

**BERGEN COUNTY UTILITIES AUTHORITY  
MINUTES OF THE REGULAR MEETING  
JANUARY 28, 2016**

**In the matter of the 442<sup>nd</sup> Regular Meeting of  
The Bergen County Utilities Authority**

1. The **proof of meeting notice** calling the January 28, 2016 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  
James I. Cassella, Commissioner  
Paul A. Juliano, Commissioner  
Richard D. Schooler, Commissioner  
Jon Warms, Commissioner  
George P. Zilocchi, Commissioner

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

3. Motion that the Minutes covering the December 17, 2015 Work Session be approved was moved by Commissioner Schooler and Seconded by Commissioner Zilocchi and was carried.
4. Chairman Phillips opened the meeting to the public and asked if anyone present wished to be heard. James Csaposs addressed the Commissioners regarding the current review of the RDI&I program. The meeting was closed to the public.
5. FINANCE AND LEGAL COMMITTEE:

Resolution 16-1-001– Approve bills and the claims supported by vouchers totaling \$6,622,016.49 for the month of January and authorize the Acting Treasurer to issue the necessary checks therefor, and to charge the accounts indicated, all as more fully set forth on the Acting Treasurer's check list. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 16-1-002– Authorize acceptance of Qualifications of firms pursuant to N.J.S.A. 19:44A-20 et seq. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 16-1-003– Designation of Acting Treasurer as the Authority's Public Agency Compliance Officer Pursuant to N.J.S.A. 17:27-3.5. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 16-1-004– Authorize Amendment of Professional Services Agreement to Kaufman Semeraro & Leibman LLP. – General Legal Counsel. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 16-1-005– Authorize Amendment of Professional Services Agreement to McManimon, Scotland & Baumann, L.L.C. – Bond Counsel. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 16-1-006– Approve Purchase Order – Provide Maintenance Support and Services for Vehicle GPS System – R & T Communications. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 16-1-007– Ratify and Approve Financial Actions directed by Mathew McCarter, Acting Treasurer, during the month of December 2015. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 16-1-008– Adoption of Cash Management Plan. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

6. CONSTRUCTION & ENGINEERING COMMITTEE:

Resolution 16-2-001 – Authorize acceptance of Qualifications of firms 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 16-2-002 – Exercise One Year Option for Contract No. 13-04 – Covanta 4Recovery, L.P. 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 16-2-003 – Award Contract's 99499 & 99501 to Pumping Services, Inc. for the Rebuilding of No. One Main Pump at Northvale Pump Station. 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 16-2-004 – Award Contract 16-01 to Franklin Miller, Inc. - Furnish and Deliver Franklin Miller Grinders and Parts (Two (2) Year Period). 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 16-2-005– Award Contract 16-02 to Electronic Risks Consultants, Inc. - Perkin Elmer Maintenance (Two (2) Year Period.). 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 16-2-006– Award Contract 15-33 (Re-bid) to Northeast Energy Systems/Penn Power Systems - Furnish and Deliver Enalco Heat Exchangers (For a Two (2) Year Period). 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 16-2-007– Award Contract 101894-16 to Accelerated Technology Laboratories, Inc. - LIMS Computer Software Support Service. 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 16-2-008– Authorize extension of Contract No. 10-15A with Spectraserv, Inc. for Liquid Sewage Sludge Barge Transport (not to exceed 90 days commencing January 4, 2016). 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 16-2-009– Authorize Execution of a Shared Services Agreement with Passaic Valley Sewerage Commission for Sludge Disposal at PVSC Wastewater Treatment Plant. 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 16-2-010– Authorize Professional Engineering Services Agreement – Arcadis - Air Pollution Control Operating Permit Compliance Plan Implementation Project (Phase 1). Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes

7. PERSONNEL & ADMINISTRATION COMMITTEE:

Resolution 16-3-001 – Authorize acceptance of Qualifications of firms 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 Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 16-3-002 – Approve Personnel Actions. 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.

8. STRATEGIC PLANNING COMMITTEE:

Resolution 16-6-001 – Authorize execution of a Shared Services Agreement arranging and providing for a Certified Recycling Professional to Prepare the Annual Recycling Tonnage Report with municipalities wishing to participate. Motion to adopt the resolution was made by Commissioner Schooler and Seconded by Commissioner Cassella. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 16-6-002 – Authorize Application and Agreement with New Jersey Department of Environmental Protection for Recycling Enhancement Act Tax Fund to fund the Authority’s solid waste programs. Motion to adopt the resolution was made by Commissioner Schooler and Seconded by Commissioner Cassella. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 16-6-003 – Authorizing Executive Director to Negotiate and Enter Into Agreements with Bergen County Municipalities to Participate in the Cooperative Marketing for Solid Waste Disposal Program. Motion to adopt the resolution was made by Commissioner Schooler and Seconded by Commissioner Cassella. A roll call was taken and the resolution was adopted as reflected in these minutes.

9. Chairman Phillips announced a short recess to allow time for the Board Secretary to prepare minutes of this Regular Meeting.
10. Chairman Phillips announced the Regular Meeting would reconvene.
11. The Board Secretary then distributed proposed minutes of the January 28, 2016 regular Meeting for review by the Commissioners.
12. Move to approve the Minutes of the Regular Meeting of January 28, 2016 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 January 28, 2016 was made by Commissioner Zilocchi and Seconded by Commissioner Casella and was unanimously carried.
13. Upon motion duly made, seconded and unanimously carried, the meeting was adjourned.

Resolution #	16-1-001	16-1-002	16-1-003	16-1-004	16-1-005	16-1-006	16-1-007
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. Cassella	Y	Y	Y	Y	Y	Y	Y
Comm. Juliano	Y	Y	Y	Y	Y	Y	Y
Comm. Schooler	Y	Y	Y	Y	Y	Y	Y
Comm. Warms	Y	Y	Y	Y	Y	Y	Y
Comm. Zilocchi	Y	Y	Y	Y	Y	Y	Y

BERGEN COUNTY UTILITIES AUTHORITY  
 Minutes of the Regular Meeting  
 January 28, 2016

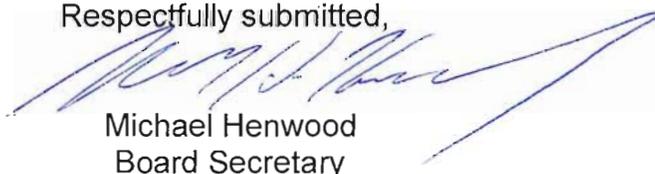
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Resolution #	16-1-008	16-2-001	16-2-002	16-2-003	16-2-004	16-2-005	16-2-006
Chairman Phillips	Y	Y	Y	Y	Y	Y	Y
V. Chair. DeLisio	Y	Y	Y	Y	Y	Y	Y
Comm. Bentz	Y	Y	Y	Y	Y	Y	Y
Comm. Bonaventuro	Y	Y	Y	Y	Y	Y	Y
Comm. Cassella	Y	Y	Y	Y	Y	Y	Y
Comm. Juliano	Y	Y	Y	Y	Y	Y	Y
Comm. Schooler	Y	Y	Y	Y	Y	Y	Y
Comm. Warms	Y	Y	Y	Y	Y	Y	Y
Comm. Zilocchi	Y	Y	Y	Y	Y	Y	Y

