

**BERGEN COUNTY UTILITIES AUTHORITY
MINUTES OF THE REGULAR MEETING
DECEMBER 21, 2017**

**In the matter of the 465th Regular Meeting of
The Bergen County Utilities Authority**

1. The **proof of meeting notice** calling the December 21, 2017, meeting was read into the record by Michael Henwood, Board Secretary.

2. Roll Call:

COMMISSIONERS PRESENT:

Ronald Phillips, Chairman
Louis J. DeLisio, Vice Chairman
Catherine T. Bentz, Commissioner
Bruce Bonaventuro, Commissioner
Paul A. Juliano, Commissioner
Peter C. Massa, Jr. Commissioner
Jon Warms, Commissioner

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

3. Motion that the Minutes covering the November 20, 2017 Work Session be approved was moved by Commissioner Warms and Seconded by Commissioner Juliano and was carried. Commissioner Bentz and Commissioner Massa abstained. The Board as whole proposed a motion that absent both Commissioners Kelley & Gumble be officially excused due to other public service commitments - motion by the Board of Commissioners was made, seconded and unanimously carried.

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

5. FINANCE AND LEGAL COMMITTEE:

Resolution 17-1-051 - Approve bills and the claims supported by vouchers totaling \$7,187,432.14 for the month of November and authorize the Acting Treasurer to issue the necessary checks therefor, and to charge the accounts indicated, all as more fully set forth on the Acting Treasurer's check list. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

BERGEN COUNTY UTILITIES AUTHORITY

Minutes of the Regular Meeting

December 21, 2017

Resolution 17-1-052 - Ratify and Approve Financial Actions directed by Mathew McCarter, Acting Treasurer, during the month of November 2017. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 17-1-053 - Designation of the "Official" newspapers for 2017. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 17-1-054 - Approve five-cent (\$0.05) charge to cover expenses for Notices of Meeting Schedule. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 17-1-055 - Approve Final Adoption of the 2018 Solid Waste Management Budget. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 17-1-056 - Approve Final Adoption of the 2018 Water Pollution Control Budget. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 17-1-057 - Approve adoption of 2018 Solid Waste Disposal Schedule of charges. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 17-1-058 - Approve adoption of the 2018 Schedule of Wastewater User Charges. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 17-1-059 - Award Contract - Rubenstein, Meyerson, Fox, Mancinelli, Conte & Bern P.A. – Special Legal Counsel to represent the Authority in the matter of a Subrogation claim (#047517002926).. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 17-1-060 - Authorize Amendment of Professional Legal Services Contract – Kaufman, Semeraro & Leibman, LLP – General Legal Counsel. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner

Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

6. CONSTRUCTION & ENGINEERING COMMITTEE:

Resolution 17-2-078 – Exercise the initial (1) year option for Contract No.15-32 to Maumee Express Inc. Household Hazardous Waste Collection, Transportation and Disposal Services. Pursuant to N.J.S.A. 40A:11-5(3). Motion to adopt the resolution was made by Commissioner Juliano and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 17-2-079 - Approve Purchase Order for Contract No. 107008-17 to Vulcan Industries, Inc. – Barscreen Parts. Motion to adopt the resolution was made by Commissioner Juliano and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 17-2-080 - Approve Purchase Order for Contract No. ESCNJ/AEPA IFB #017-F to Weatherproofing Technologies Inc. - Control Building – Perimeter Window Sealant and Foundation Sealing Project. Motion to adopt the resolution was made by Commissioner Juliano and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 17-2-081 - Award Contract No. 17-27 to Atlantic Analytical Laboratory, LLC – Digester Gas Pretreatment Testing (Two (2) Year Contract). Motion to adopt the resolution was made by Commissioner Juliano and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 17-2-082 - Authorize Amendment of Professional Engineering Services Contract – Neglia Engineering Associates – Site Work Engineering/Land Surveying Consultant. Motion to adopt the resolution was made by Commissioner Juliano and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 17-2-083 - Award Contract No. 65MCESCCPS to Open Systems Integrators, Inc. – Video Surveillance System Hardware and Software. Motion to adopt the resolution was made by Commissioner Juliano and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 17-2-084 - Authorize Amendment of Professional Engineering Services Contract – Alaimo Group – General Consulting Engineer. Motion to adopt the resolution was made by Commissioner Juliano and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 17-2-085 - Authorize Purchase Order ESCNJ BID 14/15-64, ESCNJ BID 14/15-79 and ESCNJ BID 17/18-16 to Commercial Interiors Direct, Inc. – Control and Administration Building Flooring Restoration Project. Motion to adopt the resolution was made by Commissioner Juliano and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 17-2-086 - Award Contract no.17-21 to Schneider Electric Systems, USA, Inc. – Scada System Upgrade (One (1) Year Contract). Motion to adopt the resolution was made by Commissioner Juliano and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 17-2-087 - Amend Resolution 16-2-070 Adopted October 20, 2016 to clarify contract payment terms. Motion to adopt the resolution was made by Commissioner Juliano and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

7. PERSONNEL & ADMINISTRATION:

Resolution 17-3-007- Authorize acceptance of Qualifications of firms - Third Party Administrator (“TPA”) for Cafeteria Plan Section 125; TPA for Dental Plan; TPA for Health Benefits pursuant to N.J.S.A. 19:44A-20 et seq. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 17-3-008- Authorize acceptance of Qualifications of firms - Third Party Administrator- Prescription Benefits pursuant to N.J.S.A. 19:44A-20 et seq. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 17-3-009- Approve Renewal of Third Party Administration Service Agreement with Insurance Design Administrator (IDA) for the BCUA Self Insurance Health Benefits for a one (1) year term. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 17-3-010- Approve Renewal of Cafeteria Plan Section 125 Flexible Spending Account Administration Service Agreement with Insurance Designs Administrators (IDA) for a one (1) year term. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 17-3-011- Approve Renewal of Third Party Administration Service Agreement for Dental Plan with Delta Dental of New Jersey, Inc. for a one (1) year term. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 17-3-012- Approve Third Party Administration Service Agreement for Prescription Benefits with Express Scripts of New Jersey, Inc. for a three (3) year term. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 17-3-013- Authorize Non-Bargaining Unit Salary Adjustment for 2018. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 17-3-014 - Approve reappointment of Executive Director to the Authority and approval of five year employment agreement between the Authority and the Executive Director. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 17-3-015- Establish Title – Assistant to Purchasing Manager. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 17-3-016- Authorize Amendment of Professional Services Contract – LaMendola Associates, Inc. – Health Insurance/Employee Benefits Consultant. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 17-3-017- Adopt Amendment Number FSA 2018-01 to Bergen County Utilities Authority Cafeteria Plan, State Mandated Contribution Option and Health Flexible Spending Account. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

8. Chairman Phillips announced a short recess to allow time for the Board Secretary to prepare minutes of this Regular Meeting.
9. Chairman Phillips announced the Regular Meeting would reconvene.
10. The Board Secretary then distributed proposed minutes of the December 21, 2017 Regular Meeting for review by the Commissioners.
11. Motion to approve the Minutes of the Regular Meeting December 21, 2017 as distributed by the Secretary, such minutes to include this motion approving the minutes, without the requirement of further review or approval at a subsequent Regular Meeting. Motion to adopt the Minutes of the Regular Meeting December 21, 2017 was made by

BERGEN COUNTY UTILITIES AUTHORITY

Minutes of the Regular Meeting

December 21, 2017

Commissioner Massa and Seconded by Commissioner Bentz and was unanimously carried.

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

Resolution #	17-1-051	17-1-052	17-1-053	17-1-054	17-1-055	17-1-056	17-1-057
Chairman Phillips	Y	Y	Y	Y	Y	Y	Y
V. Chair. DeLisio	Y	Y	Y	Y	Y	Y	Y
Comm. Bentz	Y	Y	Y	Y	Y	Y	Y
Comm. Bonaventuro	Y	Y	Y	Y	Y	Y	Y
Comm. Gumble	-	-	-	-	-	-	-
Comm. Juliano	Y	Y	Y	Y	Y	Y	Y
Comm. Kelley	-	-	-	-	-	-	-
Comm. Massa, Jr.	Y	Y	Y	Y	Y	Y	Y
Comm. Warms	Y	Y	Y	Y	Y	Y	Y

Resolution #	17-1-058	17-1-059	17-1-060	17-1-060	17-2-078	17-2-079	17-2-080
Chairman Phillips	Y	Y	Y	Y	Y	Y	Y
V. Chair. DeLisio	Y	Y	Y	Y	Y	Y	Y
Comm. Bentz	Y	Y	Y	Y	Y	Y	Y
Comm. Bonaventuro	Y	Y	Y	Y	Y	Y	Y
Comm. Gumble	-	-	-	-	-	-	-
Comm. Juliano	Y	Y	Y	Y	Y	Y	Y
Comm. Kelley	-	-	-	-	-	-	-
Comm. Massa, Jr.	Y	Y	Y	Y	Y	Y	Y
Comm. Warms	Y	Y	Y	Y	Y	Y	Y

Resolution #	17-2-081	17-2-082	17-2-083	17-2-084	17-2-085	17-2-086	17-2-087
Chairman Phillips	Y	Y	Y	Y	Y	Y	Y
V. Chair. DeLisio	Y	Y	Y	Y	Y	Y	Y
Comm. Bentz	Y	Y	Y	Y	Y	Y	Y
Comm. Bonaventuro	Y	Y	Y	Y	Y	Y	Y
Comm. Gumble	-	-	-	-	-	-	-
Comm. Juliano	Y	Y	Y	Y	Y	Y	Y
Comm. Kelley	-	-	-	-	-	-	-
Comm. Massa, Jr.	Y	Y	Y	Y	Y	Y	Y
Comm. Warms	Y	Y	Y	Y	Y	Y	Y

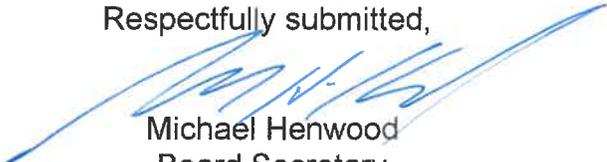
Resolution #	17-3-007	17-3-008	17-3-009	17-3-010	17-3-011	17-3-012	17-3-013
Chairman Phillips	Y	Y	Y	Y	Y	Y	Y
V. Chair. DeLisio	Y	Y	Y	Y	Y	Y	Y
Comm. Bentz	Y	Y	Y	Y	Y	Y	Y
Comm. Bonaventuro	Y	Y	Y	Y	Y	Y	Y
Comm. Gumble	-	-	-	-	-	-	-
Comm. Juliano	Y	Y	Y	Y	Y	Y	Y
Comm. Kelley	-	-	-	-	-	-	-
Comm. Massa, Jr.	Y	Y	Y	Y	Y	Y	Y
Comm. Warms	Y	Y	Y	Y	Y	Y	Y

BERGEN COUNTY UTILITIES AUTHORITY
Minutes of the Regular Meeting
December 21, 2017

Resolution #	17-3-014	17-3-015	17-3-016	17-3-017
Chairman Phillips	Y	Y	Y	Y
V. Chair. DeLisio	Y	Y	Y	Y
Comm. Bentz	Y	Y	Y	Y
Comm. Bonaventuro	Y	Y	Y	Y
Comm. Gumble	-	-	-	-
Comm. Juliano	Y	Y	Y	Y
Comm. Kelley	-	-	-	-
Comm. Massa, Jr.	Y	Y	Y	Y
Comm. Warmis	Y	Y	Y	Y

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



Michael Henwood
Board Secretary

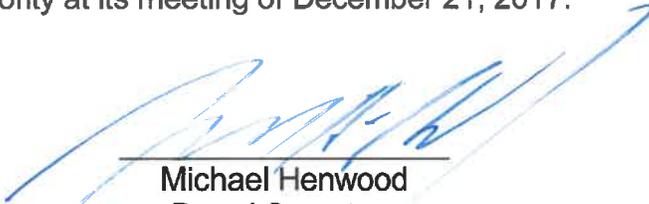
Date: December 21, 2017

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

BE IT RESOLVED by the Commissioners of the Bergen County Utilities Authority that the Financial Actions directed by Mathew McCarter, Acting Treasurer, during the month of November 2017 be and are hereby ratified and approved.

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of December 21, 2017.



