation budget under the Agreement for the total compensation to be paid by the Authority to Alaimo Group for services provided by Alaimo Group to the Authority pursuant to the Agreement, and based upon the above determinations and his review of the December 12, 2018 written correspondence, the Authority's Director of Engineering has concluded and recommended that the Authority should amend the Agreement by increasing the budget for compensation to be paid by the Authority to Alaimo Group pursuant to the Agreement in the total sum of $75,000.00, resulting in an

amended compensation budget under the Agreement in an amount not to exceed the total sum of $889,480.00 without further approval of the Board of Commissioners of the Authority; and

WHEREAS, the Authority's Acting Treasurer has certified that funds are available for the modification of the Agreement pursuant to this Resolution

.

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

1. The Agreement entered into by and between the Authority and Alaimo Group shall be and is hereby modified by the Authority and the Agreement shall be modified to provide that the compensation to be paid by the Authority pursuant thereto shall be increased in the amount of $75,000.00 and the total amount of compensation to now be paid by the Authority to Alaimo Group pursuant to the modified Agreement shall not exceed the total sum of $889,480.00 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 an agreement by and among the Authority and Alaimo Group, modifying the Agreement as approved and authorized by this Resolution, in the form acceptable to the Chairman, and satisfactory to the Authority as evidenced by the Chairman's signature thereon.

3. A copy of this Resolution, the Agreement, and the agreement modifying the Agreement as 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 Alaimo Group and the Authority.

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

5. A notice of this modification of the Agreement 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 20, 2018.

Michael Henwood, Secretary

Dated: December 20, 2018

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 12/20/2018
RESOLUTION #: 18-2-077

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	CONSTRUCTION COSTS TO BE REIMBURSED W-000-11960-000
VENDOR	ALAIMO GROUP
CONTRACT NUMBER	15092401
REASON	INCREASE IN THE PROFESSIONAL SERVICES NEEDS OF THE AUTHORITY FOR EDGEWATER WPCF
AMOUNT	$75,000.00
CONTRACT LENGTH	TO COMPLETION

Matthew Carter
ACTING TREASURER

BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION

WHEREAS, in 1947, the Bergen County Utilities Authority (the "Authority"), known as that time as the Bergen County Sewerage Authority, was established by the Bergen County Board of Freeholders and chartered to clean-up polluted rivers and streams by replacing individual ineffective, costly, and outdated municipal wastewater treatment plants with a central, more modern, efficient, and effective treatment facility to be located in Little Ferry, New Jersey; and

WHEREAS, in 2007, in accordance with its charter, the Authority acquired the Edgewater wastewater treatment plant located at 520 River Road, Edgewater, New Jersey, from the Edgewater Municipal Utilities Authority (the "Edgewater MUA"); and

WHEREAS, the Edgewater MUA's New Jersey Pollutant Discharge Elimination System ("NJPDES") Surface Water Discharge Permit into the Hudson River required additional treatment for the pollutants copper, zinc, and summer and winter ammonia; and

WHEREAS, the Edgewater MUA entered into a consent order with the New Jersey Department of Environmental Protection (the "NJDEP") including a compliance plan to achieve the additional treatment required for the pollutants copper, zinc, and summer and winter ammonia; and

WHEREAS, the compliance plan required the extension of the existing outfall sewer from the Edgewater MUA wastewater treatment plant at the bulkhead, and more than one thousand (1,000) feet into the Hudson River to provide an adequate dilution and mixing zone resulting in additional treatment; and

WHEREAS, after acquiring the Edgewater MUA's wastewater treatment plant, now known as the Authority's Edgewater Water Pollution Control Facility (the "Edgewater WPCF"), the Authority assumed responsibility for the compliance plan for the outfall extension project; and

WHEREAS, based upon a value engineering study and report, the Authority ultimately determined that the outfall extension project is not the best and most cost efficient means of achieving compliance with the Authority's NJPDES Surface Water Discharge Permit for the Edgewater WPCF; and

