

**BERGEN COUNTY UTILITIES AUTHORITY
MINUTES OF THE REGULAR MEETING
FEBRUARY 28, 2019**

**In the matter of the 479th Regular Meeting of
The Bergen County Utilities Authority**

1. The **proof of meeting notice** calling the February 28, 2019, meeting was read into the record by Michael Henwood, Board Secretary.

2. Roll Call:

COMMISSIONERS PRESENT:

Ronald Phillips, Chairman
Louis J. DeLisio, Vice Chairman
Bruce Bonaventuro, Commissioner
Daniel Gumble, Commissioner
Paul A. Juliano, Commissioner
Thomas S. Kelley, Commissioner (Telephonically)
Peter C. Massa, Commissioner
Jon Warms, Commissioner

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

3. Motion that the Minutes covering the January 24, 2019 Work Session be approved was moved by Commissioner DeLisio and Seconded by Commissioner Warms and was carried.
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. BY-LAWS COMMITTEE:

2019 Reorganization - Chairman Phillips requested that General Counsel Placek conduct nominations for BCUA Chairman and Vice Chairman as per Resolution 19-4-001. Commissioner Juliano nominated Ronald Phillips for BCUA Chairman and was seconded by Commissioner DeLisio. Commissioner Warms nominated Louis J. DeLisio for Vice Chairman and was seconded by Commissioner Bonaventuro. A roll call was taken and resolution was adopted as reflected in these minutes.

Resolution 19-4-001 - 2019 Reorganization – Election of Chairman and Vice Chairman. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner Warms. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 19-4-002 - 2019 Reorganization – Adoption of By-Laws. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner Warms. A roll call was taken and the resolution was adopted as reflected in these minutes.

6. FINANCE AND LEGAL COMMITTEE:

Resolution 19-1-008 - Approve bills and the claims supported by vouchers totaling \$7,313,523.34 for the month of February 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 Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 19-1-009 - Ratify and Approve Financial Actions directed by Mathew McCarter, Acting Treasurer, during the month of January 2019. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 19-1-010 - Authorize Professional Services Contract- Audit and Accounting - Lerch, Vinci & Higgins, LLP. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 19-1-011 - Authorize Contract – Financial Advisor - Acacia Financial Group, Inc. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 19-1-012 - Authorize Professional Services Contract – General Legal Counsel - Kaufman, Semeraro & Leibman, L.L.P. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 19-1-013 - – Authorize Professional Services Contract – Bond Counsel - McManimon, Scotland & Baumann, L.L.C. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 19-1-014 - Authorize Professional Services Contract – Special Counsel - Eric M. Bernstein & Associates, L.L.C. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 19-1-015 - Authorize Professional Services Contract – Special Counsel – Price, Meese, Shulman & D'Arminio Attorneys at Law. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 19-1-016 - Authorize Contract – Public Relations and Media Relations - Catania Consulting Group. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 19-1-017 - Authorize Contract – Grants/Government Services Consulting – Gibbons P.C. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 19-1-018 - Approve donation to the Little Ferry First Aid Corps; Little Ferry Hook & Ladder 1; and Little Ferry Hose Company #1. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 19-1-019 - Authorize Amendment to 2017- 2018 Professional Services Contract – Audit and Accounting - Lerch, Vinci & Higgins, LLP. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 19-1-020 – Authorize Professional Services Contract – Special Counsel - Meyerson, Fox, Mancinelli, Conte & Bern P.A. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 19-1-021 – Authorize application to New Jersey Environmental Infrastructure Trust (“NJEIT”) for financing of Aeration Tank Header Repairs, Sludge Digester Improvements, Final Settling Tank Repairs, Primary Settling Tank Repairs and Northern Valley Force Main Repairs (the “NJEIT Projects”). Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

7. CONSTRUCTION & ENGINEERING COMMITTEE:

Resolution 19-2-003 – Authorize Professional Services Contract - Site Work /Land Surveying Engineer – Neglia Engineering Associates . 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 19-2-004 - Authorize Professional Services Contract - Environmental Consulting Engineers – Arcadis, U.S., Inc. 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 19-2-005 – Authorize Professional Services Contract - General Consulting Engineers – Alaimo Group. 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 19-2-006 - Authorize Professional Services Contract - Energy Management and Related Air Pollution Control Permit Engineering Services – Remington & Vernick Engineers. 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 19-2-007 – Authorize Professional Services Contract – Special Environmental Engineering Services - NJPDES Regional Long Term Control Plan for the Bergen County CSO Group - Mott MacDonald, LLC. 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 19-2-008 - Authorize First Option – One (1) Year – Contract 17-01 – American Wear, Inc. – Cleaning and Rental of Uniforms (Two (2) Years with Two (2) One (1) Year Options). 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 19-2-009 – Authorize Professional Services Contract – Engineer Consulting – Solid Waste Planning – Mott MacDonald, LLC. 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 19-2-010 - Authorize Professional Services Contract – Special Consulting Engineer – Greeley and Hansen, LLC. 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 19-2-011 – Authorize Contract No.18-12 – JCI Jones Chemicals, Inc. – Furnish and Deliver Sodium Hypochlorite. 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 19-2-012 - Authorize Purchase Order pursuant State Approved Co-op No. 65MCESCCPS ESCNJ 17/18-21 to Beyer Ford – 2019 Ford Transit Connect Van (S6E). 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 19-2-013 – Authorize Purchase Order pursuant State Approved Co-op No. 65MCECCPS ESCNJ 17/18-21 to Beyer Ford – 2019 Ford Transit Van T-150 (E1Y). 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. PERSONNEL AND ADMINISTRATION COMMITTEE:

Resolution 19-3-002 – Authorize Contract - Health Insurance /Employee Benefits Consultant – LaMendola Associates, Inc. Motion to adopt the resolution was made by Commissioner Juliano and Seconded by Commissioner Massa. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 19-3-003 – Authorize Contract - Third Party Administration for the Authority's Self - Insurance Workers' Compensation & General Liability Plan - Bergen Risk Managers. Motion to adopt the resolution was made by Commissioner Juliano and Seconded by Commissioner Massa. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 19-3-004 – Authorize Appointment – Manager of Operations & Maintenance, U.U.A.E. Motion to adopt the resolution was made by Commissioner Juliano and Seconded by Commissioner Massa. A roll call was taken and the resolution was adopted as reflected in these minutes.

9. STRATEGIC PLANNING COMMITTEE:

Resolution 19-6-001 – Authorize execution of an Intergovernmental Agreement by and between the Bergen County Utilities Authority and the Borough of Teterboro providing for Certified Recycling Professional services. Motion to adopt the resolution was made by Commissioner Warms and Seconded by Commissioner Bonaventuro. A roll call was taken and the resolution was adopted as reflected in these minutes.

10. Chairman Phillips announced a short recess to allow time for the Board Secretary to prepare minutes of this Regular Meeting.

11. Chairman Phillips announced the Regular Meeting would reconvene.

12. The Board Secretary then distributed proposed minutes of the February 28, 2019 Regular Meeting for review by the Commissioners.

13. Motion to approve the Minutes of the Regular Meeting February 28, 2019 as distributed by the Secretary, such minutes to include this motion approving the minutes, without the requirement of further review or approval at a subsequent Regular Meeting. Motion to

BERGEN COUNTY UTILITIES AUTHORITY
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February 28, 2019

adopt the Minutes of the Regular Meeting February 28, 2019 was made by Commissioner Warms and Seconded by Commissioner Massa and was unanimously carried.

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

Resolution #	19-4-001	19-4-002	19-1-008	19-1-009	19-1-010	19-1-011	19-1-012
Chairman Phillips	Y	Y	Y	Y	Y	Y	Y
V. Chair. DeLisio	Y	Y	Y	Y	Y	Y	Y
Comm. Bentz	-	-	-	-	-	-	-
Comm. Bonaventuro	Y	Y	Y	Y	Y	Y	Y
Comm. Gumble	Y	Y	Y	Y	Y	Y	Y
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 #	19-1-013	19-1-014	19-1-015	19-1-016	19-1-017	19-1-018	19-1-019
Chairman Phillips	Y	Y	Y	Y	Y	Y	Y
V. Chair. DeLisio	Y	Y	Y	Y	Y	Y	Y
Comm. Bentz	-	-	-	-	-	-	-
Comm. Bonaventuro	Y	Y	Y	Y	Y	Y	Y
Comm. Gumble	Y	Y	Y	Y	Y	Y	Y
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 #	19-1-020	19-1-021	19-2-003	19-2-004	19-2-005	19-2-006	19-2-007
Chairman Phillips	Y	Y	Y	Y	Y	Y	Y
V. Chair. DeLisio	Y	Y	Y	Y	Y	Y	Y
Comm. Bentz	-	-	-	-	-	-	-
Comm. Bonaventuro	Y	Y	Y	Y	Y	Y	Y
Comm. Gumble	Y	Y	Y	Y	Y	Y	Y
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 #	19-2-008	19-2-009	19-2-010	19-2-011	19-2-012	19-2-013	19-3-002
Chairman Phillips	Y	Y	Y	Y	Y	Y	Y
V. Chair. DeLisio	Y	Y	Y	Y	Y	Y	Y
Comm. Bentz	-	-	-	-	-	-	-
Comm. Bonaventuro	Y	Y	Y	Y	Y	Y	Y
Comm. Gumble	Y	Y	Y	Y	Y	Y	Y
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

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Resolution #	19-3-003	19-3-004	19-6-001
Chairman Phillips	Y	Y	Y
V. Chair. DeLisio	Y	Y	Y
Comm. Bentz	-	-	-
Comm. Bonaventuro	Y	Y	Y
Comm. Gumble	Y	Y	Y
Comm. Juliano	Y	Y	Y
Comm. Kelley	Y	Y	Y
Comm. Massa, Jr.	Y	Y	Y
Comm. Warms	Y	Y	Y

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

Respectfully submitted,



Michael Henwood
Board Secretary

Date: February 28, 2019

19-4-002

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

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

1. The annexed By-Laws shall be and they are hereby adopted as the By-Laws of the Authority for use by the Authority, effective upon adoption and shall continue thereafter, unless revised or modified or repealed.

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of February 28, 2019.


Michael Henwood
Board Secretary

DATED: February 28, 2019

19-4-002

THE BERGEN COUNTY UTILITIES AUTHORITY

BY-LAWS

Article 1. By-Laws and Organization

Section 1. By-Laws

These By-Laws shall constitute the By-Laws of The Bergen County Utilities Authority (the "Authority"). Amendments to these By-Laws shall be incorporated herein as if more fully set forth at length herein and shall constitute the By-Laws of the Authority.

Section 2. Organization

The Authority is a public body politic and corporate, constituting a political subdivision of the State, established as an instrumentality exercising public and essential governmental functions, to provide for the public health and welfare, having perpetual succession and having express and implied powers by virtue of and under N.J.S.A. 40:14b-1 et seq., more commonly known as the "Municipal and County Utilities Authorities Law."

Article 2. Seal

Section 1. Seal

The Seal of the Authority shall be as follows:

Article 3. Office

The office of The Bergen County Utilities Authority shall be at:

Foot of Mehrhof Road
Little Ferry, New Jersey 07643

Mailing Address: P. O. Box 9, Little Ferry, NJ 07643

Article 4. Members

Section 1. Members

The powers of the Authority shall be vested in the Members thereof in office, from time to time. Each Member shall hold office for the term for which he or she was appointed until his or her successor has been appointed and has qualified.

Section 2. Removal

A Member of the Authority may be removed only by the governing body by which he or she was appointed and only for inefficiency or negligence of duty or misconduct in office, and after he or she shall have been given a copy of the charges against him or her and not sooner than ten (10) days thereafter, had opportunity in person or by counsel to be heard thereon by such governing body.

Article 5. Officers

Section 1. Election of Chair and Vice Chair

The Chair and Vice Chair of the Authority shall be elected by the Membership of the Authority at the Authority's annual reorganization meeting or such meeting called for the purpose of electing the Chair and Vice Chair and/or reorganizing generally. The Chair and Vice Chair shall serve until February 1 of the ensuing year and thereafter, until their successors have been appointed and qualified.

Notwithstanding anything to the contrary herein, in the event the Chair and Vice Chair die, become disabled or otherwise become incapable of performing their duties, the balance of the Members of the Authority shall be entitled to convene a special and/or emergency meeting, in conformity with the notice requirements of N.J.S.A.

10:4-6, et seq. (more commonly referred to as the “Open Public Meetings Act”), to fill the unexpired terms of the immediate past Chair and Vice Chair.

Section 2. Officers

The Authority’s officers shall be the Chair, Vice Chair and Secretary.

Section 3. Duties

The duties and powers of the Chair, Vice Chair and Secretary are as follows:

Chair

The Chair shall cause to be called all meetings of the Authority; the Chair shall preside at all meetings of the Authority; the Chair shall be responsible for opening the meetings at the time the meetings are supposed to be opened by calling the Members to order; to ascertain then and throughout the meeting, that a quorum is present; the Chair shall preside over the deliberations of the Authority and conduct the meetings thereof; the Chair shall, on all occasions, preserve order and decorum in a clear, concise and courteous manner, and may cause the removal of all persons who interrupt the orderly proceedings of the Authority; the Chair shall enforce all rules, including these By-Laws and rules of debate; the Chair shall maintain order and respond to parliamentary inquiries, point of order and any other motions that require the action of the Chair; the Chair shall endeavor to alternate between pro and con when conducting a debate on a motion; the Chair shall at all times uphold the By-Laws, rules of order, and standing rules and other documents relevant to the business of the Authority and, in general, to represent the Authority, declaring its will and obeying its command in all matters and regards. The Chair shall not only be familiar with the By-Laws of the Authority, but also set an example of conformity to such rules.

The Chair shall serve as the ex-officio Member of all committees, standing or special, and shall be informed in advance of the meetings of standing or special committees.

Unless otherwise provided, the Chair, or anyone acting in his or her stead, shall sign all contracts and other agreements and obligations of the Authority. The Chair, or anyone acting in her stead, together with the Authority's Executive Director and Chief Financial Officer, shall sign all checks, drafts, notes and/or requisitions of the Authority.

The Chair shall, at the annual reorganization meeting of the Authority, receive nominations from any Member(s) of the Authority for the positions of Chair and Vice Chair for the ensuing year. The Members present shall thereafter vote to select the Chair and Vice Chair from among the nominations received by the Chair.

Vice Chair

The Vice Chair, in the absence of the Chair, shall have all of the powers to perform all of the duties of the Chair.

Secretary

The Secretary shall attend all meetings of the Authority and shall be responsible for verification and confirmation of the notification of Authority meetings and the roll of the Members of the Authority, together with such other matters incidental to the performance of duties of the Secretary.

The Secretary's duties shall include attendance at all Authority meetings; the taking and retention of the minutes of the Authority's meetings and the meetings of special or sub-committees thereof; to cause to be issued written notices of the

meetings of the Authority; to maintain a roster of the Membership of the Authority; to provide for and execute copies of the Authority's documents, where necessary, and to produce such minutes and organizational documents available to the Members of the Authority at reasonable times and places and to call the roll, when required.

The Secretary shall also provide to the Chair and Vice a list of all committees, their chairs and Members.

Article 6. Meetings

Section 1. Annual Meetings

The Annual Meeting of the Authority shall be held at the Authority's office on or after the first day of February of each year, on the date and at the time and place established by the Authority for such meetings.

Section 2. Work Session Meetings

Unless otherwise designated and established by law, work session meetings shall be held at the Authority's offices on the fourth Thursday of the month at 6:00 p.m., or at such other times and dates as may, from time to time, be established by the Authority.

Section 3. Regular Meetings

Unless otherwise designated and established by law, regular meetings shall be held at the Authority's offices on the fourth Thursday of each month, commencing immediately upon completion of the regular meeting work session that evening.

Section 4. Special Meetings

Special Meetings of the Authority may be called by the Chair. The Chair shall also call such a meeting upon the written request of the majority of the regular

Members of the Authority. Notice of such meetings shall be served personally, or sent by mail, not less than 48 hours before the date and time set for the meeting. The notices shall comply with the notice requirements of N.J.S.A. 10:4-6, et seq., which may, from time to time, be amended.