Michael Henwood
Board Secretary

Dated: December 21, 2017

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

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

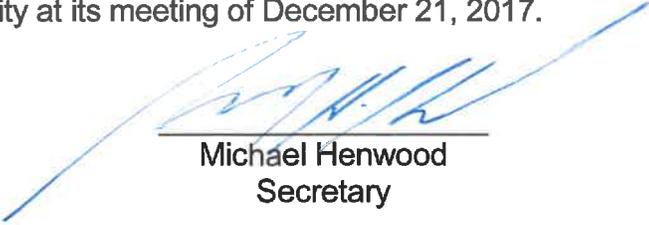
WHEREAS, The Record and The North Jersey Herald News constitute qualified newspapers to serve as legal or "Official" newspapers within the meaning of N.J.S.A. 35:1-2; and

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

BE IT FURTHER RESOLVED by the Commissioners of The Bergen County Utilities Authority that, effective for the year commencing January 1, 2018 The Record and The North Jersey Herald News shall be and are hereby designated as the Authority's official newspapers; and

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of December 21, 2017.



Michael Henwood
Secretary

Dated: December 21, 2017

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

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

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

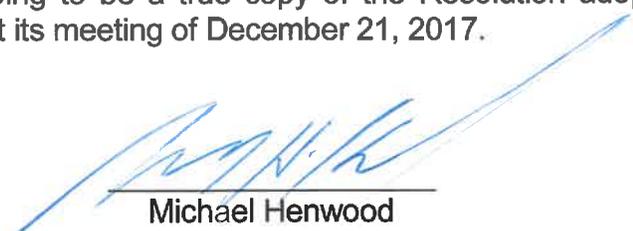
WHEREAS, the Act allows The Bergen County Utilities Authority to require prepayment by such person of a reasonable sum to cover the costs of providing such notice; and

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

NOW, THEREFORE, BE IT RESOLVED that, for one year commencing January 1, 2018, The Bergen County Utilities Authority hereby establishes that to all other persons other than The Record and The North Jersey Herald and News, the reasonable charge for notices requested pursuant to N.J.S.A. 10:4-19 shall be five cents (\$.05) per notice to cover the costs of reproduction and mailing; and

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of December 21, 2017.



Michael Henwood
Secretary

Dated: December 21, 2017

**2018 ADOPTED BUDGET RESOLUTION
BERGEN COUNTY UTILITIES AUTHORITY
SOLID WASTE MANAGEMENT**

FISCAL YEAR: FROM: January 1, 2018 TO: December 31, 2018

WHEREAS, the Solid Waste Division Annual Budget and Capital Budget/Program for the Bergen County Utilities Authority (the "Authority") for the fiscal year beginning January 1, 2018 and ending December 31, 2018 has been presented for adoption before the governing body of the Authority at its open public meeting of December 21, 2017; and

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

WHEREAS, the Solid Waste Division Annual Budget as presented for adoption reflects Total Revenues of \$ 8,682,653 Total Appropriations, including any Accumulated Deficit, if any, of \$9,428,416 and Total Unrestricted Net Position utilized of \$745,763; and

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

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Bergen County Utilities Authority, as the governing body thereof, at an open public meeting held on December 21, 2017 that the Solid Waste Division Annual Budget and Capital Budget/Program of the Bergen County Utilities Authority for the fiscal year beginning January 1, 2018 and ending December 31, 2018 shall be and is hereby adopted and shall constitute appropriations for the purposes stated; and

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

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

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of December 21, 2017.



Michael Henwood, Secretary

Dated: December 21, 2017

Governing Body
Member:
Recorded Vote:

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

**2018 ADOPTED BUDGET RESOLUTION
BERGEN COUNTY UTILITIES AUTHORITY
WATER POLLUTION CONTROL**

FISCAL YEAR: FROM: January 1, 2018 TO: December 31, 2018

WHEREAS, the Water Pollution Control System Annual Budget and Capital Budget/Program for the Bergen County Utilities Authority (the "Authority") for the fiscal year beginning January 1, 2018 and ending December 31, 2018 has been presented for adoption before the governing body of the Authority at its open public meeting of December 21, 2017; and

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

WHEREAS, the Water Pollution Control System Annual Budget as presented for adoption reflects Total Revenues of \$77,846,233, Total Appropriations, including any Accumulated Deficit, if any, of \$77,846,233 and Total Unrestricted Net Position utilized of \$0; and

WHEREAS, the Capital Budget as presented for adoption reflects Total Capital Appropriations of \$41,889,043 and Total Unrestricted Net Position planned to be utilized of \$0.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Bergen County Utilities Authority, as the governing body thereof, at an open public meeting held on December 21, 2017, that the Water Pollution Control System Annual Budget and Capital Budget/Program of the Bergen County Utilities Authority for the fiscal year beginning January 1, 2018 and ending December 31, 2018 shall be and is hereby adopted and shall constitute appropriations for the purposes stated; and

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

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

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of December 21, 2017.


Michael Henwood, Secretary

Dated: December 21, 2017

Governing Body
Member:
Recorded Vote:

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

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

BE IT RESOLVED by the Board of Commissioners of the Bergen County Utilities Authority (the "Authority") that the below listed schedule of charges for the Solid Waste Division for the calendar year ending December 31, 2018 shall be and is hereby adopted and is effective January 1, 2018 through December 31, 2018:

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

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

CONDITIONALLY EXEMPT SMALL QUANTITY GENERATOR HAZARDOUS WASTE DISPOSAL RATE	\$0.01 PER POUND TO \$100.00 PER POUND
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**Computer and Computer Related Equipment
Recycling Charges**

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

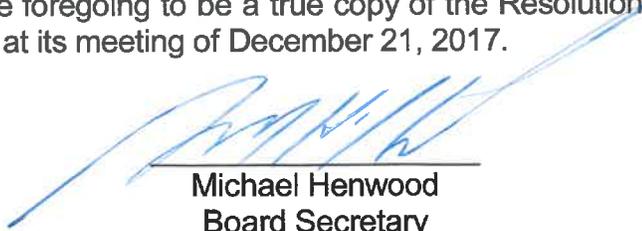
COMPUTER AND COMPUTER RELATED EQUIPMENT	\$0.00 PER POUND TO \$10.00 PER POUND
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; and

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

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of December 21, 2017.



Michael Henwood
Board Secretary

Dated: December 21, 2017

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

BE IT RESOLVED by the Board of Commissioners of the Bergen County Utilities Authority that the below listed schedule of Wastewater User Charges for the Bergen County Utilities Authority's Water Pollution Control Division for the calendar year 2018 shall be and is hereby adopted and is effective January 1, 2018 through December 31, 2018:

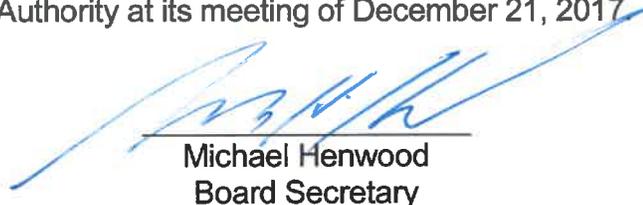
Flow	\$1,106.34	Per Million Gallons
B.O.D.	\$378.20	Per Thousand Pounds
T.S.S.	\$315.80	Per Thousand Pounds

; and

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

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of December 21, 2017



Michael Henwood
Board Secretary

Dated: December 21, 2017

**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 connection with various labor and employment matters and litigation relating thereto, as well as performing such additional legal services which may, from time to time, be requested by the Authority; and

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

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

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

WHEREAS, **Rubenstein, Meyerson, Fox, Mancinelli, Conte & Bern P.A.** has submitted a written proposal dated December 8, 2017 to serve as **Special Legal Counsel** to the Authority, which proposal has been reviewed by the Authority; and

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

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

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

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

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

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

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

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

3. A copy of this Resolution and a copy of the agreement engaging **Rubenstein, Meyerson, Fox, Mancinelli, Conte & Bern P.A.** to serve as **Special Legal Counsel** to the Authority pursuant to this Resolution shall be placed on file and made available for public inspection in the Office of the Executive Director, upon execution by **Rubenstein, Meyerson, Fox, Mancinelli, Conte & Bern P.A.** and the Authority.

4. The total amount authorized to be paid pursuant to the contract herein awarded shall not exceed the total sum of **\$7,500.00** 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 December 21, 2017.



Michael Henwood, Board Secretary

DATED: December 21, 2017

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 12/21/2017
RESOLUTION #: 17-1-059

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

FUNDS AVAILABLE X

FUNDS ARE NOT AVAILABLE _____

BUDGET ACCOUNT LEGAL
W-350-50800-000

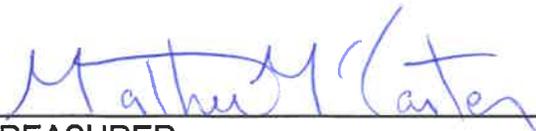
VENDOR RUBENSTEIN, MEYERSON, FOX,
MANCINELLI, CONTE & BERN P.A.

CONTRACT NUMBER 17122101

REASON SPECIAL LEGAL COUNSEL

AMOUNT \$7,500.00

CONTRACT LENGTH JANUARY 1, 2017 TO DECEMBER 31, 2017


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 17-1-011 adopted February 23, 2017, 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 17-1-011 Authorized the Chairman of the Board of Commissioners of the Authority to execute an agreement by and between the Authority and Kaufman, Semeraro & Leibman, LLP (the “Agreement”) memorializing the services to be provided by Kaufman, Semeraro & Leibman, LLP to the Authority as General Legal Counsel and providing the budget for compensation to be paid by the Authority to Kaufman, Semeraro & Leibman, LLP for the providing of those services, pursuant to which payment is not to exceed the total sum of \$125,000.00 without further approval of the Board of Commissioners of the Authority; and

WHEREAS, the Agreement was executed by and on behalf of the Authority and Kaufman, Semeraro & Leibman, LLP on March 1, 2017; and

WHEREAS, Kaufman, Semeraro & Leibman, LLP, operating under the Agreement, has continued to provide significant necessary and valuable legal services to the Authority as the Authority’s General Legal Counsel on an as-requested basis on a number of critical ongoing projects as well as additional other projects the Authority identified since the commencement of the term of the Agreement, which projects include:

- Negotiation/Litigation with PSE&G;
- Edgewater WPCF Project; and
- Assisting the Authority with CSO permit related issues.

; and

WHEREAS, Kaufman, Semeraro & Leibman, LLP advised the Authority that as of December 14, 2017, Kaufman, Semeraro & Leibman, LLP had expended approximately \$125,000.00 in services to the Authority under the Agreement and the Agreement provides for a compensation budget of \$125,000.00 to be paid by the Authority to Kaufman, Semeraro & Leibman, LLP for services performed pursuant thereto; and

WHEREAS, Kaufman, Semeraro & Leibman, LLP requested that the Authority increase the compensation budget provided for by the Agreement by the total sum of \$75,000.00, resulting in an amended Agreement compensation budget of an amount not to exceed the total sum of \$200,000.00; and

WHEREAS, the Authority's Executive Director has determined that Kaufman, Semeraro & Leibman, LLP has performed all services under the Agreement in an effective and efficient manner and further determined that the remaining work to be performed by Kaufman, Semeraro & Leibman, LLP under the Agreement is essential to the proper and effective operation of the Authority and critical to the health, welfare and safety of the ratepayers and employees of the Authority; and

WHEREAS, the Authority's Executive Director has reviewed the request of Kaufman, Semeraro & Leibman, LLP to increase the compensation budget under the Agreement for the total compensation to be paid by the Authority to Kaufman, Semeraro & Leibman, LLP, and based upon the above determinations and his review of the request of Kaufman, Semeraro & Leibman, LLP, he has concluded and recommended that the Authority should amend the Agreement by increasing the budget for compensation to be paid by the Authority to Kaufman, Semeraro & Leibman, LLP pursuant to the Agreement in the total sum of \$75,000.00, resulting in an amended compensation budget under the Agreement in an amount not to exceed the total sum of \$200,000.00 without further approval of the Board of Commissioners of the Authority; and

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

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

1. The Agreement entered into by and between the Authority and Kaufman, Semeraro & Leibman, LLP shall be and is hereby modified by the Authority and the Agreement shall be modified to provide that the compensation to be paid by the Authority pursuant thereto shall be increased in the amount of \$75,000.00 and the total amount of compensation to now be paid by the Authority to Kaufman, Semeraro & Leibman, LLP pursuant to the modified Agreement shall not exceed the total sum of 200,000.00 without further approval of the Board of Commissioners of the Authority.

2. The Chairman of the Authority shall be and is hereby authorized to execute an agreement by and among the Authority and Kaufman, Semeraro & Leibman, LLP, modifying the Agreement as approved and authorized by this Resolution, in the form

17-1-060

acceptable to the Chairman, and satisfactory to the Authority as evidenced by the Chairman's signature thereon.

3. A copy of this Resolution, and the agreement modifying the Agreement with Kaufman, Semeraro & Leibman, LLP 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, 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 Agreement shall be published in the form prescribed by law.

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of December 21, 2017.