WHEREAS, the value engineering report recommended the closure of the Edgewater WPCF and outfall sewer in favor of the construction of a wastewater pump station and force main project (the "Edgewater Sewage Force Main Project"), resulting in the pumping of wastewater from the Edgewater WPCF influent pumping station to the

Little Ferry Water Pollution Control Facility (the "Little Ferry WPCF") collection system; and

WHEREAS, in furtherance of the Authority providing essential services, and in furtherance of the Phase 1 Services for the Edgewater WPCF Project, the Board of Commissioners of the Authority, by Resolution 15-2-057 adopted September 24, 2015, appointed ARCADIS US, Inc. to serve as Engineer to the Authority for the Phase 1 Services for the Edgewater WPCF Project for the duration of the project or until a successor is selected or at the pleasure of the Authority, whichever shall first occur or be exercised; and

WHEREAS, Resolution 15-2-057 Authorized the Chairman of the Board of Commissioners of the Authority to execute an agreement by and between the Authority and ARCADIS US, Inc. (the "Agreement") memorializing the services to be provided by ARCADIS US, Inc. to the Authority as Engineer for the Phase 1 Services for the Edgewater WPCF Project and providing the budget for compensation to be paid by the Authority to ARCADIS US, Inc. for the providing of those services, pursuant to which payment is not to exceed the total sum of $281,390.00 without further approval of the Board of Commissioners of the Authority; and

WHEREAS, the Agreement was executed by and on behalf of the Authority and ARCADIS US, Inc. on September 24, 2015; and

WHEREAS, ARCADIS US, Inc., since the commencement of the term of the Agreement, has continued to provide significant necessary and valuable professional engineering services to the Authority under the Agreement, resulting in the Board of Commissioners of the Authority, by Resolution 16-2-081 adopted December 22, 2016, authorizing the Chairman of the Board of Commissioners to modify the Agreement by increasing the budget for compensation to be paid by the Authority to ARCADIS US, Inc. under the Agreement in the amount of $25,000.00, resulting in an amended Agreement compensation budget in the total sum of $306,390.00 without further approval of the Board of Commissioners of the Authority; and

WHEREAS, ARCADIS US, Inc. operating under the Agreement, continued to provide significant necessary and valuable Preliminary Design Phase Services to the Authority for the Edgewater WPCF Project following the adoption of Resolution 16-2-081 on December 22, 2016, resulting in the Board of Commissioners of the Authority, by Resolution 17-2-041 adopted June 22, 2017, modifying the Agreement by authorizing an increase in the total amount of compensation to be paid by the Authority to ARCADIS US, Inc. pursuant thereto in the sum of $50,000.00, resulting in an increase in the total amount of compensation to be paid by the Authority to, ARCADIS US, Inc. pursuant to the Agreement to the total sum of $356,390.00 without further approval of the Board of Commissioners of the Authority; and

WHEREAS, following the adoption of Resolution 17-2-041 by the Board of Commissioners on June 22, 2017, ARCADIS U.S., Inc., operating under the Agreement, continued to provide significant necessary and valuable professional engineering services to the Authority on an as-requested basis under the Agreement, continuing to serve as the Authority's Engineer for certain Phase 1 Services for the Edgewater WPCF Project since the commencement of the term of the Agreement, resulting in the Board of Commissioners of the Authority, by Resolution 18-2-031 adopted May 24, 2018, modifying the Agreement by authorizing an increase in the total amount of compensation to be paid by the Authority to ARCADIS US, Inc. pursuant thereto in the sum of $75,000.00, resulting in an increase in the total amount of compensation to be paid by the Authority to, ARCADIS US, Inc. pursuant to the Agreement to the total sum of $431,390.00 without further approval of the Board of Commissioners of the Authority; and