Section 5. Emergency Meetings

Emergency Meetings may be convened only upon the affirmative vote of three-quarters of the Members present, to deal with matters of such urgency and importance that a delay for the purpose of providing adequate notice would be likely to result in substantial harm to the public interest; provided however, that the notice requirements for such meeting as set forth in N.J.S.A. 10:4-9 of the Open Public Meetings Act, which may from time to time be amended, are satisfied.

Section 6. Quorum

A majority of the entire authorized Membership shall constitute a quorum at any meeting.

Section 7. Voting

Questions shall be determined by vote of the Members present. Formal action may be taken and motions and resolutions adopted by the Authority at any meeting of the Members thereof by a vote of a majority of the Members present except where the election of the Chair and Vice Chair may be by ballot, if a majority of the Members present elect to establish a ballot procedure to elect the Chair and Vice Chair.

Section 8. Orders of Business

Unless suspended or other wise ordered by the Chair or Vice Chair, as the case may be, the order of business at regular meetings shall be as follows:

1. Proof of Notice of Meeting, or Waiver and Notice;
2. Roll Call;
3. Pledge of allegiance;
4. Approval of Minutes;
5. Public Participation;
6. Report of Committees;
7. Unfinished Business;
8. New Business; and
9. Adjournment

Article 7. Presumption of Powers

Section 1. Presumption

Consistent with the powers conferred upon the Authority by virtue of N.J.S.A. 40:14B-20, the Authority shall exercise all enumerated and necessary and implied powers in the broadest possible sense in order to fulfill its responsibilities as a public body politic and corporate, discharging essential governmental functions to provide for the public health, safety and welfare, and having perpetual succession.

Section 2. Liberal Construction

These By-Laws shall be construed liberally to effectuate and implement the Authority's actions in exercising its powers under these By-Laws and N.J.S.A. 40:14B-1, et seq.

Article 8. Mission Statement

Section 1. The Members of the Authority shall formulate and establish the policies and objectives of the Authority for the management and regulation of its

business and affairs and for the use, maintenance and operation of its utilities systems and any other of its properties.

Section 2. In Authority staff and employees is reposed the responsibility for the day-to-day implementation and/or management of Authority policy, not otherwise reserved by the Members of the Authority pursuant to N.J.S.A. 40:14B-1, et seq. or these By-Laws, or where such matters involved or effect the interpretation of the Members' decisions and/or policies. The Members of the Authority deem such matters within their jurisdiction.

Article 9. Committees

Section 1. Committees: Appointment

The Chair shall appoint such standing or special committees as the Chair deems necessary and designate the chair and Members thereof. Standing Committees shall be the Construction & Engineering Committee, the Legal & Finance Committee, the Personnel & Administration Committee, the Security & Safety Committee, the Strategic Planning Committee and the By-Laws Committee.

Section 2. Duties of the Committee Chair

The committee chair shall call the committee together, from time to time or as directed by the Authority to review or initiate, as the case may be, recommendations to the Authority, with regard to the specific issues, questions, policies and planning relating to matters falling under the jurisdiction of the committee. The committee chair and Members shall develop and formulate a "mission" statement and define the objectives of the committee. Thereafter, the committee chair shall call the committee together from time to time to formulate and/or review, as the case may be,

recommendations to the Authority with regard to the matters subject to the jurisdiction of the committee. Whatever is not agreed to by the majority of the Membership present and not voted on at a committee meeting cannot form part of that committee's report(s) to the Authority.

The committee chair shall be responsible to call the Members of the committee to order, ascertain that a quorum is present, and to announce that the business of the committee is in correct order; to ensure that the business of the committee is addressed and completed expeditiously so that committee recommendations are made to the Authority for further consideration; the committee chair shall also enforce all rules to maintain order, decorum, and debate, and to respond to parliamentary inquiries and point of order, to declare, when appropriate, when the committee is recessed or adjourned, and in general, to exercise the functions of the committee chair of the Authority limited, however, to the business before his or her committee.

The committee chair shall present to the Authority his or her report of the committee's recommendations and respond to any questions or comments when it is appropriate to do so, during the meetings of the Authority at which committee reports are presented.

All Committee meetings shall comply with all requirements of the Open Public Meetings Act, N.J.S.A. 10:4-1 et seq.

Article 10. Fiscal Year

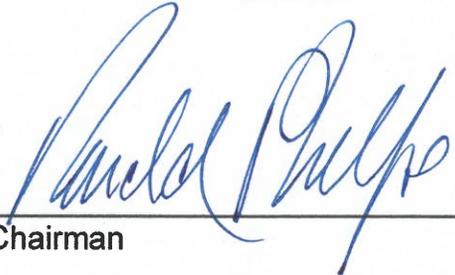
Section 1. Fiscal Year

The fiscal year of the Authority shall begin on January 1 and end on December 31 of each year.

Article 11. Modification and Repeal

Section 1. Procedure

These By-laws may be modified or repealed, in whole or in part, by the affirmative vote of at least five (5) Members of the Authority at any regular meeting of the authority, or at a special meeting at which the modification or repeal of the By-Laws, in whole or in part, shall be considered, provided however, that written notice of any such special meeting shall have been sent to each Member in accordance with the notice requirements of the Open Public Meetings Act (N.J.S.A. 10:4-6, et seq.).



Chairman

ADOPTED: February 28, 2019

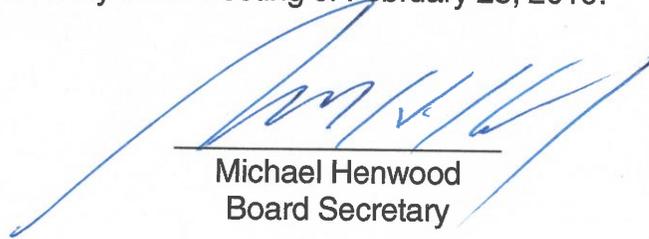
Resolution 19-4-002

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

BE IT RESOLVED by the Commissioners of the Bergen County Utilities Authority that the Financial Actions directed by Mathew McCarter, Acting Treasurer, during the month of January 2019 be and are hereby ratified and approved.

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of February 28, 2019.



Michael Henwood
Board Secretary

Dated: February 28, 2019

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, there exists the need to engage the services of a certified public accountant/registered municipal accountant to provide **Audit and Accounting Services** to the Bergen County Utilities Authority (the "Authority"); and

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

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

WHEREAS, this contract was awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq. through a publicly advertised Request for Qualifications ("RFQ"); and

WHEREAS, **Lerch, Vinci & Higgins, L.L.P.** has submitted a proposal to provide **Audit and Accounting Services** to the Authority, dated **February 8, 2019**, which proposal has been reviewed by the Authority; and

WHEREAS, the Authority desires to appoint and retain **Lerch, Vinci & Higgins, L.L.P.** to provide **Audit and Accounting Services** to the Authority for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

WHEREAS, the Authority's Board of Commissioners has determined that **Lerch, Vinci & Higgins, L.L.P.** is competent, qualified and experienced to provide the **Audit and Accounting Services** to the Authority; and

WHEREAS, the Authority has determined, on the basis of the foregoing, that it is necessary for its efficient operation to retain the services of **Lerch, Vinci & Higgins, L.L.P.** to provide **Audit and Accounting Services** to the Authority; and

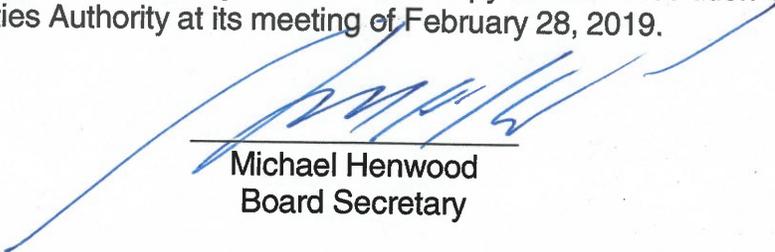
WHEREAS, N.J.S.A. 40A:11-1, et seq. requires that the resolution authorizing the award of contracts for professional services and the contract itself be available for public inspection; and

WHEREAS, the Acting Treasurer of the Authority has certified that funds are available for this purpose.

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

1. **Lerch, Vinci & Higgins, L.L.P.** shall be and is hereby appointed to provide **Audit and Accounting Services** to the Authority for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively.
2. The Chairman shall be and is hereby authorized to execute an contract, similar in form and substance to the contract on file on the Office of the Executive Director, by and between the Authority and **Lerch, Vinci & Higgins, L.L.P.** memorializing the scope of services and compensation to be paid for such services, in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.
3. A copy of this Resolution and the contract retaining **Lerch, Vinci & Higgins, L.L.P.** 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 **Lerch, Vinci & Higgins, L.L.P.** and the Authority.
4. The total amount authorized to be paid pursuant to the contract herein awarded shall not exceed the total sum of **\$215,000.00** without further action by the Board of Commissioners.
5. The Acting Treasurer's Certification that funds are available shall be placed on file and made available for public inspection in the Office of the Executive Director and made a part hereof.
6. A notice of this contract award shall be published in the form prescribed by law.
7. The formal action(s) of the Commissioners of 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 February 28, 2019.



Michael Henwood
Board Secretary

Dated: February 28, 2019

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 2/28/2019

RESOLUTION #: 19-1-010

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

AUDIT & FINANCIAL ADVISORY
W-350-51000-000

VENDOR

LERCH, VINCI, & HIGGINS, L.L.P.

CONTRACT NUMBER

19022801

REASON

AUDIT & ACCOUNTING SERVICES

AMOUNT

\$215,000.00

CONTRACT LENGTH

MARCH 1, 2019 - FEBRUARY 29, 2020


ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, there exists the need for the Bergen County Utilities Authority (the "Authority") to engage the services of a **Financial Advisor**; and

WHEREAS, N.J.S.A. 40A:11-5(1)(a)(ii) authorizes and permits the procurement of a **Financial Advisor** without competitive bidding, where said services are in the nature of an "extraordinary unspecifiable service"; and

WHEREAS, **Financial Advisor** services are recognized as "extraordinary unspecifiable services" as said services are specialized and qualified in nature, requiring expertise, extensive training and proven reputation in the field of endeavor, pursuant to and in accordance with N.J.S.A. 40A:11-2(7) and this contract is awarded without competitive bidding as an "extraordinary unspecifiable service", pursuant to and in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, the Authority's Executive Director and the Authority's Acting Treasurer have determined that the engagement of a **Financial Advisor** is necessary to provide for the efficient operation of the Authority; and

WHEREAS, pursuant to and in accordance with N.J.A.C. 5:34-2.3, the Authority's Acting Treasurer has provided the Authority's Commissioners with a Certification, dated February 28, 2019, 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; and

WHEREAS, this contract was awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq. through a publicly advertised Request for Qualifications ("RFQ"), and the Board of Commissioners of the Authority has determined that **Acacia Financial Group, Inc.** is competent, qualified and experienced to provide these services and serve as the Authority's **Financial Advisor**; and

WHEREAS, **Acacia Financial Group, Inc.** has submitted a written proposal dated February 12, 2019 (the "Proposal") to serve as **Financial Advisor** to the Authority, which proposal has been reviewed, and determined to be fair and reasonable, by the Authority's Executive Director and the Authority's Acting Treasurer; and

WHEREAS, the Authority has determined, based upon the foregoing, that it is necessary for its efficient operation to retain the services of **Acacia Financial Group, Inc.** to serve as **Financial Advisor** to the Authority for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

WHEREAS, the Authority's Acting Treasurer has certified that funds are available for this purpose; and

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

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

1. **Acacia Financial Group, Inc.** shall be and is hereby appointed by the Authority to serve as **Financial Advisor** to the Authority for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively.
2. The Chairman shall be and is hereby authorized to execute a contract, similar in form and substance to the contract on file in the Office of the Executive Director, by and between the Authority and **Acacia Financial Group, Inc.** memorializing the scope of services to be performed and compensation to be paid therefor, in such final form as is acceptable to the Authority as evidenced by the Chairman's signature thereon.
3. The Acting Treasurer's Certification that funds are available shall be placed on file and made available for public inspection in the Office of the Executive Director and made a part hereof.
4. The total amount authorized to be paid by the Authority to **Acacia Financial Group, Inc.** pursuant to the contract herein awarded shall not exceed the total sum of **\$17,500.00** without further action by the Board of Commissioners. For all services with respect to the authorization and the issuance of a permanent bond issue or other financing, the amount paid shall be in accordance with the aforesaid proposal.
5. A copy of this Resolution and the contract retaining **Acacia Financial Group, Inc.** as **Financial Advisor** as approved and 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 **Acacia Financial Group, Inc.** and 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).

19-1-011

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of February 28, 2019.



Michael Henwood
Board Secretary

Dated: February 28, 2019

**CERTIFICATION FOR AN EXTRAORDINARY
UNSPECIFIABLE SERVICES CONTRACT**

TO: Members of the Board of Commissioners
FROM: Mathew McCarter
Acting Treasurer, Bergen County Utilities Authority
DATE: February 28, 2019
SUBJECT: **Award of Contract for Financial Consultant**

This is a contract for the Provision of Consulting - Financial Consultant

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

Firm: Acacia Financial Group ("Contractor")
Duration: Until the Authority's 2020 Reorganization Meeting.
Purpose: To provide services to the Authority in regards to the provision of Financial Consulting Services.

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 financial consulting services. As Acting Treasurer, I am familiar with the nature of the work to be done under the contract for Financial Consultant 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 the financial consulting be performed by an entity with expertise, extensive training and a proven reputation in the field of endeavor of providing such consulting service.

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

This contract 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 services requiring financial expertise in the rendering of advice, have been recognized by the Division of Local Government Services, (Local Finance Notice AU 2002-2) as within the statutory definition of Extraordinary Unspecifiable Services.

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:

It is not reasonably possible to draft specifications for these services adequately defining the expertise and skill requires in such complex type matters as covered by

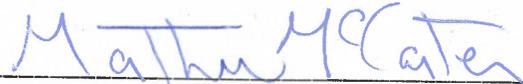
the contract to be let, such services being of such a qualitative nature as well as an endeavor, the scope of which is not reasonably determinable in advance of the receipt of proposals from those with required expertise and skill.

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 Financial Consultant services was advertised on December 17, 2018, and statements of qualifications were received. The Contractor was duly qualified by resolution of the Authority dated January 24, 2019. Informal Quotations from at least two qualified providers of Financial Consultant services were informally solicited, 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 Financial Consultant 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,



Mathew McCarter, Acting Treasurer

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

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 2/28/2019

RESOLUTION #: 19-1-011

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

AUDIT & FINANCIAL ADVISORY
W-350-51000-000

VENDOR

ACACIA FINANCIAL GROUP, INC.

CONTRACT NUMBER

19022802

REASON

FINANCIAL ADVISOR

AMOUNT

\$17,500.00

CONTRACT LENGTH

MARCH 1, 2019 - FEBRUARY 29, 2020

Matthew Carter
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, there exists the need to retain legal counsel to perform requisite legal services to represent the Bergen County Utilities Authority (the "Authority") as its **General Legal Counsel**; and

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

WHEREAS, **Kaufman, Semeraro & Leibman, L.L.P** has submitted a written proposal dated February 1, 2019 (the "Proposal") to serve as **General Legal Counsel** to the Authority, which proposal has been reviewed by the Authority; and

WHEREAS, the Authority's Board of Commissioners has determined that **Kaufman, Semeraro & Leibman, L.L.P.** is competent and qualified to serve as the Authority's **General Legal Counsel**; and

WHEREAS, the Authority desires to appoint and retain **Kaufman, Semeraro & Leibman, L.L.P.** to serve as the Authority's **General Legal Counsel** for a **Sixty (60) Day Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

WHEREAS, the Authority has determined on the basis of the foregoing that it is necessary for its efficient operation to retain the services of **Kaufman, Semeraro & Leibman, L.L.P.** to serve as **General Legal Counsel** to the Authority; and

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

WHEREAS, this contract was awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq. through a publicly advertised Request for Qualifications ("RFQ"); and

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

WHEREAS, the Acting Treasurer of the Authority has certified that funds are available for this purpose.

19-1-012

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

1. **Kaufman, Semeraro & Leibman, L.L.P.** shall be and is hereby appointed to serve as **General Legal Counsel** to the Authority for a **Sixty (60) Day Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively.

2. The Chairman shall be and is hereby authorized to execute a contract, similar in form and substance to the contract on file at the Authority by and between the Authority and **Kaufman, Semeraro & Leibman, L.L.P.**, memorializing the scope of services and compensation to be paid for such services, in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

3. A copy of this Resolution and a copy of the contract retaining **Kaufman, Semeraro & Leibman, L.L.P.** to serve as **General Legal Counsel** to 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 **Kaufman, Semeraro & Leibman, L.L.P.** and the Authority.

