



BERGEN COUNTY UTILITIES AUTHORITY

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ROBERT E. LAUX
Executive Director

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

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

Via Hand – Delivery

March 2, 2020

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

Dear County Executive Tedesco:

Pursuant to N.J.S.A. 40:14B-14(b) enclosed please find minutes and certification of the BCUA Secretary regarding the Regular Meeting of the Commissioners of The Bergen County Utilities Authority held on February 27, 2020 and action, consistent with the applicable provisions of the aforementioned legislation.

Very truly yours,

Robert E. Laux
Executive Director

REL/mh

Enclosure

C: All Commissioners

**BERGEN COUNTY UTILITIES AUTHORITY
MINUTES OF THE REGULAR MEETING
FEBRUARY 27, 2020**

**In the matter of the 491st Regular Meeting of
The Bergen County Utilities Authority**

1. The **proof of meeting notice** calling the February 27, 2020, meeting was read into the record by Michael Henwood, Board Secretary.

2. Roll Call:

COMMISSIONERS PRESENT:

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

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

3. Motion that the Minutes covering the January 23, 2020 Work Session be approved was moved by Commissioner DeLisio and Seconded by Commissioner Kelley.

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

5. BY-LAWS COMMITTEE:

2020 Reorganization - Chairman Phillips requested that General Counsel Kaufman conduct nominations for BCUA Chairman and Vice Chairman as per Resolution 20-4-001. Commissioner Warms nominated Ronald Phillips for BCUA Chairman and was seconded by Commissioner DeLisio. Commissioner Kelley 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 20-4-001 - 2020 Reorganization – Election of Chairman and Vice Chairman. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-4-002 - 2020 Reorganization – Adoption of By-Laws. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

6. FINANCE AND LEGAL COMMITTEE:

Resolution 20-1-010 - Approve bills and the claims supported by vouchers totaling \$7,483,805.19 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 Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-1-011 - Resolution of the Bergen County Utilities Authority Concerning Review of Findings And Recommendations of the Local Finance Board made in accordance with N.J.S.A. 40A:5A-6. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-1-012 - 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 Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-1-013 - Authorize Professional Services Contract – Financial Advisor - Acacia Financial Group, Inc. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-1-014- 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 Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-1-015 - 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 Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-1-016 - Authorize Professional Services Contract – Special Legal Counsel - Eric M. Bernstein & Associates, L.L.C. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-1-017 - Authorize Professional Services Contract – Special Legal Counsel – Price, Meese, Shulman & D'Arminio Attorneys at Law. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-1-018 - Authorize Professional Services Contract – Public Relations and Media Relations - Catania Consulting Group. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-1-019 - Authorize Professional Services Contract – Grants/Government Services Consulting – Gibbons P.C. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-1-020 - 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 Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-1-021 - Authorize Amendment of 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 Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-1-022 - Authorize Professional Services Contract – Special Legal Counsel – Meyerson, Fox, Mancinelli & Conte, P.A. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

7. CONSTRUCTION & ENGINEERING COMMITTEE:

Resolution 20-2-009– Authorize Professional Services Contract - Site Work /Land Surveying Engineer – Neglia Engineering Associates. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-2-010 - Authorize Professional Services Contract -Environmental Consulting Engineers – Arcadis, U.S., Inc. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-2-011 - Authorize Professional Services Contract - General Consulting Engineers – Alaimo Group. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-2-012 - 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 Bonaventuro and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-2-013 - 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 Bonaventuro and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-2-014 - Authorize Professional Services Contract – Special Consulting Engineer – CME Associates, L.L.P. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-2-015 - Authorize Amendment of Professional Services Contract - Professional Appraisal Services in connection with the Edgewater WPCF Project - McNerney & Associates, Inc. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-2-016 - Authorize Professional Services Contract - Professional Appraisal Services in connection with the Edgewater WPCF Project - McNerney & Associates, Inc. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-2-017 - Authorize Second 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 Bonaventuro and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-2-018 - Award Contract 20-03 to Sherwood-Logan & Associates, Inc. – Furnish and Deliver Grit Sweep #3 – Drive Unit. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-2-019 - Exercise One (1) Year Option - Contract 17-13 to R-D Trucking, Inc. - Load, Transport and Deliver Liquid Sewage Sludge from Edgewater to PVSC. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-2-020 - Exercise One (1) Year Option - Award Contract 18-01 to AB Energy, USA LLC – Furnish and Deliver Jenbacher Service and Parts. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-2-021 - Approve Change Order No. 1 - Contract No. 18-08 to National Water Main Cleaning Company - Route 4 Interceptors and 60" Overpeck Trunk Sewer Cleaning and TV Inspection. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-2-022 - Approve Change Order No.1 - GZA Geo Environmental, Inc. - Tunnel Integrity Assessment Services. Motion to adopt the resolution was made by

BERGEN COUNTY UTILITIES AUTHORITY
Minutes of the Regular Meeting
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Commissioner Bonaventuro and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

8. PERSONNEL & ADMINISTRATIVE COMMITTEE:

Resolution 20-3-003 – Authorize Contract - Health Insurance /Employee Benefits Consultant – LaMendola Associates, Inc. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

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

10. Chairman Phillips announced the Regular Meeting would reconvene.

11. The Board Secretary then distributed proposed minutes of the February 27, 2020 Regular Meeting for review by the Commissioners.

12. Motion to approve the Minutes of the Regular Meeting February 27, 2020 as distributed by the Secretary, such minutes to include this motion approving the minutes, without the requirement of further review or approval at a subsequent Regular Meeting. Motion to adopt the Minutes of the Regular Meeting February 27, 2020 was made by Commissioner DeLisio and Seconded by Commissioner Massa and was unanimously carried. Commissioner Bonaventuro abstained.

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

Resolution #	20-4-001	20-4-002	20-1-010	20-1-011	20-1-012	20-1-013	20-1-014	20-1-015
Chairman Phillips	Y	Y	Y	Y	Y	Y	Y	Y
V. Chair. DeLisio	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Bentz	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Bonaventuro	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Gumble	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Kelley	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Massa, Jr.	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Testa	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Warms	Y	Y	Y	Y	Y	Y	Y	Y

Resolution #	20-1-016	20-1-017	20-1-018	20-1-019	20-1-020	20-1-021	20-1-022	20-2-009
Chairman Phillips	Y	Y	Y	Y	Y	Y	Y	Y
V. Chair. DeLisio	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Bentz	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Bonaventuro	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Gumble	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Kelley	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Massa, Jr.	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Testa	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Warms	Y	Y	Y	Y	Y	Y	Y	Y

BERGEN COUNTY UTILITIES AUTHORITY
Minutes of the Regular Meeting
February 27, 2020

Resolution #	20-2-010	20-2-011	20-2-012	20-2-013	20-2-014	20-2-013	20-2-015	20-2-016
Chairman Phillips	Y	Y	Y	Y	Y	Y	Y	Y
V. Chair. DeLisio	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Bentz	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Bonaventuro	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Gumble	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Kelley	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Massa, Jr.	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Testa	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Warms	Y	Y	Y	Y	Y	Y	Y	Y

Resolution #	20-2-017	20-2-018	20-2-019	20-2-020	20-2-021	20-2-022	20-3-003
Chairman Phillips	Y	Y	Y	Y	Y	Y	Y
V. Chair. DeLisio	Y	Y	Y	Y	Y	Y	Y
Comm. Bentz	Y	Y	Y	Y	Y	Y	Y
Comm. Bonaventuro	Y	Y	Y	Y	Y	Y	Y
Comm. Gumble	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. Testa	Y	Y	Y	Y	Y	Y	Y
Comm. Warms	Y	Y	Y	Y	Y	Y	Y

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



Michael Henwood
 Board Secretary

Date: February 27, 2020

20-4-002

**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 27, 2020.



Michael Henwood
Board Secretary

DATED: February 27, 2020

**RESOLUTION OF THE BERGEN COUNTY UTILITIES
AUTHORITY CONCERNING REVIEW OF FINDINGS AND
RECOMMENDATIONS OF THE LOCAL FINANCE
BOARD MADE IN ACCORDANCE WITH N.J.S.A. 40A:5A-6**

RESOLUTION NO. 20-1-011

WHEREAS, the findings and recommendations issued by the Local Finance Board (the "Board") at a meeting held by said Board on December 11, 2019 relating to the issuance of not to exceed \$2,000,000 subordinated obligations (the "Bonds") of The Bergen County Utilities Authority (the "Authority") through the New Jersey Economic Development Authority (the "NJEDA") to provide for the cost of certain capital improvements, including resiliency upgrades to the Authority wastewater treatment system, have been filed with the Secretary of the Authority, and a copy has been received by each member of the governing body and is attached hereto as Exhibit A; and

WHEREAS, N.J.S.A. 40A:5A-7 requires that the governing body of the Authority, within 45 days of receipt of the Board's findings and recommendations, shall certify by resolution to the Board that the members thereof have personally reviewed the findings and recommendations; and

WHEREAS, the members of the governing body of the Authority have personally reviewed the Board's findings and recommendations on the proposed Project financings as evidenced by group affidavit of the governing body; and

WHEREAS, failure to comply with this requirement may subject the members of the Authority to the penalty provisions of R.S. 52:27BB-52.

NOW THEREFORE, BE IT RESOLVED that the governing body of The Bergen County Utilities Authority hereby states that it has complied with the requirements of N.J.S.A. 40A:5A-7 and does hereby submit a certified copy of this resolution and the required affidavit to the Board to show evidence of said compliance.

Recorded Vote

Board of Commissioners	YES	NO	ABSTAIN	NOT VOTING	NOT PRESENT
Chairman Phillips	X				
Vice Chairman DeLisio	X				
Commissioner Bentz	X				
Commissioner Bonaventuro	X				
Commissioner Gumble	X				
Commissioner Kelley	X				
Commissioner Massa, Jr.	X				
Commissioner Testa	X				
Commissioner Warms	X				

The foregoing is a true copy of a resolution adopted by the governing body of The Bergen County Utilities Authority on February 27, 2020.