Michael Henwood, Secretary

Dated: December 21, 2017

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 12/21/2017
RESOLUTION #: 17-1-060

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

FUNDS AVAILABLE X

FUNDS ARE NOT AVAILABLE _____

BUDGET ACCOUNT LEGAL
W-350-50800-000

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

CONTRACT NUMBER 17022304

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

AMOUNT \$75,000.00

CONTRACT LENGTH MARCH 1, 2017 - FEBRUARY 28, 2018

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 **Household Hazardous Waste Collection, Transportation and Disposal Services (Two (2) Year Contract with Two (2) One (1) Year Options)**, pursuant to and in accordance with **Contract No. 15-32**; and

WHEREAS, by way of Resolution 15-2-070 adopted December 17, 2015 by the Board of Commissioners of the Authority, **Maumee Express Inc.** was determined to be the lowest complying and responsible bidder for **Household Hazardous Waste Collection, Transportation and Disposal Services**, constituting **Contract No. 15-32** for a total contract price of \$934,500.00 for the initial two (2) year period and for the two (2) option years for a total contract price of \$467,250.00 per optional year; and

WHEREAS, by way of Resolution 15-2-070 December 17, 2015 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 **Maumee Express Inc.** for **Household Hazardous Waste Collection, Transportation and Disposal Services**, constituting **Contract No. 15-32** for a total contract price of **\$934,500.00** for the **Initial Two (2) Year Period**; and

WHEREAS, pursuant to the terms of **Contract No. 15-32**, the Authority has the option to extend the contract for **Household Hazardous Waste Collection, Transportation and Disposal Services** with **Maumee Express Inc.** for an additional **One (1) Year Period** for the total sum of **\$467,250.00**; and

WHEREAS, pursuant to N.J.S.A. 40A:11-15, the Authority finds that **Maumee Express Inc.** has performed **Contract No. 15-32** for **Household Hazardous Waste Collection, Transportation and Disposal Services** in an effective and efficient manner; and

WHEREAS, exercising the initial **One (1) Year Option** of **Contract No. 15-32** to **Maumee Express Inc.** for **Household Hazardous Waste Collection, Transportation and Disposal Services** is necessary for the efficient operation of the Authority; and

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

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

1. The Executive Director shall be and he is hereby authorized to execute a contract with **Maumee Express Inc.** for **Household Hazardous Waste Collection, Transportation and Disposal Services**, pursuant to and in accordance with **Contract No. 15-32**, which contract exercises the initial **One (1) Year Option** by the Authority to extend **Contract No. 15-32** for an additional **One (1) Year Period** (commencing January 1, 2018 and expiring December 31, 2018) for the total sum of **\$467,250.00**.

17-2-078

2. All other terms of **Contract No. 15-32** shall remain in full force and effect without modification.

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

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

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

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of December 21, 2017.



Michael Henwood
Secretary

Dated: December 21, 2017

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 12/21/2017
RESOLUTION #: 17-2-078

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

FUNDS AVAILABLE X

FUNDS ARE NOT AVAILABLE _____

BUDGET ACCOUNT 2013 REA GRANT / 2014 REA GRANT
S-530-59900-000 / S-530-59910-000

VENDOR MAUMEE EXPRESS INC.

CONTRACT NUMBER 15-32

REASON HOUSEHOLD HAZARDOUS WASTE
COLLECTION, TRANSPORTATION &
DISPOSAL SERVICES

AMOUNT \$467,250.00

CONTRACT LENGTH JANUARY 1, 2018 TO DECEMBER 31, 2018

Matthew McCarter
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, on prior occasion, upon advertisement on the website of the Bergen County Utilities Authority (the "Authority") and pursuant to specifications, the Authority solicited bid proposals for **Barscreen Parts**, pursuant to and in accordance with **Requisition No. 107008-17**; and

WHEREAS, the following sole proposal was received by the Authority on **December 5, 2017** for **Requisition No. 107008-17**:

<u>Vendor</u>	<u>Total Amount Bid</u>
Vulcan Industries, Inc. Missouri Valley, IA	\$19,384.00

; and

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

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

WHEREAS, the Authority's **Qualified Purchasing Agent** has reviewed the sole bid proposal and has recommended that **Vulcan Industries, Inc.** should be awarded **Requisition No.107008-17** as the lowest complying and responsible vendor, as defined under N.J.S.A. 40A:11-2 and allowable under the fair and open process pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, on the basis of the foregoing, the Authority has determined that the proposal from **Vulcan Industries, Inc.** constitutes the lowest complying and responsible proposal for **Requisition No. 107008-17**, in accordance with N.J.S.A. 40A:11-1 et seq.; and

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

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

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

1. The proposal of **Vulcan Industries, Inc.** in the sum of **\$19,384.00** shall be and is hereby determined to be the lowest complying and responsible proposal for **Barscreen Parts** constituting **Requisition No.107008-17** for the total sum of **\$19,384.00**.

2. The Executive Director shall be and is hereby authorized to execute an agreement with **Vulcan Industries, Inc.** of **212 South Kirlin Street, Missouri Valley, IA 51555** for **Barscreen Parts**, constituting **Requisition No. 107008-17** for the total sum of **\$19,384.00**.

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

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

5. A copy of this Resolution and the agreement executed pursuant to this Resolution, along with **Requisition No. 107008-17**, shall be placed on file and made available for public inspection in the office of the Executive Director upon execution by Vulcan Industries, Inc. and the Authority.

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of December 21, 2017.



Michael Henwood
Secretary

Dated: December 21, 2017

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 12/21/2017
RESOLUTION #: 17-2-079

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 PROCESS EQUIPMENT
W-550-61600-000

VENDOR VULCAN INDUSTRIES, INC.

CONTRACT NUMBER REQUISITION NO. 107008-17

REASON BARSCREEN PARTS

AMOUNT \$19,384.00

CONTRACT LENGTH N/A

Matthew McCarter
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, the Bergen County Utilities Authority (the "Authority") is a county utilities authority organized and existing pursuant to the Municipal and County Utilities Authority Law, N.J.S.A. 40:14B-1 et seq. to provide the services enumerated in N.J.S.A. 40:14B-2 in the County of Bergen, including but not limited to sewage collection and disposal services and the relief of waters in or bordering the State from pollution arising from causes within the district and the relief of waters in, bordering or entering the district from pollution or threatened pollution on behalf of its constituent members; and

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

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

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

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

WHEREAS, the Authority currently has the need to complete the **Control Building – Perimeter Window Sealant and Foundation Sealing Project**; and

WHEREAS, the ESCNJ previously awarded a contract to **Weatherproofing Technologies Inc.** of 3735 Green Road, Beachwood, OH 44122, under Contract No. ESCNJ/AEPA IFB #017-F for Roofing & Building Envelope Repair & Maintenance Service; and

WHEREAS, the Authority, as a member of the ESCNJ Cooperative Pricing System, is able to procure the needed services from **Weatherproofing Technologies Inc.** under ESCNJ Contract No. ESCNJ/AEPA IFB #017-F for the total sum of \$28,565.38 as set forth and contained in the written proposal dated November 16, 2017 submitted to the Authority by **Weatherproofing Technologies Inc.**; and

WHEREAS, it has been recommended by the Authority's Qualified Purchasing Agent that it would be advantageous to the Authority, and result in a cost savings to the Authority and its ratepayers, for the Authority to engage **Weatherproofing Technologies Inc.** through ESCNJ Contract No. ESCNJ/AEPA IFB #017-F to provide the necessary services to complete the **Control Building – Perimeter Window Sealant and Foundation Sealing Project**; and

WHEREAS, ESCNJ Cooperative Pricing System Contract No. ESCNJ/AEPA IFB #017-F meets the "Fair and Open" process requirements of N.J.S.A. 19:44A-20.4 et seq.; and

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

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

1. The Executive Director or his designee shall be and is hereby authorized to execute a purchase order, or purchase orders as may be required, for the completion of the **Control Building – Perimeter Window Sealant and Foundation Sealing Project** for the total sum of \$28,565.38 as set forth and contained in the written proposal dated November 16, 2017 submitted to the Authority by **Weatherproofing Technologies Inc.**, and in accordance with the terms of ESCNJ Contract No. ESCNJ/AEPA IFB #017-F.

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

3. A copy of this Resolution, a copy of the Certificate of Membership issued by the ESCNJ to the Authority and a copy of any contract(s) entered into by the Authority pursuant to this Resolution shall be placed on file and made available for public inspection in the office of the Executive Director.

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

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

17-2-080

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of December 21, 2017.



Michael Henwood, Secretary

Dated: December 21, 2017

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 12/21/2017
RESOLUTION #: 17-2-080

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

FUNDS AVAILABLE	<u>X</u>
FUNDS ARE NOT AVAILABLE	<u></u>
BUDGET ACCOUNT	<u>BUILDING MAINTENANCE</u> <u>W-550-62600-000</u>
VENDOR	<u>WEATHERPROOFING TECHNOLOGIES, INC.</u>
CONTRACT NUMBER	<u>ESCNJ CONTRACT NO.</u> <u>ESCNJ/AEPA IFB #017-F</u>
REASON	<u>CONTROL BUILDING</u> <u>PERIMETER WINDOW SEALANT</u> <u>AND FOUNDATION SEALING PROJECT</u>
AMOUNT	<u>\$28,565.38</u>
CONTRACT LENGTH	<u>N/A</u>

Matthew M Carter
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Bergen County Utilities Authority (the "Authority") solicited bid proposals for **Digester Gas Pretreatment Testing for a Two (2) Year Period**, pursuant to and in accordance with **Contract No. 17-27**; and

WHEREAS, the following sole bid proposal was received by the Authority on **December 12, 2017** for **Contract No.17-27**:

Vendor	Total Amount Bid for Two (2) Years
Atlantic Analytical Laboratory, LLC Whitehouse, NJ	\$143,600.00

; and

WHEREAS, the Authority's **Qualified Purchasing Agent** has reviewed the sole bid proposal received by the Authority and has recommended that **Atlantic Analytical Laboratory, LLC** be awarded **Contract No. 17-27** 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 **Atlantic Analytical Laboratory, LLC** constitutes the lowest complying and responsible bidder for **Contract No. 17-27**, 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. **Atlantic Analytical Laboratory, LLC** shall be and is hereby determined to be the lowest complying and responsible bidder for **Digester Gas Pretreatment Testing**, constituting **Contract No. 17-27** for a **Two (2) Year Period** for a total amount not to exceed the sum of **\$143,600.00** without further approval of the Commissioners of the Authority.

17-2-081

2. The Chairman shall be and is hereby authorized to execute a contract with **Atlantic Analytical Laboratory, LLC** of 291 Route 22 East, Salem Industrial Park Building 4, Whitehouse, NJ 08888 for **Digester Gas Pretreatment Testing**, constituting **Contract No.17-27** for a **Two (2) Year Period** for a total amount not to exceed the sum of **\$143,600.00** without further approval of the Commissioners of the Authority.

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. 17-27, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by **Atlantic Analytical Laboratory, LLC** and the Authority.

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of December 21, 2017.



Michael Henwood
Secretary

Dated: December 21, 2017

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 12/21/2017
RESOLUTION #: 17-2-081

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
W-550-62450-000

VENDOR ATLANTIC ANALYTICAL LABORATORY, LLC

CONTRACT NUMBER 17-27

REASON DIGESTER GAS PRETREATMENT TESTING

AMOUNT \$143,600.00

CONTRACT LENGTH JANUARY 1, 2018 TO DECEMBER 31, 2019

Matthew McCarter
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

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

WHEREAS, the Bergen County Utilities Authority (“Authority”) plays an important role in providing these essential services 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 17-2-006 adopted February 23, 2017, appointed Neglia Engineering Associates to serve as Site Work Engineering/Land Surveying Consultant to the Authority for a One (1) Year Term or until a successor is selected or at the pleasure of the Authority, whichever shall first occur or be exercised; and

WHEREAS, Resolution 17-2-006 Authorized the Chairman of the Board of Commissioners of the Authority to execute an agreement by and between the Authority and Neglia Engineering Associates (the “Agreement”) memorializing the services to be provided by Neglia Engineering Associates to the Authority as Site Work Engineering/Land Surveying Consultant and providing the budget for compensation to be paid by the Authority to Neglia Engineering Associates for the providing of those services, pursuant to which payment is not to exceed the total sum of \$100,000.00 without further approval of the Board of Commissioners of the Authority; and

WHEREAS, the Agreement was executed by and on behalf of the Authority and Neglia Engineering Associates on March 1, 2017; and

WHEREAS, Neglia Engineering Associates, operating under the Agreement, has continued to provide significant necessary and valuable services to the Authority as the Authority’s Site Work Engineering/Land Surveying Consultant on an as-requested basis on a number of critical ongoing projects as well as additional other projects the Authority identified since the commencement of the term of the Agreement, which projects include:

- Victoria Terrace Trunk Sewer Grouting;
- STP Pipe Gallery Leak Grouting; and
- Hackensack Trunk Sewer Elevation.