Resolution #	16-2-007	16-2-008	16-2-009	16-2-010	16-3-001	16-3-002	16-6-001
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. Cassella	Y	Y	Y	Y	Y	Y	Y
Comm. Juliano	Y	Y	Y	Y	Y	Y	Y
Comm. Schooler	Y	Y	Y	Y	Y	Y	Y
Comm. Warms	Y	Y	Y	Y	Y	Y	Y
Comm. Zilocchi	Y	Y	Y	Y	Y	Y	Y

Resolution #	16-6-002	16-6-003
Chairman Phillips	Y	Y
V. Chair. DeLisio	Y	Y
Comm. Bentz	Y	Y
Comm. Bonaventuro	Y	Y
Comm. Cassella	Y	Y
Comm. Juliano	Y	Y
Comm. Schooler	Y	Y
Comm. Warms	Y	Y
Comm. Zilocchi	Y	Y

Respectfully submitted,



Michael Henwood  
 Board Secretary

January 28, 2016

Y = Yes R = Recuse A = Abstain N = No - = Absent
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**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 18, 2015 the Authority issued a Request For Qualifications for Appraisal Services, Auditor, Bond Counsel, Bond Underwriters, Financial Consultant, CMMS/ERP Consultant, Grants/Government Services Consultant, Legal Services, and Title Services 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 **January 12, 2016**; 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 Finance & Legal 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 2016:

**Appraisal Services**

McNerney & Associates, Inc.

**Auditor**

Lerch, Vinci & Higgins, LLP.

**Bond Counsel**

McManimon, Scotland & Baumann, L.L.C.  
Parker McCay  
Waters, McPherson, McNeill  
Gibbons, P.C.

**Bond Underwriters**

NW Capital Markets Inc.  
Powell Capital Markets  
FTN Financial Capital Markets

**Financial Consultant**

Acacia Financial Group, Inc.  
NW Financial Group, LLC  
Powell Capital Markets

**Grants/Government Services Consultant**

Gibbons, P.C.

**Legal Services**

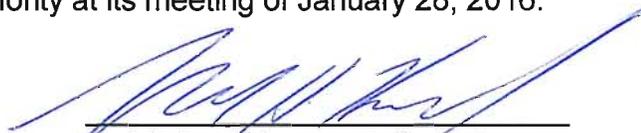
Kaufman, Semeraro & Leibman, L.L.P.  
Law Office of Stephen P. Sinisi, Esq., L.L.C.  
Price, Meese, Shulman & D'Arminio  
Rubenstein, Meyerson, Fox, Mancinelli, Conti, & Bern, P.A.  
Ronald P. Mondello, Esq.  
Strasser & Associates  
Aronsohn, Weiner, Salerno  
Marinello & Marinello, P.C.  
Gibbons, P.C.  
Florio, Perrucci, Steinhardt & Fader, LLC  
Waters, McPherson, McNeill

**Title Services**

Main Street Title and Settlement Services, LLC.

**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-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 January 28, 2016.



Michael Henwood, Secretary

**Dated: January 28, 2016**

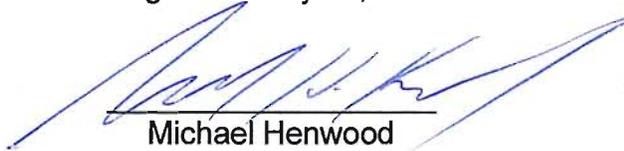
**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**BE IT RESOLVED**, by the Commissioners of The Bergen County Utilities Authority that Mathew McCarter, the Authority's Acting Treasurer, shall be and is hereby appointed to serve as the Authority's **Public Agency Compliance Officer** to perform the requisite duties associated with such title, as set forth in N.J.S.A. 17:27-3.5, at no additional compensation, to administer and/or implement Chapter 127, P.L. 1975, and the rules and regulations promulgated thereunder, as amended, effective immediately, for the calendar year 2016, until a successor is appointed and/or qualified to serve, or at the pleasure of the Authority, whichever shall earliest occur;

**BE IT FURTHER RESOLVED** that the Executive Director shall be and he is hereby directed to provide the State of New Jersey, Department of the Treasury, Division of Contract Compliance and Equal Employment Opportunity, Public Contracts, with the telephone number, facsimile and E-mail address of Mathew McCarter's designation as **Public Agency Compliance Officer**; 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 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 January 28, 2016.



Michael Henwood  
Board Secretary

**DATED: January 28, 2016**

**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 15-1-013 adopted February 26, 2015, appointed Kaufman, Semeraro & Leibman, L.L.P. 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 15-1-013 Authorized the Chairman of the Board of Commissioners of the Authority to execute an agreement by and between the Authority and Kaufman, Semeraro & Leibman, L.L.P. (the "Agreement") memorializing the services to be provided by Kaufman, Semeraro & Leibman, L.L.P. to the Authority as General Legal Counsel and providing the budget for compensation to be paid by the Authority to Kaufman, Semeraro & Leibman, L.L.P. for the providing of those services, pursuant to which payment is not to exceed the total sum of \$85,000.00 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, L.L.P. on March 1, 2015; and

**WHEREAS**, Kaufman, Semeraro & Leibman, L.L.P., operating under the Agreement, has continued to provide significant necessary and valuable 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:

- Cogeneration Project;
- Negotiation/Litigation with PSE&G and the Edgewater Outfall project;  
and
- Sludge Management Assistance: Assisting the Authority with the preparation of bid documents for residuals hauling;

; and

**WHEREAS**, by written correspondence dated December 22, 2015, Kaufman, Semeraro & Leibman, L.L.P. advised the Authority that as of December 22, 2015 Kaufman, Semeraro & Leibman, L.L.P. had expended approximately \$85,000.00 in services to the Authority under the Agreement and the Agreement provides for a compensation budget of \$85,000.00 to be paid by the Authority to Kaufman, Semeraro & Leibman, L.L.P. for services performed pursuant thereto; and

**WHEREAS**, Kaufman, Semeraro & Leibman, L.L.P., by the December 22, 2015 written correspondence, requested that the Authority increase the compensation budget provided for by the Agreement by the total sum of \$30,000.00, resulting in an amended Agreement compensation budget of an amount not to exceed the total sum of \$115,000.00; and

**WHEREAS**, the Authority's Executive Director has determined that Kaufman, Semeraro & Leibman, L.L.P. 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, L.L.P. 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 Executive Director has reviewed the December 22, 2015 written correspondence of Kaufman, Semeraro & Leibman, L.L.P., including the request of Kaufman, Semeraro & Leibman, L.L.P. to increase the compensation budget under the Agreement for the total compensation to be paid by the Authority to Kaufman, Semeraro & Leibman, L.L.P., and based upon the above determinations and his review of the December 22, 2015 written correspondence of Kaufman, Semeraro & Leibman, L.L.P., 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, L.L.P. pursuant to the Agreement in the total sum of \$30,000.00, resulting in an amended compensation budget under the Agreement in an amount not to exceed the total sum of \$115,000.00 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, L.L.P. 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 \$30,000.00 and the total amount of compensation to now be paid by the Authority to Kaufman, Semeraro & Leibman, L.L.P. pursuant to the modified Agreement shall not exceed the total sum of \$115,000.00 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, L.L.P., 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 Kaufman, Semeraro & Leibman, L.L.P. pursuant to this Resolution shall be placed on file and made available for public inspection in the Office of the Executive Director, upon execution by Kaufman, Semeraro & Leibman, L.L.P. and the Authority.