WHEREAS, since the adoption of Resolution 18-2-031 by the Board of Commissioners on May 24, 2018, ARCADIS U.S., Inc. has continued to provide significant necessary and valuable professional engineering services to the Authority on an as-requested basis under the Agreement, continuing to serve as the Authority's Engineer for certain Phase 1 Services for the Edgewater WPCF Project since the commencement of the term of the Agreement; and

WHEREAS, by written correspondence dated December 10, 2018, ARCADIS US, Inc. advised the Authority that in order for ARCADIS US, Inc. to complete the tasks identified and requested by the Authority to be included in the scope of work to be completed by ARCADIS US, Inc. pursuant to the Agreement, ARCADIS US, Inc. requires the compensation budget for the Agreement to be increased by the total sum of $75,000.00, resulting in an amended Agreement compensation budget of an amount not to exceed the total sum of $506,390.00; and

WHEREAS, the Authority's Director of Engineering has determined that ARCADIS US, Inc. has performed all services under the Agreement in an effective and efficient manner and further determined that the remaining work to be performed by ARCADIS US, Inc. under the Agreement is essential to the proper and effective operation of the Authority's Water Pollution Control Division and critical to the health, welfare and safety of the ratepayers and employees of the Authority and necessary for the completion of Phase 1 Services for the Edgewater WPCF Project; and

WHEREAS, the Authority's Director of Engineering has reviewed the December 10, 2018 written correspondence of ARCADIS US, Inc., including the request of ARCADIS US, Inc. to increase the compensation budget under the Agreement for the total compensation to be paid by the Authority to ARCADIS US, Inc. for services provided by ARCADIS US, Inc. to the Authority pursuant to the Agreement, and based upon the above determinations and his review of the December 10, 2018 written correspondence of ARCADIS US, Inc., the Authority's Director of Engineering has concluded and

recommended that the Authority should amend the Agreement by increasing the budget for compensation to be paid by the Authority to ARCADIS US, Inc. pursuant to the Agreement in the total amount of $75,000.00, resulting in an amended compensation budget under the Agreement in an amount not to exceed the total sum of $506,390.00 without further approval of the Board of Commissioners of the Authority; and

WHEREAS, the Authority's Acting Treasurer has certified that funds are available for the modification of the Agreement pursuant to this Resolution.

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

1. The Agreement entered into by and between the Authority and ARCADIS US, Inc. shall be and is hereby modified by the Authority and the Agreement shall be modified to provide that the compensation to be paid by the Authority pursuant thereto shall be increased in the amount of $75,000.00 and the total amount of compensation to now be paid by the Authority to ARCADIS US, Inc. pursuant to the modified Agreement shall not exceed the total sum of $506,390.00 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 an agreement by and among the Authority and ARCADIS US, Inc., modifying the Agreement as approved and authorized by this Resolution, in the form acceptable to the Chairman, and satisfactory to the Authority as evidenced by the Chairman's signature thereon.

3. A copy of this Resolution, and the agreement modifying the Agreement with ARCADIS US, Inc. 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 maintained on file at the Authority.

5. A notice of this modification of the Agreement 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 20, 2018.

Michael Henwood, Secretary

Dated: December 20, 2018

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 12/20/2018
RESOLUTION #: 18-2-078

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	CONSTRUCTION COSTS TO BE REIMBURSED W-000-11960-000
VENDOR	ARCADIS U.S., INC.
CONTRACT NUMBER	15092402
REASON	INCREASE IN THE PROFESSIONAL SERVICES NEEDS OF THE AUTHORITY FOR EDGEWATER FORCE MAIN PROJECT
AMOUNT	$75,000.00
CONTRACT LENGTH	TO COMPLETION

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 **Scada System Upgrade for a One (1) Year Period**, pursuant to and in accordance with **Contract No. 17-21**; and