; and

WHEREAS, by written correspondence dated December 13, 2017, Neglia Engineering Associates advised the Authority that as of December 13, 2017, Neglia Engineering Associates had expended approximately \$100,000.00 in services to the Authority under the Agreement and the Agreement provides for a compensation budget of \$100,000.00 to be paid by the Authority to Neglia Engineering Associates for services performed pursuant thereto; and

WHEREAS, Neglia Engineering Associates, by the November 13, 2017 written correspondence, requested that the Authority increase the compensation budget provided for by the Agreement by the total sum of \$75,000.00, resulting in an amended Agreement compensation budget of an amount not to exceed the total sum of \$175,000.00; and

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

WHEREAS, the Authority's Director of Engineering has reviewed the December 13, 2017 written correspondence of Neglia Engineering Associates , including the request of Neglia Engineering Associates to increase the compensation budget under the Agreement for the total compensation to be paid by the Authority to Neglia Engineering Associates, and based upon the above determinations and his review of the December 13, 2017 written correspondence of Neglia Engineering Associates, he has concluded and recommended that the Authority should amend the Agreement by increasing the budget for compensation to be paid by the Authority to Neglia Engineering Associates pursuant to the Agreement in the total sum of \$75,000.00, resulting in an amended compensation budget under the Agreement in an amount not to exceed the total sum of \$175,000.00 without further approval of the Board of Commissioners of the Authority; and

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

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

1. The Agreement entered into by and between the Authority and Neglia Engineering Associates shall be and is hereby modified by the Authority and the Agreement shall be modified to provide that the compensation to be paid by the Authority pursuant thereto shall be increased in the amount of \$75,000.00 and the total amount of compensation to now be paid by the Authority to Neglia Engineering Associates pursuant

17-2-082

to the modified Agreement shall not exceed the total sum of \$175,000.00 without further approval of the Board of Commissioners of the Authority.

2. The Chairman of the Authority shall be and is hereby authorized to execute an agreement by and among the Authority and Neglia Engineering Associates, modifying the Agreement as approved and authorized by this Resolution, in the form acceptable to the Chairman, and satisfactory to the Authority as evidenced by the Chairman's signature thereon.

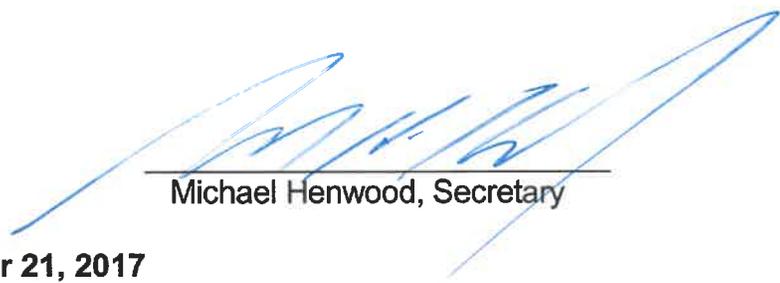
3. A copy of this Resolution, and the agreement modifying the Agreement with Neglia Engineering Associates pursuant to this Resolution, shall be placed on file and made available for public inspection in the Office of the Executive Director, upon execution by Neglia Engineering Associates and the Authority.

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

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

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of December 21, 2017.



Michael Henwood, Secretary

Dated: December 21, 2017

17-2-082

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 12/21/2017
RESOLUTION #: 17-2-082

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

FUNDS AVAILABLE X

FUNDS ARE NOT AVAILABLE _____

BUDGET ACCOUNT ENGINEERING
W-350-50400-000

VENDOR NEGLIA ENGINEERING ASSOCIATES

CONTRACT NUMBER 17022314

REASON SITE WORK ENGINEERING/LAND
SURVEYING CONSULTANT

AMOUNT \$75,000.00

CONTRACT LENGTH MARCH 1, 2017 TO FEBRUARY 28, 2018

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 **Annual Buried Infrastructure On-Call Sewer Repair/Replacement Work – One (1) Year Contract with Two (2) One (1) Year Options**, pursuant to and in accordance with **Contract No. 16-04**; and

WHEREAS, by way of Resolution 16-2-015 adopted by the Board of Commissioners of the Authority on February 25, 2016, **J. Fletcher Creamer & Son Inc.** was determined to be the lowest complying and responsible bidder for **Annual Buried Infrastructure On-Call Sewer Repair/Replacement Work**, constituting **Contract No. 16-04** for a total contract price of \$160,510.00 for the initial year and for the optional years for a total contract price of \$160,510.00 per optional year; and

WHEREAS, by way of Resolution 16-2-015 adopted February 25, 2016, the Chairman of the Board of Commissioners of the Authority was authorized to execute an agreement with **J. Fletcher Creamer & Son Inc.** for **Annual Buried Infrastructure On-Call Sewer Repair/Replacement Work**, constituting **Contract No. 16-04** for a total contract price of **\$160,510.00** for the **Initial One (1) Year Period**; and

WHEREAS, by way of Resolution 17-2-004 adopted January 26, 2017, the Authority, pursuant to the terms of **Contract No. 16-04**, exercised the first **One (1) Year Option** of **Contract No. 16-04** to **J. Fletcher Creamer & Son Inc.** for **Annual Buried Infrastructure On-Call Sewer Repair/Replacement Work**, extending **Contract No. 16-04** for an additional **One (1) Year Period** (commencing March 1, 2017 and expiring February 28, 2018) for the total sum of **\$160,510.00**; and

WHEREAS, **J. Fletcher Creamer & Son Inc.**, operating during the first optional year exercised by the Authority under **Contract No. 16-04**, has continued to provide significant necessary and valuable services to the Authority on an as-requested basis; and

WHEREAS, **J. Fletcher Creamer & Son Inc.** submitted a change order proposal to the Authority dated December 14, 2017 requesting an increase in the first optional year of **Contract No. 16-04** in the total sum of **\$31,950.00** ("Change Order No. 1"), which sum does not change the quality or character of the items and/or work to be provided and which sum shall fully satisfy the costs of all services required for **Annual Buried Infrastructure On-Call Sewer Repair/Replacement Work** as requested by the Authority; and

WHEREAS, the Authority's Director of Water Pollution Control and Qualified Purchasing Agent have reviewed, approved and recommended Change Order No. 1 submitted by **J. Fletcher Creamer & Son Inc.** to the Authority to Process the Net Increase for the first optional year of **Contract No. 16-04** in the amount of **\$31,950.00**, for a total amended sum of **\$192,460.00** for the first optional year of **Contract No. 16-04**; and

17-2-083

WHEREAS, Change Order No. 1 to Process the Net Increase in the sum of **\$31,950.00** is necessary for the efficient operation of the Authority; and

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

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

1. The Chairman shall be and he is hereby authorized to execute Change Order No. 1 to Process the Net Increase in the sum of **\$31,950.00** as stated in the December 14, 2017 change order proposal for **Annual Buried Infrastructure On-Call Sewer Repair/Replacement Work**, in accordance with **Contract No. 16-04**, for a total amended sum of **\$192,460.00** for the first optional year of **Contract No. 16-04**;

2. A copy of this Resolution and the change order to Process the Net Increase in the sum of \$31,950.00 shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by J. Fletcher Creamer & Son, Inc. and the Authority.

3. The total aggregate amount awarded together with this amendment shall not exceed the sum of \$192,460.00 without further action by the Board of Commissioners of the Authority.

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 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-14(b).

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of December 21, 2017.



Michael Henwood, Secretary

Dated: December 21, 2017

17-2-083

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 12/21/2017
RESOLUTION #: 17-2-083

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 EMERGENCY REPAIRS
W-220-52400-000

VENDOR J. FLETCHER CREAMER & SON INC.

CONTRACT NUMBER 16-04 FIRST ONE YEAR OPTION

REASON INCREASE IN THE AUTHORITY'S NEEDS
FOR ANNUAL BURIED INFRASTRUCTURE
ON-CALL SEWER REPAIR/REPLACEMENT WORK

AMOUNT \$31,950.00

CONTRACT LENGTH MARCH 1, 2017 TO FEBRUARY 28, 2018

Matthew McCarter
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

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

WHEREAS, the Bergen County Utilities Authority (“Authority”) plays an important role in providing these essential services 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 17-2-008 adopted February 23, 2017, appointed Alaimo Group to serve as General Consulting Engineer to the Authority for a One (1) Year Term or until a successor is selected or at the pleasure of the Authority, whichever shall first occur or be exercised; and

WHEREAS, Resolution 17-2-008 Authorized the Chairman of the Board of Commissioners of the Authority to execute an agreement by and between the Authority and Alaimo Group (the “Agreement”) memorializing the services to be provided by Alaimo Group to the Authority as General Consulting Engineer and providing the budget for compensation to be paid by the Authority to Alaimo Group for the providing of those services, pursuant to which payment is not to exceed the total sum of \$250,000.00 without further approval of the Board of Commissioners of the Authority; and

WHEREAS, the Agreement was executed by and on behalf of the Authority and Alaimo Group on March 1, 2017; and

WHEREAS, the Board of Commissioners of the Authority, by Resolution 17-2-069 adopted October 26, 2017, authorized the Chairman of the Board of Commissioners of the Authority to modify the Agreement by increasing the budget for compensation to be paid by the Authority to Alaimo Group under the Agreement by the amount of \$160,000.00, resulting in an amended Agreement compensation budget in the total sum of \$410,000.00 without further approval of the Board of Commissioners of the Authority; and

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

WHEREAS, the Agreement, as amended by Resolution 17-2-069, provides for a compensation budget of \$410,000.00 to be paid by the Authority to Alaimo Group for services performed pursuant thereto; and

WHEREAS, by written correspondence dated December 15, 2017, Alaimo Group requested that the Authority increase the compensation budget provided for by the Agreement by the total sum of \$100,000.00, resulting in an amended Agreement compensation budget of an amount not to exceed the total sum of \$510,000.00; and

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

WHEREAS, the Authority's Director of Engineering has reviewed the December 15, 2017 written correspondence of Alaimo Group, including the request of Alaimo Group to increase the compensation budget under the Agreement for the total compensation to be paid by the Authority to Alaimo Group, and based upon the above determinations and his review of the December 15, 2017 written correspondence of Alaimo Group, he has concluded and recommended that the Authority should amend the Agreement by increasing the budget for compensation to be paid by the Authority to Alaimo Group pursuant to the Agreement in the total sum of \$100,000.00, resulting in an amended compensation budget under the Agreement in an amount not to exceed the total sum of \$510,000.00 without further approval of the Board of Commissioners of the Authority; and

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

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

1. The Agreement entered into by and between the Authority and Alaimo Group shall be and is hereby modified by the Authority and the Agreement shall be modified to provide that the compensation to be paid by the Authority pursuant thereto shall be increased in the amount of \$100,000.00 and the total amount of compensation to now be paid by the Authority to Alaimo Group pursuant to the modified Agreement shall not exceed the total sum of \$510,000.00 without further approval of the Board of Commissioners of the Authority.

2. The Chairman of the Authority shall be and is hereby authorized to execute an agreement by and among the Authority and Alaimo Group, modifying the Agreement as approved and authorized by this Resolution, in the form acceptable to the Chairman, and satisfactory to the Authority as evidenced by the Chairman's signature thereon.

3. A copy of this Resolution, and the agreement modifying the Agreement with Alaimo Group pursuant to this Resolution, shall be placed on file and made available for public inspection in the Office of the Executive Director, upon execution by Alaimo Group and the Authority.

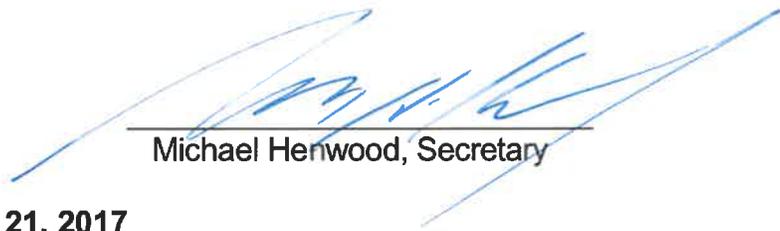
17-2-084

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

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

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of December 21, 2017.