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

5. A notice of this modification of the 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 January 28, 2015.

  
Michael Henwood, Secretary

**Dated: January 28, 2016**

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 01/28/2016

RESOLUTION #: 16-1-004

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

FUNDS AVAILABLE

X

FUNDS ARE NOT AVAILABLE

BUDGET ACCOUNT

W-350-50800-000  
LEGAL FEES

VENDOR

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

CONTRACT NUMBER

LEGAL - 24

REASON

GENERAL LEGAL COUNSEL

AMOUNT

CONTRACT ADDENDUM  
\$30,000.00

CONTRACT LENGTH

1/1/16 TO 2/28/16

  
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 15-1-014 adopted February 26, 2015, appointed McManimon, Scotland & Baumann, L.L.C. to serve as Bond 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 15-1-014 Authorized the Chairman of the Board of Commissioners of the Authority to execute an agreement by and between the Authority and McManimon, Scotland & Baumann, L.L.C. (the “Agreement”) memorializing the services to be provided by McManimon, Scotland & Baumann, L.L.C. to the Authority as Bond Counsel and providing the budget for compensation to be paid by the Authority to McManimon, Scotland & Baumann, L.L.C. for the providing of those services, pursuant to which payment is not to exceed the total sum of \$17,500.00 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 McManimon, Scotland & Baumann, L.L.C. on March 1, 2015; and

**WHEREAS**, McManimon, Scotland & Baumann, L.L.C., operating under the Agreement, has continued to provide significant necessary and valuable services to the Authority as the Authority’s Bond 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:

- IRS Audit of the 2007 Bond Issue;
- Ensuring compliance with SEC continuing disclosure requirements for the outstanding debt of the BCUA; and
- Review of financial responsibility certifications to ensure compliance with DEP regulations relating to insurance coverage for underground storage tanks;

; and

**WHEREAS**, by written correspondence dated January 22, 2016, McManimon, Scotland & Baumann, L.L.C. advised the Authority that as of January 22, 2016 McManimon, Scotland & Baumann, L.L.C. had expended approximately \$17,500.00 in services to the Authority under the Agreement and the Agreement provides for a compensation budget of \$17,500.00 to be paid by the Authority to McManimon, Scotland & Baumann, L.L.C. for services performed pursuant thereto; and

**WHEREAS**, McManimon, Scotland & Baumann, L.L.C., by the January 22, 2016 written correspondence, requested that the Authority increase the compensation budget provided for by the Agreement by the total sum of \$7,500.00, resulting in an amended Agreement compensation budget of an amount not to exceed the total sum of \$25,000.00; and

**WHEREAS**, the Authority's Executive Director has determined that McManimon, Scotland & Baumann, L.L.C. has performed all services under the Agreement in an effective and efficient manner and further determined that the remaining work to be performed by McManimon, Scotland & Baumann, L.L.C. 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 Executive Director has reviewed the January 22, 2016 written correspondence of McManimon, Scotland & Baumann, L.L.C., including the request of McManimon, Scotland & Baumann, L.L.C. to increase the compensation budget under the Agreement for the total compensation to be paid by the Authority to McManimon, Scotland & Baumann, L.L.C., and based upon the above determinations and his review of the January 22, 2016 written correspondence of McManimon, Scotland & Baumann, L.L.C., 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 McManimon, Scotland & Baumann, L.L.C. pursuant to the Agreement in the total sum of \$7,500.00, resulting in an amended compensation budget under the Agreement in an amount not to exceed the total sum of \$25,000.00 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 McManimon, Scotland & Baumann, L.L.C. 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 \$7,500.00 and the total amount of compensation to now be paid by the Authority to McManimon, Scotland & Baumann, L.L.C. pursuant to the modified Agreement shall not exceed the total sum of \$25,000.00 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 McManimon, Scotland & Baumann, L.L.C., 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.

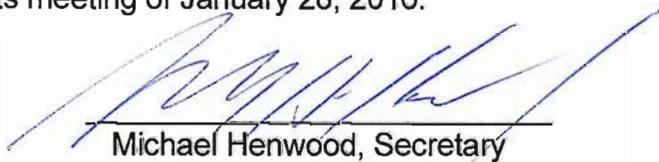
3. A copy of this Resolution and the agreement modifying the Agreement with McManimon, Scotland & Baumann, L.L.C. pursuant to this Resolution shall be placed on file and made available for public inspection in the Office of the Executive Director, upon execution by McManimon, Scotland & Baumann, L.L.C.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

4. The 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 January 28, 2016.



Michael Henwood, Secretary

**Dated: January 28, 2016**

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 01/28/2016

RESOLUTION #: 16-1-005

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

FUNDS AVAILABLE

X

FUNDS ARE NOT AVAILABLE

BUDGET ACCOUNT

W-350-50800-000

LEGAL FEES

VENDOR

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

CONTRACT NUMBER

LEGAL - 25

REASON

BOND COUNSEL

AMOUNT

CONTRACT ADDENDUM

\$7,500.00

CONTRACT LENGTH

3/1/15 TO 2/28/16

  
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, there exists the need for the Bergen County Utilities Authority (the "Authority") to retain a vendor to **Provide Maintenance Support and Services for the Global Positioning Systems ("GPS") for the Authority Vehicles from R&T Communications**; and

**WHEREAS**, **R&T Communications** has submitted a proposal dated September 30, 2015, to provide the requisite maintenance support services to the Authority; and

**WHEREAS**, the cost to perform and provide the requisite **Maintenance Support and Services for the Vehicle GPS System** to the Authority is not to exceed the total sum of **\$16,532.40** on an annual basis; and

**WHEREAS**, this procurement item is below the Authority's bid threshold of \$40,000.00 and therefore does not require compliance with Local Public Contracts Law pursuant to N.J.S.A. 40A:11-5; and

**WHEREAS**, the Authority has determined that **R&T Communications** is competent, qualified and experienced to **Provide Maintenance Support and Services for the Vehicle GPS System** as, among other reasons, that GPS system was installed by **R&T Communications**; 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:

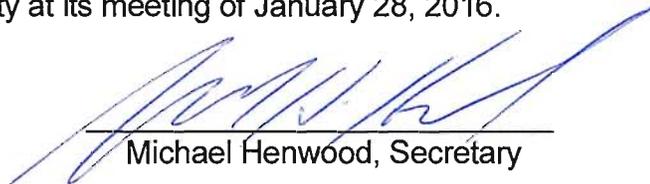
1. **R&T Communications** shall be and is hereby retained by the Authority to **Provide Maintenance Support and Services for the Vehicle GPS System**, for an amount not to exceed the total sum of **\$16,532.40** on an annual basis in accordance with the written proposal of **R&T Communications** dated September 30, 2015, without further approval of the Commissioners of the Authority.
2. The Purchasing Manager shall be and hereby is authorized to issue a Purchase Order to **R&T Communications** for a total sum not to exceed **\$16,532.40** on an annual basis.
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.

**16-1-006**

5. A copy of this Resolution and the Purchase Order issued to R&T Communications by the Purchasing Manager of 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 R&T Communications 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 January 28, 2016.