4. The total amount authorized to be paid pursuant to the contract herein awarded shall not exceed the total sum of **\$40,000.00** without further action by the Board of Commissioners.

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

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 February 28, 2019.



Michael Henwood
Board Secretary

DATED: February 28, 2019

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 2/28/2019
RESOLUTION #: 19-1-012

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

LEGAL
W-350-50800-000

VENDOR

KAUFMAN, SEMERARO & LEIBMAN, L.L.P.

CONTRACT NUMBER

19022803

REASON

GENERAL LEGAL COUNSEL

AMOUNT

\$40,000.00

CONTRACT LENGTH

MARCH 1, 2019 - APRIL 29, 2019

Matthew McCarter
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, there exists the need to retain legal counsel to perform requisite legal services to represent the Bergen County Utilities Authority (the "Authority") as its **Bond Counsel**, in connection with the authorization and issuance of obligations for projects the Authority elects to undertake, and for other related legal services as the Authority may request from time-to-time; and

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

WHEREAS, **McManimon, Scotland & Baumann, L.L.C.** has submitted a written proposal dated February 12, 2019 (the "Proposal") to serve as **Bond Counsel** to the Authority, which proposal has been reviewed by the Authority; and

WHEREAS, the Authority Commissioners have determined that **McManimon, Scotland & Baumann, L.L.C.** is competent, qualified and experienced to serve as the Authority's **Bond Counsel**; and

WHEREAS, the Authority desires to appoint and retain **McManimon, Scotland & Baumann, L.L.C.** to serve as the Authority's **Bond Counsel** for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

WHEREAS, the Authority has determined on the basis of the foregoing that it is necessary for its efficient operation to retain the services of **McManimon, Scotland & Baumann, L.L.C.** to serve as **Bond Counsel** to the Authority; and

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

WHEREAS, this contract was awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq. through a publicly advertised Request for Qualifications ("RFQ"); and

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

WHEREAS, the Acting Treasurer of the Authority has certified that funds are available for this purpose.

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

1. **McManimon, Scotland & Baumann, L.L.C.** shall be and is hereby appointed to serve as **Bond Counsel** to the Authority for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively.
2. The Chairman shall be and is hereby authorized to execute a contract in form and substance similar to the contract on file at the Authority, by and between the Authority and **McManimon, Scotland & Baumann, L.L.C.**, memorializing the scope of services to be rendered and compensation to be paid for such services, in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.
3. A copy of this Resolution and the contract engaging **McManimon, Scotland & Baumann, L.L.C.** to serve as **Bond Counsel** to 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 **McManimon, Scotland & Baumann, L.L.C.** and the Authority.
4. The total amount authorized to be paid pursuant to the contract herein awarded shall not exceed the total sum of **\$25,000.00** for services billed on an hourly basis, without further action by the Board of Commissioners. For all legal services with respect to the authorization and the issuance of a permanent bond issue or other financing, the amount paid shall be in accordance with the aforesaid proposal.
5. The Acting Treasurer's Certification that funds are available shall be placed on file and made available for public inspection at the Authority and made a part hereof.
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 February 28, 2019.



Michael Henwood
Board Secretary

DATED: February 28, 2019

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 2/28/2019

RESOLUTION #: 19-1-013

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

LEGAL
W-350-50800-000

VENDOR

MCMANIMON, SCOTLAND, & BAUMANN, L.L.C

CONTRACT NUMBER

19022804

REASON

BOND COUNSEL

AMOUNT

\$25,000.00

CONTRACT LENGTH

MARCH 1, 2019 - FEBRUARY 29, 2020

Matthew McCarty
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, there exists the need to engage **Special Legal Counsel** to represent the Bergen County Utilities Authority (the "Authority") in various labor and employment matters, related litigation, and performing such additional legal services which may, from time to time, be requested by the Authority; and

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

WHEREAS, **Eric M. Bernstein & Associates, L.L.C.** has submitted a written proposal dated February 8, 2019 (the "Proposal") to serve as **Special Legal Counsel** to the Authority, which proposal has been reviewed by the Authority; and

WHEREAS, the Authority's Board of Commissioners has determined that **Eric M. Bernstein & Associates, L.L.C.** is competent and qualified to serve as the Authority's **Special Legal Counsel**; and

WHEREAS, the Authority desires to appoint and retain **Eric M. Bernstein & Associates, L.L.C.** to serve as the Authority's **Special Legal Counsel** for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

WHEREAS, the Authority has determined on the basis of the foregoing, that it is necessary for its efficient operation to retain the services of **Eric M. Bernstein & Associates, L.L.C.** to serve as **Special Legal Counsel** to the Authority and to represent the Authority in various labor and employment matters, related litigation, and performing such additional legal services which may, from time to time, be requested by the Authority; and

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

WHEREAS, this contract was awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq. through a publicly advertised Request for Qualifications ("RFQ"); and

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

WHEREAS, the Acting Treasurer of the Authority has certified that funds are available for this purpose.

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

1. **Eric M. Bernstein & Associates, L.L.C.** shall be and it is hereby appointed to serve as **Special Legal Counsel** to the Authority and to represent the Authority in various labor and employment matters, related litigation, and performing such additional legal services which may, from time to time, be requested by the Authority, for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever first occurs or be exercised, respectively.

2. The Chairman shall be and is hereby authorized to execute a contract in form and substance similar to the contract on file at the Authority, by and between the Authority and **Eric M. Bernstein & Associates, L.L.C.** memorializing the scope of services to be rendered and compensation to be paid for such services, in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

3. A copy of this Resolution and a copy of the contract engaging **Eric M. Bernstein & Associates, L.L.C.** to serve as **Special Legal Counsel** to 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 **Eric M. Bernstein & Associates, L.L.C.** and the Authority.

4. The total amount authorized to be paid pursuant to the contract herein awarded shall not exceed the total sum of **\$95,000.00** without further action by the Board of Commissioners.

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

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 February 28, 2019.



Michael Henwood
Board Secretary

DATED: February 28, 2019

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 2/28/2019

RESOLUTION #: 19-1-014

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

LEGAL
W-350-50800-000

VENDOR

ERIC M. BERNSTEIN & ASSOCIATES, L.L.C.

CONTRACT NUMBER

19022805

REASON

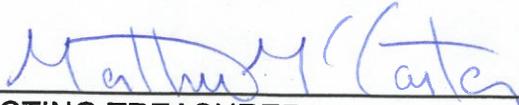
SPECIAL LEGAL COUNSEL

AMOUNT

\$95,000.00

CONTRACT LENGTH

MARCH 1, 2019 - FEBRUARY 29, 2020


ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, there exists the need to continue to engage **Special Legal Counsel** to represent the Bergen County Utilities Authority (the "Authority") in various labor and employment matters, related litigation, and performing such additional legal services which may, from time to time, be requested by the Authority; and

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

WHEREAS, **Price, Meese, Shulman & D'Arminio, P.C.** has submitted a written proposal dated February 1, 2019 (the "Proposal") to serve as **Special Legal Counsel** to the Authority, which proposal has been reviewed by the Authority; and

WHEREAS, the Authority's Board of Commissioners has determined that **Price, Meese, Shulman & D'Arminio, P.C.** is competent and qualified to serve as the Authority's **Special Legal Counsel**; and

WHEREAS, the Authority desires to appoint and retain **Price, Meese, Shulman & D'Arminio, P.C.** to serve as the Authority's **Special Legal Counsel** for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

WHEREAS, the Authority has determined on the basis of the foregoing, that it is necessary for its efficient operation to retain the services of **Price, Meese, Shulman & D'Arminio, P.C.** to serve as **Special Legal Counsel** to the Authority and to represent the Authority in various labor and employment matters, related litigation, and performing such additional legal services which may, from time to time, be requested by the Authority; and

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

WHEREAS, this contract was awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq. through a publicly advertised Request for Qualifications ("RFQ"); and

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

WHEREAS, the Acting Treasurer of the Authority has certified that funds are available for this purpose.

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

1. **Price, Meese, Shulman & D'Arminio, P.C.** shall be and it is hereby appointed to serve as **Special Legal Counsel** to the Authority and to represent the Authority in various labor and employment matters, related litigation, and performing such additional legal services which may, from time to time, be requested by the Authority, for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever first occurs or be exercised, respectively.

2. The Chairman shall be and is hereby authorized to execute a contract in form and substance similar to the contract on file at the Authority, by and between the Authority and **Price, Meese, Shulman & D'Arminio, P.C.** memorializing the scope of services to be rendered and compensation to be paid for such services, in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

3. A copy of this Resolution and a copy of the contract engaging **Price, Meese, Shulman & D'Arminio, P.C.** to serve as **Special Legal Counsel** to 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 **Price, Meese, Shulman & D'Arminio, P.C.** and the Authority.

4. The total amount authorized to be paid pursuant to the contract herein awarded shall not exceed the total sum of **\$95,000.00** without further action by the Board of Commissioners.

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

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 February 28, 2019.



Michael Henwood
Board Secretary

DATED: February 28, 2019

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 2/28/2019
RESOLUTION #: 19-1-015

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 LEGAL
W-350-50800-000

VENDOR PRICE, MEESE, SHULMAN & D'ARMINIO, P.C.

CONTRACT NUMBER 19022806

REASON SPECIAL LEGAL COUNSEL

AMOUNT \$95,000.00

CONTRACT LENGTH MARCH 1, 2019 - FEBRUARY 29, 2020

Matthew McCarty
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, there exists the need for the Bergen County Utilities Authority (the "Authority") to engage the services of a consultant to serve as **Public Affairs and Media Relations Consultant** to the Authority; and

WHEREAS, N.J.S.A. 40A:11-5(1)(a)(ii) authorizes and permits the procurement of specialized services such as **Public Affairs and Media Relations Consultant** services without competitive bidding, where said services are in the nature of "extraordinary unspecifiable services", and

WHEREAS, **Public Affairs and Media Relations Consultant** services are considered "extraordinary unspecifiable services," as said services are specialized and qualified in nature requiring expertise, extensive training and proven reputation in the field of endeavor, pursuant to and in accordance with N.J.S.A. 40A:11-2(7) and this contract is awarded without competitive bidding as an "extraordinary unspecifiable service", pursuant to and in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, the Authority's Executive Director has determined that the engagement of a **Public Affairs and Media Relations Consultant** is necessary to provide for the efficient operation of the Authority; 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 Board of Commissioners with a Certification, dated **February 23, 2017**, 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;" and

WHEREAS, this contract was awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq. through a publicly advertised Request for Qualifications ("RFQ") and the Board of Commissioners of the Authority has determined that **The Catania Consulting Group, Inc.** is competent, qualified and experienced to serve as **Public Affairs and Media Relations Consultant** to the Authority; and

WHEREAS, **The Catania Consulting Group, Inc.** has submitted a written proposal dated February 11, 2019 (the "Proposal") to serve as **Public Affairs and Media Relations Consultant** to the Authority, dated **February 11, 2019**, which proposal has been reviewed by the Authority; and

WHEREAS, the Authority has determined, based upon the foregoing, that it is necessary for its efficient operation to retain the services of **The Catania Consulting Group, Inc.** to serve as **Public Affairs and Media Relations Consultant** to the Authority

and the Authority desires to enter into a contract with **The Catania Consulting Group, Inc.** to serve as **Public Affairs and Media Relations Consultant** to the Authority for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively ; and

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

WHEREAS, the Acting Treasurer of the Authority has certified that funds are available for this purpose.

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

1. **The Catania Consulting Group, Inc.** shall be and is hereby appointed to serve as **Public Affairs and Media Relations Consultant** to the Authority for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively.

2. The Chairman shall be and is hereby authorized to execute a contract, similar in form and substance to the contract on file at the Authority, by and between the Authority and **The Catania Consulting Group, Inc.** memorializing the scope of services and compensation to be paid for such services, in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

3. A copy of this Resolution and the contract retaining **The Catania Consulting Group, Inc.** as **Public Affairs and Media Relations Consultant** as approved and 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 **The Catania Consulting Group, Inc.** and the Authority.

4. The total amount authorized to be paid by the Authority to **The Catania Consulting Group, Inc.** pursuant to the contract herein awarded shall not exceed the total sum of **\$45,000.00** without further action by the Board of Commissioners.

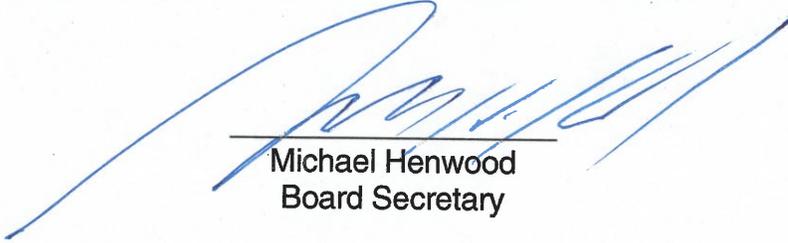
5. The Acting Treasurer's Certification that funds are available shall be placed on file and made available for public inspection in the Office of the Executive Director and made a part hereof.

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

19-1-016

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 February 28, 2019.



Michael Henwood
Board Secretary

DATED: February 28, 2019

**CERTIFICATION FOR AN EXTRAORDINARY
UNSPECIFIABLE SERVICES CONTRACT**

TO: Members of the Board of Commissioners

FROM: Robert E. Laux
Executive Director, Bergen County Utilities Authority

DATE: February 28, 2019

SUBJECT: **Award of Contract for Public Relations Services Consultant**

This is a contract for the Provision of Consulting – Public Relations. This certification is submitted to request your approval of a resolution authorizing a contract to be executed as follows:

Firm: The Catania Consulting Group Inc. (“Contractor”)

Duration: Until the Authority’s 2020 reorganization meeting.

Cost: Not to exceed \$45,000.00 annually.

Purpose: To provide services to the Authority for provision of Public Relations Consulting Services.

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 public relations consulting services. Contractor will assist the Authority with the identification of public relations opportunities and the formulation and processing of public outreach and education for the Authority’s benefit and use in furtherance of its operations. As Executive Director, I am familiar with the nature of the work to be done under the contract for Public Relations Consultant 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 the services related to public relations consulting be performed by an entity with expertise, extensive training and a proven reputation in the field of endeavor of providing such consulting service.

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

This contract 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. Written specifications cannot be drafted because the services to be undertaken will evolve depending upon the rapidly changing landscape that shapes public perception through the media.

- 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:**

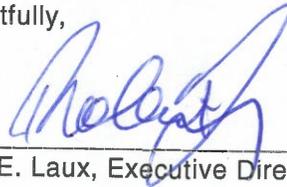
It is not reasonably possible to draft specifications for these services adequately defining the expertise and skill required in such complex type matters as covered by the contract to be let, such services being of such a qualitative nature as well as the scope of which is not reasonably determinable in advance of the receipt of proposals from those with certain expertise and skill. Written specifications cannot be drafted because the contracted services depend heavily upon expertise, knowledge and the experience in Public Communications.

- 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 Grants Consultant Services was advertised on December 17, 2018, and statements of qualifications were received. The Contractor was duly qualified by resolution of the Authority dated January 24, 2019. Informal Quotations from qualified providers of Public Relations Services were informally solicited, 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 Public Relations Consultant 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 unspicifiable service in accordance with the requirements thereof.

Respectfully,



Robert E. Laux, Executive Director

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

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 2/28/2019

RESOLUTION #: 19-1-016

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

PUBLIC RELATIONS & INFORMATION
W-350-51100-000

VENDOR

THE CATANIA CONSULTING GROUP, INC.