Michael Henwood, Secretary

Dated: December 21, 2017

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 12/21/2017
RESOLUTION #: 17-2-084

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

FUNDS AVAILABLE X

FUNDS ARE NOT AVAILABLE _____

BUDGET ACCOUNT ENGINEERING
W-350-50400-000

VENDOR ALAIMO GROUP

CONTRACT NUMBER 17022316

REASON INCREASE IN THE PROFESSIONAL SERVICE
NEEDS OF THE AUTHORITY FOR
GENERAL CONSULTING ENGINEERING

AMOUNT \$100,000.00

CONTRACT LENGTH MARCH 1, 2017 TO FEBRUARY 28, 2018

Matthew McCarter
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, the Bergen County Utilities Authority (the "Authority") is a county utilities authority organized and existing pursuant to the Municipal and County Utilities Authority Law, N.J.S.A. 40:14B-1 et seq. to provide the services enumerated in N.J.S.A. 40:14B-2 in the County of Bergen, including but not limited to sewage collection and disposal services and the relief of waters in or bordering the State from pollution arising from causes within the district and the relief of waters in, bordering or entering the district from pollution or threatened pollution on behalf of its constituent members; and

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

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

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

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

WHEREAS, the Authority currently has the need to complete the **Control & Old Admin Building Renovation/Restoration Project**; and

WHEREAS, the ESCNJ previously awarded a contract to **Commercial Interiors Direct, Inc.** of 1 South Corporate Drive, 2nd Floor, Riverdale, NJ 07457, under Co-op No. 65MCECCPS, Contract Nos. ESCNJ BID 14/15-64 for Commercial Flooring and Related Services, ESCNJ BID 14/15-79 for Commercial Carpet and Related Services and ESCNJ BID 17/18-16 for Furniture & Accessories; and

WHEREAS, the Authority, as a member of the ESCNJ Cooperative Pricing System, is able to procure the needed goods and services from **Commercial Interiors Direct, Inc.** under Co-op No. 65MCECCPS, Contract Nos. ESCNJ BID 14/15-64 for Commercial Flooring and Related Services, ESCNJ BID 14/15-79 for Commercial

Carpet and Related Services and ESCNJ BID 17/18-16 for Furniture & Accessories for the total sum of \$38,971.81 as set forth and contained in the written proposal dated October 26, 2017 submitted to the Authority by **Commercial Interiors Direct, Inc.**; and

WHEREAS, it has been recommended by the Authority's Qualified Purchasing Agent that it would be advantageous to the Authority, and result in a cost savings to the Authority and its ratepayers, for the Authority to engage **Commercial Interiors Direct, Inc.** through Co-op No. 65MCECCPS, Contract Nos. ESCNJ BID 14/15-64 for Commercial Flooring and Related Services, ESCNJ BID 14/15-79 for Commercial Carpet and Related Services and ESCNJ BID 17/18-16 for Furniture & Accessories to provide the necessary goods and services to complete the **Control & Old Admin Building Flooring Restoration Project**; and

WHEREAS, Co-op No. 65MCECCPS, Contract Nos. ESCNJ BID 14/15-64 for Commercial Flooring and Related Services, ESCNJ BID 14/15-79 for Commercial Carpet and Related Services and ESCNJ BID 17/18-16 for Furniture & Accessories meets the "Fair and Open" process requirements of N.J.S.A. 19:44A-20.4 et seq.; and

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

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

1. The Executive Director or his designee shall be and is hereby authorized to execute a purchase order, or purchase orders as may be required, for the completion of the **Control & Old Admin Building Flooring Restoration Project** for the total sum of \$38,971.81 as set forth and contained in the written proposal dated October 26, 2017 submitted to the Authority by **Commercial Interiors Direct, Inc.**, and in accordance with the terms of Co-op No. 65MCECCPS, Contract Nos. ESCNJ BID 14/15-64 for Commercial Flooring and Related Services, ESCNJ BID 14/15-79 for Commercial Carpet and Related Services and ESCNJ BID 17/18-16 for Furniture & Accessories.

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

3. A copy of this Resolution, a copy of the Certificate of Membership issued by the ESCNJ to the Authority and a copy of any contract(s) entered into by the Authority pursuant to this Resolution shall be placed on file and made available for public inspection in the office of the Executive Director.

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

17-2-085

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of December 21, 2017.



Michael Henwood, Secretary

Dated: December 21, 2017

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 12/21/2017
RESOLUTION #: 17-2-085

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
W-200-80800-000

VENDOR COMMERCIAL INTERIORS DIRECT, INC.

CONTRACT NUMBER ESCNJ BIDS
14/15-64, 14/15-79, 17/18-16

REASON CONTROL & OLD ADMIN BUILDING
FLOORING RESTORATION PROJECT

AMOUNT \$38,971.81

CONTRACT LENGTH N/A

Matthew McCarter
ACTING TREASURER

BERGEN COUNTY UTILITIES AUTHORITY RESOLUTION

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Bergen County Utilities Authority (the "Authority") solicited bid proposals for **Scada System Upgrade for a One (1) Year Period**, pursuant to and in accordance with **Contract No. 17-21**; and

WHEREAS, the Board of Commissioners of the Authority, by way of Resolution 17-2-066 adopted October 26, 2017, rejected the sole bid proposal of **Weiss Acquisition, LLC, dba Weiss Instrument** for **Contract No. 17-21** received by the Authority on October 17, 2017, as that bid was not reasonable as to price on the basis of cost estimates prepared for or by the Authority prior to the advertising therefor and in accordance with N.J.S.A. 40A:11-13.2(a), and authorized the Executive Director, or his designee, to re-advertise for the solicitation of bid proposals for **Contract No. 17-21 (Rebid)** pursuant to N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, following re-advertisement for the solicitation of bid proposals for **Contract No. 17-21 (Rebid)** as authorized by Resolution 17-2-066, the Board of Commissioners of the Authority, by way of Resolution 17-2-071 adopted November 20, 2017, rejected the sole bid proposal of **Weiss Acquisition, LLC, dba Weiss Instrument** for **Contract No. 17-21** received by the Authority on November 14, 2017, as that bid was not reasonable as to price on the basis of cost estimates prepared for or by the Authority prior to the advertising therefor and in accordance with N.J.S.A. 40A:11-13.2(a), and authorized the Executive Director, or his designee, to enter into contract negotiations, as permitted under N.J.S.A. 40A:11-5 in order to form a contract for **Scada System Upgrade for a One (1) Year Period** pursuant to and in accordance with **Contract No. 17-21**; and

WHEREAS, as part of the contract negotiations authorized by Resolution 17-2-071, the Authority received one (1) competitive proposal from **Schneider Electric Systems, USA, Inc.** for **Contract No. 17-21** for a total sum of **\$268,784.45**; and

WHEREAS, the Authority's Qualified Purchasing Agent has reviewed the sole competitive proposal and has recommended that **Schneider Electric Systems, USA, Inc.** should be awarded **Contract No. 17-21** for **Scada System Upgrade for a One (1) Year Period** for a total sum of **\$268,784.45** as the lowest complying and responsible vendor in accordance with N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, on the basis of the foregoing, the Authority has determined that **Schneider Electric Systems, USA, Inc.** constitutes the lowest complying and responsible vendor for **Contract No. 17-21**, in accordance with N.J.S.A. 40A:11-1 et seq.; and

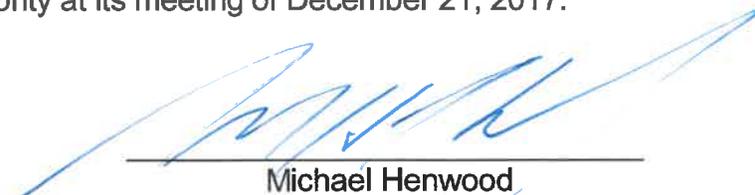
WHEREAS, the awarding of **Contract No. 17-21** for **Scada System Upgrade for a One (1) Year Period** is necessary for the efficient operation of the Authority; and

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. **Schneider Electric Systems, USA, Inc.** shall be and is hereby determined to be the lowest complying and responsible vendor for **Scada System Upgrade for a One (1) Year Period**, constituting **Contract No. 17-21** for a total sum of **\$268,784.45**.
2. The Chairman shall be and he is hereby authorized to execute an agreement with **Schneider Electric Systems, USA, Inc.** of 10900 Equity Drive, Houston, TX 77041 for **Scada System Upgrade for a One (1) Year Period**, constituting **Contract No. 17-21** for a total sum of **\$268,784.45**.
3. The Acting Treasurer's Certification that funds are available shall be maintained on file at the Authority and made a part hereof.
4. A notice of this contract award shall be published in the form prescribed by law.
5. A copy of Resolution 17-2-071, this Resolution and the agreement executed pursuant to this Resolution, along with Contract No. 17-21, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by Schneider Electric Systems, USA, Inc. and the Authority.
6. The formal action(s) of the Commissioners of the Bergen County Utilities Authority embodied herein are expressly contingent upon and subject to the provisions of N.J.S.A. 40:14B-14b.

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of December 21, 2017.



Michael Henwood
Secretary

Dated: December 21, 2017

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 12/21/2017
RESOLUTION #: 17-2-086

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
W-200-80800-000

VENDOR SCHNEIDER ELECTRIC SYSTEMS, USA, INC.

CONTRACT NUMBER 17-21

REASON SCADA SYSTEM UPGRADE

AMOUNT \$268,784.45

CONTRACT LENGTH JANUARY 1, 2018 TO DECEMBER 31, 2018

Matthew McCarter
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, by Resolution 16-2-070 adopted October 11, 2016 by the Board of Commissioners of the Bergen County Utilities Authority (the "Authority"), **Accurate Waste Removal Services, Inc.** was determined by the Authority to be the lowest complying and responsible service provider for **Liquid Sewage Sludge Transport** constituting **Contract No. 16-05B (Rebid) (for a Three (3) Year Period with Two (2) One (1) Year Options)**; and

WHEREAS, Resolution 16-2-070 authorized the Chairman of the Board of Commissioners of the Authority to execute a contract with **Accurate Waste Removal Services, Inc.** for **Liquid Sewage Sludge Transport** constituting **Contract No. 16-05B (Rebid) (for a Three (3) Year Period with Two (2) One (1) Year Options)** for the total unit price of **\$38.95/1000 gallons** per contract year for contract years one (1) through three (3) of **Contract No. 16-05B**, resulting in the anticipated total annual sum of **\$2,332,326.00** per contract year for years one (1) through three (3) of **Contract No. 16-05B**; and

WHEREAS, the Board of Commissioners of the Authority has determined that a scrivener's error occurred during the conversion of the paper version of Resolution 16-2-070, and in resolved paragraph numbers 1 and 2 of Resolution 16-2-070 the referenced "total unit price" and "anticipated total sum" failed to include further specification that those sums are to be applied and calculated on an annual basis by and between the Authority and **Accurate Waste Removal Services, Inc.** pursuant to the terms of **Contract No. 16-05B** as certified to by the Acting Treasurer of the Authority in certifying the availability of funds for **Contract No. 16-05B** as authorized by Resolution 16-2-070; and

WHEREAS, the Board of Commissioners of the Authority now seeks to correct that scrivener's error in Resolution 16-2-070 as identified above in order to clarify any confusion resulting therefrom.

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

1. The entirety of the text set forth and contained in resolved paragraph number 1 of Resolution 16-2-070 adopted October 11, 2016 shall be deleted and disregarded in its entirety and replaced with the following language:

Accurate Waste Removal Services, Inc. shall be and is hereby determined to be the lowest complying and responsible service provider for **Liquid Sewage Sludge Transport** constituting **Contract No. 16-05B (Rebid) (for a Three (3) Year Period with Two (2) One (1) Year Options)** for the total unit price of **\$38.95/1000 gallons** per contract year for

contract years one (1) through three (3) of **Contract No. 16-05B**, resulting in the anticipated total annual sum of **\$2,332,326.00** per contract year for years one (1) through three (3) of **Contract No. 16-05B**.

2. The entirety of the text set forth and contained in resolved paragraph number 2 of Resolution 16-2-070 adopted October 11, 2016 shall be deleted and disregarded in its entirety and replaced with the following language:

The Chairman shall be and he is hereby authorized to execute an agreement with **Accurate Waste Removal Services, Inc.** of 226 Prospect Point Road, Lake Hopatcong, New Jersey 07849 for **Liquid Sewage Sludge Transport**, constituting **Contract No. 16-05B (Rebid) (for a Three (3) Year Period with Two (2) One (1) Year Options)** for a total unit price of **\$38.95/1000 gallons** per contract year for contract years one (1) through three (3) of **Contract No. 16-05B**, resulting in the anticipated total annual sum of **\$2,332,326.00** per contract year for years one (1) through three (3) of **Contract No. 16-05B**.

3. The adoption of this Resolution does not, and shall not be deemed to in any way, alter and/or amend any of the terms of **Contract No. 16-05B** as authorized by Resolution 16-2-070 and previously executed by the Authority and **Accurate Waste Removal Services, Inc.**

4. A copy of this Resolution, along with a copy of Resolution 16-2-070 and the agreement executed pursuant to Resolution 16-2-070, along with Contract No. 16-05B (Rebid), shall be placed on file and made available for public inspection in the Office of the Executive Director.

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of December 21, 2017.