Michael Henwood, Secretary

GROUP AFFIDAVIT FORM
CERTIFICATION OF GOVERNING BODY

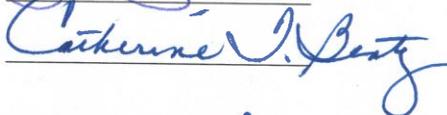
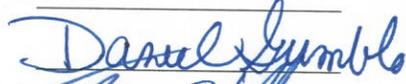
State of New Jersey
County of Bergen

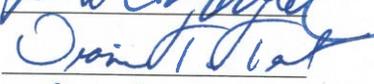
We, the members of the governing body of THE BERGEN COUNTY UTILITIES AUTHORITY, being of full age and being duly sworn according to law, upon our oath depose and say:

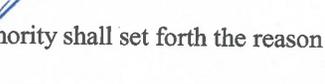
1. We are duly appointed members of The Bergen County Utilities Authority (the "Authority").
2. We certify that, pursuant to N.J.S.A. 40A:5A-7, we have personally reviewed the findings and recommendations of the Local Finance Board at the meeting on December 11, 2019 relating to the issuance of not to exceed \$2,000,000 subordinated obligations (the "Bonds") of The Bergen County Utilities Authority (the "Authority") through the New Jersey Economic Development Authority (the "NJEDA"), to provide for") to provide for the cost of certain capital improvements, including resiliency upgrades to the Authority wastewater treatment system, and that such approval has been filed with the Secretary of the Authority.

Name
 Ronald Phillips
 Louis J. DeLisio
 Catherine T. Bentz
 Bruce Bonaventuro
 Daniel Gumble
 Thomas S. Kelley
 Peter C. Massa, Jr.
 Diane T. Testa
 Jon Warm

Signature

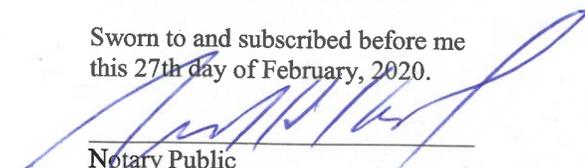








[Note: The Corporate Secretary of the Authority shall set forth the reason for the absence of signature of any members of the governing body.]

Sworn to and subscribed before me
this 27th day of February, 2020.


 Notary Public
 State of New Jersey



20-1-011

EXHIBIT A

20-1-011

**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 10, 2020**, 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 27, 2020.



Michael Henwood
Board Secretary

Dated: February 27, 2020

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 2/27/2020

RESOLUTION #: 20-1-012

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 ACCOUNTING SERVICES
ORG: 15221000
OBJECT: 532980

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

CONTRACT NUMBER 20-1-012

REASON AUDIT & ACCOUNTING SERVICES

AMOUNT \$215,000.00

CONTRACT LENGTH MARCH 1, 2020 - FEBRARY 28, 2021



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 27, 2020, 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 13, 2020 (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.

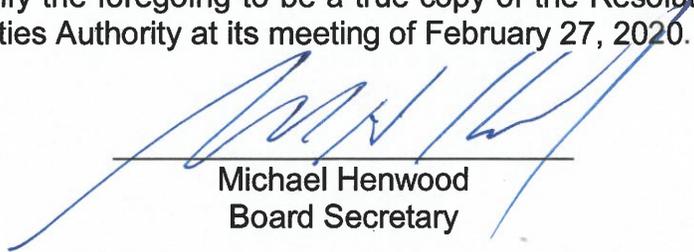
5. A copy of this Resolution and the contract retaining **Acacia Financial Group, Inc.** as **Financial Advisor** as approved and authorized by this Resolution shall be placed on file and made available for public inspection in the office of the Executive Director, upon execution by **Acacia Financial 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).

20-1-013

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 27, 2020.



Michael Henwood
Board Secretary

Dated: February 27, 2020

20-1-013

**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 27, 2020

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 2021 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, 2019, and statements of qualifications were received. The Contractor was duly qualified by resolution of the Authority dated January 23, 2020. 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: 2/27/2020

RESOLUTION #: 20-1-013

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 ACCOUNTING SERVICES
ORG: 15221000
OBJECT: 532980

VENDOR ACACIA FINANCIAL GROUP, INC.

CONTRACT NUMBER 20-1-013

REASON FINANCIAL ADVISOR

AMOUNT \$17,500.00

CONTRACT LENGTH MARCH 1, 2020 - FEBRARY 28, 2021

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, 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, **Kaufman, Semeraro & Leibman, L.L.P** has submitted a proposal to serve as **General Legal Counsel**, dated February 4, 2020, which proposal has been reviewed by the Authority; and

WHEREAS, the Authority's Commissioners have 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 **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 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:

20-1-014

1. **Kaufman, Semeraro & Leibman, L.L.P.** shall be and is hereby appointed to serve as **General 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.

2. The Chairman shall be and is hereby authorized to execute an agreement, similar in form and substance to the agreement on file at the Authority by and 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 Agreement 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.

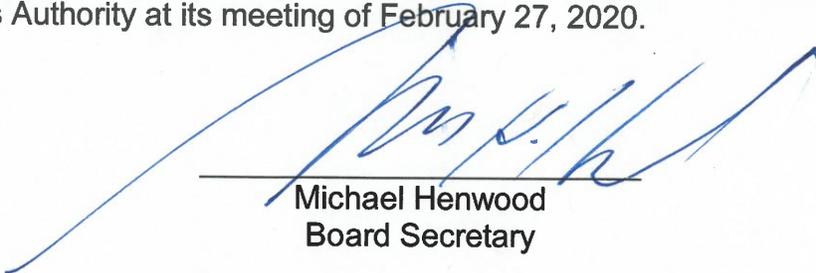
4. The total amount authorized to be paid pursuant to the contract herein awarded shall not exceed the total sum of **\$250,000.00**, without further action by the Board of Commissioners.

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 27, 2020.



Michael Henwood
Board Secretary

DATED: February 27, 2020

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 2/27/2020

RESOLUTION #: 20-1-014

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
ORG: 15221000
OBJECT: 532970

VENDOR

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

CONTRACT NUMBER

20-1-014

REASON

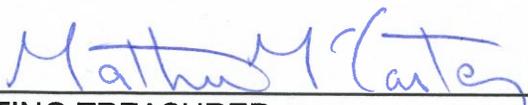
GENERAL LEGAL COUNSEL

AMOUNT

\$250,000.00

CONTRACT LENGTH

MARCH 1, 2020 - FEBRUARY 28, 2021


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 13, 2020 (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

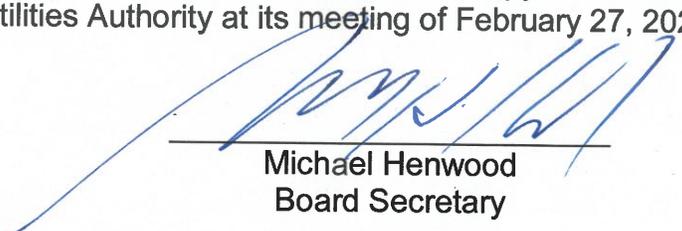
WHEREAS, N.J.S.A. 40A:11-1 et seq. requires that the resolution authorizing the award of contracts for professional services and the contract itself be available for public inspection; and

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 27, 2020.



Michael Henwood
Board Secretary

DATED: February 27, 2020

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 2/27/2020

RESOLUTION #: 20-1-015

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
ORG: 15221000
OBJECT: 532970

VENDOR

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

CONTRACT NUMBER

20-1-015

REASON

BOND COUNSEL

AMOUNT

\$25,000.00

CONTRACT LENGTH

MARCH 1, 2020 - FEBRUARY 28, 2021

Matthew 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 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 7, 2020 (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.

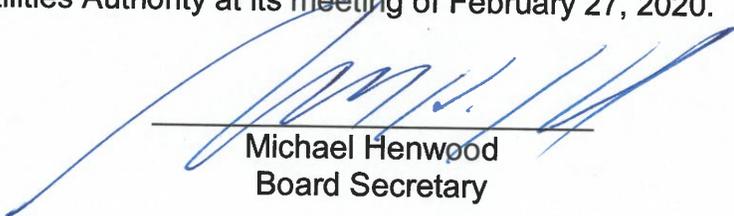
5. The Acting Treasurer's Certification that funds are available shall be placed on file and made available for public inspection at the Authority and made a part hereof.

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).

20-1-016

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 27, 2020.



Michael Henwood
Board Secretary

DATED: February 27, 2020

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 2/27/2020
RESOLUTION #: 20-1-016

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 LEGAL
ORG: 15221000
OBJECT: 532970

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

CONTRACT NUMBER 20-1-016

REASON SPECIAL LEGAL COUNSEL

AMOUNT \$95,000.00

CONTRACT LENGTH MARCH 1, 2020 - FEBRUARY 28, 2021


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 5, 2020 (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.

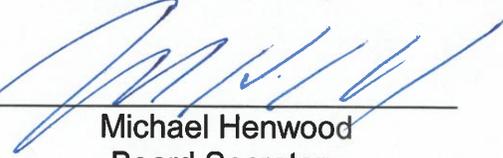
5. The Acting Treasurer's Certification that funds are available shall be placed on file and made available for public inspection at the Authority and made a part hereof.

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).

20-1-017

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 27, 2020.



Michael Henwood
Board Secretary

DATED: February 27, 2020

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 2/27/2020

RESOLUTION #: 20-1-017

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
ORG: 15221000
OBJECT: 532970

VENDOR

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

CONTRACT NUMBER

20-1-017

REASON

SPECIAL LEGAL COUNSEL

AMOUNT

\$95,000.00

CONTRACT LENGTH

MARCH 1, 2020 - FEBRARY 28, 2021

Matthew M. Carter

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 3, 2020**, 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 13, 2020** (the "Proposal") to serve as **Public Affairs and Media Relations Consultant** to the Authority, dated **February 13, 2020**, 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.