Michael Henwood, Secretary

**DATED: January 28, 2016**

**16-1-006**

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 01/28/2016

RESOLUTION #: 16-1-006

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

FUNDS AVAILABLE

X

FUNDS ARE NOT AVAILABLE

BUDGET ACCOUNT

W-220-52300-000  
COLLECTION SYSTEMS - PARTS & SUPPLIES

VENDOR

R & T COMMUNICATIONS

CONTRACT NUMBER

N/A

REASON

MAINTENANCE SUPPORT AND SERVICE  
FOR VEHICLE GPS SYSTEM

AMOUNT

\$16,532.40

CONTRACT LENGTH

2/1/16 TO 1/31/17

  
ACTING TREASURER

**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 December 2015 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 January 28, 2016.



Michael Henwood  
Secretary

**Dated: January 28, 2016**

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, N.J.S.A. 40:5:14 requires the governing body of each local authority to cause the adoption of a **Cash Management Plan**; and

**WHEREAS**, in accordance with N.J.S.A. 40:5-14, the Chief Financial Officer has developed a **Cash Management Plan** for use by the Authority, a copy of which is on file at the Authority; and

**WHEREAS**, the Commissioners of the Authority have reviewed the **Cash Management Plan** prepared by the Authority's Chief Financial Officer and desire to continue its usage during 2016; and

**WHEREAS**, the implementation and usage of the Authority's **Cash Management Plan** is necessary for the efficient operation of the Authority;

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

1. The Commissioners of the Authority do hereby approve the continued use of the Authority's **Cash Management Plan** prepared by the Chief Financial Officer.
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 January 28, 2016.

  
Michael Henwood  
Board Secretary

**DATED:**      **January 28, 2016**

## Cash Management Plan

### I. STATEMENT OF PURPOSE

This Cash Management Plan (the "Plan") is prepared pursuant to the provisions of N.J.S.A. 40A:5-14 in order to set forth the basis for the deposits ("Deposits") and investment ("Permitted Investments") of certain public funds of the Bergen County Utilities Authority, pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest bearing Deposits or otherwise invested in Permitted Investments hereinafter referred to. The intent of the Plan is to provide that the decisions made with regard to the Deposits and Permitted Investments will be done to ensure the safety, liquidity (regarding its availability for the intended purposes), and the maximum investment return within such limits. The Plan is intended to ensure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments.

### II. IDENTIFICATION OF FUNDS AND ACCOUNTS TO BE COVERED BY THE PLAN.

A. The Plan is intended to cover the deposit and/or investment of the following funds and accounts of the Bergen County Utilities Authority, New Jersey:

- Current Funds/Current Accounts
- Construction Funds/Construction Accounts
- Trust Funds/Trust Accounts
- Bond Service Funds/Bond Service Account
- Bond Reserve Funds/Bond Reserve Account
- Revenue Funds/Revenue Accounts
- General Funds/General Accounts
- Renewal and Replacement Funds/Renewal and Replacement Accounts

The custodian of the accounts shall be the Chief Financial Officer. All disbursements shall be made by checks signed by three authorized signatures.

- Chairman
- Executive Director
- Chief Financial Officer

### III. DESIGNATION OF OFFICIALS OF THE BERGEN COUNTY UTILITIES AUTHORITY AUTHORIZED TO MAKE DEPOSITS OF INVESTMENTS UNDER THE PLAN.

The Chief Financial Officer (the "Designated Official") is hereby authorized and directed to deposit and/or invest the fund referred to in the Plan. Prior to making any such Deposits or any Permitted Investments, such official of the Bergen County Utilities Authority is directed to

supply all depositories or any other parties with whom the Deposits or Permitted Investments are made a written copy of this Plan which shall be acknowledged in writing by such parties and a copy of such acknowledgment kept on file with such officials.

#### IV. DESIGNATION OF DEPOSITORIES

Any banks chartered under the laws of the State of New Jersey and/or the laws of the United States of America and authorized to transact business in the State of New Jersey are hereby designated as official depositories for the Deposit of all public funds referred to in the Plan, including any certificates of deposit which are not otherwise invested in Permitted Investments as provided for in this Plan.

All such depositories shall acknowledge in writing receipt of this plan by sending a copy of such acknowledgment to the Designated Official referred to in Section III above.

#### V. PERMISSIBLE INVESTMENTS

A Investments shall be limited by the express authority of the Local Fiscal Affairs Law, N.J.S.A. 40A:5:15.1 and except as otherwise specifically provided for herein, the Designated Official is hereby authorized to invest the public funds covered by this Plan, to the extent not otherwise held in Deposits, in the following Permitted Investments:

- (1) Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America;
- (2) Government money market mutual funds;
- (3) Any obligation that a federal agency or a federal instrumentality has issued in accordance with an act of Congress, which security has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor;
- (4) Bonds or other obligations of the Local Unit or bonds or other obligations of school districts of which the Local Unit is a part or within which the school district is located;
- (5) Bonds or other obligations, having a maturity date not more than 397 days from the date of purchase, approved by the Division of Investment of the Department of the Treasury for investment by Local Units;
- (6) Local government investment pools;
- (7) Deposits with the State of New Jersey Cash Management Fund established pursuant to section 1 of P.L. 1977, c.281 (C. 52:18A-90.4); or
- (8) Agreements for the repurchase of fully collateralized securities if the underlying securities are permitted investments pursuant to paragraphs (1) and (3) of this subsection;
  1. the custody of collateral is transferred to a third party;
  2. the maturity of the agreement is not more than 30 days;
  3. the underlying securities are purchased through a public depository as defined in section 1 of P.L. 1970, c.236 (C. 17:19-41); and
- (9) a master repurchase agreement providing for the custody and security of collateral is executed.

For the purposes of the above language, the terms "government money market mutual fund" and "local government investment pool" shall have the following definitions:

Government Money Market Mutual Fund. An investment company or investment trust:

- (a) which is registered with the Securities and Exchange Commission under the "Investment Company Act of 1940", 15 U.S.C. sec. 80a-1 et seq., and operated in accordance with 17 C.F.R. sec 270.2a-7.
- (b) the portfolio of which is limited to U.S. Government securities that meet the definition of any eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities; and
- (c) which is rated by a nationally recognized statistical rating organization.

Local Government Investment Pool. An investment pool:

- (a) which is managed in accordance with 17 C.F.R. sec 270.2a.7;
- (b) which is rated in the highest category by a nationally recognized statistical rating organization;
- (c) which is limited to U.S. Government securities that meet the definition of an eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities;
- (d) which is in compliance with rules adopted pursuant to the "Administrative Procedure Act," P.L. 1968, c.410 (c.52:14B-1 et seq.) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for disclosure and reporting requirements and other provisions deemed necessary by the board to provide for the safety, liquidity and yield of the investments;
- (e) which does not permit investments in instruments that: are subject to high price volatility with changing market conditions, cannot reasonably be expected at the time of interest rate adjustment, to have market value that approximates their par value; or utilize an index that does not support a stable net asset value; and
- (f) which purchases and redeems investments directly from the issuer, government money market mutual fund, or the State of New Jersey Cash Management Fund, or through the use of a national or State bank located within this State, or through a broker-dealer which, at the time of purchases or redemption, has been registered continuously for a period of at least two years pursuant to Section 9 of P.L. 1967 c.9 (C49:3-56) and has a least \$25 Million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in and borrowing on such U.S. Government Securities.