CONTRACT NUMBER

19022807

REASON

PUBLIC AFFAIRS & MEDIA RELATIONS CONSULTANT

AMOUNT

\$45,000.00

CONTRACT LENGTH

MARCH 1, 2019 - FEBRUARY 29, 2020

Matthew McCarter
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, there exists the need to engage the services of a Legal/Government/Service Consultant to serve as **Grants/Government Service Consultant** to the Bergen County Utilities Authority (the "Authority"); and

WHEREAS, N.J.S.A. 40A:11-5(1)(a)(ii) authorizes and permits the procurement of **Grants/Government Service Consultant** services without competitive bidding, where said services are in the nature of an "extraordinary unspecifiable service"; and

WHEREAS, **Grants/Government Service Consultant** services are recognized as "extraordinary unspecifiable services" as said services are specialized and qualified in nature, requiring expertise, extensive training and proven reputation in the field of endeavor, pursuant to and in accordance with N.J.S.A. 40A:11-2(7) and this contract is awarded without competitive bidding as an "extraordinary unspecifiable service", pursuant to and in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, the Authority's Executive Director has determined that the engagement of a **Grants/Government Service Consultant** is necessary to provide for the efficient operation of the Authority; 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 Board of Commissioners with a Certification, dated February 28, 2019, 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; and

WHEREAS, this contract was awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq. through a publicly advertised Request for Qualifications ("RFQ"), and the Board of Commissioners of the Authority has determined that **Gibbons P.C.** is competent, qualified and experienced to provide these services and serve as the Authority's **Grants/Government Service Consultant**; and

WHEREAS, **Gibbons P.C.** has submitted a written proposal dated February 12, 2019 (the "Proposal") to serve as **Grants/Government Service Consultant** to the Authority, which proposal has been reviewed by the Authority's Executive Director and determined to be fair and reasonable; and

WHEREAS, the Authority has determined, based upon the foregoing, that it is necessary for its efficient operation to retain the services of **Gibbons P.C.** to serve as **Grants/Government Service Consultant** to the Authority and the Authority desires to enter into a contract with **Gibbons P.C.** to serve as **Grants/Government Service**

Consultant to the Authority for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

WHEREAS, the Acting Treasurer of the Authority has certified that funds are available for this purpose; and

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

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

1. **Gibbons P.C.** shall be and is hereby appointed to serve as **Grants/Government Service Consultant** to the Authority for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively.

2. The Chairman shall be and is hereby authorized to execute a contract, similar in form and substance to the contract on file in the Office of the Executive Director, by and between the Authority and **Gibbons P.C.** memorializing the scope of services and compensation to be paid for such services, in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

3. A copy of this Resolution and the contract retaining **Gibbons P.C.** as **Grants/Government Service Consultant** as approved and 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 **Gibbons P.C.** and the Authority.

4. The total amount authorized to be paid by the Authority to **Gibbons P.C.** pursuant to the contract herein awarded shall not exceed the total sum of **\$96,000.00** without further action by the Board of Commissioners.

5. The Acting Treasurer's Certification that funds are available shall be placed on file and made available for public inspection in the Office of the Executive Director and made a part hereof.

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

7. The formal action(s) of the Commissioners of 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).

19-1-017

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of February 28, 2019.



Michael Henwood
Board Secretary

Dated: February 28, 2019

**CERTIFICATION FOR AN EXTRAORDINARY
UNSPECIFIABLE SERVICES CONTRACT**

TO: Members of the Board of Commissioners

FROM: Robert E. Laux
Executive Director, Bergen County Utilities Authority

DATE: February 28, 2019

SUBJECT: Award of Contract for Grants / Government Services Consultant

This is a contract for the Provision of Consulting - Grants Consultant. This certification is submitted to request your approval of a resolution authorizing a contract to be executed as follows:

Firm: Gibbons, P.C. ("Contractor")

Duration: Until the Authority's 2020 reorganization meeting.

Cost: Monthly amount of \$8,000.00 not to exceed \$96,000.00 annually.

Purpose: To provide services to the Authority for provision of Grants Consulting Services.

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 grants consulting services. Contractor will assist the Authority with the identification of grant opportunities and the formulation and processing of grant applications to obtain grant monies for the Authority's benefit and use in furtherance of its operations. As Executive Director, I am familiar with the nature of the work to be done under the contract for Grants Consultant 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 the services related to grants consulting be performed by an entity with expertise, extensive training and a proven reputation in the field of endeavor of providing such consulting service.

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

This contract 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. Written specifications cannot be drafted because the services to be undertaken will evolve depending upon the availability of grants. Furthermore, identifying which grants may be available to the Authority will also require expertise, knowledge and the experience to identify when grants may be available to the Authority and their benefit to the Authority and its ratepayers.

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:

It is not reasonably possible to draft specifications for these services adequately defining the expertise and skill requires in such complex type matters as covered by the contract to be let, such services being of such a qualitative nature as well as an endeavor, the scope of which is not reasonably determinable in advance of the receipt of proposals from those with certain expertise and skill. Written specifications cannot be drafted because the contracted services depend heavily upon expertise, knowledge and the experience to identify when grants may be available to the Authority and their benefit to the Authority and its ratepayers.

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 Grants Consultant Services was advertised on December 17, 2018, and statements of qualifications were received. The Contractor was duly qualified by resolution of the Authority dated January 24, 2019. Informal Quotations from qualified providers of Grants Consultant Services were informally solicited, 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 Grants Consultant 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 E. Laux, Executive Director

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

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 2/28/2019

RESOLUTION #: 19-1-017

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

LEGAL
W-350-50800-000

VENDOR

GIBBONS P.C.

CONTRACT NUMBER

19022808

REASON

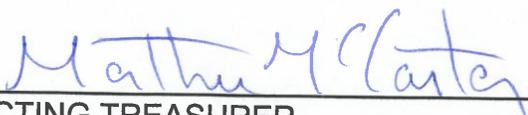
GRANTS/GOVERNMENT SERVICE CONSULTANT

AMOUNT

\$96,000.00

CONTRACT LENGTH

MARCH 1, 2019 - FEBRUARY 29, 2020


ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, the Authority wishes to make a donation to the **Little Ferry First Aid Corps, Little Ferry Hook & Ladder 1 and Little Ferry Hose Company #1** in recognition of their dedicated services; and

WHEREAS, the Authority's Chief Financial Officer's Certificate of Available Funds, maintained on file at the Authority, sets forth that sufficient funds for the subject donations have been appropriated; and

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Bergen County Utilities Authority that the sums of \$2,000.00 each be paid to the **Little Ferry First Aid Corps, Little Ferry Hook & Ladder 1, and Little Ferry Hose Company #1**, to support their respective services for the current year; and

BE IT FURTHER RESOLVED that the formal actions of the Commissioners of the Bergen County Utilities Authority embodies herein are expressly contingent upon and subject to N.J.S.A. 40:14B-4(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 February 28, 2019.



Michael Henwood
Board Secretary

Dated: February 28, 2019

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 2/28/2019
RESOLUTION #: 19-1-018

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 SERVICES - OTHER EXPENSES
A-620-54500-000

VENDOR LITTLE FERRY FIRST AID CORPS
LITTLE FERRY HOOK & LADDER 1
LITTLE FERRY HOSE COMPANY #1

CONTRACT NUMBER N/A

REASON SUPPORT OF LOCAL VOLUNTEER SERVICES

AMOUNT \$2,000 EACH

CONTRACT LENGTH N/A

Matthew Carter
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

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

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

WHEREAS, in furtherance of providing these essential services, the Board of Commissioners of the Authority, by Resolution 18-1-009 adopted February 22, 2018, appointed **Lerch, Vinci & Higgins, L.L.P.** to serve as **Auditor** 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 18-1-009 Authorized the Chairman of the Board of Commissioners of the Authority to execute a contract by and between the Authority and **Lerch, Vinci & Higgins, L.L.P.** (the "Contract") memorializing the scope of services to be provided by **Lerch, Vinci & Higgins, L.L.P.** to the Authority, including professional audit and accounting services which are provided by **Lerch, Vinci & Higgins, L.L.P.** to the Authority on an as-needed basis, pursuant to which payment by the Authority to **Lerch, Vinci & Higgins, L.L.P.** is not to exceed the total sum of \$215,000.00 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 **Lerch, Vinci & Higgins, L.L.P.** on March 1, 2018; and

WHEREAS, **Lerch, Vinci & Higgins, L.L.P.**, operating under the Contract, has continued to provide significant necessary and valuable audit and accounting services serving as **Auditor** to the Authority, including providing professional audit and accounting services to the Authority on an as-requested basis on a number of critical ongoing matters as identified and requested by the Authority since the commencement of the term of the Contract; and

WHEREAS, **Lerch, Vinci & Higgins, L.L.P.** by written correspondence dated February 22, 2019, advised the Authority that as of January 31, 2019, **Lerch, Vinci & Higgins, L.L.P.** had expended over \$215,000.00 in services to the Authority under the Contract and the Contract provides for a compensation budget of \$215,000.00 to be paid by the Authority to **Lerch, Vinci & Higgins, L.L.P.** for services performed pursuant thereto; and

19-1-019

WHEREAS, Lerch, Vinci & Higgins, L.L.P., by written correspondence dated February 22, 2019 requested that the Authority increase the compensation budget provided for by the Contract by the total sum of \$50,000.00, resulting in an amended Contract compensation budget of an amount not to exceed the total sum of \$265,000.00; and

WHEREAS, the Executive Director of the Authority has determined that **Lerch, Vinci & Higgins, L.L.P.** has performed all services under the Contract in an effective and efficient manner and further determined that the remaining work to be performed by **Lerch, Vinci & Higgins, L.L.P.** under the Contract is essential to the proper and effective operation of the Authority and critical to the health, welfare and safety of the ratepayers and employees of the Authority; and

WHEREAS, the Executive Director of the Authority has reviewed the February 22, 2019 written correspondence of **Lerch, Vinci & Higgins, L.L.P.**, including the request of **Lerch, Vinci & Higgins, L.L.P.** to increase the compensation budget for the total compensation to be paid by the Authority to **Lerch, Vinci & Higgins, L.L.P.** under the Contract, and based upon that review and the above determinations, 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 **Lerch, Vinci & Higgins, L.L.P.** pursuant to the Contract in the total sum of \$50,000.00, resulting in an amended compensation budget under the Contract in an amount not to exceed the total sum of \$265,000.00 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 **Lerch, Vinci & Higgins, L.L.P.** shall be and is hereby amended by the Authority and the Contract shall be amended to provide that the compensation to be paid by the Authority pursuant thereto shall be increased in the amount of \$50,000.00 and the total amount of compensation to now be paid by the Authority to **Lerch, Vinci & Higgins, L.L.P.** pursuant to the amended Contract shall not exceed the total sum of \$265,000.00 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 **Lerch, Vinci & Higgins, L.L.P.**, amending 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.

19-1-019

3. A copy of this Resolution, and the contract amending the Contract with **Lerch, Vinci & Higgins, L.L.P.** 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 **Lerch, Vinci & Higgins, L.L.P.** 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 February 28, 2019.



Michael Henwood, Secretary

Dated: February 28, 2019

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 2/28/2019

RESOLUTION #: 19-1-019

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

AUDIT & FINANCIAL ADVISORY
W-350-51000-000

VENDOR

LERCH, VINCI & HIGGINS, L.L.P.

CONTRACT NUMBER

18022201

REASON

INCREASE IN THE PROFESSIONAL SERVICES
NEEDS OF THE AUTHORITY FOR
AUDIT & ACCOUNTING SERVICES

AMOUNT

\$50,000.00

CONTRACT LENGTH

FEBRUARY 01, 2019 - FEBRUARY 28, 2019

Matherly Carter
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, there exists the need to engage **Special Legal Counsel** to represent the Bergen County Utilities Authority (the "Authority") in the matter of a Subrogation claim (#047517002926) for Date of Loss December 13, 2016, as well as performing such additional legal services which may, from time to time, be requested by the Authority; and

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

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

WHEREAS, this contract was awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq. through a publicly advertised Request for Qualifications ("RFQ"); and

WHEREAS, **Meyerson, Fox, Mancinelli, Conte & Bern P.A.** was previously retained by the Authority to represent the Authority in the matter of a Subrogation claim (#047517002926), the term of which retention contract has now expired, and the Authority requires the firm to continue to represent the Authority in the matter of a Subrogation claim (#047517002926), which proposal has been reviewed by the Authority; and

WHEREAS, the Board of Commissioners of the Authority has determined that **Meyerson, Fox, Mancinelli, Conte & Bern P.A.** is competent, qualified and experienced to serve as **Special Legal Counsel** to the Authority; and

WHEREAS, the Authority desires to appoint and retain **Meyerson, Fox, Mancinelli, Conte & Bern P.A.** to serve as **Special Legal Counsel** to the Authority for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

WHEREAS, the Authority has determined on the basis of the foregoing, that it is necessary for its efficient operation to retain the services of **Rubenstein, Meyerson, Fox, Mancinelli, Conte & Bern P.A.** to serve as **Special Legal Counsel** to represent the Authority in the matter of a Subrogation claim (#047517002926) for a Date of Loss December 13, 2016 and performing such additional legal services which may, from time to time, be requested by the Authority; for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever first occurs or be exercised, respectively; and

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

WHEREAS, the Acting Treasurer of the Authority has certified that funds are available for this purpose.

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

1. That **Meyerson, Fox, Mancinelli, Conte & Bern P.A.** shall be and is hereby appointed to serve as **Special Legal Counsel** to represent the Authority in the matter of a Subrogation claim (#047517002926) for a Date of Loss December 13, 2016 and performing such additional legal services which may, from time to time, be requested by the Authority for a **One (1) Year Term** commencing January 1, 2019, until a successor is selected, or at the pleasure of the Authority, whichever first occurs or be exercised, respectively.

2. The Chairman shall be and is hereby authorized to execute an Agreement in form and substance similar to the agreement on file at the Authority, by and between the Authority and **Meyerson, Fox, Mancinelli, Conte & Bern P.A.** memorializing the scope of services to be rendered and compensation to be paid for such services, in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

3. A copy of this Resolution and a copy of the agreement engaging **Meyerson, Fox, Mancinelli, Conte & Bern P.A.** to serve as **Special Legal Counsel** to 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 **Meyerson, Fox, Mancinelli, Conte & Bern P.A.** and the Authority.

4. The total amount authorized to be paid pursuant to the contract herein awarded shall not exceed the total sum of **\$17,500.00** without further action by the Board of Commissioners.

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

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).

19-1-020

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of February 28, 2019.



Michael Henwood, Board Secretary

DATED: February 28, 2019

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 2/28/2019

RESOLUTION #: 19-1-020

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

LEGAL
W-350-50800-000

VENDOR

MEYERSON, FOX, MANCINELLI, CONTE & BERN P.A.

CONTRACT NUMBER

19022817

REASON

SPECIAL LEGAL COUNSEL

AMOUNT

\$17,500.00

CONTRACT LENGTH

JANUARY 1, 2019 - DECEMBER 31, 2019

Matthew M. Carter
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

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

WHEREAS, the Bergen County Utilities Authority ("Authority") plays an important role in providing these essential services; and

WHEREAS, 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 Bergen County, including but not limited to the collection, treatment and disposal of storm water and waste water; and

WHEREAS, operating within Bergen County, the Authority's Water Pollution Control Division currently serves forty-seven (47) municipalities and numerous other private industrial subscribers, and solid waste planning services for seventy (70) municipalities; and

WHEREAS, the Authority intends on filing applications with the New Jersey Department of Environmental Protection ("NJDEP") and the New Jersey Environmental Infrastructure Trust ("NJEIT") for the Little Ferry Water Pollution Control Facility Aeration Tank Header Repairs, Sludge Digester Improvements, Final Settling Tank Repairs, Primary Settling Tank Repairs and Northern Valley Force Main Repairs (the "NJEIT Projects"); and

WHEREAS, as part of that process, the Authority requires the appointment of an authorized representative to represent the Authority in communications regarding the NJEIT Projects with the NJDEP and the NJEIT.

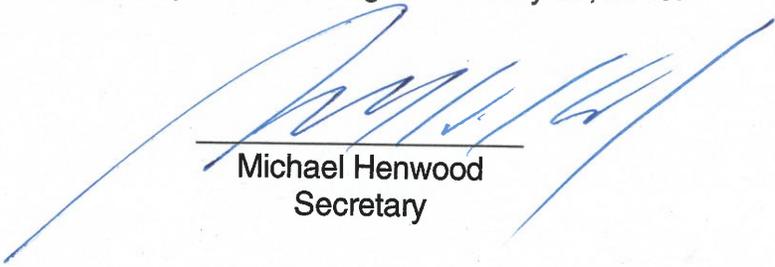
NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Bergen County Utilities Authority as follows:

1. The Executive Director of the Authority shall be and hereby is authorized to act at the Authority's Authorized Representative to represent the Authority in all matters relating to the NJEIT Projects and the Authorized Representative may be contacted at the Bergen County Utilities Authority, Foot of Mehrhof Road, Little Ferry, New Jersey 07643, 201-807-5801.