20-1-018

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 27, 2020.



Michael Henwood
Board Secretary

DATED: February 27, 2020

**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 27, 2020

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 2021 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, 2019, and statements of qualifications were received. The Contractor was duly qualified by resolution of the Authority dated January 27, 2020. 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 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: 2/27/2020

RESOLUTION #: 20-1-018

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

ADVERT/PUBLIC INFO

ORG: 15221000

OBJECT: 532040

VENDOR

THE CATANIA CONSULTING GROUP, INC.

CONTRACT NUMBER

20-1-018

REASON

PUBLIC AFFAIRS & MEDIA RELATIONS CONSULTANT

AMOUNT

\$45,000.00

CONTRACT LENGTH

MARCH 1, 2020 - FEBRARY 28, 2021

Matthew Y. Carter

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 27, 2020, 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 13, 2020 (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**

20-1-019

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).

20-1-019

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 27, 2020.



Michael Henwood
Board Secretary

Dated: February 27, 2020

**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 27, 2020

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 2021 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, 2019, and statements of qualifications were received. The Contractor was duly qualified by resolution of the Authority dated January 23, 2020. 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: 2/27/2020

RESOLUTION #: 20-1-019

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

LEGAL
ORG: 15221000
OBJECT: 532970

VENDOR

GIBBONS P.C.

CONTRACT NUMBER

20-1-019

REASON

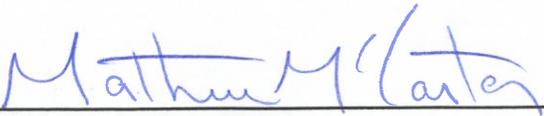
GRANTS/GOVERNMENT SERVICE CONSULTANT

AMOUNT

\$96,000.00

CONTRACT LENGTH

MARCH 1, 2020 - FEBRARY 28, 2021


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 27, 2020.



Michael Henwood
Board Secretary

Dated: February 27, 2020

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 2/27/2020

RESOLUTION #: 20-1-020

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

OTHER EXPENSES
ALLOCATION CODE: 12409

VENDOR

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

CONTRACT NUMBER

N/A

REASON

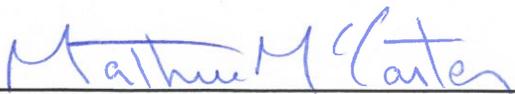
SUPPORT OF LOCAL VOLUNTEER SERVICES

AMOUNT

\$2,000 EACH

CONTRACT LENGTH

N/A


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 19-1-023 adopted March 28, 2019, appointed **Kaufman, Semeraro & Leibman, LLP** to serve as **General Legal Counsel** 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 19-1-023 Authorized the Chairman of the Board of Commissioners of the Authority to execute a contract by and between the Authority and **Kaufman, Semeraro & Leibman, LLP** (the "Contract") memorializing the scope of services to be provided by **Kaufman, Semeraro & Leibman, LLP** serving as **General Legal Counsel** to the Authority, including professional legal services which are provided by **Kaufman, Semeraro & Leibman, LLP** to the Authority on an as-requested basis, pursuant to which payment by the Authority to **Kaufman, Semeraro & Leibman, LLP** is not to exceed the total sum of \$210,000.00 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 **Kaufman, Semeraro & Leibman, LLP** on March 28, 2019; and

WHEREAS, **Kaufman, Semeraro & Leibman, LLP**, operating under the Contract, has continued to provide significant necessary and valuable legal services serving as **General Legal Counsel** to the Authority, including providing professional legal services to the Authority on an as-requested basis on a number of critical ongoing matters and on other matters as identified and requested by the Authority since the commencement of the term of the Contract; and

WHEREAS, **Kaufman, Semeraro & Leibman, LLP**, by written correspondence dated February 24, 2020, advised the Authority that as of that date, **Kaufman, Semeraro & Leibman, LLP** had exhausted the compensation budget to be paid by the Authority to **Kaufman, Semeraro & Leibman, LLP** for services performed pursuant thereto; and

WHEREAS, Kaufman, Semeraro & Leibman, LLP, by written correspondence dated February 24, 2020, requested that the Authority increase the compensation budget provided for by the Contract, resulting in an amended Contract compensation budget of an amount not to exceed the total sum of \$287,500.00; and

WHEREAS, the Executive Director of the Authority has determined that **Kaufman, Semeraro & Leibman, LLP** has performed all services under the Contract in an effective and efficient manner and further determined that the remaining work to be performed by **Kaufman, Semeraro & Leibman, LLP** 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 24, 2020 written correspondence of **Kaufman, Semeraro & Leibman, LLP**, including the request of **Kaufman, Semeraro & Leibman, LLP** to increase the compensation budget for the total compensation to be paid by the Authority to **Kaufman, Semeraro & Leibman, LLP** 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 **Kaufman, Semeraro & Leibman, LLP** pursuant to the Contract, resulting in an amended compensation budget under the Contract in an amount not to exceed the total sum of \$287,500.00 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 **Kaufman, Semeraro & Leibman, LLP** 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 and the total amount of compensation to now be paid by the Authority to **Kaufman, Semeraro & Leibman, LLP** pursuant to the amended Contract shall not exceed the total sum of \$287,500.00 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 **Kaufman, Semeraro & Leibman, LLP**, 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.

3. A copy of this Resolution, and the contract amending the Contract with **Kaufman, Semeraro & Leibman, LLP** pursuant to this Resolution, shall be placed on file

20-1-021

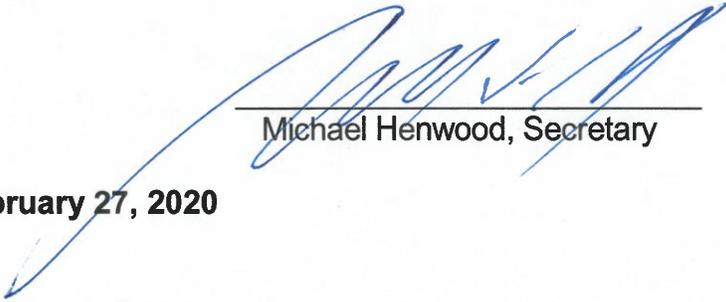
and made available for public inspection in the Office of the Executive Director, upon execution by **Kaufman, Semeraro & Leibman, LLP** and the Authority.

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 27, 2020.



Michael Henwood, Secretary

Dated: February 27, 2020

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 2/27/2020

RESOLUTION #: 20-1-021

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
ORG: 15221000
OBJECT: 532970

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

CONTRACT NUMBER 20-1-021 (19022803)

REASON INCREASE IN THE PROFESSIONAL SERVICE NEEDS
OF THE AUTHORITY FOR
GENERAL LEGAL COUNSEL

AMOUNT \$27,500.00

CONTRACT LENGTH FEBRUARY 27, 2020 - FEBRUARY 29, 2020

Matthew M. 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") to provide and perform such 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, P.A.** has submitted a written proposal dated February 24, 2020 to serve as **Special Legal Counsel** to the Authority for a **One (1) Year Term**, commencing January 1, 2020, which proposal has been reviewed by the Authority; and

WHEREAS, the Board of Commissioners of the Authority has determined that **Meyerson, Fox, Mancinelli & Conte, 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, P.A.** to serve as **Special Legal Counsel** to the Authority for a **One (1) Year Term** commencing January 1, 2020, 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 **Meyerson, Fox, Mancinelli & Conte, P.A.** to serve as **Special Legal Counsel** to perform such legal services which may, from time to time, be requested by the Authority, for a **One (1) Year Term** commencing January 1, 2020, 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, P.A.** shall be and is hereby appointed to serve as **Special Legal Counsel** to perform such legal services which may, from time to time, be requested by the Authority for a **One (1) Year Term** commencing January 1, 2020, 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 **Meyerson, Fox, Mancinelli & Conte, 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 contract engaging **Meyerson, Fox, Mancinelli & Conte, 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, 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).

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 27, 2020.

Michael Henwood, Board Secretary

DATED: February 27, 2020

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 2/27/2020

RESOLUTION #: 20-1-022

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
ORG: 15221000
OBJECT: 532970

VENDOR

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

CONTRACT NUMBER

20-1-022

REASON

SPECIAL LEGAL COUNSEL

AMOUNT

\$17,500.00

CONTRACT LENGTH

JANUARY 1, 2020 - DECEMBER 31, 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, 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 5, 2020; 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, 2020 (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 27, 2020.



Michael Henwood
Board Secretary

DATED: February 27, 2020

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 2/27/2020

RESOLUTION #: 20-2-009

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
ORG: 15221000
OBJECT: 532060

VENDOR

NEGLIA ENGINEERING ASSOCIATES

CONTRACT NUMBER

20-2-009

REASON

SITE WORK ENGINEERING/LAND SURVEYING CONSULTANT

AMOUNT

\$100,000.00

CONTRACT LENGTH

MARCH 1, 2020 - FEBRUARY 28, 2021

Matthew Y 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 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 5, 2020; 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, 2020 (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.

20-2-010

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 27, 2020.

A handwritten signature in blue ink, appearing to read "Michael Henwood", is written over a horizontal line. The signature is fluid and cursive.

Michael Henwood
Board Secretary

DATED: February 27, 2020

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 2/27/2020

RESOLUTION #: 20-2-010

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
ORG: 15221000
OBJECT: 532060

VENDOR

ARCADIS U.S. INC.

CONTRACT NUMBER

20-2-010

REASON

SPECIAL ENVIRONMENTAL ENGINEER

AMOUNT

\$300,000.00

CONTRACT LENGTH

MARCH 1, 2020 - FEBRUARY 28, 2021

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 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 5, 2020; 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 13, 2020 (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 27, 2020.