Michael Henwood
Secretary

Dated: December 21, 2017

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 12/21/2017
RESOLUTION #: 17-2-087

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
W-670-60500-000

VENDOR ACCURATE WASTE REMOVAL SERVICES, INC.

CONTRACT NUMBER 16-05B

REASON LIQUID SEWAGE SLUDGE TRANSPORT

AMOUNT \$38.95 per 1,000 gallons
\$2,332,326 ESTIMATED ANNUALLY

CONTRACT LENGTH THIS ANNUAL PORTION OF A THREE YEAR TERM
NOVEMBER 1, 2017 TO OCTOBER 31, 2018

Matthew McCarter
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

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

WHEREAS, on or about November 15, 2017 the Authority issued a Request For Qualifications for Health Insurance, and Third Party Administrators for Cafeteria Plan, Dental Plan, Health Benefits and Prescription Benefits in accordance with the requirements of N.J.S.A. 19:44A-20, et seq.; and

WHEREAS, the Authority received and opened Qualifications for the above listed positions on **November 30, 2017**; and

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the Bergen County Utilities Authority that the following firms be and are hereby qualified to render services on behalf of the Authority for the year of 2018:

Third Party Administrator for Cafeteria Plan Section 125
Insurance Design Administrators

Third Party Administrator for Dental Plan
Delta Dental

Third Party Administrators for Health Benefits
Insurance Design Administrators

17-3-007

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of December 21, 2017.



Michael Henwood, Secretary

Dated: December 21, 2017

17-3-007

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

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

WHEREAS, on or about December 1, 2017 the Authority issued a Request For Qualifications for Third Party Administrators for Prescription Benefits in accordance with the requirements of N.J.S.A. 19:44A-20, et seq.; and

WHEREAS, the Authority received and opened Qualifications for the above listed positions on **December 11, 2017**; and

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

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

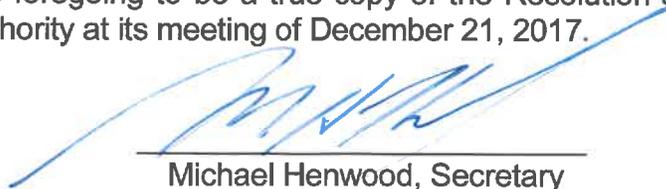
NOW, THERERFORE, BE IT RESOLVED, by the Commissioners of the Bergen County Utilities Authority that the following firms be and are hereby qualified to render services on behalf of the Authority for the year of 2018:

Third Party Administrator for Prescription Benefits

Express Scripts, Inc.

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of December 21, 2017.



Michael Henwood, Secretary

Dated: December 21, 2017

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

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

WHEREAS, Insurance Design Administrators ("IDA") has submitted a proposal received December 5, 2017 to provide third-party administration services on behalf of the Authority in furtherance of its self-insured benefits program, which proposal is on file at the Authority and made a part hereof; and

WHEREAS, the cost to perform Claims Administration services proposed by IDA, is based upon a monthly fee, per covered employee, in amounts not to exceed: Medical \$18.35; Prescription \$2.50; Vision \$1.10; together with fees and charges set forth on schedule A - Administrative Services Agreement on file at the Authority offices; and

WHEREAS, the Authority desires to appoint and retain IDA to serve as Third-Party Administrator for the Authority's self-insured health benefits program effective January 1, 2018, for a period of one (1) year or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

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

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

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

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

WHEREAS, pursuant to and in accordance with N.J.A.C. 5:34-2.3, the Authority's Executive Director has provided the Authority's Commissioners with a Certification, dated December 21, 2017 describing the nature of the work to be done, stating that it is not reasonably possible to draft specifications, and describing why the contract satisfies the Statutory and Administrative Code requirements for Extraordinary Unspecifiable Services pursuant to N.J.S.A. 40A:11-5 (1)(m); and

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

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

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

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

1. IDA shall be and is hereby appointed to serve as Third-Party Administrator to The Bergen County Utilities Authority's self-insured health benefits program effective January 1, 2018, for a period of one (1) year or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively.

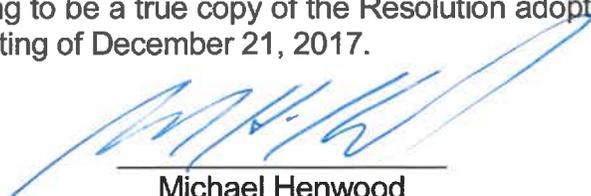
2. The Chairman shall be and is hereby authorized to execute an Agreement with IDA memorializing the scope of services and compensation to be paid, in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

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

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

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of December 21, 2017.



Michael Henwood
Secretary

DATED: December 21, 2017

**CERTIFICATION FOR AN EXTRAORDINARY
UNSPECIFIABLE SERVICES CONTRACT**

TO: Members of the Board of Commissioners

FROM: Robert Laux
Executive Director, Bergen County Utilities Authority

SUBJECT:

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

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

Firm: Insurance Design Administrators (“Contractor”)

Duration: One Year

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

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

I do hereby certify to the following:

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

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

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

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

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

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

IV. Describe the informal solicitation of quotations:

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

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

Respectfully,



Robert Laux, Executive Director

December 21, 2017

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

Re: Resolution 17-3-009

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 12/21/2017
RESOLUTION #: 17-3-009

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

FUNDS AVAILABLE X

FUNDS ARE NOT AVAILABLE _____

BUDGET ACCOUNT HOSPITALIZATION
W-340-71000-000

VENDOR INSURANCE DESIGN ADMINISTRATORS

CONTRACT NUMBER N/A

REASON ESTIMATED CLAIMS ADMINISTRATIVE FEE AS
THIRD-PARTY ADMINISTRATOR
FOR SELF INSURED HEALTH BENEFITS

AMOUNT \$80,000.00

CONTRACT LENGTH JANUARY 1, 2018 TO DECEMBER 31, 2018

Matthew McCarter
ACTING TREASURER

**THE BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

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

WHEREAS, by prior Resolution, the Authority appointed Insurance Design Administrators (“IDA”) as the third party administrator for the Authority’s Cafeteria Plan (the “Cafeteria Plan Administrator”) for a one year term through December 31, 2018 or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively;

WHEREAS, the Authority is desirous of reappointing Insurance Design Administrators (“IDA”) as the third party administrator for the Authority’s Cafeteria Plan (the “Cafeteria Plan Administrator”) for a one (1) year period of commencing on January 1, 2018 or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

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

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

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

WHEREAS, IDA has submitted a proposal received December 5, 2017, which proposes to continue the administration services upon the same terms, conditions and fees as set forth the existing Agreement, (in accordance with the original Proposal dated as of Feb. 23, 2011) and as described in “Schedule F – FSA Administration Services” (the “Schedule”) on file at the Authority’s office for the prices set forth therein with no increase in the monthly administrative fee; and

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

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

WHEREAS, the Authority desires to appoint and retain IDA to serve as its Cafeteria Plan Administrator for the Authority’s Cafeteria Plan, effective January 1, 2018 for a period of one (1) year or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

WHEREAS, the Authority proposes to enter into the Cafeteria Plan Agreement memorializing the scope of services to be performed by IDA and the compensation to be paid for its services as Cafeteria Plan Administrator in accordance with Schedule F on file at the Authority; and

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

WHEREAS, pursuant to and in accordance with N.J.A.C. 5:34-2.3, the Authority's Executive Director has provided the Authority's Commissioners with a Certification, dated December 21, 2017, describing the nature of the work to be done, stating that it is not reasonably possible to draft specifications, and describing why the contract satisfies the Statutory and Administrative Code requirements for Extraordinary Unspecifiable Services pursuant to N.J.S.A. 40A:11-5 (1)(m); and

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

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

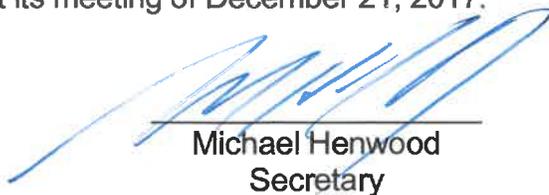
WHEREAS, the Chief Financial Officer of the Authority has certified that funds are available for this purpose;

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

1. IDA shall be and is hereby appointed to serve as Cafeteria Plan Administrator to The Bergen County Utilities Authority effective January 1, 2018 for a period of one (1) year or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and
2. The Chief Financial Officer's Certification that funds are available shall be maintained on file at the Authority and made a part hereof.
3. The Chairman shall be and is hereby authorized to execute a Cafeteria Plan Agreement with IDA memorializing the scope of services and compensation to be paid, in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon;
4. A copy of this Resolution and the Agreement retaining IDA as Cafeteria Plan Administrator shall be placed on file and made available for public inspection in the Office of the Executive Director, upon execution by the Authority.
5. A notice of this contract award shall be published in the form prescribed by law.

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of December 21, 2017.



Michael Henwood
Secretary

DATED: December 21, 2017

**CERTIFICATION FOR AN EXTRAORDINARY
UNSPECIFIABLE SERVICES CONTRACT**

TO: Members of the Board of Commissioners

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

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

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

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

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

Duration: One Year

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

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

I do hereby certify to the following:

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

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

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

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

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

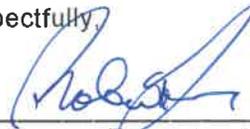
See II. Insurance consulting and administrative service contracts satisfy the criteria of Extraordinary Unspecifiable Services.

IV. Describe the informal solicitation of quotations:

Under the circumstances the solicitation of competitive quotations from a vendor other than the Contractor is impracticable. There is a close relationship between the services already being rendered by the Contractor as the Third Party Administrator (with respect to the Authority's self-insured health benefits program) to the BCUA, and the services to be rendered as Cafeteria Plan Administrator. Under such circumstances, the retention of another vendor would result in increased costs and duplicative effort and work, as no other vendor is currently providing Third Party Administrator Services, and the current contract for such services with the Contractor expires in December 2017. Moreover, the Contractor, by virtue of its existing service contract, currently maintains access to member's health records protected by HIPAA laws. I have determined the proposal of the Contractor to be fair and reasonable. It is my recommendation that an award for the Provision of Cafeteria Plan Services be provided to the Contractor, price and other factors considered.

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

Respectfully,



Robert Laux, Executive Director

December 21, 2017

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

Re: Resolution 17-3-010

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 12/21/2017
RESOLUTION #: 17-3-010

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

FUNDS AVAILABLE X

FUNDS ARE NOT AVAILABLE _____

BUDGET ACCOUNT HOSPITALIZATION
W-340-71000-000

VENDOR INSURANCE DESIGN ADMINISTRATORS

CONTRACT NUMBER N/A

REASON ESTIMATED CLAIMS ADMINISTRATIVE FEE AS
CAFETERIA PLAN ADMINISTRATOR
FOR SELF INSURED HEALTH BENEFITS

AMOUNT \$2,000.00

CONTRACT LENGTH JANUARY 1, 2018 TO DECEMBER 31, 2018

Matthew McCarter
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

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

WHEREAS, Delta Dental of New Jersey, Inc. ("Delta") has submitted a proposal received December 8, 2017 to provide third-party administration services on behalf of the Authority in furtherance of its self-insured benefits program, which proposal is on file at the Authority and made a part hereof; and

WHEREAS, the cost to perform the third-party administration services proposed by Delta, is based upon a monthly fee, per covered employee, of \$9.03 per month per employee.

WHEREAS, the Authority desires to appoint and retain Delta to serve as Third-Party Administrator for the Authority's self-insured dental benefits program effective January 1, 2018, for a period of one (1) year or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

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

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

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

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

WHEREAS, pursuant to and in accordance with N.J.A.C. 5:34-2.3, the Authority's Executive Director has provided the Authority's Commissioners with a Certification, dated December 21, 2017, describing the nature of the work to be done, stating that it is not reasonably possible to draft specifications, and describing why the contract satisfies the Statutory and Administrative Code requirements for Extraordinary Unspecifiable Services pursuant to N.J.S.A. 40A:11-5 (1)(m); and

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

17-3-011

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

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

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

1. Delta shall be and is hereby appointed to serve as Third-Party Administrator to The Bergen County Utilities Authority's self-insured dental benefits program effective January 1, 2018, for a period of one (1) year or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively.

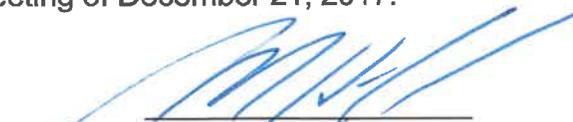
2. The Chairman shall be and is hereby authorized to execute an Agreement with Delta memorializing the scope of services and compensation to be paid, in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

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

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

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of December 21, 2017.