2. 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).

19-1-021

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of February 28, 2019.



Michael Henwood
Secretary

DATED: February 28, 2019

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

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

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

WHEREAS, the Authority's water pollution control system assets are located on approximate 200 acres of land and over 100 miles of sewer maintenance easements; and

WHEREAS, a portion of the 200 acres of property and 100 miles of easements are located on wetlands, tidelands, waterfront, streams, and other restricted and regulated lands; and

WHEREAS, the Authority's capital improvement program may require the acquisition of land upon which the work is to be performed, rights-of-way for access thereto, and other such lands that may be designated for the use of construction, in addition to easements for permanent structures; and

WHEREAS, there exists the need to engage the services of an engineering firm authorized to provide professional engineering services in the State of New Jersey to serve as **Site Work Engineering/Land Surveying Consultant** to the Authority; and

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

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

WHEREAS, **Neglia Engineering Associates** has submitted a Statement of Qualifications and the Board of Commissioners of the Authority has determined that **Neglia Engineering Associates** is competent, qualified and experienced to serve as the Authority's **Site Work Engineering/Land Surveying Consultant**; and

WHEREAS, **Neglia Engineering Associates** demonstrated in the Statement of Qualifications that **Neglia Engineering Associates** will provide professional staff to assist

the Authority in various engineering and surveying projects and that **Neglia Engineering Associates** has a modern technically advanced staff made up of managers, professional engineers, professional surveyors, a certified landscape architect, construction inspectors, etc. and over fifty-five (55) years of experience in all aspects of engineering.; and

WHEREAS, **Neglia Engineering Associates** has satisfactorily served in the capacity of **Site Work Engineering/Land Surveying Consultant** for the Authority since March 2004; and

WHEREAS, based on **Neglia Engineering Associates'** Statement of Qualifications and prior history, the Authority issued a Request for Proposal ("RFP") dated February 8, 2019; and

WHEREAS, the RFP provided a scope of work that includes: attending meetings, as required, with Authority staff; provide monthly summary reports; is on call; and at the direction of the Authority performs professional engineering services in the areas of civil and other site work related engineering expertise as may be required for the day-to-day operation of the Authority's physical assets, including, but not limited to, two large secondary level water pollution control facilities, eight pump stations and associated force mains, over one hundred miles of intercepting sewers and over one hundred and fifty sewage flow meters. In addition to being responsible for site work related projects, the **Site Work Engineering/Land Surveying Consultant** shall perform land surveying work such as construction layout, deed searches, deed descriptions, easement searches, easement description, and all other land surveying related work as allowed by law, and as may be required and directed by the Authority; and

WHEREAS, the RFP specified that the professional engineering services (including any services that may be considered as landscape design/architectural services) are anticipated to fall within the following five (5) phases of work.

- A. Study and Report;
- B. Preliminary Design;
- C. Final Design;
- D. Bidding or Negotiating; and
- E. Construction.

; and

WHEREAS, the RFP specified that general consulting engineering, special consulting engineering, and energy and air pollution control permit management engineering may be performed by others for the Authority; and

WHEREAS, the RFP specified that the **Site Work Engineering/Land Surveying Consultant** indemnify the Authority and provide insurance required by the Authority; and

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

WHEREAS, the RFP specified that payment for services rendered shall be computed based on an hourly billing rate, plus reimbursables, not to exceed the total sum of \$100,000.00 during a period of service of three hundred and sixty-five (365) consecutive calendar days without further written authorization by contract amendment; and

WHEREAS, **Neglia Engineering Associates** has submitted a written proposal dated February 14, 2019 (the "Proposal") to serve as **Site Work Engineering/Land Surveying Consultant** to the Authority, on a time and material basis, for an amount not to exceed the total sum of \$100,000.00, which proposal has been reviewed by the Authority's Director of Engineering; and

WHEREAS, the Proposal included attachments including hourly billing rates, Certificate of Liability Insurance naming the Authority as an additional insured, New Jersey Business Registration Certificate, Ownership Disclosure Statement, Affirmative Action Compliance Notice, W-9 Form and Certificate of Employee Information Report; and

WHEREAS, the Authority has determined, based upon the foregoing, that it is necessary for its efficient operation to retain the services of **Neglia Engineering Associates** to serve as **Site Work Engineering/Land Surveying Consultant** to the Authority; and

WHEREAS, the Authority desires to appoint and retain **Neglia Engineering Associates** to serve as **Site Work Engineering/Land Surveying Consultant** to the Authority for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

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

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

WHEREAS, the Acting Treasurer of the Authority has certified that funds are available for this purpose.

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

1. **Neglia Engineering Associates** shall be and is hereby appointed to serve as **Site Work Engineering/Land Surveying Consultant** to Authority for a **One (1) Year**

Term, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively.

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

3. A copy of this Resolution and the contract retaining **Neglia Engineering Associates** as **Site Work Engineering/Land Surveying Consultant** as approved and 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 **Neglia Engineering Associates** and the Authority.

4. The total amount authorized to be paid by the Authority to **Neglia Engineering Associates** pursuant to the contract herein awarded shall not exceed the total sum of **\$100,000.00** without further action by the Board of Commissioners.

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

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

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of February 28, 2019.



Michael Henwood
Board Secretary

DATED: February 28, 2019

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 2/28/2019
RESOLUTION #: 19-2-003

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 NEGLIA ENGINEERING ASSOCIATES

CONTRACT NUMBER 19022809

REASON SITE WORK ENGINEERING/LAND
SURVERYING CONSULTANT

AMOUNT \$100,000.00

CONTRACT LENGTH MARCH 1, 2019 - FEBRUARY 29, 2020

Matthew McCarter
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

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

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

WHEREAS, there exists the need to engage the services of an engineering firm authorized to provide professional engineering services in the State of New Jersey to serve as **Special Environmental Engineer** to the Authority; and

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

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

WHEREAS, **ARCADIS U.S. Inc.** has submitted a Statement of Qualifications and the Commissioners of the Authority have determined that **ARCADIS U.S. Inc.** is competent, qualified and experienced to serve as the Authority's **Special Environmental Engineer**; and

WHEREAS, **ARCADIS U.S. Inc.** has a staff of approximately 1,500 engineers, scientists, planners, management consultants, and support personnel in the Water Division, is able to locally provide the Authority with any professional services as may be required and offers national expertise from thousands of wastewater treatment projects throughout the country, including state-of-the-art technology and process innovations; and

WHEREAS, **ARCADIS U.S. Inc.** has satisfactorily served in the capacity of **Special Environmental Engineer** for the Authority since March 2004; and

WHEREAS, based on **ARCADIS U.S. Inc.**'s Statement of Qualifications and prior history, the Authority issued a Request for Proposal (RFP) dated February 8, 2019; and

WHEREAS, the RFP provided a scope of work that includes:

- attending regular monthly meetings of the Authority's commissioners and attend other meetings upon request;
- provide monthly summary reports of on-going projects;
- being on-call and, at the direction of the Director, perform professional engineering services in the areas of civil and environmental expertise as may be required for water pollution control facility wastewater, sludge management, associated NJPDES, and other related permitting management and planning;
- updating the Authority's sewage sludge management plan, operations and maintenance manuals, safety manual, and Emergency Response Plan as may be requested and regulations require;
- assisting with engineering and administration of Authority's participation in the New Jersey Environmental Infrastructure Trust ("NJEIT") Fund;
- assisting in the identification of and application for other services of additional financing, such as community block grants (CBBG);
- providing FEMA support services for restoration and mitigation for Hurricane Sandy and other disasters/events; and
- any other special professional engineering service as may be authorized by the Director for compliance with regulatory agencies and associated permit management and compliance.

; and

WHEREAS, the scope of work in the RFP is required for the proper planning and operation of the Authority's physical assets, including, but not limited to, two large secondary level water pollution control facilities, eight pump stations and associated force mains, and over one hundred miles of intercepting sewers and over one hundred and fifty sewage flow meters; and

WHEREAS, the RFP specified that the professional engineering services are anticipated to fall within the following two phases of work: 1) Study and Report and 2) Operations; and

WHEREAS, the RFP specified that general consulting engineering, energy and air pollution control permit management engineering, site work, and property surveying projects may be performed by others for the Authority; and

WHEREAS, the RFP specified that the **Special Environmental Engineer** indemnify the Authority and provide insurance required by the Authority; and

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

WHEREAS, the RFP specified that payment for services rendered shall be computed based on an hourly billing rate, plus reimbursables not to exceed \$300,000.00, during a period of service of three hundred and sixty-five (365) consecutive calendar days without further written authorization by contract amendment; and

WHEREAS, **ARCADIS U.S. Inc.** has submitted a written proposal dated February 14, 2019 (the "Proposal") to serve as **Special Environmental Engineer** to the Authority, which proposal has been reviewed by the Authority's Director of Engineering; and

WHEREAS, the Proposal included attachments including hourly billing rates, Certificate of Liability Insurance naming the Authority as an additional insured, New Jersey Business Registration Certificate, Ownership Disclosure Statement, Affirmative Action Compliance Notice, W-9 Form and Certificate of Employee Information Report; and

WHEREAS, the Authority has determined, based upon the foregoing, that it is necessary for its efficient operation to retain the services of **ARCADIS U.S. Inc.** to serve as **Special Environmental Engineer** to the Authority; and

WHEREAS, the Authority desires to appoint and retain **ARCADIS U.S. Inc.** to serve as **Special Environmental Engineer** to the Authority for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

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

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

WHEREAS, the Acting Treasurer of the Authority has certified that funds are available for this purpose; and

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

WHEREAS, failure to ensure those continued operations and maintenance of the Authority's water pollution control assets would result in unacceptable threats to the health and safety of Bergen County residents, most immediately those in the Authority's sewer

service district, which would be too large in scope to be handled by ordinary municipal and county entities; and

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

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

1. That **ARCADIS U.S. Inc.** shall be and is hereby appointed to serve as **Special Environmental Engineer** to the Authority for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively.

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

3. A copy of this resolution and the contract retaining **ARCADIS U.S. Inc.** as **Special Environmental Engineer** as approved and 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 **ARCADIS U.S., Inc.** and the Authority.

4. The total amount authorized to be paid by the Authority to **ARCADIS U.S., Inc.** pursuant to the contract herein awarded shall not exceed the total sum of **\$300,000.00** without further action by the Board of Commissioners.

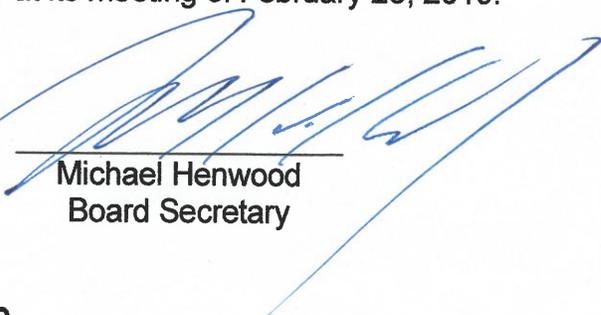
5. The Acting Treasurer's Certification that funds are available shall be placed on file and made available for public inspection at the Authority and made a part hereof.

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

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

19-2-004

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of February 28, 2019.



Michael Henwood
Board Secretary

DATED: February 28, 2019

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 2/28/2019

RESOLUTION #: 19-2-004

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

ARCADIS, U.S., INC.

CONTRACT NUMBER

19022810

REASON

SPECIAL ENVIRONMENTAL ENGINEER

AMOUNT

\$300,000.00

CONTRACT LENGTH

MARCH 1, 2019 - FEBRUARY 29, 2020

Mathew McCarter
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

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

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

WHEREAS, there exists the need to engage the services of an engineering firm authorized to provide professional engineering services in the State of New Jersey to serve as **General Consulting Engineer** to the Authority; and

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

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

WHEREAS, **Alaimo Group** has submitted a Statement of Qualifications and the Board of Commissioners of the Authority has previously determined that **Alaimo Group** is competent, qualified and experienced to serve as the Authority's **General Consulting Engineer**; and

WHEREAS, **Alaimo Group** has satisfactorily served in the capacity of **General Consulting Engineer** for the Authority since March 2004; and

WHEREAS, based on **Alaimo Group's** Statement of Qualifications and prior history, the Authority issued a Request for Proposal ("RFP") dated February 8, 2019; and

WHEREAS, the RFP provided a scope of work including meeting preparation and attendance; monthly reports; user charge and connection change calculations and supporting report assistant; and completion of pre-existing general consulting projects; and

WHEREAS, the RFP specified that the **General Consulting Engineer** indemnify the Authority and provide insurance required by the Authority; and

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

WHEREAS, the RFP specified that payment for services rendered shall be computed-based on an hourly billing rate, plus reimbursables not to exceed the total sum of \$300,000.00 during a period of service of three hundred sixty-five (365) consecutive calendar days without further written authorization by contract amendment; and

WHEREAS, **Alaimo Group** has submitted a written proposal dated February 11, 2019 (the "Proposal") to serve as **General Consulting Engineer** to the Authority, on a time and material basis, not to exceed the total sum of \$300,000.00, which proposal has been reviewed by the Authority's Director of Engineering; and

WHEREAS, the Proposal included attachments including hourly billing rates, Certificate of Liability Insurance naming the Authority as an additional insured, New Jersey Business Registration Certificate, Ownership Disclosure Statement, Affirmative Action Compliance Notice, Certificate of Employee Information Report, Exhibit A, Mandatory Equal Employment Opportunity Language, Iran Disclosure Form, W-9 Form and Certificate of Authorization; and

WHEREAS, the Authority has determined, based upon the foregoing, that it is necessary for its efficient operation to retain the services of **Alaimo Group** to serve as **General Consulting Engineer** to the Authority; and

WHEREAS, the Authority desires to appoint and retain **Alaimo Group** to serve as **General Consulting Engineer** to the Authority for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

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

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

WHEREAS, the Acting Treasurer of the Authority has certified that funds are available for this purpose; and

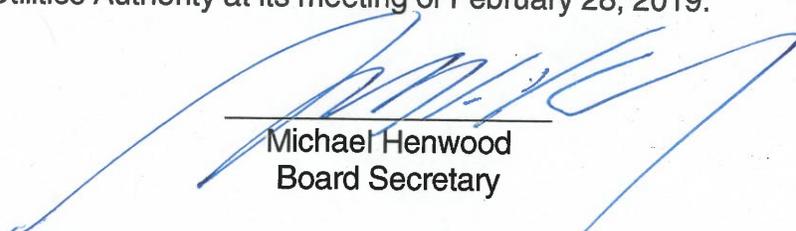
WHEREAS, the health and safety of the individuals visiting, living, and working in the Authority's sewer service district necessitate the on-going operation and maintenance of the Authority's water pollution control assets, including, but not limited to, the appointment of a **General Consulting Engineer**;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

WHEREAS, failure to ensure those continued operations and maintenance of the Authority's water pollution control assets would result in unacceptable threats to the health and safety of Bergen County residents, most immediately those in the Authority's sewer service district, which would be too large in scope to be handled by ordinary municipal and county entities.

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

1. That **Alaimo Group** shall be and is hereby appointed to serve as **General Consulting Engineer** to the Authority for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively.
2. The Chairman shall be and is hereby authorized to execute, a contract, similar in form and substance to the contract on file at the Authority, by and among the Authority and **Alaimo Group** memorializing the scope of services and hourly billing rates to be paid for such services as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.
3. A copy of this Resolution, and the contract retaining **Alaimo Group** to serve as **General Consulting Engineer** to the Authority 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 total amount authorized to be paid pursuant to the contract herein awarded shall not exceed the total sum of **\$300,000.00** without further action by the Board of Commissioners.
5. The Acting Treasurer's Certification that funds are available shall be placed on file and made available for public inspection at the Authority and made a part hereof.
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 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 February 28, 2019.