Michael Henwood
Board Secretary

Dated: February 27, 2020

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 2/27/2020

RESOLUTION #: 20-2-011

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 ENGINEERING
ORG: 15221000
OBJECT: 532060

VENDOR ALAIMO GROUP

CONTRACT NUMBER 20-2-011

REASON GENERAL CONSULTING ENGINEER

AMOUNT \$300,000.00

CONTRACT LENGTH MARCH 1, 2020 - FEBRUARY 28, 2021

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 13, 2020 (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 **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. 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 **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 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. The total amount authorized to be paid pursuant to the contract herein awarded shall not exceed the total sum of **\$125,000.00** without further action by the Board of Commissioners.

4. 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.

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.

20-2-012

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 27, 2020.



Michael Henwood
Board Secretary

Dated: February 27, 2020

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 2/27/2020

RESOLUTION #: 20-2-012

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

ENGINEERING
ORG: 15221000
OBJECT: 532060

VENDOR

REMINGTON, VENICK & ARANGO ENGINEERS

CONTRACT NUMBER

20-2-012

REASON

ENERGY MANAGEMENT & RELATED AIR POLLUTION
CONTROL PERMIT ENGINEERING CONSULTANT

AMOUNT

\$125,000.00

CONTRACT LENGTH

MARCH 1, 2020 - FEBRUARY 28, 2021

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, 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 aforesated 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 three (3) tasks that includes as follows:

- Task 1 - Project Coordination;
- Task 3 - Progress Reporting and Nine Minimum Control Requirements;
- Task 6 – Long Term Control Plan Phase 3: Plan Selection and Implementation Schedule.

; and

WHEREAS, the RFP further provided that tasks 1, 3, & 6 of the Scope of Work as repeated above herein shall be performed as specified in the RFP from March 1, 2020 to February 28, 2021; 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 14, 2020, for an amount not to exceed the total sum of \$280,000.00 for the **Special Engineering Consultant** for the **CSO Long-Term Control Plan Development** for and during the time period of March 1, 2020 through and including February 28, 2021, 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, 2020 through and including February 28, 2021; 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, 2020 through and including February 28, 2021, for an amount not to exceed the total sum of \$280,000.00; 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, LLC** 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, 2020 and expiring February 28, 2021, for an amount not to exceed the total sum of \$280,000.00, computed based on hourly rate plus all reimbursable items for tasks performed as set forth and included within the RFP and the January 14, 2020 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

20-2-013

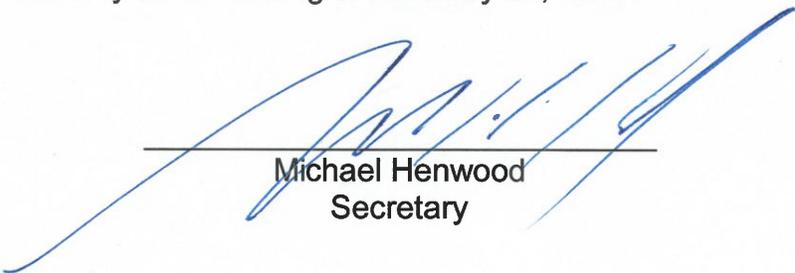
made available for public inspection in the Office of the Executive Director, upon execution by Mott MacDonald and the Authority.

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 27, 2020.



Michael Henwood
Secretary

DATED: February 27, 2020

20-2-013

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 2/27/2020

RESOLUTION #: 20-2-013

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

ENGINEERING
ORG: 15221000
OBJECT: 532060

VENDOR

MOTT MACDONALD, LLC

CONTRACT NUMBER

20-2-013

REASON

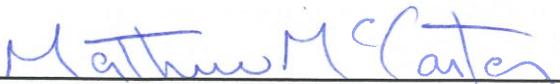
SPECIAL ENGINEERING CONSULTANT FOR THE
CSO LONG-TERM CONTROL PLAN DEVELOPMENT

AMOUNT

\$280,000.00

CONTRACT LENGTH

MARCH 1, 2020 - FEBRUARY 28, 2021


ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

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

WHEREAS, the Bergen County Utilities Authority (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, **CME Associates, LLP** submitted a Statement of Qualifications to the Authority and the Board of Commissioners of the Authority, by Resolution 20-2-004 adopted January 23, 2020, determined that **CME Associates, LLP** is competent, qualified and experienced to serve as **Special Consulting Engineer** to the Authority; and

WHEREAS, **CME Associates, LLP** has previously satisfactorily served in the capacity of **Special Consulting Engineer** to the Authority; and

WHEREAS, based on **CME Associates, LLP's** Statement of Qualifications and prior history serving as **Special Consulting Engineer** to the Authority, the Authority issued a Request for Proposal ("RFP") dated February 5, 2020; and

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

- Attending regular monthly meetings of the Authority's Board of Commissioners and attend other meetings upon request;
- Providing monthly summary reports of on-going projects;

- Being on-call, and at the direction of the Director of Engineering, performs professional engineering and services in the areas of civil and other related engineering expertise as may be required for the day-to-day operation of the Authority's physical assets, including, but not limited to, the Little Ferry and Edgewater water pollution control facilities, eight (8) pump stations and associated force mains, and over one hundred (100) miles of intercepting sewers and over one hundred fifty (150) sewage flow meters; and
- Provide a collections system operator (NJDEP C4).

; 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: 1) Study and Report; 2) Preliminary Design; 3) Final Design; 4) Bidding or Negotiating; and 5) Construction; and

WHEREAS, the RFP specified that general engineering, site work and property surveying projects may be performed by others for the Authority; and

WHEREAS, the RFP specified that the **Special Consulting Engineer** shall be required and obligated to indemnify the Authority and provide insurance coverages 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 sixty-five (365) consecutive calendar days without further written authorization by contract amendment; and

WHEREAS, in response to the RFP, **CME Associates, LLP** submitted to the Authority a written proposal dated February 13, 2020 (the "Proposal") to serve as **Special Consulting Engineer** to the Authority and to provide the aforesaid professional engineering services to the Authority, on a time and material basis, not to exceed the total sum of \$100,000.00, which proposal has been reviewed and determined to be fair and reasonable 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, Certificate of Employee Information Report, Exhibit A, Mandatory Equal Employment Opportunity Language, Iran Disclosure 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 **CME Associates, LLP** to serve as **Special Consulting Engineer** to the Authority; and

WHEREAS, the Authority desires to appoint and retain **CME Associates, LLP** 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 for an amount not to exceed the total sum of \$100,000.00; 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; 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 Consulting Engineer**; and

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

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

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

1. That **CME Associates, LLP** 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 **CME Associates, LLP**, 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 **CME Associates, LLP** 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 **CME Associates, LLP** and the Authority.

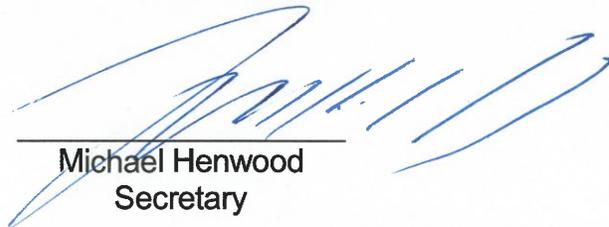
4. The total amount authorized to be paid by the Authority to **CME Associates, LLP** pursuant to the contract herein awarded shall not exceed the total sum of **\$100,000.00** without further action by the Board of Commissioners.

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 27, 2020.



Michael Henwood
Secretary

DATED: February 27, 2020

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 2/27/2020
RESOLUTION #: 20-2-014

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 ENGINEERING
ORG: 15221000
OBJECT: 532060

VENDOR CME ASSOCIATES, LLP

CONTRACT NUMBER 20-2-014

REASON SPECIAL CONSULTING ENGINEER

AMOUNT \$100,000.00

CONTRACT LENGTH MARCH 1, 2020 - FEBRUARY 28, 2021

Matthew McCarty
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

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

WHEREAS, 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 the County of Bergen serving approximately 575,000 people; and

WHEREAS, in 2007, in accordance with its charter and in furtherance of providing these essential services, the Authority acquired from the Edgewater Municipal Utilities Authority (the "Edgewater MUA") the Edgewater wastewater treatment facility known as the Edgewater Water Pollution Control Facility ("Edgewater WPCF") located at 520 River Road, Edgewater Borough, Bergen County, New Jersey and the Authority continues to own and operate the Edgewater WPCF; and

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

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

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

WHEREAS, after acquiring the Edgewater WPCF, the Authority assumed responsibility for the compliance plan for the outfall extension project; and

WHEREAS, in order to achieve compliance with the Copper, Ammonia-Nitrogen and Zinc effluent limitations, the Edgewater WPCF originally proposed to extend the outfall to provide sufficient mixing/dilution but due to unforeseen difficulties obtaining permits necessary to construct the extended outfall, specifically the denial by the Army Corps of Engineers of the request of the Authority for the issuance of a permit to extend the outfall further and deeper into the Hudson River, the Authority has proposed an alternative to convert the Edgewater WPCF into a sewage pumping station, construct a sewage force main, and treat the wastewater at the Little Ferry Water Pollution Control Facility (the "Little Ferry WPCF"), which is another facility owned and operated by the Authority located at the Foot of Mehrhof Road, Borough of Little Ferry, Bergen County, New Jersey and the Authority would then close the Edgewater WPCF and direct all wastewater to the Little Ferry WPCF for treatment (the "Edgewater WPCF Project"); and

WHEREAS, the NJDEP notified the Authority that it is the position of the NJDEP that the Edgewater WPCF may violate the New Jersey Water Pollution Control Act, N.J.S.A. 58:10A-1 et seq. ("Act") and the regulations promulgated pursuant thereto, specifically N.J.A.C. 7:14A-1 et seq., if it is not permitted to extend the outfall further and deeper into the Hudson River; and