WHEREAS, on December 21, 2017, the Board of Commissioners of the Authority adopted Resolution 17-2-086, finding **Schneider Electric Systems, USA, Inc.** to be the lowest complying and responsible vendor for **Scada System Upgrade for a One (1) Year Period** pursuant to and in accordance with **Contract No. 17-21** and authorizing the execution of a contract with **Schneider Electric Systems, USA, Inc.** for **Scada System Upgrade** for a **One (1) Year Period**, constituting **Contract No. 17-21** for a total sum of **$268,784.45**; and

WHEREAS, pursuant to Article 4 of the Procurement Agreement of **Contract No. 17-21**, the contract time of **Contract No. 17-21** is a **One (1) Year Period**, which **One (1) Year Period**, pursuant to the terms of the Procurement Agreement of **Contract No. 17-21**, commenced January 1, 2018 and terminates December 31, 2018; and

WHEREAS, the Authority, subsequent to the awarding of **Contract 17-21** to **Schneider Electric Systems, USA, Inc.**, determined that in order for **Schneider Electric Systems, USA, Inc.** to complete the **Scada System Upgrade** in accordance with **Contract No. 17-21**, the **One (1) Year Period** of **Contract No. 17-21** is required to be extended for a period of thirty-one (31) calendar days, with the termination date of **Contract No. 17-21** being extended from December 31, 2018 to January 31, 2019, pursuant to, and consistent with, the terms contained in Article 12 of the Procurement General Conditions of **Contract No. 17-21**; and

WHEREAS, Schneider Electric Systems, USA, Inc. has submitted to the Authority a change order proposal dated December 11, 2018 ("Change Order No. 1"), requesting aforementioned thirty-one (31) calendar day extension of the **One (1) Year Period** of **Contract No. 17-21**, which extension of time shall provide **Schneider Electric Systems, USA, Inc.** with the additional necessary time required by **Schneider Electric Systems, USA, Inc.** to successfully complete all work pursuant to **Contract No. 17-21** as requested by the Authority; and

WHEREAS, the Authority's **Director of Engineering** has reviewed, approved and recommended Change Order No. 1 submitted by **Schneider Electric Systems, USA, Inc.** to extend the contract time of **Contract No. 17-21** for a period of thirty-one (31) calendar days, with the termination date of **Contract No. 17-21** being extended from

December 31, 2018 to January 31, 2019, pursuant to, and consistent with, the terms contained in Article 12 of the Procurement General Conditions of **Contract No. 17-21**; and

WHEREAS, Change Order No. 1 is necessary for the efficient operation of the Authority.

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

1. The Chairman, or his designee, shall be and is hereby authorized to execute Change Order No. 1 to extend the **One (1) Year Period** of **Contract No. 17-21** for a period of thirty-one (31) calendar days, with the termination date of **Contract No. 17-21** being extended from December 31, 2018 to January 31, 2019, pursuant to, and consistent with, the terms contained in Article 12 of the Procurement General Conditions of **Contract No. 17-21**.

2. All other terms of **Contract No. 17-21** shall remain in full force and effect without modification.

3. A copy of this Resolution and Change Order No. 1 shall be placed on file and made available for public inspection in the Office of the Executive Director.

4. A notice of this amendment of **Contract No. 17-21** 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-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 20, 2018.

Michael Henwood
Secretary

Dated: December 20, 2018

BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION

WHEREAS, the Bergen County Utilities Authority (the "Authority") has followed the fair and open process pursuant to N.J.SA. 19:44A-20 et seq. for receiving Requests for Qualifications; and

WHEREAS, on or about December 7, 2018 the Authority issued a Request For Qualifications for Self-Insured Third Party Administrators for the Authority's Cafeteria Plan and Health Benefits Plan in accordance with the requirements of N.J.S.A. 19:44A-20, et seq.; and

WHEREAS, the Authority received and opened Qualifications for the above listed positions on **December 14, 2018**; and

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

WHEREAS, the Authority's Personnel and Administration Committee recommends that the firms listed below be deemed qualified for the following positions.