VI. SAFEKEEPING CUSTODY PAYMENT AND ACKNOWLEDGMENT OF RECEIPT OF PLAN

To the extent that any Deposits or Permitted Investment involves a document or security which is not physically held by the Bergen County Utilities Authority, then such instrument or security shall be covered by a custodial agreement with an independent third party, which shall be a bank or financial institution in the State of New Jersey. Such institutions shall provide for the designation of such investments in the name of the Bergen County Utilities Authority to assure that there is no unauthorized use of the funds or the Permitted Investments of Deposits. Purchase of any Permitted Investments that involve Securities shall be executed by a "delivery versus payment" method to ensure that such Permitted Investments are either received by the Bergen County Utilities Authority or by a third party custodian prior to or upon the release of the Bergen County Utilities Authority funds.

To assure that all parties with whom the Bergen County Utilities Authority deals either by way of Deposits or Permitted Investments are aware of the authority and the limits sets forth in this Plan, all such parties shall be supplied with a copy of this Plan in writing and all such parties shall acknowledge the receipt of that Plan in writing, a copy of which shall be on file with the Designated Official (s).

**VII. REPORTING REQUIREMENTS**

At the public meeting of each month during which this Plan is in effect, the Designated Official referred to in Section III hereof shall supply to the Board of Commissioners of the Bergen County Utilities Authority a written report of any Deposits or Permitted Investments made pursuant to this Plan, which shall include, at a minimum, the following information:

- a. The name of any institution holding funds of the Bergen County Utilities Authority as a Deposit or a Permitted Investment.
- b. The amount of securities or Deposits purchased or sold during the immediately preceding month.
- c. The class or type of securities purchased or Deposits made.
- d. The book value of such Deposits or Permitted Investments.
- e. The earned income on such Deposits or Permitted Investments. To the extent that such amounts are actually earned at maturity, this report shall provide an accrual of such earnings during the immediately preceding month.
- f. The fees incurred to undertake such Deposits or Permitted Investments.
- g. The market value of all Deposits or Permitted Investments as of the end of the immediately preceding month.
- h. All other information which may be deemed reasonable from time to time by the Board of Commissioners of the Bergen County Utilities Authority.

**VIII. PAYMENT PROCEDURE – WIRE TRANSFER**

Payment of certain claims and the funding of various accounts requires payment be made by wire transfer.

The Treasurer/Chief Financial Officer or his designee shall verify the validity of the transaction and be authorized to perform the wire transfer.

If the wire transfer is made by the designee the Treasurer/Chief financial Officer shall subsequently review and approve the wire transfer.

**IX. TERM OF PLAN**

This Plan shall be in effect from February 1, 2016 to January 31, 2017. Attached to this Plan is a resolution adopted by the Bergen County Utilities Authority Board of Commissioners approving this plan for such a period of time. The Plan may be amended from time to time. To the extent that any amendment is adopted by the Bergen County Utilities Authority Board of Commissioners, the Designated Official is directed to supply copies of the amendments to all of the parties who otherwise have received the copy of the originally approved Plan, which amendment shall be acknowledged in writing in the same manner as the original Plan was so acknowledged.

**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 18, 2015 the Authority issued a Request for Qualifications for Consulting Engineers, Energy Services Consultants and Construction Management Services Consultants 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 **January 12, 2016**; 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 to provide the following services; and

**WHEREAS**, the Authority's Construction & Engineering Committee recommends that the firms listed below be deemed qualified to provide said services.

**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 the following services on behalf of the Authority for the year of 2016.

**CONSULTING ENGINEERS**

Alaimo Group Consulting Engineers  
Boswell Engineering  
CME Associates  
Concord Engineering  
Hatch Mott MacDonald  
Arcadis US, Inc  
Maser Consulting P.A.  
Neglia Engineering Associates  
Paulus, Sokolowski, and Sartor, L.L.C.  
Remington, Vernick and Arango Engineers  
D&B Engineers and Architects, P.C.  
NV5, Inc.  
Najarian Associates

**ENERGY SERVICES CONSULTANTS**

Concord Engineering  
Remington, Vernick and Arango Engineers  
NW Financial Group, L.L.C.  
TB Technologies

**CONSTRUCTION MANAGEMENT SERVICES CONSULTANTS**

Alaimo Group Consulting Engineers  
Boswell Engineering  
Cambridge Construction Management  
Arcadis US, Inc  
Neglia Engineering Associates  
Remington, Vernick and Arango Engineers  
Maser Engineering  
Mast Construction Services  
Gilbane  
Epic  
Ensign Engineering, P.C.

**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-14b*.

I hereby certify the forgoing to be a true copy of the resolution adopted by the Bergen County Utilities Authority at its meeting of January 28, 2016.



Michael Henwood, Secretary

Dated: January 28, 2016

**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 **Cooperative Marketing for Solid Waste Disposal (Three (3) Year Contract with Two (2) - One Year Options)**, pursuant to and in accordance with **Contract No. 13-04**; and

**WHEREAS**, on April 25, 2013, the Board of Commissioners of the Authority adopted Resolution 13-2-035, determining **ADS Solid Waste of N.J., Inc. ("ADS")** to be the lowest complying and responsible bidder for **Cooperative Marketing for Solid Waste Disposal**, and awarding Authority **Contract No. 13-04** to **ADS** for a three (3) year term with two (2) one (1) year options for a total unit cost of \$64.85 per ton including the \$3.00 recycling tax for the initial three (3) year term, pursuant to **Contract No. 13-04** and specifications contained in the solicitation of bids; and

**WHEREAS**, by way of Resolution 13-2-035 dated April 25, 2013, the Chairman was authorized to execute an agreement with **ADS** for **Cooperative Marketing for Solid Waste Disposal**, constituting **Contract No. 13-04** for a total unit cost of \$64.85 per ton including the \$3.00 recycling tax for the **Initial Three (3) Year Period**; and

**WHEREAS**, by way of Resolution 13-2-075 dated December 19, 2013, the Board of Commissioners of the Authority consented to the assignment of **Contract No. 13-04** from **ADS** to **Covanta 4Recovery, L.P.**; and

**WHEREAS**, pursuant to the terms of **Contract No. 13-04**, the Authority has the option to extend the contract for **Cooperative Marketing for Solid Waste** with **Covanta 4Recovery, L.P. ("Covanta")** for an additional **One (1) Year Period** for a total unit cost of \$69.00 per ton including the \$3.00 recycling tax for the **One (1) Year Period**; and

**WHEREAS**, **Covanta**, by written correspondence dated January 5, 2016, advised the Authority that, in the event the Authority determined it would exercise its option to extend the term of **Contract No. 13-04** for an additional **One (1) Year Period**, **Covanta** was agreeable to enter into an agreement with the Authority providing for a reduced total unit cost of **\$67.50** per ton including the \$3.00 recycling tax for that **One (1) Year Period**; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-15(44) the Authority finds **Covanta** has performed **Contract No. 13-04** for **Cooperative Marketing for Solid Waste** in an effective and efficient manner; and

**WHEREAS**, exercising the first **One (1) Year Option** of **Contract No. 13-04** to **Covanta** for **Cooperative Marketing for Solid Waste** 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 an agreement with **Covanta 4Recovery, L.P.** for **Cooperative Marketing for Solid Waste Disposal**, pursuant to and in accordance with **Contract No. 13-04** and the January 5, 2016 written correspondence of **Covanta 4Recovery, L.P.**, exercising the first **One (1) Year Option** of **Contract No. 13-04** by the Authority to extend the term of **Contract No. 13-04** for an additional **One (1) Year Period** (commencing June 1, 2016 and expiring May 31, 2017) for a total unit cost of **\$67.50** per ton including the \$3.00 recycling tax, pursuant to the contract and specifications contained in the solicitation of the bids.
2. The January 5, 2016 written correspondence of Covanta 4Recovery, L.P. is incorporated into this Resolution as if more fully set forth herein.
3. All other terms of **Contract No. 13-04** shall remain in full force and effect without modification during the **One (1) Year Option** term.
4. The Acting Treasurer's Certification that funds are available shall be on file at the Authority and made a part hereof.
5. A notice of this contract award shall be published in the form prescribed by law.
6. A copy of this Resolution and the agreement executed pursuant to this Resolution, along with Contract No. 13-04, Resolution 13-2-075 and the January 5, 2016 written correspondence of Covanta 4Recovery, L.P. to the Authority, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution of the agreement executed pursuant to this Resolution by Covanta 4Recovery, L.P. 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-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 January 28, 2016.