WHEREAS, on March 3, 2015, a meeting was conducted with representatives of the Authority and the NJDEP to discuss the proposal of the elimination of the Edgewater WPCF consistent with the Edgewater WPCF Project; and

WHEREAS, as a result of the March 3, 2015 meeting and due to the Army Corps of Engineers denying the Authority a permit to extend the outfall into the Hudson River, the NJDEP entered into an Administrative Consent Order (the "2015 ACO") with the Authority on May 29, 2015 in order to memorialize an engineering and construction schedule for the Edgewater WPCF Project and provide for Interim Enforcement Effluent Limitations for Copper, Ammonia-Nitrogen and Zinc; and

WHEREAS, the wastewater flows from the Edgewater WPCF are now proposed to be treated in a more efficient, effective, and cost effective manner at the Authority's Little Ferry WPCF; and

WHEREAS, as part of the Edgewater WPCF Project, the Authority previously determined that it required **Professional Appraisal Services** to be performed by a real estate appraiser licensed by the State of New Jersey in connection with the Edgewater WPCF Project; and

WHEREAS, the **Professional Appraisal Services** required to be provided to the Authority included the providing of appraisals for properties which the Authority will be required to acquire title to, or acquire an easement or other interest in, in order to advance the Edgewater WPCF Project pursuant to and consistent with the terms of the 2015 ACO; and

WHEREAS, the Board of Commissioners of the Authority, by Resolution 18-2-048 adopted July 26, 2018, authorized the engagement of **McNerney & Associates, Inc.** to provide **Professional Appraisal Services** to the Authority in connection with the Edgewater WPCF Project; and

WHEREAS, Resolution 18-2-048 authorized the Chairman of the Board of Commissioners of the Authority to execute a contract by and between the Authority and **McNerney & Associates, Inc.** (the "Contract") memorializing the scope of **Professional Appraisal Services** to be provided by **McNerney & Associates, Inc.** to the Authority in connection with the Edgewater WPCF Project, pursuant to which payment by the Authority to **McNerney & Associates, Inc.** was not to exceed the total sum of \$17,500.00 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 **McNerney & Associates, Inc.** as of July 26, 2018; and

WHEREAS, **McNerney & Associates, Inc.**, operating under the Contract, continued to provide significant necessary and valuable **Professional Appraisal Services** to the Authority in connection with the Edgewater WPCF Project as requested by the Authority since the commencement of the term of the Contract; and

WHEREAS, **McNerney & Associates, Inc.** has exhausted the Contract compensation budget of \$17,500.00 to be paid by the Authority to **McNerney & Associates, Inc.** for services performed pursuant thereto; and

WHEREAS, **McNerney & Associates, Inc.** has requested that the Authority increase the compensation budget provided for by the Contract by the total sum of \$25,000.00, resulting in an amended Contract compensation budget of an amount not to exceed the total sum of \$42,500.00; and

WHEREAS, the Executive Director of the Authority has determined that **McNerney & Associates, Inc.** has performed all **Professional Appraisal Services** under the Contract in an effective and efficient manner and further determined that the work to be performed by **McNerney & Associates, Inc.** 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 request of **McNerney & Associates, Inc.** to increase the compensation budget for the total compensation to be paid by the Authority to **McNerney & Associates, Inc.** under the Contract, and based upon that review and the above determinations, he has concluded and recommended that the Authority should amend the Contract by increasing the budget for compensation to be paid by the Authority to **McNerney & Associates, Inc.** pursuant to the Contract in the total sum of \$25,000.00, resulting in an amended

compensation budget under the Contract in an amount not to exceed the total sum of \$42,500.00 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 this purpose.

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

1. The Contract entered into by and between the Authority and **McNerney & Associates, Inc.** 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 \$25,000.00 and the total amount of compensation to now be paid by the Authority to **McNerney & Associates, Inc.** pursuant to the Contract as amended by this Resolution shall not exceed the total sum of \$42,500.00 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 **McNerney & Associates, Inc.**, 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.

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

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

5. A notice of this modification of the 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).

20-2-015

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 27, 2020.



Michael Henwood
Secretary

Dated: February 27, 2020

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 2/27/2020

RESOLUTION #: 20-2-015

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 ENGINEERING
ORG: 15221000
OBJECT: 532060

VENDOR MCNERNEY & ASSOCIATES, INC.

CONTRACT NUMBER 18-2-047 (18072601)

REASON INCREASE IN THE PROFESSIONAL SERVICE NEEDS
OF THE AUTHORITY FOR
PROFESSIONAL APPRAISAL SERVICES

AMOUNT \$25,000.00

CONTRACT LENGTH TO COMPLETION

Matthew McCarter
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

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

WHEREAS, 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 the County of Bergen serving approximately 575,000 people; and

WHEREAS, in 2007, in accordance with its charter and in furtherance of providing these essential services, the Authority acquired from the Edgewater Municipal Utilities Authority (the "Edgewater MUA") the Edgewater wastewater treatment facility known as the Edgewater Water Pollution Control Facility ("Edgewater WPCF") located at 520 River Road, Edgewater Borough, Bergen County, New Jersey and the Authority continues to own and operate the Edgewater WPCF; and

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

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

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

WHEREAS, after acquiring the Edgewater WPCF, the Authority assumed responsibility for the compliance plan for the outfall extension project; and

WHEREAS, in order to achieve compliance with the Copper, Ammonia-Nitrogen and Zinc effluent limitations, the Edgewater WPCF originally proposed to extend the outfall to provide sufficient mixing/dilution but due to unforeseen difficulties obtaining permits necessary to construct the extended outfall, specifically the denial by the Army Corps of Engineers of the request of the Authority for the issuance of a permit to extend the outfall further and deeper into the Hudson River, the Authority has proposed an alternative to convert the Edgewater WPCF into a sewage pumping station, construct a sewage force main, and treat the wastewater at the Little Ferry Water Pollution Control Facility (the "Little Ferry WPCF"), which is another facility owned and operated by the Authority located at the Foot of Mehrhof Road, Borough of Little Ferry, Bergen County, New Jersey and the Authority would then close the Edgewater WPCF and direct all wastewater to the Little Ferry WPCF for treatment (the "Edgewater WPCF Project"); and

WHEREAS, the NJDEP notified the Authority that it is the position of the NJDEP that the Edgewater WPCF may violate the New Jersey Water Pollution Control Act, N.J.S.A. 58:10A-1 et seq. ("Act") and the regulations promulgated pursuant thereto, specifically N.J.A.C. 7:14A-1 et seq., if it is not permitted to extend the outfall further and deeper into the Hudson River; and

WHEREAS, on March 3, 2015, a meeting was conducted with representatives of the Authority and the NJDEP to discuss the proposal of the elimination of the Edgewater WPCF consistent with the Edgewater WPCF Project; and

WHEREAS, as a result of the March 3, 2015 meeting and due to the Army Corps of Engineers denying the Authority a permit to extend the outfall into the Hudson River, the NJDEP entered into an Administrative Consent Order (the "2015 ACO") with the Authority on May 29, 2015 in order to memorialize an engineering and construction schedule for the Edgewater WPCF Project and provide for Interim Enforcement Effluent Limitations for Copper, Ammonia-Nitrogen and Zinc; and

WHEREAS, the wastewater flows from the Edgewater WPCF are now proposed to be treated in a more efficient, effective, and cost effective manner at the Authority's Little Ferry WPCF; and

WHEREAS, as part of the Edgewater WPCF Project, the Authority previously determined that it required **Professional Appraisal Services** to be performed by a real estate appraiser licensed by the State of New Jersey in connection with the Edgewater WPCF Project; and

WHEREAS, the **Professional Appraisal Services** required to be provided to the Authority include the providing of appraisals for properties which the Authority will be required to acquire title to, or acquire an easement or other interest in, in order to advance the Edgewater WPCF Project pursuant to and consistent with the terms of the 2015 ACO; and

WHEREAS, said **Professional Appraisal 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 **McNerney & Associates, Inc.** responded to the Authority's publicly advertised "Request for Qualifications" and was qualified as competent to provide real estate valuation appraisal services by Resolution 20-1-005 adopted January 23, 2020 by the Commissioners of the Authority; and

WHEREAS, **McNerney & Associates, Inc.** has submitted a written proposal dated February 7, 2020 (the "Proposal") to provide **Professional Appraisal Services** to the Authority in connection with the Edgewater WPCF Project, which Proposal has been reviewed by the Authority; and

WHEREAS, the Board of Commissioners of the Authority has determined that **McNerney & Associates, Inc.** is competent, qualified and experienced to provide **Professional Appraisal Services** to the Authority in connection with the Edgewater WPCF Project; and

WHEREAS, the Authority has determined, based upon the foregoing, that it is necessary for its efficient operation to retain the services of **McNerney & Associates, Inc.** to provide **Professional Appraisal Services** to the Authority in connection with the Edgewater WPCF Project; and

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

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

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

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

1. That **McNerney & Associates, Inc.** shall be and is hereby engaged to provide **Professional Appraisal Services** to the Authority in connection with the Edgewater WPCF Project 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 **McNerney & Associates, 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 **McNerney & Associates, Inc.** to provide **Professional Appraisal Services** to the Authority in connection with the Edgewater WPCF Project 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 **McNerney & Associates, Inc.** and the Authority.

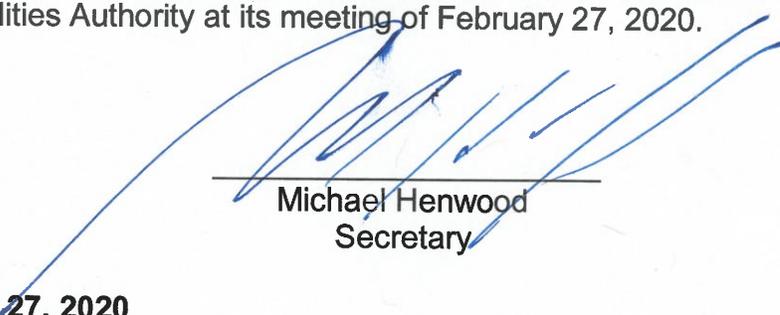
4. The total amount of compensation authorized to be paid by the Authority to **McNerney & Associates, Inc.** pursuant to the contract herein awarded shall not exceed the total sum of **\$50,000.00** for services billed on an hourly basis, without further action by the Board of Commissioners.