Michael Henwood
Board Secretary

Dated: February 28, 2019

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 2/28/2019

RESOLUTION #: 19-2-005

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

19022811

REASON

GENERAL CONSULTING ENGINEER

AMOUNT

\$300,000.00

CONTRACT LENGTH

MARCH 1, 2019 - FEBRUARY 29, 2020

Matthew McCarter
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

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

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

WHEREAS, there exists the need to engage the services of **Remington, Vernick and Arango Engineers ("RVA")** of Secaucus, New Jersey, a licensed professional engineer, to serve as **Energy Management and Related Air Pollution Control Permit Engineering Consultant** to the Authority; and

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

WHEREAS, the Authority has adopted a qualifications-based selection policy and a fair and open process for professional services, pursuant to N.J.S.A. 19:44A-20.4 et seq. through a publicly advertised Request for Qualifications ("RFQ") and Request for Proposals ("RFP"); and

WHEREAS, **RVA** has submitted a written proposal dated February 15, 2019 (the "Proposal") to serve as **Energy Management and Related Air Pollution Control Permit Engineering Consultant** to the Authority, which proposal has been reviewed by the Authority's Director of Engineering; and

WHEREAS, the Director of Engineering of the Authority has determined from recent services and **RVA's** statement of qualifications that **RVA** is competent, qualified, and experienced to serve as **Energy Management and Related Air Pollution Control Permit Engineering Consultant** to the Authority; and

WHEREAS, the Authority has determined, based upon the foregoing, that it is necessary for its efficient operation to retain the services of **RVA** to serve as **Energy Management and Related Air Pollution Control Permit Engineering Consultant** to the Authority; and

WHEREAS, the Authority desires to appoint and retain **RVA** to serve as **Energy Management and Related Air Pollution Control Permit Engineering Consultant** to the Authority for a **Sixty (60) Day Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

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

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

WHEREAS, the Acting Treasurer of the Authority has certified that funds are available for this purpose.

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

1. That **RVA** shall be and is hereby appointed to serve as **Energy Management and Related Air Pollution Control Permit Engineering Consultant** to the Authority for a **Sixty (60) Term ending**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively.

2. The Chairman shall be and is hereby authorized to execute a contract by and between the Authority and **RVA** memorializing the scope of services and hourly billing rates to be paid for such services as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

3. A copy of this Resolution and the contract retaining **RVA** to serve as **Energy Management and Related Air Pollution Control Permit Engineering Consultant** to the Authority shall be placed on file and made available for public inspection in the office of the Executive Director, upon execution by **RVA** and the Authority.

4. The total amount authorized to be paid pursuant to the contract herein awarded shall not exceed the total sum of **\$40,000.00** without further action by the Board of Commissioners.

5. The Acting Treasurer's Certification that funds are available shall be placed on file and made available for public inspection in the Office of the Executive Director.

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

19-2-006

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of February 28, 2019.



Michael Henwood
Board Secretary

Dated: February 28, 2019

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 2/28/2019

RESOLUTION #: 19-2-006

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

REMINGTON, VERNICK and ARANGO ENGINEERS

CONTRACT NUMBER

19022812

REASON

ENERGY MANAGEMENT & RELATED AIR POLLUTION
CONTROL PERMIT ENGINEERING CONSULTANT

AMOUNT

\$40,000.00

CONTRACT LENGTH

MARCH 1, 2019 - APRIL 29, 2019

Matthew McCarter
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

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

WHEREAS, the Bergen County Utilities Authority (“Authority”) plays an important role in providing these essential services; and

WHEREAS, operating within Bergen County, the Authority’s Water Pollution Control Division currently serves forty-seven (47) municipalities and numerous other private industrial subscribers; and

WHEREAS, on prior occasion, the United States Environmental Protection Agency (“EPA”) finalized the National Combined Sewer Overflow Control Policy that requires New Jersey Pollutant Discharge Elimination System (“NJPDES”) permittees with combined sewer systems to undertake a Combined Sewer Overflow (“CSO”) Long-Term Control Plan for developing, evaluating and implementing control alternatives for attaining compliance with the Clean Water Act, including compliance with water quality standards and protection of designated uses; and

WHEREAS, in June 2004, the New Jersey Department of Environmental Protection (“NJDEP”) revoked and reissued CSO General Permit NJPDES No. NJ0105023 to incorporate a requirement for all permittees to undertake and complete the development of a long-term control plan, inclusive of a Public Participation Program and other stipulated tasks; and

WHEREAS, certain constituent members of the Authority’s sewer service district, to wit, the City of Hackensack, the Village of Ridgefield Park and the Borough of Fort Lee, own and operate various components of a combined sewer system (“CSS”) and are required to complete certain tasks in the development of their respective Long Term Control Plans ; and

WHEREAS, in 2015 the NJDEP issued a renewed Surface Water Permit NJPDES Permit # NJ0020028 which incorporated a requirement to develop a CSO Long Term Control Plan.

WHEREAS, the Authority previously engaged the services of Hatch Mott MacDonald, LLC (now known as Mott MacDonald, LLC) to assist the Authority in formulating and conducting a group Public Participation Program and to implement a Public Participation Work Plan, in accordance with the reissued general permit for CSS’s, which took effect on August 1, 2004, under the title, “Bergen County CSO Group,” and to

develop, allocate costs and implement CSO Long-Term Control Plan studies and such other reports as may be required by the NJDEP and regulating the Authority's NJPDES General Permit for CSS's; and

WHEREAS, the Authority was previously established as the lead agency of the Bergen County CSO Group to assist the Authority's member municipalities with Combined Sewer Management ("CSM") requirements associated within the Authority's NJPDES Permit; and

WHEREAS, by Resolution 15-1-038 adopted September 24, 2015 by the Board of Commissioners of the Authority, the Authority publicly declared its official intent to work cooperatively with the City of Hackensack, the Village of Ridgefield Park and the Borough of Fort Lee in the development of a regional CSO Long Term Control Plan; and

WHEREAS, subsequent to the adoption of Resolution 15-1-038 by the Board of Commissioners of the Authority, the Authority's staff has met with representatives of the City of Hackensack, the Village of Ridgefield Park and the Borough of Fort Lee to coordinate the formulation, development and submission of the CSO Long-Term Control Plan for the aforesaid municipalities, and the Authority, respectively; and

WHEREAS, the NJDEP has encouraged CSO permittees within the same district to complete certain of the permit requirements jointly and to develop a regional CSO Long Term Control Plan; and

WHEREAS, the Authority and other members of the Bergen County CSO Group have committed to the NJDEP that they will undertake a Regional Long Term Control Plan, which includes, but is not limited to, a computer model that integrates all of the collection and transport facilities that service combined sewer systems, and an extensive regional public participation program; and

WHEREAS, there exists the need for the Authority to engage the services of an engineering firm authorized to provide professional engineering services in the State of New Jersey to serve as **Special Engineering Consultant** to the Authority for the **CSO Long-Term Control Plan Development**; and

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

WHEREAS, these services were solicited through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq., as **Mott MacDonald, LLC** responded to the Authority's publicly advertised Request for Qualifications ("RFQ") and was qualified as

competent to provide consulting engineering services to the Authority by Resolution 18-2-001 adopted January 25, 2018 by the Board of Commissioners of the Authority; and

WHEREAS, the Authority has determined that **Mott MacDonald, LLC**, successor entity to **Hatch Mott MacDonald, LLC**, is competent, qualified and experienced to serve as the Authority's **Special Engineering Consultant** for the **CSO Long-Term Control Plan Development**; and

WHEREAS, based on **Mott MacDonald, LLC** Statement of Qualifications and prior history, the Authority issued a Request for Proposal ("RFP"); and

WHEREAS, the RFP provided a scope of work divided into five (5) tasks that includes as follows:

- Task 1 - Project Coordination;
- Task 2 - Progress Reporting and Nine Minimum Control Requirements;
- Task 3 - Long Term Control Plan Phase 1: Sewer System Characterization
- Task 4 – Long Term Control Plan Phase 2: Development and Evaluation of Alternatives; and
- Task 5 – Long Term Control Plan Phase 3: Plan Selection and Implementation Schedule.

; and

WHEREAS, the RFP further provided that tasks 1, 3, 4 & 7 of the Scope of Work as repeated above herein shall be performed as specified in the RFP from March 1, 2019 to February 29, 2020; and

WHEREAS, the RFP specified that the **Special Engineering Consultant** for the **CSO Long-Term Control Plan Development** shall be required to indemnify the Authority and provide insurance required by the Authority; and

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

WHEREAS, **Mott MacDonald, LLC** has submitted to the Authority a proposal to provide the aforesaid professional engineering services dated February 15, 2019, for an amount not to exceed the total sum of \$322,973.00 for the **Special Engineering Consultant** for the **CSO Long-Term Control Plan Development** for and during the time period of March 1, 2019 through and including February 29, 2020, which proposal has been reviewed and determined to be fair and reasonable by the Director of Engineering of the Authority; and

WHEREAS, the proposal included certain attachments, including hourly billing rates, Certificate of Liability Insurance naming Authority as additional insured, New Jersey

Business Registration Certificate, Ownership Disclosure Statement, Affirmative Action Compliance Notice and Certificate of Employee Information Report; and

WHEREAS, the Authority has determined, based upon the foregoing, that it is necessary for its efficient operation to retain the services of **Mott MacDonald, LLC** to serve as **Special Engineering Consultant** to the Authority for the **CSO Long-Term Control Plan Development** for and during the time period of March 1, 2019 through and including February 29, 2020; and

WHEREAS, the Authority desires to appoint and retain **Mott MacDonald, LLC** to serve as **Special Engineering Consultant** to the Authority for the **CSO Long-Term Control Plan Development** for and during the time period of March 1, 2019 through and including February 29, 2020, for an amount not to exceed the total sum of \$322,973.00; and

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

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

WHEREAS, the Acting Treasurer of the Authority has certified that funds are available for this purpose.

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

1. **Mott MacDonald** shall be and is hereby retained by the Authority to provide professional engineering services and to serve as **Special Engineering Consultant** to the Authority for the **CSO Long-Term Control Plan Development** for and during the time period commencing March 1, 2019 and expiring February 29, 2020, for an amount not to exceed the total sum of \$322,973.00, computed based on hourly rate plus all reimbursable items for tasks performed as set forth and included within the RFP and the February 15, 2018 written proposal of **Mott MacDonald, LLC**, without further approval of the Commissioners of the Authority.

2. The Chairman shall be and is hereby authorized to execute a contract by and between the Authority and **Mott MacDonald, LLC**, memorializing the scope of services to be performed during the time period thereof and the compensation to be paid therefore, in the form acceptable to the Chairman and satisfactory to the Authority, as evidenced by the Chairman's signature thereon.

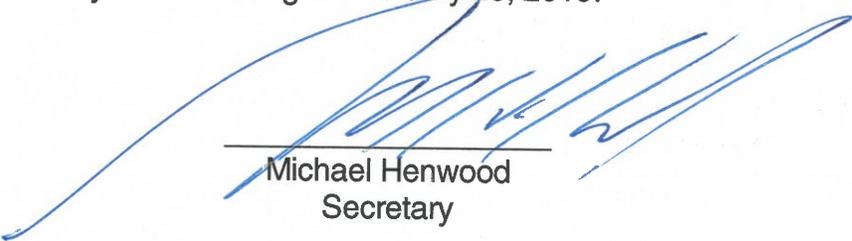
3. A copy of this Resolution and the contract retaining **Mott MacDonald, LLC** as **Special Engineering Consultant** to the Authority for the **CSO Long-Term Control Plan Development** pursuant to this Resolution shall be placed on file and made available for public inspection in the Office of the Executive Director, upon execution by Mott MacDonald and the Authority.

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

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

6. 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 February 28, 2019.



Michael Henwood
Secretary

DATED: February 28, 2019

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 2/28/2019

RESOLUTION #: 19-2-007

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

MOTT MACDONALD, LLC

CONTRACT NUMBER

19022813

REASON

SPECIAL ENGINEERING CONSULTANT
TO THE AUTHORITY FOR THE CSO LONG-TERM
CONTROL PLAN DEVELOPMENT

AMOUNT

\$322,973.00

CONTRACT LENGTH

MARCH 1, 2019 - FEBRUARY 29, 2020

Mathew Carter
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Bergen County Utilities Authority (the "Authority") solicited bid proposals for **Cleaning and Rental of Uniforms – Two (2) Year Contract with Two (2) One (1) Year Options**, pursuant to and in accordance with **Contract No. 17-01**; and

WHEREAS, by way of Resolution 17-2-013 adopted February 23, 2017 by the Board of Commissioners of the Authority, **American Wear, Inc.** was determined to be the lowest complying and responsible bidder for **Cleaning and Rental of Uniforms**, constituting **Contract No. 17-01** for a total contract price of **\$158,219.44** for the initial **Two (2) Year Period**; and for a total contract price of **\$79,109.72** for each additional **One (1) Year Option** exercised by the Authority; and

WHEREAS, by way of Resolution 17-2-013 adopted February 23, 2017 by the Board of Commissioners of the Authority, the Chairman of the Board of Commissioners of the Authority was authorized to execute a contract with **American Wear, Inc.** for **Cleaning and Rental of Uniforms**, constituting **Contract No. 17-01** for a total contract price of **\$158,219.44** for the initial **Two (2) Year Period**; and

WHEREAS, pursuant to the terms of **Contract No. 17-01**, the Authority has the option to extend the contract for **American Wear, Inc.** for an additional **One (1) Year Period** by exercising the first **One (1) Year Option** for the total sum of **\$79,109.72**; and

WHEREAS, pursuant to N.J.S.A. 40A:11-15, the Authority finds that **American Wear, Inc.** has performed **Cleaning and Rental of Uniforms Contract No. 17-01** in an effective and efficient manner; and

WHEREAS, exercising the first **One (1) Year Option** of **Contract No. 17-01** with **American Wear, Inc.** for **Cleaning and Rental of Uniforms** is necessary for the efficient operation of the Authority; and

WHEREAS, the Acting Treasurer of the Authority has certified that funds are available for this purpose.

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

1. The Executive Director shall be and he is hereby authorized to execute a contract with **American Wear, Inc.** for **Cleaning and Rental of Uniforms**, pursuant to and in accordance with **Contract No. 17-01**, which contract exercises the first **One (1) Year Option** by the Authority to extend **Contract No. 17-01** for an additional **One (1) Year Period** (commencing March 1, 2019 and expiring February 29, 2020) for the total sum of **\$79,109.72**.

2. All other terms of **Contract No. 17-01** shall remain in full force and effect without modification.

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

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

5. A copy of this Resolution and the contract executed pursuant to this Resolution, along with **Contract No. 17-01**, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by **American Wear, 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-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 February 28, 2019.



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

Michael Henwood
Secretary

Dated: February 28, 2019

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 2/28/2019

RESOLUTION #: 19-2-008

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

UNIFORMS
W-590-65000-000

VENDOR

AMERICAN WEAR, INC.

CONTRACT NUMBER

17-01

REASON

CLEANING & RENTAL OF UNIFORMS

AMOUNT

\$79,109.72

CONTRACT LENGTH

MARCH 1, 2019 - FEBRUARY 29, 2020

Matthew Carter
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, the Bergen County Utilities Authority (the "Authority"), as planning and implementing agency for the Bergen County Solid Waste Management District, is responsible for the development, modification and implementation of the Bergen County District Solid Waste Management Plan (the "Plan"); and

WHEREAS, pursuant to N.J.S.A. 13:1E-20(a)(1), the Authority has undertaken a comprehensive review of the Plan; and

WHEREAS, the Authority has determined that certain engineering services are required by the Authority in order to fully undertake and complete the comprehensive review of the Plan; and

WHEREAS, specifically, as part of the comprehensive review, there exists the need to engage the services of an engineering firm authorized to provide professional engineering services in the State of New Jersey to provide the following services:

- Determine current disposal capacity available to Bergen County. Project ten (10) year disposal capacity available for Bergen County utilizing the January 31, 2019 Solid Waste Composition and Generation Study and solid waste trends throughout the region;
- Review current Bergen County recycling strategy and recommend improvements, if needed, to conform to New Jersey Department of Environmental Protection ("NJDEP") requirements;
- Review and confirm current truck routes for ingress and egress to Bergen County solid waste transfer stations; and
- Develop in conjunction with, and at the direction of, the Authority and the Authority's legal counsel, a long-term funding strategy for the providing of solid waste services by the Authority.