Michael Henwood
Secretary

DATED: December 21, 2017

**CERTIFICATION FOR AN EXTRAORDINARY
UNSPECIFIABLE SERVICES CONTRACT**

TO: Members of the Board of Commissioners

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

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

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

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

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

Duration: One Year

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

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

I do hereby certify to the following:

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

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

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

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

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

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

Extraordinary Unspecifiable Services.

IV. Describe the informal solicitation of quotations:

Under the circumstances the solicitation of competitive quotations from a vendor other than the Contractor is impracticable. There is an existing relationship with the Contractor as the Third Party Administrator (with respect to the Authority's self-insured dental benefits program). Under such circumstances, the retention of another vendor would result in increased costs and duplicative effort and work, as no other vendor is currently providing Third Party Administrator Services, and the current contract for such services with the Contractor expires in December 2017. Moreover, the Contractor, by virtue of its existing service contract, currently maintains access to member's health records protected by HIPAA laws. I have determined the proposal of the Contractor to be fair and reasonable. It is my recommendation that an award for the Provision of Dental Plan Services be provided to the Contractor, price and other factors considered.

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

Respectfully,



Robert Laux, Executive Director

December 21, 2017

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

Re: Resolution 17-3-011

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 12/21/2017
RESOLUTION #: 17-3-011

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 DENTAL
W-340-71100-000

VENDOR DELTA DENTAL OF NEW JERSEY, INC.

CONTRACT NUMBER N/A

REASON ESTIMATED CLAIMS ADMINISTRATIVE FEE AS
THIRD-PARTY ADMINISTRATOR FOR
SELF-INSURED DENTAL BENEFITS

AMOUNT \$35,000.00

CONTRACT LENGTH JANUARY 1, 2018 TO DECEMBER 31, 2018

Mathew McCarty
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

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

WHEREAS, Express Scripts, Inc. ("ESI") has submitted a proposal received December 11, 2017 to provide third-party administration services on behalf of the Authority in furtherance of its self-insured prescription benefits program, which proposal is on file at the Authority and made a part hereof; and

WHEREAS, the cost to perform the pharmacy benefits management service proposed by ESI, is based upon a monthly fee, per covered member, of \$7.90 per month per covered member.

WHEREAS, the Authority desires to appoint and retain ESI to serve as Third-Party Administrator for the Authority's self-insured prescription benefits program effective January 1, 2018, for a period of three (3) years or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

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

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

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

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

WHEREAS, pursuant to and in accordance with N.J.A.C. 5:34-2.3, the Authority's Executive Director has provided the Authority's Commissioners with a Certification, dated December 21, 2017, describing the nature of the work to be done, stating that it is not reasonably possible to draft specifications, and describing why the contract satisfies the Statutory and Administrative Code requirements for Extraordinary Unspecifiable Services pursuant to N.J.S.A. 40A:11-5 (1)(m); and

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

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

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

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

1. ESI shall be and is hereby appointed to serve as Third-Party Administrator to The Bergen County Utilities Authority's self-insured prescription benefits program effective January 1, 2018, for a period of three (3) years or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively.

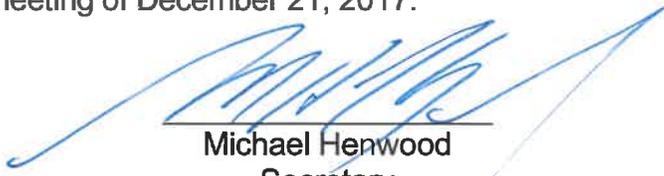
2. The Executive Director shall be and is hereby authorized to execute an Agreement with ESI memorializing the scope of services and compensation to be paid, in such final form as is acceptable to the Authority, as evidenced by the Director's signature thereon.

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

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

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of December 21, 2017.



Michael Henwood
Secretary

DATED: December 21, 2017

**CERTIFICATION FOR AN EXTRAORDINARY
UNSPECIFIABLE SERVICES CONTRACT**

TO: Members of the Board of Commissioners

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

**SUBJECT: Third Party Administration Services Re: Prescription Benefits with
Express Scripts of New Jersey, Inc.**

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

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

Firm: Express Scripts of New Jersey, Inc. ("Contractor")

Duration: Three Years

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

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

I do hereby certify to the following:

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

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

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

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

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

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

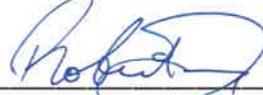
Extraordinary Unspecifiable Services.

IV. Describe the informal solicitation of quotations:

Under the circumstances the solicitation of competitive quotations from a vendor other than the Contractor is impracticable. There is an existing relationship with the Contractor as the Third Party Administrator (with respect to the Authority's self-insured Prescription benefits program). Under such circumstances, the retention of another vendor would result in increased costs and duplicative effort and work, as no other vendor is currently providing Third Party Administrator Services, and the current contract for such services with the Contractor expires in December 2017. Moreover, the Contractor, by virtue of its existing service contract, currently maintains access to member's health records protected by HIPAA laws. I have determined the proposal of the Contractor to be fair and reasonable. It is my recommendation that an award for the Provision of Prescription Plan Services be provided to the Contractor, price and other factors considered.

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

Respectfully,



Robert Laux, Executive Director

December 21, 2017

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

Re: Resolution 17-3-012

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 12/21/2017
RESOLUTION #: 17-3-012

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 PRESCRIPTION
W-340-71200-000

VENDOR EXPRESS SCRIPTS, INC.

CONTRACT NUMBER N/A

REASON ESTIMATED CLAIMS ADMINISTRATIVE FEE AS
THIRD-PARTY ADMINISTRATOR FOR
SELF-INSURED PRESCRIPTION BENEFITS

AMOUNT \$65,000.00

CONTRACT LENGTH JANUARY 1, 2018 TO DECEMBER 31, 2018

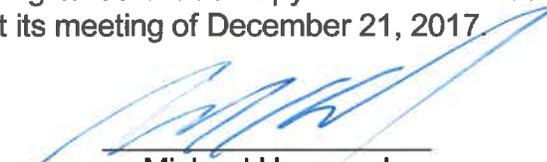

ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

BE IT RESOLVED by the Commissioners of the Bergen County Utilities Authority that for FY/CY 2018 the Non-Bargaining Unit employees of the Authority shall be provided with a Two (2) percent increase in base salary together with all benefits as provided to all bargaining unit employees effective January 1, 2018.

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of December 21, 2017.



Michael Henwood
Board Secretary

DATED: December 21, 2017

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, the Bergen County Utilities Authority (the "Authority") serves as a body politic and corporate constituting a political subdivision of the State of New Jersey, existing under and by virtue of N.J.S.A. 40:14B-1 et seq.; and

WHEREAS, N.J.S.A. 40:14B-18 provides, inter alia, that the Authority may "employ, full or part-time, a secretary, an executive director, [and] managerial personnel . . . as the Authority may determine necessary for its efficient operations, and it shall determine their qualifications, terms of office, for periods not to exceed five years, duties and compensation and enter into contracts therefore, for periods not to exceed five years, as it determines necessary"; and

WHEREAS, Robert Laux was appointed as Executive Director to the Authority by Resolution dated December 3, 2010 and prior thereto was continuously employed by the County of Bergen since on or about March 23, 2003; and

WHEREAS, Robert Laux has fulfilled the duties and obligations of Executive Director in an exemplary manner; and

WHEREAS, the Commissioners of the Authority consider Robert Laux competent and qualified to perform the duties of the office of Executive Director to the Authority and desire to appoint Robert Laux as Executive Director to the Authority for a period of five (5) years commencing upon the approval of the minutes of the meeting of December 21, 2017, or ten (10) days after the copy of the minutes shall have been delivered to the County Executive, as provided for pursuant to N.J.S.A. 40:14B-14(b), whichever occurs earlier, at his current base annual compensation of \$169,022.77 plus annual cost-of-living increases of two (2%) percent effective January 1, 2018 and each succeeding Jan. 1st during the term of this appointment; and

WHEREAS, the Commissioners of the Authority deem it appropriate that, as an emolument of compensation for the office of Executive Director to the Authority, Robert Laux shall be entitled to receive such benefits as the Authority may confer upon its unionized employees pursuant to the Supervisors' Association Collective Bargaining Agreement approved by the Authority with such benefits to be based upon combined total years of employment with the Authority and the County of Bergen prior to employment with the Authority; and

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

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

1. Robert Laux shall be and is hereby appointed to serve as Executive Director to the Authority for a period of five (5) years commencing upon the approval of the minutes of the meeting of December 21, 2017 by the Board of Commissioners of the Authority, or ten (10) days after the copy of the minutes shall have been delivered to the County Executive, as provided for pursuant to N.J.S.A. 40:14B-14(b), whichever occurs earlier, in accordance with an agreement in form and substance substantially similar to the agreement on file in the Authority offices, memorializing the scope of services to be performed and compensation to be paid in connection with providing the services outlined herein in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

2. The Chairman is hereby authorized to execute an agreement with Robert Laux for his services as Executive Director, for the duration, compensation and benefit terms described above, in form and substance substantially similar to the agreement on file in the Authority offices, setting forth the compensation to be paid as provided for herein and summarizing the scope of services, in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

3. Unless and until the minutes are made effective pursuant to terms provided by N.J.S.A. 40:14B-14(b), the terms of Robert Laux's prior employment agreement dated July 14, 2014, shall control. Once effective, any and all resolutions, appointments, engagements and/or agreements inconsistent herewith, including but not limited to the Contract of July 14, 2014, shall, to the extent of their inconsistency, be and the same are hereby superseded, and this resolution shall serve as authorization to implement the terms hereof.

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of December 21, 2017.



Michael Henwood
Board Secretary

DATED: December 21, 2017

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, the Bergen County Utilities Authority (the "Authority") serves as a body politic and corporate constituting a political subdivision of the State of New Jersey, existing under and by virtue of N.J.S.A. 40:14B-1 et seq.; and

WHEREAS, N.J.S.A. 40:14B-18 provides, inter alia, that the Authority may "employ, full or part-time, a secretary, an executive director, [and] managerial personnel . . . as the Authority may determine necessary for its efficient operations, and it shall determine their qualifications, terms of office, for periods not to exceed five years, duties and compensation and enter into contracts therefore, for periods not to exceed five years, as it determines necessary"; and

WHEREAS, Robert Laux was appointed as Executive Director to the Authority by Resolution dated December 3, 2010 and prior thereto was continuously employed by the County of Bergen since on or about March 23, 2003; and

WHEREAS, Robert Laux has fulfilled the duties and obligations of Executive Director in an exemplary manner; and

WHEREAS, the Commissioners of the Authority consider Robert Laux competent and qualified to perform the duties of the office of Executive Director to the Authority and desire to appoint Robert Laux as Executive Director to the Authority for a period of five (5) years commencing upon the approval of the minutes of the meeting of December 21, 2017, or ten (10) days after the copy of the minutes shall have been delivered to the County Executive, as provided for pursuant to N.J.S.A. 40:14B-14(b), whichever occurs earlier, at his current base annual compensation of \$169,022.77 plus annual cost-of-living increases of two (2%) percent effective January 1, 2018 and each succeeding Jan. 1st during the term of this appointment; and

WHEREAS, the Commissioners of the Authority deem it appropriate that, as an emolument of compensation for the office of Executive Director to the Authority, Robert Laux shall be entitled to receive such benefits as the Authority may confer upon its unionized employees pursuant to the Supervisors' Association Collective Bargaining Agreement approved by the Authority with such benefits to be based upon combined total years of employment with the Authority and the County of Bergen prior to employment with the Authority; and

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

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

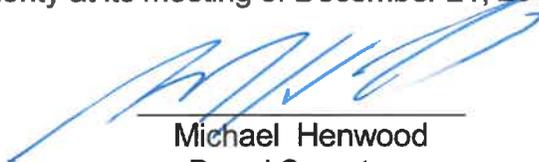
1. Robert Laux shall be and is hereby appointed to serve as Executive Director to the Authority for a period of five (5) years commencing upon the approval of the minutes of the meeting of December 21, 2017 by the Board of Commissioners of the Authority, or ten (10) days after the copy of the minutes shall have been delivered to the County Executive, as provided for pursuant to N.J.S.A. 40:14B-14(b), whichever occurs earlier, in accordance with an agreement in form and substance substantially similar to the agreement on file in the Authority offices, memorializing the scope of services to be performed and compensation to be paid in connection with providing the services outlined herein in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

2. The Chairman is hereby authorized to execute an agreement with Robert Laux for his services as Executive Director, for the duration, compensation and benefit terms described above, in form and substance substantially similar to the agreement on file in the Authority offices, setting forth the compensation to be paid as provided for herein and summarizing the scope of services, in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

3. Unless and until the minutes are made effective pursuant to terms provided by N.J.S.A. 40:14B-14(b), the terms of Robert Laux's prior employment agreement dated July 14, 2014, shall control. Once effective, any and all resolutions, appointments, engagements and/or agreements inconsistent herewith, including but not limited to the Contract of July 14, 2014, shall, to the extent of their inconsistency, be and the same are hereby superseded, and this resolution shall serve as authorization to implement the terms hereof.