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 27, 2020.



Michael Henwood
Secretary

Dated: February 27, 2020

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 2/27/2020

RESOLUTION #: 20-2-016

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 ENGINEERING
ORG: 15221000
OBJECT: 532060

VENDOR MCNERNEY & ASSOCIATES, INC.

CONTRACT NUMBER 20-2-016

REASON PROFESSIONAL APPRAISAL SERVICES

AMOUNT \$50,000.00

CONTRACT LENGTH MARCH 1, 2020 - FEBRUARY 28, 2021

Matthew McCarter
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Bergen County Utilities Authority (the "Authority") solicited bid proposals for **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 second **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 second **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 second **One (1) Year Option** by the Authority to extend **Contract No. 17-01** for an additional **One (1) Year Period** (commencing March 1, 2020 and expiring February 28, 2021) 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.

20-2-017

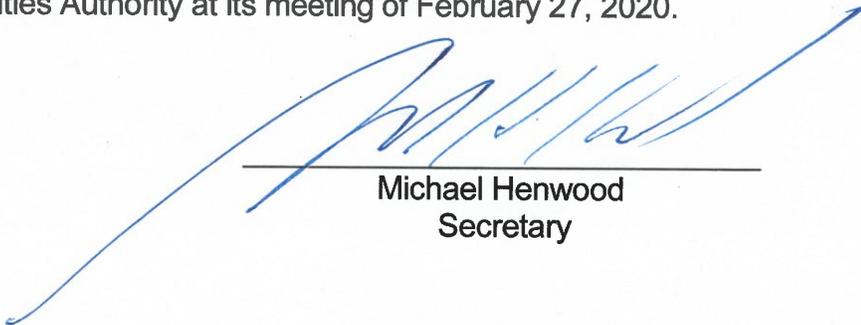
3. The Acting Treasurer's Certification that funds are available shall be placed on file and made available for public inspection at the Authority and made a part hereof.

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 27, 2020.



Michael Henwood
Secretary

Dated: February 7, 2020

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 2/27/2020

RESOLUTION #: 20-2-017

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

UNIFORMS
ORG: 15224000
OBJECT: 532630

VENDOR

AMERICAN WEAR, INC.

CONTRACT NUMBER

17-01

REASON

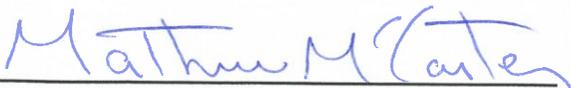
CLEANING & RENTAL OF UNIFORMS

AMOUNT

\$79,109.72

CONTRACT LENGTH

MARCH 1, 2020 - FEBRUARY 28, 2021



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 Grit Sweep #3 – Drive Unit** for a **One (1) Year Period**, pursuant to and in accordance with **Contract No. 20-03**; and

WHEREAS, the following sole bid proposal was received by the Authority on **February 20, 2020**, the date set forth in the Invitation to Bid for the receipt of bid proposals pursuant to and in accordance with **Contract No.20-03**:

Vendor	Total Bid Price for One (1) Year
Sherwood-Logan & Associates, Inc. Annapolis, MD	\$72,725.00

; and

WHEREAS, the Authority's **Director of Water Pollution Control** and **Interim Qualified Purchasing Agent** have reviewed the sole bid proposal and have recommended that **Sherwood-Logan & Associates, Inc.** be awarded **Contract No. 20-03** in accordance with N.J.S.A. 40:11-1 et seq., as the lowest complying and responsible bidder; and

WHEREAS, on the basis of the foregoing, the Authority has determined that **Sherwood-Logan & Associates, Inc.** constitutes the lowest complying and responsible bidder for **Contract No. 20-03**, in accordance with N.J.S.A. 40A:11-1 et seq.; and

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

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

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

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

1. **Sherwood-Logan & Associates, Inc.** shall be and is hereby determined to be the lowest complying and responsible bidder to **Furnish and Deliver Grit Sweep #3 – Drive Unit**, constituting **Contract No. 20-03** for a **One (1) Year Period** for a total amount not to exceed the sum of **\$72,725.00**.

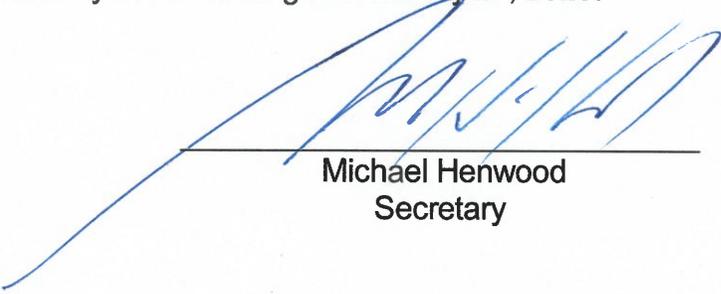
2. The Chairman shall be and is hereby authorized to execute a contract with **Sherwood-Logan & Associates, Inc.** of 2140 Renard Ct., Annapolis, MD 21401 to **Furnish**

20-2-018

and Deliver Grit Sweep #3 – Drive Unit, constituting Contract No.20-03 for a One (1) Year Period for a total amount not to exceed the sum of \$72,725.00.

3. The bid security of all unsuccessful bidders, if any, shall be returned in accordance with N.J.S.A. 40A:11-1 et seq.
4. The Acting Treasurer's Certification that funds are available shall be maintained on file at the Authority and made a part hereof.
5. A notice of this contract award shall be published in the form prescribed by law.
6. A copy of this Resolution and the contract executed pursuant to this Resolution, along with Contract No. 20-03, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by **Sherwood-Logan & Associates, Inc.** and the Authority.
7. The formal action(s) of the Commissioners of the Bergen County Utilities Authority embodied herein are expressly contingent upon and subject to the provisions of N.J.S.A. 40:14B-14b.

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of February 27, 2020.



Michael Henwood
Secretary

Dated: February 27, 2020

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 2/27/2020

RESOLUTION #: 20-2-018

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

CAPITAL OUTLAY
ORG: 15441000
OBJECT: 560100

VENDOR

SHERWOOD-LOGAN & ASSOCIATES, INC.

CONTRACT NUMBER

20-03

REASON

FURNISH & DELIVER GRIT SWEEP #3 - DRIVE UNIT

AMOUNT

\$72,725.00

CONTRACT LENGTH

MARCH 1, 2020 - FEBRUARY 28, 2021

Matthew McCarty

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 **Load, Transport and Deliver Liquid Sewage Sludge from Edgewater to PVSC or Little Ferry for a Three (3) Year Period with Two (2) One (1) Year Options**, pursuant to and in accordance with **Contract No. 17-13**; and

WHEREAS, by way of Resolution 17-2-025 adopted March 23, 2017 by the Board of Commissioners of the Authority, **R-D Trucking, Inc.** was determined to be the lowest complying and responsible bidder to **Load, Transport and Deliver Liquid Sewage Sludge from Edgewater to PVSC or Little Ferry**, constituting **Contract No. 17-13** for a **Three (3) Year Period with Two (2) One (1) Year Options** for a unit price of \$30.00 per/1000 gallons for both PVSC and Little Ferry locations; and

WHEREAS, by way of Resolution 17-2-025 adopted March 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 **R-D Trucking, Inc.** to **Load, Transport and Deliver Liquid Sewage Sludge from Edgewater to PVSC or Little Ferry**, constituting **Contract No. 17-13** for a **Three (3) Year Period with Two (2) One (1) Year Options** for a unit price of \$30.00 per/1000 gallons for both PVSC and Little Ferry locations; and

WHEREAS, pursuant to the terms of **Contract No. 17-13**, the Authority has the option to extend the contract with **R-D Trucking, Inc.** for an additional **One (1) Year Period** by exercising the first **One (1) Year Option** for a unit price of \$30.00 per/1000 gallons for both PVSC and Little Ferry locations; and

WHEREAS, pursuant to N.J.S.A. 40A:11-15, the Authority finds that **R-D Trucking, Inc.** has performed **Load, Transport and Deliver Liquid Sewage Sludge from Edgewater to PVSC or Little Ferry** constituting **Contract No. 17-13** in an effective and efficient manner; and

WHEREAS, exercising the first **One (1) Year Option** of **Contract No. 17-13** with **R-D Trucking, Inc.** to **Load, Transport and Deliver Liquid Sewage Sludge from Edgewater to PVSC or Little Ferry** 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 **R-D Trucking, Inc.** to **Load, Transport and Deliver Liquid Sewage Sludge from Edgewater to PVSC or Little Ferry**, pursuant to and in accordance with **Contract No. 17-13**, which contract exercises the first **One (1) Year Option** by the Authority to extend **Contract No.**

20-2-019

17-13 for an additional **One (1) Year Period** (commencing April 1, 2020 and expiring March 31, 2021) for a unit price of \$30.00 per/1000 gallons for both PVSC and Little Ferry locations.

2. All other terms of **Contract No. 17-13** shall remain in full force and effect without modification.

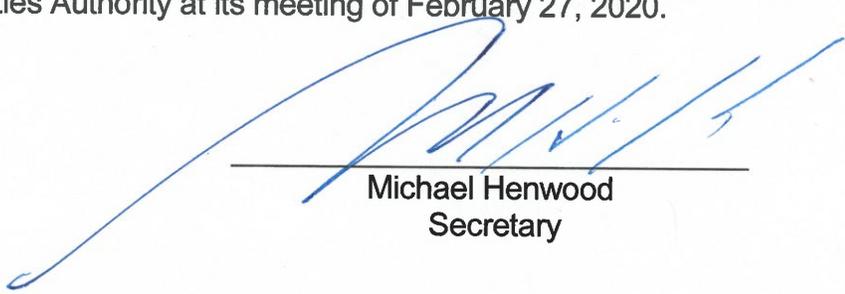
3. The Acting Treasurer's Certification that funds are available shall be placed on file and made available for public inspection at the Authority and made a part hereof.