; and

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

WHEREAS, these services were solicited through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq. as **Mott MacDonald, LLC** responded to the Authority's publicly advertised "Request for Qualifications" and was qualified as competent to provide consulting engineering services by Resolution 19-2-001 adopted on January 24, 2019 by the Board of Commissioners of the Authority; and

WHEREAS, based on **Mott MacDonald, LLC's** Statement of Qualifications, the Authority issued a Request for Proposal ("RFP") dated February 6, 2019; and

WHEREAS, the RFP provided a scope of work that includes:

- Determine current disposal capacity available to Bergen County. Project ten (10) year disposal capacity available for Bergen County utilizing the January 31, 2019 Solid Waste Composition and Generation Study and solid waste trends throughout the region;
- Review current Bergen County recycling strategy and recommend improvements, if needed, to conform to NJDEP requirements;
- Review and confirm current truck routes for ingress and egress to Bergen County solid waste transfer stations; and
- Develop a long-term funding strategy for the providing of solid waste services by the Authority.

; and

WHEREAS, the scope of work in the RFP is required to update the current Plan; and

WHEREAS, **Mott MacDonald, LLC** has submitted to the Authority in response to the RFP a proposal dated February 15, 2019 (the "Proposal") to provide the aforesaid professional engineering services for an amount not to exceed the total sum of \$49,500.00 as more fully set forth and contained in the Proposal which has been reviewed and determined to be fair and reasonable by the Authority's Director of Solid Waste and Information Technology Services; and

WHEREAS, the Proposal included certain attachments, including hourly billing rates; and

WHEREAS, **Mott MacDonald, LLC** previously provided to the Authority a Certificate of Liability Insurance naming the Authority as additional insured, New Jersey Business Registration Certificate, Ownership Disclosure Statement, Affirmative Action Compliance Notice and Certificate of Employee Information Report; and

WHEREAS, the Authority has determined, based upon the foregoing, that it is necessary for the efficient operation of the Authority to retain the services of **Mott**

MacDonald, LLC to provide these engineering services to the Authority in connection with the comprehensive review of the Plan; and

WHEREAS, the Authority desires to appoint and retain **Mott MacDonald, LLC** to provide professional engineering services to the Authority as part of the Authority's comprehensive review of the Plan for the for an amount not to exceed the total sum of \$49,500.00; and

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

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

WHEREAS, the Acting Treasurer of the Authority has certified that funds are available for this purpose.

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

1. **Mott MacDonald, LLC** shall be and is hereby appointed to serve as **Engineer** to the Authority and to provide engineering services to the Authority in connection with the comprehensive review of the Plan for an amount not to exceed the total sum of \$49,500.00 without further action by the Board of Commissioners of the Authority.

2. The Chairman shall be and is hereby authorized to execute a contract as approved and authorized by this Resolution, similar in form and substance to the contract on file at the Authority, by and among the Authority and **Mott MacDonald, LLC** memorializing the scope of services to be provided by **Mott MacDonald, LLC** and hourly billing rates to be paid by the Authority for such services as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

3. A copy of this Resolution, and the contract retaining **Mott MacDonald, LLC** as **Engineer** 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 **Mott MacDonald, LLC** and the Authority.

4. The total amount authorized to be paid by the Authority to **Mott MacDonald, LLC** pursuant to the contract approved and authorized by this Resolution shall not exceed the total sum of \$49,500.00 without further action by the Board of Commissioners of the Authority.

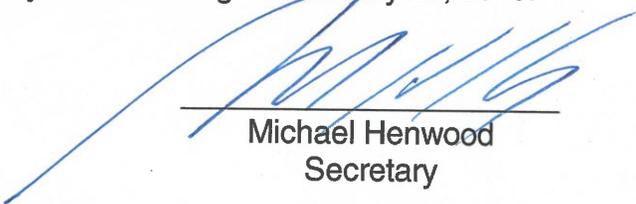
19-2-009

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

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

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of February 28, 2019.



Michael Henwood
Secretary

Dated: February 28, 2019

19-2-009

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 2/28/2019
RESOLUTION #: 19-2-009

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

ENGINEERING
S-640-50400-000

VENDOR

MOTT MACDONALD, LLC

CONTRACT NUMBER

19022814

REASON

ENGINEER FOR SOLID WASTE PLANNING

AMOUNT

\$49,500.00

CONTRACT LENGTH

MARCH 1, 2019 - FEBRUARY 29, 2020

Matthew Carter
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

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

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

WHEREAS, there exists the need to engage the services of an engineering firm authorized to provide professional engineering services in the State of New Jersey to serve as **Special Consulting Engineer** to the Authority; and

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

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

WHEREAS **Greeley and Hansen, L.L.C.** previously submitted a Statement of Qualifications and the Board of Commissioners of the Authority previously determined that **Greeley and Hansen, L.L.C.** is competent, qualified and experienced to serve as the Authority's **Special Consulting Engineer**; and

WHEREAS, based on **Greeley and Hansen, L.L.C.'s** Statement of Qualifications, the Authority issued a Request for Proposal ("RFP") dated February 8, 2019; and

WHEREAS, the RFP provided a scope of work including meeting preparation and attendance; monthly reports; user charge and connection change calculations and supporting report assistant; and completion of pre-existing general consulting projects; and

WHEREAS, the RFP specified that the **Special Consulting Engineer** shall be required to indemnify the Authority and provide insurance required by the Authority; and

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

WHEREAS, the RFP specified that payment for services rendered shall be computed-based on an hourly billing rate, plus reimbursables, with payments not to exceed the total sum of **\$45,000.00** without further written authorization by contract amendment; and

WHEREAS, **Greeley and Hansen, L.L.C.** has submitted a written proposal dated February 15, 2019 (the "Proposal") to serve as **Special Consulting Engineer** to the Authority, on a time and material basis, not to exceed the total sum of **\$45,000.00**, which proposal has been reviewed by the Authority's Director of Engineering; and

WHEREAS, the proposal included attachments including hourly billing rates, Certificate of Liability Insurance naming the Authority as an additional insured, New Jersey Business Registration Certificate, Ownership Disclosure Statement, Affirmative Action Compliance Notice, Certificate of Employee Information Report, Exhibit A, Mandatory Equal Employment Opportunity Language, Iran Disclosure Form, W-9 Form and Certificate of Authorization; and

WHEREAS, the Authority has determined, based upon the foregoing, that it is necessary for its efficient operation to retain the services of **Greeley and Hansen, L.L.C.** to serve as **Special Consulting Engineer** to the Authority; and

WHEREAS, the Authority desires to appoint and retain **Greeley and Hansen, L.L.C.** to serve as **Special Consulting Engineer** to the Authority for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

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

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

WHEREAS, the Acting Treasurer of the Authority has certified that funds are available for this purpose; and

WHEREAS, the health and safety of the individuals living, working and/or visiting in the Authority's sewer service district necessitate the on-going operation and maintenance of the Authority's water pollution control assets, which requires, among other things, the appointment of a **Special Consulting Engineer**; and

WHEREAS, failure to ensure those continued operations and maintenance of the Authority's water pollution control assets would result in unacceptable threats to the health and safety of Bergen County residents, most immediately those in the Authority's sewer service district, which would be too large in scope to be handled by ordinary municipal and county entities.

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

1. That **Greeley and Hansen, L.L.C.** shall be and is hereby appointed to serve as **Special Consulting Engineer** to the Authority for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively.

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

3. A copy of this resolution and the contract retaining **Greeley and Hansen, L.L.C.** as **Special Consulting Engineer** as approved and 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 **Greeley and Hansen, L.L.C.** and the Authority.

4. The total amount authorized to be paid pursuant to the contract herein awarded shall not exceed the total sum of **\$45,000.00** without further action by the Board of Commissioners of the Authority.

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

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

7. The formal action(s) of the Commissioners of the 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 February 28, 2019.



Michael Henwood
Board Secretary

Dated: February 28, 2019

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 2/28/2019
RESOLUTION #: 19-2-010

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

ENGINEERING
W-350-50400-000

VENDOR

GREELEY AND HANSEN, L.L.C.

CONTRACT NUMBER

19022815

REASON

SPECIAL CONSULTING ENGINEER

AMOUNT

\$45,000.00

CONTRACT LENGTH

MARCH 1, 2019 - FEBRUARY 29, 2020


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 to **Furnish and Deliver Sodium Hypochlorite**, pursuant to and in accordance with **Contract No. 18-12**; and

WHEREAS, the following bid proposals were received by the Authority on **February 7, 2019**, the date set forth in the Invitation to Bid for the receipt of bid proposals pursuant to and in accordance with **Contract No.18-12**:

<u>Vendor</u>	<u>Unit Price (per gallon)</u>	<u>Total Bid Price</u>
JCI Jones Chemicals, Inc. Sarasota, FL	\$0.87	\$104,400.00
New Haven Chlor Alkai New Haven, CT	\$0.9562	\$114,744.00
Univar USA Inc. Middletown, PA	\$1.06	\$127,200.00
Kuehne Chemical Co., Inc South Kearny, NJ	\$1.10	\$132,000.00
Miracle Chemical Farmingdale, NJ	\$1.185	\$142,200.00

; and

WHEREAS, the Authority's **Interim Qualified Purchasing Agent** and the Authority's **Director of Water Pollution Control** have each reviewed each of the above referenced bid proposals submitted to the Authority and have recommended that **JCI Jones Chemicals, Inc.** be awarded **Contract No. 18-12** in accordance with N.J.S.A. 40:11-1 et seq., as the lowest complying and responsible bidder; and

WHEREAS, on the basis of the foregoing, the Authority has determined that **JCI Jones Chemicals, Inc.** constitutes the lowest complying and responsible bidder for **Contract No.18-12**, in accordance with N.J.S.A. 40A:11-1 et seq.; and

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

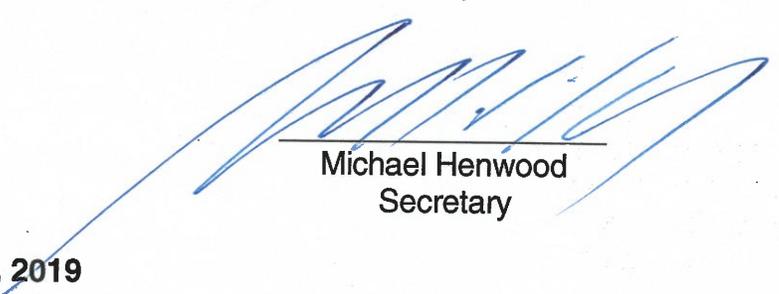
WHEREAS, the award of **Contract No. 18-12** is necessary for the efficient operation of the Authority; and

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. **JCI Jones Chemicals, Inc.** shall be and is hereby determined to be the lowest complying and responsible bidder to **Furnish and Deliver Sodium Hypochlorite**, constituting **Contract No.18-12** for a two (2) year period for a total of **\$104,400.00**.
2. The Chairman shall be and is hereby authorized to execute a contract with **JCI Jones Chemicals, Inc.** of 1765 Ringling Blvd. Sarasota, FL 34236 to **Furnish and Deliver Sodium Hypochlorite**, constituting **Contract No.18-12** for a total amount not to exceed the sum of **\$104,400.00** without further approval of the Board of Commissioners of the Authority.
3. The bid security of all unsuccessful bidders for **Contract No. 18-12**, if any, shall be returned in accordance with N.J.S.A. 40A:11-1, et seq.
4. The Acting Treasurer's Certification that funds are available shall be maintained on file at the Authority and made a part hereof.
5. A notice of this contract award shall be published in the form prescribed by law.
6. A copy of this Resolution and the contract executed pursuant to this Resolution, along with **Contract No. 18-12**, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by **JCI Jones Chemicals, Inc.** and the Authority
7. The formal action(s) of the Commissioners of the Bergen County Utilities Authority embodied herein are expressly contingent upon and subject to the provisions of N.J.S.A. 40:14B-14b.

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting February 28, 2019.



Michael Henwood
Secretary

Dated: February 28, 2019

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 2/28/2019

RESOLUTION #: 19-2-011

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

SODIUM HYPOCHLORITE
W-320-60350-000

VENDOR

JCI JONES CHEMICALS, INC.

CONTRACT NUMBER

18-12

REASON

FURNISH & DELIVER SODIUM HYPOCHLORITE

AMOUNT

\$104,400.00

CONTRACT LENGTH

MARCH 1, 2019 - FEBRUARY 28, 2021

Matthew Carter
ACTING TREASURER

**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, the Authority, pursuant to N.J.S.A. 40A:11-12(a) and N.J.S.A. 52:34-6.2, is authorized to purchase goods and contract for services through the use of a New Jersey State Approved Co-op and accepted cooperative purchasing agreement that has been developed utilizing a competitive bidding process by another contracting unit within the State of New Jersey, when available, for its administration; and

WHEREAS, by Resolution 17-1-005 adopted January 26, 2017, the Board of Commissioners of the Authority ratified and affirmed the membership of the Authority in the Educational Services Commission of New Jersey (the "ESCNJ"), allowing the Authority to continue to participate in the ESCNJ Cooperative Pricing System to purchase goods and contract for services, making the procurement process more efficient and providing cost savings to the Authority and its ratepayers; and

WHEREAS, the Authority currently has the need to **Furnish and Deliver a 2019 Ford Transit Connect Van (S6E)**; and

WHEREAS, the ESCNJ previously awarded a contract to **Beyer Ford** of 170 Ridgedale Ave, Morristown, NJ 07960, under State Approved Co-op No. 65MCECCPS ESCNJ 17/18-21, for the purchase of certain vehicles; and

WHEREAS, the Authority, as a member of the ESCNJ, is able to participate in the ESCNJ Cooperative Pricing System to procure the needed vehicle from **Beyer Ford** under State Approved Co-op No. 65MCECCPS ESCNJ 17/18-21 for the total sum of \$24,401.75 as set forth and contained in the written proposal dated February 14, 2019 submitted to the Authority by **Beyer Ford**; and

WHEREAS, it has been recommended by the Authority's Interim Qualified Purchasing Agent that it would be advantageous to the Authority, and result in a cost savings to the Authority and its ratepayers, for the Authority to procure a vehicle from **Beyer Ford** through the State Approved Co-op No. 65MCESCCPS ESCNJ 17/18-21 to **Furnish and Deliver a 2018 Ford Transit Connect Van (S6E)**; and

WHEREAS, State Approved Co-op No. 65MCESCCPS ESCNJ 17/18-21 meets the "Fair and Open" process requirements of N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, the Authority's Acting Treasurer has certified that funds are available for this purpose.

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 a purchase order, or purchase orders as may be required, to **Furnish and Deliver a 2018 Ford Transit Connect Van (S6E)** for the total sum of \$24,401.75 as set forth and contained in the written proposal dated February 14, 2019 submitted to the Authority by **Beyer Ford**, and in accordance with the terms of State Approved Co-op No. 65MCESCCPS ESCNJ 17/18-21.

2. The Authority shall be responsible to ensure that that goods and/or services procured through the ESCNJ Cooperative Pricing System pursuant to this Resolution comply with all applicable provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and all other provisions of the revised statutes of the State of New Jersey.

3. A copy of this Resolution, a copy of the Certificate of Membership issued by the ESCNJ to the Authority and a copy of any contract(s) 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.

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

5. 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 February 28, 2019.

Michael Henwood, Secretary

Dated: February 28, 2019

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 2/28/2019

RESOLUTION #: 19-2-012

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

BEYER FORD

CONTRACT NUMBER

65MCESCCPS ESCNJ 17/18-21

REASON

FURNISH & DELIVER
A 2018 FORD TRANSIT CONNECT VAN (S6E)

AMOUNT

\$24,401.75

CONTRACT LENGTH

N/A

Matthew McCarter
ACTING TREASURER

**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, the Authority, pursuant to N.J.S.A. 40A:11-12(a) and N.J.S.A. 52:34-6.2, is authorized to purchase goods and contract for services through the use of a New Jersey State Approved Co-op and accepted cooperative purchasing agreement that has been developed utilizing a competitive bidding process by another contracting unit within the State of New Jersey, when available, for its administration; and

WHEREAS, by Resolution 17-1-005 adopted January 26, 2017, the Board of Commissioners of the Authority ratified and affirmed the membership of the Authority in the Educational Services Commission of New Jersey (the "ESCNJ"), allowing the Authority to continue to participate in the ESCNJ Cooperative Pricing System to purchase goods and contract for services, making the procurement process more efficient and providing cost savings to the Authority and its ratepayers; and

WHEREAS, the Authority currently has the need to **Furnish and Deliver a 2019 Ford Transit Van T-150 (E1Y)**; and

WHEREAS, the ESCNJ previously awarded a contract to **Beyer Ford** of 170 Ridgedale Ave, Morristown, NJ 07960, under State Approved Co-op No. 65MCESCCPS ESCNJ 17/18-21, for the purchase of certain vehicles; and

WHEREAS, the Authority, as a member of the ESCNJ, is able to participate in the ESCNJ Cooperative Pricing System to procure the needed vehicle from **Beyer Ford** under State Approved Co-op No. 65MCESCCPS ESCNJ 17/18-21 for the total sum of \$25,905.64 as set forth and contained in the written proposal dated February 14, 2019 submitted to the Authority by **Beyer Ford**; and

WHEREAS, it has been recommended by the Authority's Interim Qualified Purchasing Agent that it would be advantageous to the Authority, and result in a cost savings to the Authority and its ratepayers, for the Authority to procure a vehicle from **Beyer Ford** through the State Approved Co-op No. 65MCESCCPS ESCNJ 17/18-21 to **Furnish and Deliver a 2018 Ford Transit Van T-150 (E1Y)**; and

WHEREAS, State Approved Co-op No. 65MCESCCPS ESCNJ 17/18-21 meets the "Fair and Open" process requirements of N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, the Authority's Acting Treasurer has certified that funds are available for this purpose.