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

**Dated: January 28, 2016**

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 01/28/2016  
RESOLUTION #: 16-2-002

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

FUNDS AVAILABLE X

FUNDS ARE NOT AVAILABLE \_\_\_\_\_

BUDGET ACCOUNT S-640-80900-000  
COOPERATIVE MARKETING PROGRAM

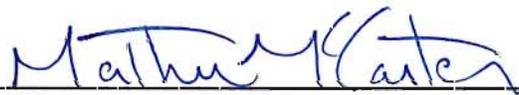
VENDOR COVANTA 4RECOVERY, L.P.

CONTRACT NUMBER 13-04 FIRST ONE YEAR OPTION

REASON COOPERATIVE MARKETING FOR SOLID  
WASTE DISPOSAL

AMOUNT \$67.50 PER TON

CONTRACT LENGTH 06/01/2016 to 05/31/2017

  
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, there exists the need for the Bergen County Utilities Authority (the "Authority") to procure specialized equipment repair services to provide **Rebuilding of No. One Main Pump at Harrington Park Main Pump Station & Rebuilding of No. One Main Pump at Northvale Pump Station**; and

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

**WHEREAS**, the required services necessary to perform and provide the **Rebuilding of No. One Main Pump at Harrington Park Main Pump Station & Rebuilding of No. One Main Pump at Northvale Pump Station** are recognized as "extraordinary unspecifiable services" as said services are specialized and qualified in nature, requiring expertise, extensive training and proven reputation in the field of endeavor, pursuant to and in accordance with N.J.S.A. 40A:11-2(7); and

**WHEREAS**, the Authority's Qualified Purchasing Agent has determined that the procurement of specialized equipment repair services to perform and provide the **Rebuilding of No. One Main Pump at Harrington Park Main Pump Station & Rebuilding of No. One Main Pump at Northvale Pump Station** is necessary to provide for the continued pumping of sewage directed to the Authority's Water Pollution Control Facility located in Little Ferry, New Jersey; and

**WHEREAS**, pursuant to and in accordance with N.J.A.C. 5:34-2.3, the Authority's Executive Director has provided the Authority's Board of Commissioners with a Certification, dated January 28, 2016, describing the nature of the work to be done, stating that it is not reasonably possible to draft specifications, describing the informal solicitation of quotations and describing in detail why the contract satisfies both the New Jersey Statutory and Administrative Code requirements for extraordinary unspecifiable services; and

**WHEREAS**, **Pumping Services, Inc.** has submitted to the Authority a written proposal dated August 7, 2015 for the **Rebuilding of No. One Main Pump at Harrington Park Main Pump Station**, for a total sum of **\$76,481.00** representing requisition number **99499**; and

**WHEREAS**, **Pumping Services, Inc.** has also submitted to the Authority a written proposal dated August 7, 2015 for the **Rebuilding of No. One Main Pump at Northvale Pump Station**, for a total sum of **\$19,732.10** representing requisition number **99501**; and

**WHEREAS, Pumping Services, Inc.** has submitted two (2) written proposals to the Authority to perform and provide services for the **Rebuilding of No. One Main Pump at Harrington Park Main Pump Station & Rebuilding of No. One Main Pump at Northvale Pump Station**, each dated August 7, 2015, for the combined amount not to exceed the total sum of **\$96,213.10**, which written proposals have been reviewed by the Authority's Qualified Purchasing Agent and based upon that review the Authority's Qualified Purchasing Agent has determined each of the two (2) written proposals to be fair and reasonable; and

**WHEREAS, the Rebuilding of No. One Main Pump at Harrington Park Main Pump Station & Rebuilding of No. One Main Pump at Northvale Pump Station** are necessary and urgent services of an emergent nature and the failure of the Authority to now address this emergency may place the Authority and its ratepayers, as well as those who live in close proximity to the pumps at risk of failure, at risk of significant harm; and

**WHEREAS, the Commissioners of the Authority** have determined that **Pumping Services, Inc.** is competent, qualified and experienced to provide these specialized equipment repair services to the Authority and **Pumping Services, Inc.** has a proven reputation in the field of emergency Pump repair; and

**WHEREAS, the Authority** is desirous of retaining **Pumping Services, Inc.** to perform and provide the services of **Rebuilding of No. One Main Pump at Harrington Park Main Pump Station & Rebuilding of No. One Main Pump at Northvale Pump Station**; and

**WHEREAS, the Authority** has determined, based upon the foregoing, that it is necessary for its efficient operation to retain the services of **Pumping Services, Inc.** to perform and provide services for the **Rebuilding of No. One Main Pump at Harrington Park Main Pump Station & Rebuilding of No. One Main Pump at Northvale Pump Station**; and

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

**WHEREAS, subject to N.J.S.A. 40A:11-6,** emergency contracts may be negotiated or awarded without competitive bidding, when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; and

**WHEREAS, the Authority's Acting Treasurer** has certified that funds are available for this purpose and has further certified that such funds have been appropriated at **Budget Code W-550-61300-000.**

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

1. **Pumping Services, Inc.** shall be and is hereby retained and engaged by the Authority to provide to, and perform for, the Authority specialized equipment repair services, specifically to perform and provide for the **Rebuilding of No. One Main Pump at Harrington Park Main Pump Station & Rebuilding of No. One Main Pump at Northvale Pump Station**, for an amount not to exceed the total sum of **\$96,213.10**, without further action by the Board of Commissioners of the Authority.

2. The Chairman shall be and is hereby authorized to execute an Agreement by and between the Authority and **Pumping Services, Inc.** memorializing the scope of services to be performed by **Pumping Services, Inc.** and compensation to be paid by the Authority therefore, in the form acceptable to the Chairman and satisfactory to the Authority, as evidenced by the Chairman's signature thereon.

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 copy of this Resolution and the Agreement retaining **Pumping Services, Inc.** to provide the aforesaid services executed pursuant to this Resolution shall be placed on file and made available for public inspection in the Office of the Executive Director, upon execution by Pumping Services, Inc. and the Authority.

5. A Notice of 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 January 28, 2016.



Michael Henwood  
Secretary

**Dated: January 28, 2016**

**CERTIFICATION FOR AN EXTRAORDINARY  
UNSPECIFIABLE SERVICES CONTRACT**

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

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

**SUBJECT: Rebuilding of No. One Main Pump at Harrington Park Main Pump Station & Rebuilding of No. One Main Pump at Northvale Pump Station – Pumping Services, Inc.**

This is a contract for the rebuilding of the no. one main pump at the Harrington Park Main Pump Station and the rebuilding of the no. one main pump at the Northvale Pump Station.