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. 17-13**, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by **R-D Trucking, 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 27, 2020.



Michael Henwood
Secretary

Dated: February 27, 2020

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 2/27/2020
RESOLUTION #: 20-2-019

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 SLUDGE DISPOSAL
ORG: 15224000
OBJECT: 532310

VENDOR R-D TRUCKING, INC.

CONTRACT NUMBER 17-13

REASON LOAD, TRANSPORT & DELIVER LIQUID SEWAGE SLUDGE
FROM EDGEWATER TO PVSC OR LITTLE FERRY

AMOUNT \$30.00 PER 1000 GALLONS
(ESTIMATED \$145,000.00)

CONTRACT LENGTH APRIL 1, 2020 - MARCH 31, 2021

Matthew McCarter
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Bergen County Utilities Authority (the "Authority") solicited bid proposals to **Furnish and Deliver Jenbacher Service and Parts (for a Two (2) Year Period with Two (2) One (1) Year Options)**, pursuant to and in accordance with **Contract No. 18-01**; and

WHEREAS, by way of Resolution 18-2-020 adopted March 22, 2018 by the Board of Commissioners of the Authority, **AB Energy USA, LLC** was determined to be the lowest complying and responsible bidder to **Furnish and Deliver Jenbacher Service and Parts**, constituting **Contract No. 18-01** for a **Two (2) Year Period with Two (2) One (1) Year Options** for a total amount not to exceed the sum of **\$1,924,000.00** without further approval of the Commissioners of the Authority.

WHEREAS, by way of Resolution 18-2-020 adopted March 22, 2018 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 **AB Energy USA, LLC** to **Furnish and Deliver Jenbacher Service and Parts**, constituting **Contract No. 18-01** for a **Two (2) Year Period with Two (2) One (1) Year Options** for a total amount not to exceed the sum of **\$1,924,000.00** without further approval of the Commissioners of the Authority.

WHEREAS, pursuant to the terms of **Contract No. 18-01**, the Authority has the option to extend the contract with **AB Energy USA, LLC** for an additional **One (1) Year Period** by exercising the first **One (1) Year Option** for a total amount not to exceed the sum of **\$962,000.00** without further approval of the Commissioners of the Authority.

WHEREAS, pursuant to N.J.S.A. 40A:11-15, the Authority finds that **AB Energy USA, LLC** has performed **Furnish and Deliver Jenbacher Service and Parts (for a Two (2) Year Period with Two (2) One (1) Year Options)**, constituting **Contract No. 18-01** in an effective and efficient manner; and

WHEREAS, exercising the first **One (1) Year Option** of **Contract No. 18-01** with **AB Energy USA, LLC** to **Furnish and Deliver Jenbacher Service and Parts (for a Two (2) Year Period with Two (2) One (1) Year Options)**, 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 **AB Energy USA, LLC** to **Furnish and Deliver Jenbacher Service and Parts**, pursuant to and in accordance with **Contract No. 18-01**, which contract exercises the first **One (1) Year Option** by the Authority to extend **Contract No. 18-01** for an additional **One (1) Year Period**

20-2-020

(commencing April 1, 2020 and expiring March 31, 2021) for a total amount not to exceed the sum of **\$962,000.00** without further approval of the Commissioners of the Authority.

2. All other terms of **Contract No. 18-01** shall remain in full force and effect without modification.

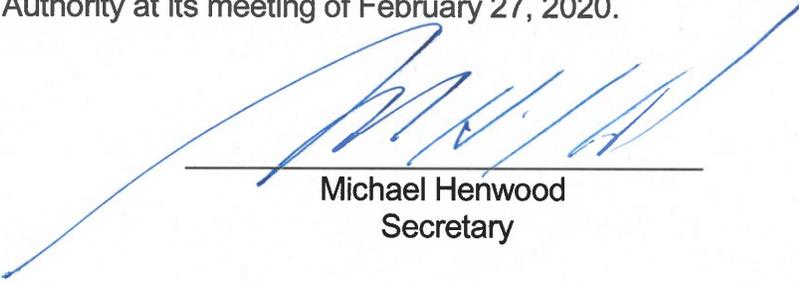
3. The Acting Treasurer's Certification that funds are available shall be placed on file and made available for public inspection at the Authority and made a part hereof.

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. 18-01**, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by **AB Energy USA, LLC** and the Authority.

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of February 27, 2020.



Michael Henwood
Secretary

Dated: February 27, 2020

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 2/27/2020

RESOLUTION #: 20-2-020

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

COGENERATION

ORG: 15224000

OBJECT: 532470

VENDOR

AB ENERGY USA, LLC

CONTRACT NUMBER

18-01

REASON

FURNISH & DELIVER JENBACHER SERVICE & PARTS

AMOUNT

\$962,000.00

CONTRACT LENGTH

APRIL 1, 2020 - MARCH 31, 2021

Matthew McCarter

ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Bergen County Utilities Authority (the "Authority") solicited bid proposals for **Route 4 Interceptors and 60" Overpeck Trunk Sewer Cleaning and TV Inspection** pursuant to and in accordance with **Contract No. 18-08**; and

WHEREAS, on August 23, 2018, the Board of Commissioners of the Authority adopted Resolution 18-2-050, finding **National Water Main Cleaning Company** to be the lowest complying and responsible bidder for **Route 4 Interceptors and 60" Overpeck Trunk Sewer Cleaning and TV Inspection** pursuant to and in accordance with **Contract No. 18-08** and authorizing the execution of a contract with **National Water Main Cleaning Company** for **Route 4 Interceptors and 60" Overpeck Trunk Sewer Cleaning and TV Inspection** constituting **Contact No. 18-08** for a total amount not to exceed the total sum of **\$250,525.00**; and

WHEREAS, as provided by Article 4, Paragraph 4.1 of Section 00500 of the governing contract documents, the term of **Contract No. 18-08** is for a period of "90 consecutive days from the commencement date" of **Contract No. 18-08**; and

WHEREAS, the Authority, subsequent to the awarding of **Contract No. 18-08**, determined that the performance of all work required to be completed by **National Water Main Cleaning Company** pursuant to **Contract No. 18-08** could not be completed with the ninety (90) day term of **Contract No. 18-08** as a result of:

- Inclement weather conditions which started in December 2018 and continued through March 2019, directly delaying on site mobilization by **National Water Main Cleaning Company**;
- Delays caused by the performance of site evaluation work requiring the locating of existing manholes necessary for completion of the work to be performed pursuant to **Contract No. 18-08**, which delays started in April 2019 and continued through June 2019; and
- Delays caused by the processing of the necessary permit by the New Jersey Department of Transportation, which permit was not issued until July 26, 2019.

; and

WHEREAS, these delays were not caused by **National Water Main Cleaning Company** and these delays were unable to be anticipated prior to the Authority awarding **Contract No. 18-08**; and

WHEREAS, pursuant to Article 10, Paragraph 10.1 and Article 12, Paragraph 12.1 of the Procurement General Conditions of the governing contract documents, the

Authority is authorized to issue change order to **National Water Main Cleaning Company** extending the ninety (90) day term of **Contract No. 18-08**; and

WHEREAS, the Authority, consistent with and as authorized by Article 10, Paragraph 10.1 and Article 12, Paragraphs 12.1 and 12.2 of the Procurement General Conditions of the governing contract documents, now proposes to issue to **National Water Main Cleaning Company** Change Order No. 1, extending the ninety (90) day term of **Contract No. 18-08** to an open ended term as such term is to be determined in the sole and absolute discretion of the Authority upon the Authority deeming complete all work which is to be performed by **National Water Main Cleaning Company** under **Contract No. 18-08**; and

WHEREAS, the issuance of Change Order No. 1 by the Authority extending the term of **Contract No. 18-08** is necessary for the efficient operation of the Authority.

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

1. The Chairman, or his designee, shall be and is hereby authorized to execute and issue to **National Water Main Cleaning Company** Change Order No. 1 for **Contract No. 18-08** which Change Order No. 1 shall extend the term of **Contract No. 18-08** to an open ended term as such term is to be determined in the sole and absolute discretion of the Authority upon the Authority deeming complete all work which is to be performed by **National Water Main Cleaning Company** pursuant to **Contract No. 18-08**.

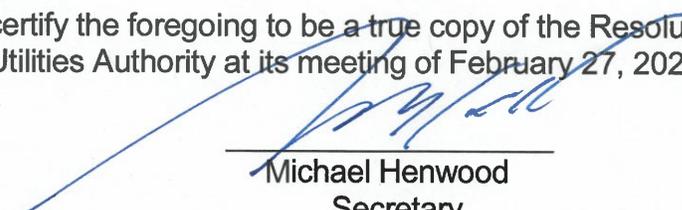
2. All other terms of **Contract No. 18-08** shall remain in full force and effect without modification.

3. A copy of this Resolution and Change Order No. 1 issued by the Authority to **National Water Main Cleaning Company** pursuant to this Resolution shall be placed on file and made available for public inspection in the Office of the Executive Director.

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

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of February 27, 2020.