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 a purchase order, or purchase orders as may be required, to **Furnish and Deliver a 2018 Ford Transit Van T-150 (E1Y)** for the total sum of \$25,905.64 as set forth and contained in the written proposal dated February 14, 2019 submitted to the Authority by **Beyer Ford**, and in accordance with the terms of State Approved Co-op No. 65MCESCCPS ESCNJ 17/18-21.

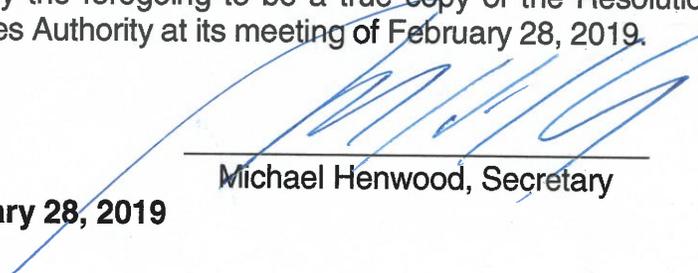
2. The Authority shall be responsible to ensure that that goods and/or services procured through the ESCNJ Cooperative Pricing System pursuant to this Resolution comply with all applicable provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and all other provisions of the revised statutes of the State of New Jersey.

3. A copy of this Resolution, a copy of the Certificate of Membership issued by the ESCNJ to the Authority and a copy of any contract(s) 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.

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

5. 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 February 28, 2019.



Michael Henwood, Secretary

Dated: February 28, 2019

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 2/28/2019

RESOLUTION #: 19-2-013

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

BEYER FORD

CONTRACT NUMBER

65MCESCCPS ESCNJ 17/18-21

REASON

FURNISH & DELIVER
A 2018 FORD TRANSIT VAN T-150 (E1Y)

AMOUNT

\$25,905.64

CONTRACT LENGTH

N/A

Matthew Carter
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, there exists the need to engage the services of a **Health Insurance/Employee Benefits Consultant** to serve as **Health Insurance/Employee Benefits Consultant** to the Bergen County Utilities Authority (the "Authority"); and

WHEREAS, N.J.S.A. 40A:11-5(1)(a)(ii) authorizes and permits the procurement of **Health Insurance/Employee Benefits Consultant** services without competitive bidding, where said services are in the nature of an "extraordinary unspecifiable service"; and

WHEREAS, **Health Insurance/Employee Benefits Consultant** services are recognized as "extraordinary unspecifiable services" as said services are specialized and qualified in nature, requiring expertise, extensive training and proven reputation in the field of endeavor, pursuant to and in accordance with N.J.S.A. 40A:11-2(7) and this contract is awarded without competitive bidding as an "extraordinary unspecifiable service", pursuant to and in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, the Authority's Executive Director has determined that the engagement of a **Health Insurance/Employee Benefits Consultant** is necessary to provide for the efficient operation of the Authority; 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 Board of Commissioners with a Certification, dated February 28, 2019, 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; and

WHEREAS, this contract was awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq. through a publicly advertised Request for Qualifications ("RFQ"), and the Board of Commissioners of the Authority has determined that **LaMendola Associates Inc.** is competent, qualified and experienced to provide these services and serve as the Authority's **Health Insurance/Employee Benefits Consultant**; and

WHEREAS, **LaMendola Associates Inc.** has submitted a written proposal dated February 12, 2019 (the "Proposal") to serve as **Health Insurance/Employee Benefits Consultant** to the Authority, which proposal has been reviewed by the Authority's Executive Director and determined to be fair and reasonable; and

WHEREAS, the Authority has determined, based upon the foregoing, that it is necessary for its efficient operation to retain the services of **LaMendola Associates Inc.** to serve as **Health Insurance/Employee Benefits Consultant** to the Authority and the Authority desires to enter into a contract with **LaMendola Associates Inc.** to serve as **Health Insurance/Employee Benefits Consultant** to the Authority for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

WHEREAS, the Acting Treasurer of the Authority has certified that funds are available for this purpose; and

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

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

1. **LaMendola Associates Inc.** shall be and is hereby appointed to serve as **Health Insurance/Employee Benefits Consultant** to the Authority for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively.

2. The Chairman shall be and is hereby authorized to execute a contract similar in form and substance to the contract on file in the Office of the Executive Director, by and between the Authority and **LaMendola Associates Inc.** memorializing the scope of services and compensation to be paid for such services as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

3. A copy of this Resolution and the contract retaining **LaMendola Associates Inc.** as **Health Insurance/Employee Benefits Consultant** as approved and 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 **LaMendola Associates Inc.** and the Authority.

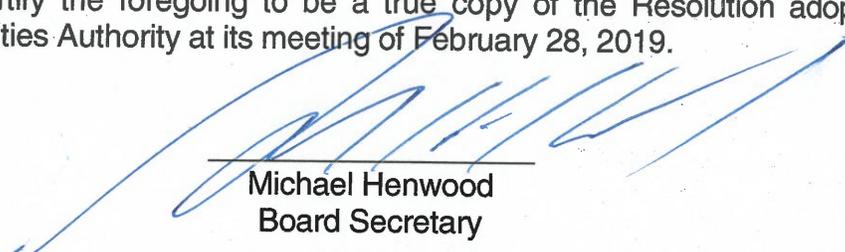
4. The total amount authorized to be paid by the Authority to **LaMendola Associates Inc.** pursuant to the contract herein awarded shall not exceed the total sum of **\$47,500.00** without further action by the Board of Commissioners.

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

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 February 28, 2019.



Michael Henwood
Board Secretary

DATED: February 28, 2019

**CERTIFICATION FOR AN EXTRAORDINARY
UNSPECIFIABLE SERVICES CONTRACT**

TO: Members of the Board of Commissioners

FROM: Robert E. Laux
Executive Director, Bergen County Utilities Authority

DATE: February 28, 2019

SUBJECT: **Award of Contract for Health Insurance/Employee Benefits Consultant**

This is a contract for the Provision of Consulting - Health Insurance/Employee Benefits Consultant

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

Firm: LaMendola Associates, Inc. ("Contractor")

Duration: Until the Authority's 2020 reorganization meeting.

Cost: Not to exceed \$47,500 annually.

Purpose: To provide services to the Authority in regards to the provision of consulting services - Health Insurance/Employee Benefits Consultant

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 Health Insurance/Employee Benefits Consultant services. As Executive Director, I am familiar with the nature of the work to be done under the contract for 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 Health Insurance/Employee Benefits Consultant services be performed by an entity with expertise, extensive training and a proven reputation in the field of endeavor.

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

This contract 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 also Local Finance Notice, 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:**

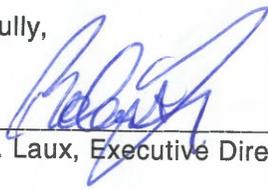
See II. Insurance consulting and administrative service contracts satisfy the criteria of Extraordinary Unspecifiable Services.

- 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 Health Insurance/Employee Benefits Consultant services was advertised on December 17, 2018, 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. The Contractor was duly qualified by resolution of the Authority dated January 24, 2019. Informal Quotations from the Contractor for Health Insurance/Employee Benefits Consultant services were solicited, 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/Employee Benefits 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 E. Laux, Executive Director

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

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 2/28/2019
RESOLUTION #: 19-3-002

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 19022816

REASON HEALTH INSURANCE/ EMPLOYEE
BENEFITS CONSULTANT

AMOUNT \$47,500.00

CONTRACT LENGTH MARCH 1, 2019 - FEBRUARY 29, 2020

Matthew Carter
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, the Bergen County Utilities Authority (the "Authority") deems it necessary to engage the services of a **Third Party Administrator** for the Authority's Workers' Compensation and General Liability Self-Insurance Program; and

WHEREAS, such services are exempt from the requirements of public bidding pursuant to N.J.S.A. 40A:11-5(1)(m) of the Local Public Contracts Law as said services relate to the provision of insurance-related services; and

WHEREAS, **Bergen Risk Managers Inc.** has submitted a proposal to provide services to the Authority as the **Third Party Administrator** of the Authority's Workers' Compensation and General Liability Self-Insurance Program, which proposal has been reviewed by the Authority's Executive Director and Acting Treasurer and determined to be fair and reasonable; and

WHEREAS, the Authority has determined, based upon the foregoing, that it is necessary for its efficient operation to retain the services of **Bergen Risk Managers Inc.** to provide services to the Authority as the **Third Party Administrator** of the Authority's Workers' Compensation and General Liability Self-Insurance Program for the term commencing March 1, 2019 and terminating February 28, 2022 (the "Term"), until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively, and for an amount not to exceed the total sum of: (a) \$35,330.00 for year one (1) of the Term of the contract; (b) \$36,030.00 for year two (2) of the Term of the contract; and (c) \$36,750.00 for year three (3) of the Term of the contract; and (d) \$17,500.00 for each year of the Term of the contract for the providing of other hourly-based services by **Bergen Risk Managers Inc.**; and

WHEREAS, the Board of Commissioners of the Authority has determined that **Bergen Risk Managers, Inc.** is competent, qualified, experienced and has a proven reputation in the field of providing services as a **Third Party Administrator** of the Authority's Workers' Compensation and General Liability Self-Insurance Program; and

WHEREAS, this contract was awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq. through a publicly advertised Request for Qualifications ("RFQ"), and **Bergen Risk Managers, Inc.** was found to be qualified to provide these services by Resolution 19-3-001 adopted January 24, 2019 by the Board of Commissioners of the Authority; and

WHEREAS, the Authority is desirous of retaining and entering into a contract with **Bergen Risk Managers, Inc.** to serve as **Third Party Administrator** of the Authority's Workers' Compensation and General Liability Self-Insurance Program for the Term, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

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

WHEREAS, the Acting Treasurer of the Authority has certified that funds are available for this purpose.

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

1. **Bergen Risk Managers, Inc.** shall be and is hereby appointed to serve as **Third Party Administrator** of the Authority's Workers' Compensation and General Liability Self-Insurance Program for the term commencing March 1, 2019 and terminating February 28, 2022, until a successor is appointed, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively, and for an amount not to exceed the total sum of: (a) \$35,330.00 for year one (1) of the Term of the contract; (b) \$36,030.00 for year two (2) of the Term of the contract; and (c) \$36,750.00 for year three (3) of the Term of the contract; and (d) \$17,500.00 for each year of the Term of the contract for the providing of other hourly-based services by **Bergen Risk Managers Inc.**

2. The Chairman shall be and is hereby authorized to execute a contract by and among the Authority and **Bergen Risk Managers, Inc.** memorializing the scope of services to be performed and compensation to be paid therefore, in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

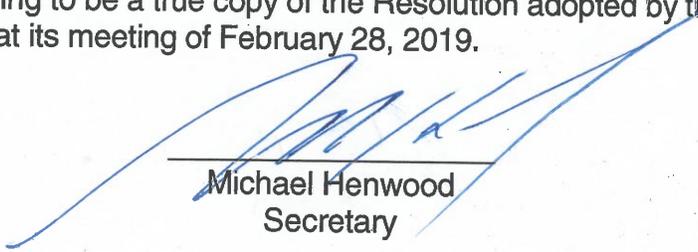
3. The Acting Treasurer's Certification that funds are available shall be on file and made available for public inspection at the Authority and made a part hereof.

4. A copy of this Resolution, and the contract retaining **Bergen Risk Managers, Inc.** as **Third Party Administrator** to the Authority's Workers' Compensation and General Liability Self-Insurance Program 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 **Bergen Risk Managers, Inc.** and the Authority.

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

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of February 28, 2019.



Michael Henwood
Secretary

Dated: February 28, 2019

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 2/28/2019

RESOLUTION #: 19-3-003

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 - WORKERS COMP
W-340-70900-000

VENDOR

BERGEN RISK MANAGERS, INC.

CONTRACT NUMBER

19022818

REASON

THRID PARTY ADMINISTRATOR OF THE AUTHORITY'S
WORKERS' COMPENSATION & GENERAL LIABILITY
SELF-INSURANCE PROGRAM

AMOUNT

\$35,330 FOR 1ST YEAR
\$36,030 FOR 2ND YEAR
\$36,750 FOR 3RD YEAR
\$17,500 ANNUALLY FOR OTHER HOURLY-BASED
SERVICES

CONTRACT LENGTH

MARCH 1, 2019 - FEBRUARY 28, 2022


ACTING TREASURER

**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 within Bergen County; and

WHEREAS, pursuant to N.J.S.A. 40:14B-18, the Authority is authorized to "appoint and employ, full or part-time...managerial personnel...as the Authority may determine necessary for its efficient operations"; and

WHEREAS, the Authority's position of **Manager of Operations & Maintenance, U.U.A.E.** is currently vacant; and

WHEREAS, the Authority has advertised and interviewed candidates for the position of **Manager of Operations & Maintenance, U.U.A.E.**; and

WHEREAS, the Commissioners of the Authority consider **Michael Cammett**, who has been an employee of the Authority since September 1988 and who has served as the Authority's Supervising Sewage Plant Operator since October 2005, as competent and qualified to serve as the Authority's **Manager of Operations & Maintenance, U.U.A.E.** at an initial annual compensation of \$131,231.00; and

WHEREAS, the Authority has concluded that the appointment contemplated herein shall be and is hereby determined to be necessary for the efficient operations of the Authority.

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

1. **Michael Cammett** shall be and is hereby appointed to serve as **Manager of Operations and Maintenance, U.U.A.E.** of the Authority effective immediately at an initial annual compensation of \$131,231.00.

2. Any and all resolutions, appointments, engagements and/or agreements inconsistent herewith shall, to the extent of their inconsistency, be and the same are hereby superseded, and this Resolution shall serve as authorization to implement the terms hereof.

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

I hereby certify the forgoing to be a true copy of the resolution adopted by the Bergen County Utilities Authority at its meeting of February 28, 2019.



Michael Henwood
Secretary

Dated: February 28, 2019

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

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

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

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

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

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

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

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

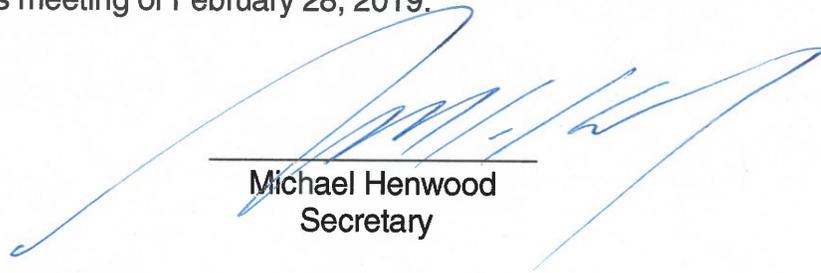
1. The Executive Director shall be and is hereby authorized to execute an Intergovernmental Agreement with the Borough of Teterboro in such final form as is acceptable to the Authority, as evidenced by the Executive Director's signature thereon, providing for the Borough of Teterboro retaining the Authority for the providing of Certified Recycling Professional services, including the preparing, signing and submitting of the above referenced

Annual Recycling Tonnage Report to the NJDEP, and for the providing of other ancillary Certified Recycling Professional services by the Authority to the Borough of Teterboro as outlined in the Intergovernmental Agreement.

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

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of February 28, 2019.



Michael Henwood
Secretary

Dated: February 28, 2019