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

**Firm: Pumping Services, Inc. (“Contractor”)**

**Duration: No Set Term**

**Purpose: To perform necessary urgent repair and rebuilding services of the no. one main pumps at both the Harrington Park Main Pump Station and the Northvale Pump Station.**

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

I do hereby certify to the following:

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

The contract will be for the rebuilding of the no. one pump at Harrington Park Main Pump Station and the rebuilding of the no. one pump at the Northvale Pump Station. 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 these necessary urgent repair and rebuilding services be performed by an entity with expertise, extensive training and a proven reputation in the field of endeavor.

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

This 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 are specialized and qualified in nature, requiring expertise, extensive training and proven reputation in the field of endeavor, pursuant to and in accordance with N.J.S.A. 40A:11-2(7).

**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. These specialized pump repair services satisfy the criteria of Extraordinary Unspecifiable Services.

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

The Contractor submitted to the BCUA written proposals dated August 7, 2015 for the performance of the services which will be performed pursuant to this contract award. 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 performing such pump repair and rebuilding services for the BCUA. Under such circumstances, the retention of another vendor would result in increased costs and duplicative effort. I have determined the proposal of the Contractor to be fair and reasonable. It is my recommendation that an award for the rebuilding of the no. one main pump at Harrington Park Pump Station and the rebuilding of the no. one main pump at Northvale Pump Station be provided to the Contractor, price and other factors considered.

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

Respectfully,

  
\_\_\_\_\_  
Robert E. Laux, Executive Director

January 28, 2016

*(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 16-2-003**

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 01/28/2016  
RESOLUTION #: 16-2-003

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

FUNDS AVAILABLE X

FUNDS ARE NOT AVAILABLE \_\_\_\_\_

BUDGET ACCOUNT W-550-61300-000  
PUMPS

VENDOR PUMPING SERVICES, INC.

CONTRACT NUMBER \_\_\_\_\_

REASON REBUILDING OF #1 MAIN PUMP AT HARRINGTON PARK  
MAIN PUMP STATION, REBUILDING OF #1 MAIN PUMP  
AT NORTHVALE PUMP STATION

AMOUNT \$96,213.10

CONTRACT LENGTH TO COMPLETION

Matthew McCarter  
ACTING TREASURER

## BERGEN COUNTY UTILITIES AUTHORITY RESOLUTION

**WHEREAS**, on prior occasion, upon advertisement and pursuant to specifications, the Bergen County Utilities Authority (the "Authority") solicited bid proposals to **Furnish and Deliver Franklin Miller Grinders and Parts for a Two (2) Year Period**, pursuant to and in accordance with **Contract No. 16-01**; and

**WHEREAS**, the following sole bid proposal was received by the Authority on **January 12, 2016** for **Contract No.16-01**:

Vendor	Total Amount Bid for Two (2) Years
Franklin Miller, Inc. Livingston, NJ	\$397,376.00

**WHEREAS**, the Authority's **Qualified Purchasing Agent and Plant Manager** have reviewed the sole bid proposal and have recommended that **Franklin Miller, Inc.** be awarded **Contract No. 16-01** 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 **Franklin Miller, Inc.** constitutes the lowest complying and responsible bidder for **Contract No. 16-01**, 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. **Franklin Miller, Inc.** shall be and is hereby determined to be the lowest complying and responsible bidder to **Furnish and Deliver Franklin Miller Grinders and Parts**, constituting **Contract No. 16-01**, for a **Two (2) Year Period** for a total sum of **\$397,376.00**.
2. The Chairman shall be and is hereby authorized to execute an agreement with **Franklin Miller, Inc.** of 60 Okner Parkway, Livingston, NJ 07039 to **Furnish and Deliver Franklin Miller Grinders and Parts**, constituting **Contract No.16-01** for a **Two (2) Year Period** for a total sum of **\$397,376.00**.

**16-2-004**

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

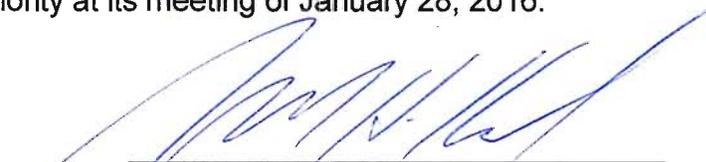
4. The Acting Treasurer's Certification that funds are available shall be maintained on file at the Authority and made a part hereof.

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

6. A copy of this Resolution and the agreement executed pursuant to this Resolution, along with Contract No. 16-01, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by Franklin Miller, Inc. and the Authority.

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 January 28, 2016.



\_\_\_\_\_  
Michael Herwood, Secretary

**Dated: January 28, 2016**

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 01/28/2016  
RESOLUTION #: 16-2-004

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

FUNDS AVAILABLE X

FUNDS ARE NOT AVAILABLE \_\_\_\_\_

BUDGET ACCOUNT W-550-61600-000  
PROCESS EQUIPMENT

VENDOR PROCESS EQUIPMENT

CONTRACT NUMBER 16-01

REASON FURNISH & DELIVER FRANKLIN MILLER  
GRINDERS AND PARTS

AMOUNT \$397,376.00

CONTRACT LENGTH 2/1/16 TO 1/31/18

  
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 **Perkin Elmer Maintenance** for a **Two (2) Year Period**, pursuant to and in accordance with **Contract No. 16-02**; and

**WHEREAS**, the following bid proposals were received by the Authority on **January 12, 2016** for **Contract No.16-02**:

Vendor	Total Amount Bid for Two Years
Electronic Risks Consultants, Inc. Whitehouse Station, NJ	\$69,833.58
Perkin Elmer Health Sciences, Inc. Shelton, CT	\$92,816.00

**WHEREAS**, the Authority's **Qualified Purchasing Agent and Manager of Technical Services** have reviewed the bid proposals and have recommended that **Electronic Risks Consultants, Inc.** be awarded **Contract No. 16-02** 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 **Electronic Risks Consultants, Inc.** constitutes the lowest complying and responsible bidder for **Contract No. 16-02**, 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. **Electronic Risks Consultants, Inc.** shall be and is hereby determined to be the lowest complying and responsible bidder for **Perkin Elmer Maintenance**, constituting **Contract No. 16-02**, for a **Two (2) Year Period** for a total sum of **\$69,833.58**.

2. The Chairman shall be and is hereby authorized to execute an agreement with **Electronic Risks Consultants, Inc.** of 456 Rt. 22 West, Whitehouse Station, NJ 08889 for

16-2-005

**Perkin Elmer Maintenance**, constituting **Contract No.16-02** for a **Two (2) Year Period** for a total sum of **\$69,833.58**.

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

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

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

6. A copy of this Resolution and the agreement executed pursuant to this Resolution, along with Contract No. 16-02, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by Electronic Risks Consultants, Inc. and the Authority.

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of January 28, 2016.



Michael Henwood, Secretary

**Dated: January 28, 2016**

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 01/28/2016

RESOLUTION #: 16-2-005

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

FUNDS AVAILABLE

X

FUNDS ARE NOT AVAILABLE

BUDGET ACCOUNT

W-240-56800-000  
EQUIPMENT MAINTENANCE

VENDOR

ELECTRONIC RISK CONSULTANTS, INC.