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of December 21, 2017.



Michael Henwood
Board Secretary

DATED: December 21, 2017

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, the Bergen County Utilities Authority (the "Authority") serves as a body politic and corporate constituting a political subdivision of the State of New Jersey, existing under and by virtue of N.J.S.A. 40:14B-1 et seq.; and

WHEREAS, N.J.S.A. 40:14B-18 provides, inter alia, that the Authority may "employ, full or part-time, a secretary, an executive director, [and] managerial personnel . . . as the Authority may determine necessary for its efficient operations, and it shall determine their qualifications, terms of office, for periods not to exceed five years, duties and compensation and enter into contracts therefore, for periods not to exceed five years, as it determines necessary"; and

WHEREAS, Robert Laux was appointed as Executive Director to the Authority by Resolution dated December 3, 2010 and prior thereto was continuously employed by the County of Bergen since on or about March 23, 2003; and

WHEREAS, Robert Laux has fulfilled the duties and obligations of Executive Director in an exemplary manner; and

WHEREAS, the Commissioners of the Authority consider Robert Laux competent and qualified to perform the duties of the office of Executive Director to the Authority and desire to appoint Robert Laux as Executive Director to the Authority for a period of five (5) years commencing upon the approval of the minutes of the meeting of December 21, 2017, or ten (10) days after the copy of the minutes shall have been delivered to the County Executive, as provided for pursuant to N.J.S.A. 40:14B-14(b), whichever occurs earlier, at his current base annual compensation of \$169,022.77 plus annual cost-of-living increases of two (2%) percent effective January 1, 2018 and each succeeding Jan. 1st during the term of this appointment; and

WHEREAS, the Commissioners of the Authority deem it appropriate that, as an emolument of compensation for the office of Executive Director to the Authority, Robert Laux shall be entitled to receive such benefits as the Authority may confer upon its unionized employees pursuant to the Supervisors' Association Collective Bargaining Agreement approved by the Authority with such benefits to be based upon combined total years of employment with the Authority and the County of Bergen prior to employment with the Authority; and

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

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

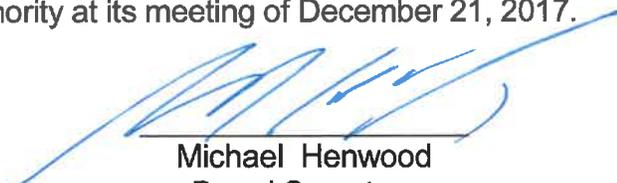
1. Robert Laux shall be and is hereby appointed to serve as Executive Director to the Authority for a period of five (5) years commencing upon the approval of the minutes of the meeting of December 21, 2017 by the Board of Commissioners of the Authority, or ten (10) days after the copy of the minutes shall have been delivered to the County Executive, as provided for pursuant to N.J.S.A. 40:14B-14(b), whichever occurs earlier, in accordance with an agreement in form and substance substantially similar to the agreement on file in the Authority offices, memorializing the scope of services to be performed and compensation to be paid in connection with providing the services outlined herein in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

2. The Chairman is hereby authorized to execute an agreement with Robert Laux for his services as Executive Director, for the duration, compensation and benefit terms described above, in form and substance substantially similar to the agreement on file in the Authority offices, setting forth the compensation to be paid as provided for herein and summarizing the scope of services, in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

3. Unless and until the minutes are made effective pursuant to terms provided by N.J.S.A. 40:14B-14(b), the terms of Robert Laux's prior employment agreement dated July 14, 2014, shall control. Once effective, any and all resolutions, appointments, engagements and/or agreements inconsistent herewith, including but not limited to the Contract of July 14, 2014, shall, to the extent of their inconsistency, be and the same are hereby superseded, and this resolution shall serve as authorization to implement the terms hereof.

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of December 21, 2017.



Michael Henwood
Board Secretary

DATED: December 21, 2017

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, pursuant to N.J.S.A. 40:14B-1 et seq, the Authority may appoint and employ such personnel as the Authority may determine necessary for its efficient operations.

WHEREAS, the Board of Commissioners have determined the need to establish the position of Assistant to Purchasing Manager.

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

1. The Authority creates a position of Assistant to Purchasing Manager. and the table of organization for the Authority is hereby amended accordingly; and

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of December 21, 2017.



Michael Henwood
Secretary

Dated: December 21, 2017

**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 17-1-010 adopted February 23, 2017, appointed LaMendola Associates, Inc. to serve as Health Insurance/Employee Benefits Consultant to the Authority for a One (1) Year Term or until a successor is selected or at the pleasure of the Authority, whichever shall first occur or be exercised; and

WHEREAS, Resolution 17-1-010 Authorized the Chairman of the Board of Commissioners of the Authority to execute an agreement by and between the Authority and LaMendola Associates, Inc. (the “Agreement”) memorializing the services to be provided by LaMendola Associates, Inc. to the Authority as Health Insurance/Employee Benefits Consultant and providing the budget for compensation to be paid by the Authority to LaMendola Associates, Inc. for the providing of those services, pursuant to which payment is not to exceed the total sum of \$47,500.00 without further approval of the Board of Commissioners of the Authority; and

WHEREAS, the Agreement was executed by and on behalf of the Authority and LaMendola Associates, Inc. on March 1, 2017; and

WHEREAS, LaMendola Associates, Inc., operating under the Agreement, has continued to provide significant necessary and valuable services to the Authority as the Authority’s Health Insurance/Employee Benefits Consultant on an as-requested basis on a number of critical ongoing projects as well as additional other projects the Authority identified since the commencement of the term of the Agreement, which projects include:

- Consulting services relating to health insurance;
- Consulting services relating to stop loss coverage; and
- Prescription benefits research, analysis and direct marketing.

; and

WHEREAS, LaMendola Associates Inc. advised the Authority that as of December 14, 2017, LaMendola Associates, Inc. had expended approximately \$47,500.00 in services to the Authority under the Agreement and the Agreement provides for a compensation budget of \$47,500.00 to be paid by the Authority to LaMendola Associates, Inc. for services performed pursuant thereto; and

WHEREAS, LaMendola Associates, Inc. requested that the Authority increase the compensation budget provided for by the Agreement by the total sum of \$9,500.00, resulting in an amended Agreement compensation budget of an amount not to exceed the total sum of \$57,000.00; and

WHEREAS, the Authority's Executive Director has determined that LaMendola Associates, Inc. has performed all services under the Agreement in an effective and efficient manner and further determined that the remaining work to be performed by LaMendola Associates, Inc. under the Agreement is essential to the proper and effective operation of the Authority and critical to the health, welfare and safety of the ratepayers and employees of the Authority; and

WHEREAS, the Authority's Executive Director has reviewed the request of LaMendola Associates, Inc. to increase the compensation budget under the Agreement for the total compensation to be paid by the Authority to LaMendola Associates, Inc., and based upon the above determinations and his review of the request of LaMendola Associates, Inc., he has concluded and recommended that the Authority should amend the Agreement by increasing the budget for compensation to be paid by the Authority to LaMendola Associates, Inc. pursuant to the Agreement in the total sum of \$9,500.00, resulting in an amended compensation budget under the Agreement in an amount not to exceed the total sum of \$57,000.00 without further approval of the Board of Commissioners of the Authority; and

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

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

1. The Agreement entered into by and between the Authority and LaMendola Associates, Inc. shall be and is hereby modified by the Authority and the Agreement shall be modified to provide that the compensation to be paid by the Authority pursuant thereto shall be increased in the amount of \$9,500.00 and the total amount of compensation to now be paid by the Authority to LaMendola Associates, Inc. pursuant to the modified Agreement shall not exceed the total sum of \$57,000.00 without further approval of the Board of Commissioners of the Authority.

2. The Chairman of the Authority shall be and is hereby authorized to execute an agreement by and among the Authority and LaMendola Associates, Inc.,

17-3-016

modifying the Agreement as approved and authorized by this Resolution, in the form acceptable to the Chairman, and satisfactory to the Authority as evidenced by the Chairman's signature thereon.

3. A copy of this Resolution, and the agreement modifying the Agreement with LaMendola Associates, Inc. pursuant to this Resolution, shall be placed on file and made available for public inspection in the Office of the Executive Director, upon execution by LaMendola Associates, Inc. and the Authority.

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

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

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of December 21, 2017.



Michael Henwood, Secretary

Dated: December 21, 2017

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 12/21/2017
RESOLUTION #: 17-3-016

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 HOSPITALIZATION
W-340-71000-000

VENDOR LAMENDOLA ASSOCIATES, INC.

CONTRACT NUMBER 17022303

REASON INCREASE IN THE PROFESSIONAL SERVICE
NEEDS OF THE AUTHORITY FOR
HEALTH INSURANCE/BENEFITS CONSULTANT

AMOUNT \$9,500.00

CONTRACT LENGTH MARCH 1, 2017 TO FEBRUARY 28, 2018

Matthew McCarter
ACTING TREASURER

**THE BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, the Bergen County Utilities Authority (the "Authority"), by Resolution 11-3-002 adopted by the Board of Commissioners on February 24, 2011, previously adopted a Cafeteria Plan pursuant to N.J.S.A. 40A:10-23.5 and pursuant to Section 125 of the Internal Revenue Code (26 U.S.C § 125), including a Premium Payment Plan (now known, and referred to, as a State Mandated Contribution Option) effective as of January 1, 2011 and a Health Flexible Spending Account effective July 1, 2011 (the "Cafeteria Plan"); and

WHEREAS, the Authority received notice from the Plan Administrator of the Cafeteria Plan that effective as of January 1, 2018, the Cafeteria Plan as approved by Resolution 11-3-002 adopted February 24, 2011 is to be amended pursuant to Amendment Number FSA 2018-01 as follows:

- Article I, Section 1.19 of the Cafeteria Plan, which provides the definition for the term "Plan Year" shall be amended to provide: "'Plan Year' means the 12-month period beginning January 1st and ending December 31st. The Plan Year shall be the coverage period for the Benefits provided for under this Plan. In the event a Participant commences participation during a Plan Year, then the initial coverage period shall be that portion of the Plan Year commencing on such Participant's date of entry and ending on the last day of such Plan Year."

; and

WHEREAS, in order to implement and effectuate Amendment Number FSA 2018-01 as detailed herein above, the Authority is required to execute and deliver to the Plan Administrator of the Cafeteria Plan an agreement incorporating Amendment Number FSA 2018-01 within the Cafeteria Plan; and

WHEREAS, the adoption of Amendment Number FSA 2018-01 to the Cafeteria Plan will allow the Cafeteria Plan to continue to provide significant potential federal income tax savings to all of the employees of the Authority at a relatively minimal cost to the Authority; and

WHEREAS, the adoption of Amendment Number FSA 2018-01 to the Cafeteria Plan is desirable 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 Authority does hereby approve the adoption of Amendment Number FSA 2018-01 to the Cafeteria Plan as set forth herein above.

2. The Executive Director of the Authority shall be and is hereby authorized and directed to take all steps necessary to implement Amendment Number FSA 2018-01 to the Cafeteria Plan, including without limitation executing and delivering to the Plan Administrator of the Cafeteria Plan an agreement to amend the Cafeteria Plan by the inclusion of Amendment Number FSA 2018-01 therein, the final form of which is attached hereto as Exhibit "A".

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of December 21, 2017.



Michael Henwood
Board Secretary

DATED: December 21, 2017

**AMENDMENT NUMBER FSA 2018-01 TO
BERGEN COUNTY UTILITIES AUTHORITY CAFETERIA PLAN,
STATE MANDATED CONTRIBUTION OPTION AND
HEALTH FLEXIBLE SPENDING ACCOUNT**

BY THIS AGREEMENT, the Bergen County Utilities Authority Cafeteria Plan, State Mandated Contribution Option and Health Flexible Spending Account (herein referred to as the "Plan") is hereby amended as follows, effective as of January 1st, 2018, except as otherwise provided herein:

1. **Plan Year.** The definition of "Plan Year" is amended to read:

"Plan Year" means the 12-month period beginning January 1st and ending December 31st. The Plan Year shall be the coverage period for the Benefits provided for under this Plan. In the event a Participant commences participation during a Plan Year, then the initial coverage period shall be that portion of the Plan Year commencing on such Participant's date of entry and ending on the last day of such Plan Year.

Amendment and Restatement as of January 1st, 2018
Plan begins April 1st, 2011
Plan Restatement date January 1st, 2018

This Amendment has been executed this _____ day of _____.

Bergen County Utilities Authority

By _____
EMPLOYER

Exhibit A
Resolution 17-9-017