Michael Henwood
Secretary

Dated: February 27, 2020

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 2/27/2020

RESOLUTION #: 20-1-021

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
ORG: 15221000
OBJECT: 532970

VENDOR

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

CONTRACT NUMBER

20-1-021 (19022803)

REASON

INCREASE IN THE PROFESSIONAL SERVICE NEEDS
OF THE AUTHORITY FOR
GENERAL LEGAL COUNSEL

AMOUNT

\$27,500.00

CONTRACT LENGTH

FEBRUARY 27, 2020 - FEBRUARY 29, 2020

Matthew Carter
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

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

WHEREAS, 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 the County of Bergen serving approximately 575,000 people; and

WHEREAS, in 2007, in accordance with its charter and in furtherance of providing these essential services, the Authority acquired from the Edgewater Municipal Utilities Authority (the "Edgewater MUA") the Edgewater wastewater treatment facility known as the Edgewater Water Pollution Control Facility ("Edgewater WPCF") located at 520 River Road, Edgewater Borough, Bergen County, New Jersey and the Authority continues to own and operate the Edgewater WPCF; and

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

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

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

WHEREAS, after acquiring the Edgewater WPCF, the Authority assumed responsibility for the compliance plan for the outfall extension project; and

WHEREAS, in order to achieve compliance with the Copper, Ammonia-Nitrogen and Zinc effluent limitations, the Edgewater WPCF originally proposed to extend the outfall to provide sufficient mixing/dilution but due to unforeseen difficulties obtaining permits necessary to construct the extended outfall, specifically the denial by the Army Corps of Engineers of the request of the Authority for the issuance of a permit to extend the outfall further and deeper into the Hudson River, the Authority has proposed an alternative to convert the Edgewater WPCF into a sewage pumping station, construct a sanitary sewage force main extending from the Edgewater WPCF to the Little Ferry Water Pollution Control Facility (the "Little Ferry WPCF"), which is another facility owned and operated by the Authority located at the Foot of Mehrhof Road, Borough of Little Ferry, Bergen County, New Jersey, and the Authority would then close the Edgewater WPCF and direct all wastewater to the Little Ferry WPCF for treatment (the "Edgewater WPCF Project"); and

WHEREAS, the NJDEP notified the Authority that it is the position of the NJDEP that the Edgewater WPCF may violate the New Jersey Water Pollution Control Act, N.J.S.A. 58:10A-1 et seq. ("Act") and the regulations promulgated pursuant thereto, specifically N.J.A.C. 7:14A-1 et seq., if it is not permitted to extend the outfall further and deeper into the Hudson River; and

WHEREAS, on March 3, 2015, a meeting was conducted with representatives of the Authority and the NJDEP to discuss the proposal of the elimination of the Edgewater WPCF consistent with the Edgewater WPCF Project; and

WHEREAS, as a result of the March 3, 2015 meeting and due to the Army Corps of Engineers denying the Authority a permit to extend the outfall into the Hudson River, the NJDEP entered into an Administrative Consent Order (the "2015 ACO") with the Authority on May 29, 2015 in order to memorialize an engineering and construction schedule for the Edgewater WPCF Project and provide for Interim Enforcement Effluent Limitations for Copper, Ammonia-Nitrogen and Zinc; and

WHEREAS, the wastewater flows from the Edgewater WPCF are now proposed to be treated in a more efficient, effective, and cost effective manner at the Authority's Little Ferry WPCF; and

WHEREAS, as part of the Edgewater WPCF Project, the Authority previously determined that it required the engagement of the services of an engineering firm authorized to provide professional engineering services in the State of New Jersey to perform the **Tunnel Integrity Assessment Services** for the Authority in connection with the Edgewater WPCF Project; and

WHEREAS, on September 26, 2019, the Board of Commissioners of the Authority adopted Resolution 19-2-076, appointing **GZA Geo Environmental, Inc.** to

perform **Tunnel Integrity Assessment Services** for the Authority in connection with the Edgewater WPCF Project and authorizing the Chairman to execute a contract by and between the Authority and **GZA Geo Environmental, Inc.** memorializing the scope of services to be provided for an amount not to exceed the total sum of **\$308,200.00** without further action by the Board of Commissioners; and

WHEREAS, the Authority, subsequent to authorizing the appointment of **GZA Geo Environmental, Inc.** to perform **Tunnel Integrity Assessment Services** for the Authority in connection with the Edgewater WPCF Project, determined that certain additional samplings of fill material and groundwater were required to be completed and further determined that a reduction in scope of other services was appropriate and; and

WHEREAS, pursuant to these determinations of the Authority, resulting in the taking of additional samplings of fill and groundwater and a reduction in scope of other services to be performed, **GZA Geo Environmental, Inc.** submitted a change order proposal ("**Change Order No. 1**") to the Authority, outlining the amended scope of work to be completed by **GZA Geo Environmental, Inc.** for the providing of **Tunnel Integrity Assessment Services**, resulting in a net increase in the total contract price in the amount of **\$2,296.00**, which total additional sum is required to be expended in order to complete the **Tunnel Integrity Assessment Services**, resulting in an amended total contract price in the amount of **\$310,496.00** for the providing of **Tunnel Integrity Assessment Services** by **GZA Geo Environmental, Inc.** for the Authority in connection with the Edgewater WPCF Project; and

WHEREAS, the Authority's **Director of Strategic Planning and Projects** has reviewed, approved and recommended Change Order No. 1 submitted by **GZA Geo Environmental, Inc.**, modifying the scope of work to be provided to complete the **Tunnel Integrity Assessment Services** and resulting in a net contract price increase in the sum of **\$2,296.00**, resulting in an amended contract price in the sum of **\$310,496.00** for the providing of the **Tunnel Integrity Assessment Services**; and

WHEREAS, the approval of Change Order No. 1 is necessary for the efficient operation of the Authority and for the completion of the Edgewater WPCF Project; 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 Authority as follows:

1. The Chairman, or his designee, shall be and is hereby authorized to execute Change Order No. 1 submitted to the Authority by **GZA Geo Environmental, Inc.** modifying the scope of work to be performed by **GZA Geo Environmental, Inc.** to complete the **Tunnel Integrity Assessment Services** in connection with the Edgewater WPCF Project and resulting in a net contract price increase in the sum of **\$2,296.00**, and

providing for an adjusted total amended contract price in the sum of **\$310,496.00** for the providing of the **Tunnel Integrity Assessment Services**.

2. The total aggregate amount awarded for the providing of **Tunnel Integrity Assessment Services** shall not exceed the sum of **\$310,496.00** without further action by the Board of Commissioners of the Authority.

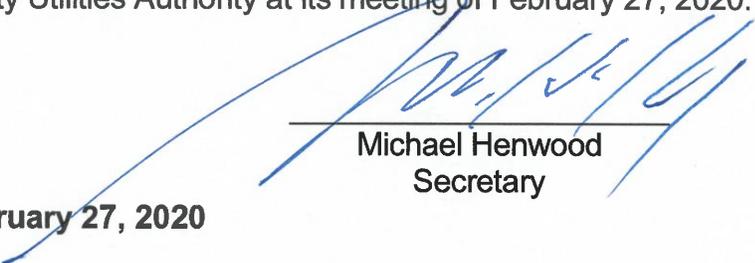
3. A copy of this Resolution and Change Order No. 1 submitted to the Authority by **GZA Geo Environmental, Inc.** shall be placed on file and made available for public inspection in the Office of the Executive Director.

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

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

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of February 27, 2020.



Michael Henwood
Secretary

Dated: February 27, 2020

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 2/27/2020

RESOLUTION #: 20-2-022

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
ORG: 15221000
OBJECT: 532060

VENDOR

GZA GEO ENVIRONMENTAL, INC.

CONTRACT NUMBER

19-2-076 (19092602)

REASON

INCREASE IN THE PROFESSIONAL SERVICE NEEDS
OF THE AUTHORITY FOR
TUNNEL INTEGRITY ASSESSMENT SERVICES

AMOUNT

\$2,296.00

CONTRACT LENGTH

TO COMPLETION

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 January 27, 2020, 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 5, 2020 (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.

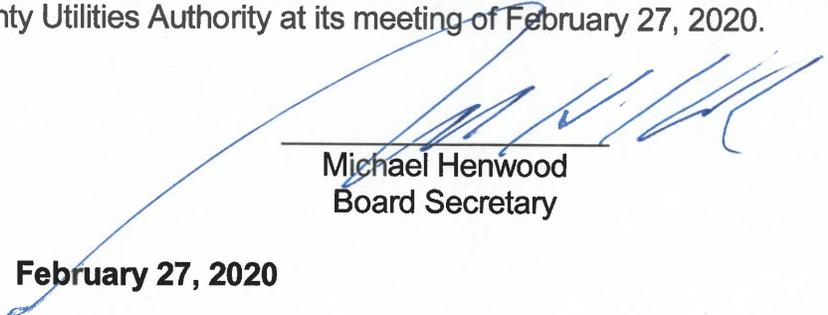
5. The Acting Treasurer's Certification that funds are available shall be placed on file and made available for public inspection at the Authority and made a part hereof.

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).

20-3-003

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 27, 2020.



Michael Henwood
Board Secretary

DATED: February 27, 2020

**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 27, 2020

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 2021 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, 2019, 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 27, 2020. 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: 2/27/2020

RESOLUTION #: 20-3-003

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

HOSPITALIZATION
ALLOCATION CODE: 11302

VENDOR

LAMENDOLA ASSOCIATES, INC.

CONTRACT NUMBER

20-3-003

REASON

HEALTH INSURANCE/EMPLOYEE BENEFITS CONSULTANT

AMOUNT

\$47,500.00

CONTRACT LENGTH

MARCH 1, 2020 - FEBRUARY 28, 2021

Matthew Carter
ACTING TREASURER

**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 27, 2020
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 2021 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:**

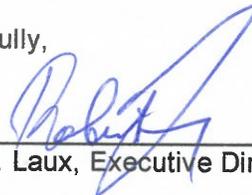
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I have reviewed the rules of the Division of Local Government Services pursuant to N.J.A.C. 5:34-2.1 et seq. and certify that the proposed contract may be considered an extraordinary unspecifiable service in accordance with the requirements thereof.

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.)