NOW, THERERFORE, BE IT RESOLVED, by the Commissioners of the Bergen County Utilities Authority that the following firms be and are hereby qualified to render services on behalf of the Authority for the year of 2019:

Third Party Administrator for Cafeteria Plan Section 125
Insurance Design Administrators

Third Party Administrators for Self - Insured Health Benefits Plan
Insurance Design Administrators

BE IT FURTHER RESOLVED that the formal action(s) of the Commissioners of the Bergen County Utilities Authority embodied herein are expressly contingent upon and subject to the provisions of N.J.S.A. 40:14B-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 20, 2018.

Michael Henwood, Secretary

Dated: December 20, 2018

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 Health benefits program (the "Third-Party Administrator"); and

WHEREAS, Insurance Design Administrators ("IDA") has submitted a proposal received December 12, 2018 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 Claims Administration services proposed by IDA, is based upon a monthly fee, per covered employee, in amounts not to exceed: Medical $18.35; Prescription $2.50; Vision $1.10; together with fees and charges set forth on Schedule A - Administrative Services Agreement on file at the Authority offices; 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, 2019, 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 20, 2018 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, 2019, 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 or Executive Director 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 20, 2018.

Michael Henwood
Secretary

DATED: December 20, 2018

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 12/20/2018
RESOLUTION #: 18-3-008

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	EMPLOYEE BENEFITS - HOSPITALIZATION W-340-71000-000
VENDOR	INSURANCE DESIGN ADMINISTRATORS
CONTRACT NUMBER	N/A
REASON	ESTIMATED CLAIMS ADMINISTRATIVE FEE AS THIRD-PARTY ADMINISTRATOR FOR SELF INSURED HEALTH BENEFITS
AMOUNT	$80,000.00
CONTRACT LENGTH	JANUARY 1, 2019 - DECEMBER 31, 2019

Matthew Carter

ACTING TREASURER

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-insurance Benefits program**

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 20, 2018

(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 18-3-008

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 approved a contract with 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, 2018 or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively;

WHEREAS, the Authority is desirous of renewing its contract with 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, 2019 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, 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 12, 2018, 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") on file at the Authority's office 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, 2019 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 Schedule F on file at the Authority; 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 20, 2018, 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 Cafeteria Plan Section 125 Program; 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, 2019 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;

4. The form of amended Cafeteria Plan including a Health Flexible Spending Account on file at the Authority's offices is hereby renewed and approved, and the Executive Director is hereby authorized to execute and deliver to the Administrator of the Plan one or more counterparts of the Plan.

5. 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.

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

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of December 20, 2018.

Michael Henwood
Secretary

DATED: December 20, 2018

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 12/20/2018

RESOLUTION #: 18-3-009

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	EMPLOYEE BENEFITS - HOSPITALIZATION W-340-71000-000
VENDOR	INSURANCE DESIGN ADMINISTRATORS
CONTRACT NUMBER	N/A
REASON	ESTIMATED CLAIMS ADMINISTRATIVE FEE AS CAFETERIA PLAN ADMINISTRATOR FOR SELF INSURED HEALTH BENEFITS
AMOUNT	$2,000.00
CONTRACT LENGTH	JANUARY 1, 2019 - DECEMBER 31, 2019

Matthew M Porter

ACTING TREASURER

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**

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 2018. Moreover, the Contractor, by virtue of its existing service contract, currently maintains access to member's health records protected by HIPPAA 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,

Robert Laux, Executive Director

December 20, 2018

(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 18-3-009

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 18-3-003 adopted February 22, 2018, appointed LaMendola Associates, Inc. to serve as Health Insurance/Employee Benefits 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, Resolution 18-3-003 Authorized the Chairman of the Board of Commissioners of the Authority to execute an agreement by and between the Authority and LaMendola Associates, Inc. (the "Agreement") memorializing the services to be provided by LaMendola Associates, Inc. to the Authority as Health Insurance/Employee Benefits Consultant and providing the budget for compensation to be paid by the Authority to LaMendola Associates, Inc. for the providing of those services, pursuant to which payment is not to exceed the total sum of $47,500.00 without further approval of the Board of Commissioners of the Authority; and

WHEREAS, the Agreement was executed by and on behalf of the Authority and LaMendola Associates, Inc. on March 1, 2018; and

WHEREAS, LaMendola Associates, Inc., operating under the Agreement, has continued to provide significant necessary and valuable services to the Authority as the Authority's Health Insurance/Employee Benefits Consultant on an as-requested basis on a number of critical ongoing projects as well as additional other matters the Authority identified since the commencement of the term of the Agreement, including but not limited to, efforts related to a corporate wellness program; and researching managed care alternatives for large claims that occurred; and

WHEREAS, LaMendola Associates, Inc. has requested by letter dated December 10, 2018 that the Authority increase the contract limit provided for by the Agreement by the total sum of $10,500.00, resulting in an amended contract limit not to exceed the total sum of $58,000.00; and

WHEREAS, the Authority's Executive Director has determined that LaMendola Associates, Inc. has performed all services under the Agreement in an effective and

efficient manner and further determined that the remaining work to be performed by LaMendola Associates, Inc. under the Agreement 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 Authority's Executive Director has reviewed the request of LaMendola Associates, Inc. to increase the contract limit under the Agreement for the total compensation to be paid by the Authority to LaMendola Associates, Inc., and based upon the above determinations and his review of the request of LaMendola Associates, Inc., he has concluded and recommended that the Authority should amend the Agreement by increasing the budget for compensation to be paid by the Authority to LaMendola Associates, Inc. pursuant to the Agreement in the total sum of $10,500.00, resulting in an amended contract limit under the Agreement in an amount not to exceed the total sum of $58,000.00 without further approval of the Board of Commissioners of the Authority; and

WHEREAS, the Authority's Acting Treasurer has certified that funds are available for the modification of the Agreement pursuant to this Resolution.

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

1. The Agreement entered into by and between the Authority and LaMendola Associates, Inc. shall be and is hereby modified by the Authority and the Agreement shall be modified to provide that the compensation to be paid by the Authority pursuant thereto shall be increased in the amount of $10,500.00 and the total amount of compensation to now be paid by the Authority to LaMendola Associates, Inc. pursuant to the modified Agreement shall not exceed the total sum of $58,000.00 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 an agreement by and among the Authority and LaMendola Associates, Inc., modifying the Agreement as approved and authorized by this Resolution, in the form acceptable to the Chairman, and satisfactory to the Authority as evidenced by the Chairman's signature thereon.

3. A copy of this Resolution, and the agreement modifying the Agreement with LaMendola Associates, Inc. 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 LaMendola Associates, Inc. and the Authority.

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

5. A notice of this modification of the Agreement 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 20, 2018.

Michael Henwood, Secretary

Dated: December 20, 2018

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 12/20/2018
RESOLUTION #: 18-3-010

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	EMPLOYEE BENEFITS - HOSPITALIZATION A-340-71000-000
VENDOR	LAMENDOLA ASSOCIATES, INC.
CONTRACT NUMBER	18022215
REASON	INCREASE IN THE PROFESSIONAL SERVICES NEEDS OF THE AUTHORITY FOR HEALTH INSURANCE/EMPLOYEE BENEFITS CONSULTANT
AMOUNT	$10,500.00
CONTRACT LENGTH	DECEMBER 20, 2018 - FEBRUARY 28, 2019

Matthew Carter

ACTING TREASURER

BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION

BE IT RESOLVED by the Commissioners of the Bergen County Utilities Authority that for FY/CY 2019 the Non-Bargaining Unit employees of the Authority shall be provided with a Two (2) percent increase in base salary together with all benefits as provided to all bargaining unit employees effective January 1, 2019.

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 20, 2018.

Michael Henwood
Board Secretary

DATED: December 20, 2018