CONTRACT NUMBER

16-02

REASON

PERKIN ELMER EQUIPMENT MAINTENANCE

AMOUNT

\$69,833.58

CONTRACT LENGTH

02/01/2016 TO 01/31/2018

  
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, on prior occasion, upon advertisement and pursuant to specifications, the Bergen County Utilities Authority (the "Authority") solicited bid proposals to **Furnish and Deliver Enalco Heat Exchangers (For a Two (2) Year Period)**, pursuant to and in accordance with **Contract No. 15-33**; and

**WHEREAS**, no conforming bid proposals were received by the Authority on November 5, 2015, the date set forth in the Invitation to Bid for the receipt of bid proposals pursuant to and in accordance with **Contract No. 15-33**; and

**WHEREAS**, the Authority's Commissioners, by way of Resolution 15-2-063 dated November 23, 2015, authorized the Executive Director or his designee to re-advertise for the solicitation of bid proposals for **Contract No. 15-33 (Rebid)**, pursuant to N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, the following two (2) bid proposals were received by the Authority on **December 15, 2015**, for **Contract No. 15-33 (Rebid)**:

Vendor	Total Amount Bid for Two (2) Years
Diversified Heat Transfer, Inc. Towaco, NJ	\$327,300.00
Northeast Energy Systems/Penn Power Systems Philadelphia, PA	\$383,014.00

; and

**WHEREAS**, the Authority's **Qualified Purchasing Agent** has reviewed the bid proposals provided by **Diversified Heat Transfer, Inc.** and **Northeast Energy Systems/Penn Power Systems** and has indicated that the bid proposal of **Diversified Heat Transfer, Inc.** has been deemed incomplete, nonresponsive and nonconforming based upon the submission by **Diversified Heat Transfer, Inc.** of a bid proposal failing to fully comply with the requests and requirements set forth and contained in the Contract Documents and Bid Specifications constituting **Contract 15-33 (Rebid)**, which failures and deficiencies include, but are not limited to:

- Submission of Exeptions for Pricing;
- Failure to properly fill out pricing correctly; and
- Failure to properly fill out the Iran Disclosure Form;

making it an incomplete and nonresponsive bid subject to rejection as well as a nonconforming and nonresponsive bid constituting a non-waivable, incurable, material deviation from the Contract Documents and Bid Specifications constituting **Contract 15-33 (Rebid)**, and the incomplete, nonresponsive and nonconforming bid proposal of **Diversified Heat Transfer, Inc.** is therefore deficient requiring rejection by the Authority; and

**WHEREAS**, the Authority's **Qualified Purchasing Agent** has recommended that the bid proposal of **Diversified Heat Transfer, Inc.** be rejected for the reasons aforementioned; and

**WHEREAS**, the Authority's **Qualified Purchasing Agent** has further reviewed the bid proposal of **Northeast Energy Systems/Penn Power Systems** and, based upon that review, has recommended that **Northeast Energy Sytems/Penn Power Systems** should be awarded **Contract No. 15-33 (Rebid)** in accordance with N.J.S.A. 40A:11-1 et seq., as the lowest complying and responsible bidder; and

**WHEREAS**, on the basis of the foregoing, the Authority has determined that **Northeast Energy Sytems/Penn Power Systems** constitutes the lowest complying and responsible bidder for **Contract No. 15-33 (Rebid)**, in accordance with N.J.S.A. 40A:11-1 et seq.; and

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

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

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

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

1. The bid of **Diversified Heat Transfer, Inc.** shall be and is hereby rejected as being an incomplete, nonresponsive and non-conforming bid, constituting a non-waivable, incurable, material deviation from **Contract No. 15-33 (Rebid)**.
2. **Northeast Energy Sytems/Penn Power Systems** shall be and is hereby determined to be the lowest complying and responsible bidder to **Furnish and Deliver Enalco Heat Exchangers (For a Two (2) Year Period)**, constituting **Contract No. 15-33 (Rebid)** for a total sum of **\$383,014.00**.
3. The Chairman shall be and he is hereby authorized to execute an agreement with **Northeast Energy Sytems/Penn Power Systems** for **Furnish and Deliver Enalco Heat Exchangers (For a Two (2) Year Period)**, constituting **Contract No. 15-33 (Rebid)** for a total sum of **\$383,014.00**.
4. The Acting Treasurer's Certification that funds are available shall be on file at the Authority and made a part hereof.
5. The bid security of all unsuccessful bidders, if any, shall be returned in accordance with N.J.S.A. 40A:11-1 et seq.
6. A notice of this contract award shall be published in the form prescribed by law.

7. A copy of this Resolution and the agreement executed pursuant to this Resolution, along with Contract No. 15-33 (Rebid), shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by Northeast Energy Sytems/Penn Power Systems and the Authority.

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of January 28, 2016.



Michael Henwood  
Secretary

**Dated: January 28, 2016**

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 01/28/2016

RESOLUTION #: 16-2-006

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

FUNDS AVAILABLE X

FUNDS ARE NOT AVAILABLE \_\_\_\_\_

BUDGET ACCOUNT W-550-62450-000  
COGENERATION

VENDOR NORTHEAST ENERGY SYSTEMS /  
PENN POWER SYSTEMS

CONTRACT NUMBER 15-33

REASON FURNISH AND DELIVER ENALCO HEAT EXCHANGERS

AMOUNT \$383,014.00

CONTRACT LENGTH 02/01/2016 TO 01/31/2018

Matthew Carter  
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 **Laboratory Information Management System ("LIMS") Computer Software Support Service**, pursuant to and in accordance with **Requisition No. 101894-16**; and

**WHEREAS**, the following sole proposal was received by the Authority on **January 20, 2016** for **Requisition No. 101894-16**:

<u>Vendor</u>	<u>Total Amount Bid</u>
Accelerated Technology Laboratories, Inc. West End, NC	\$17,183.22

; 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 **Accelerated Technology Laboratories, Inc.** should be awarded **Requisition No.101894-16** 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; and

**WHEREAS**, on the basis of the foregoing, the Authority has determined that the proposal from **Accelerated Technology Laboratories, Inc.** constitutes the lowest complying and responsible proposal for **Requisition No. 101894-16**, 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 **Accelerated Technology Laboratories, Inc.** in the sum of \$17,183.22 shall be and is hereby determined to be the lowest complying and responsible proposal for **LIMS Computer Software Support Service** constituting **Requisition No. 101894-16** for the total sum of **\$17,183.22**.

2. The Executive Director shall be and is hereby authorized to execute an agreement with **Accelerated Technology Laboratories, Inc.** of **496 Holly Grove School Road, West End, NC 27376** for **LIMS Computer Software Support Service**, constituting **Requisition No. 101894-16** for the total sum of **\$17,183.22**.

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. 101894-16**, shall be placed on file and made available for public inspection in the office of the Executive Director upon execution by Accelerated Technology Laboratories, 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 January 28, 2016.

  
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Michael Henwood  
Secretary

**Dated: January 28, 2016**

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 01/28/2016  
RESOLUTION #: 16-2-007

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

FUNDS AVAILABLE X

FUNDS ARE NOT AVAILABLE \_\_\_\_\_

BUDGET ACCOUNT W-240-56800-000  
COMPLIANCE EQUIPMENT

VENDOR ACCELERATED TECHNOLOGY LABORATORIES, INC.

CONTRACT NUMBER N/A

REASON LIMS COMPUTER SOFTWARE SUPPORT

AMOUNT \$17,183.22

CONTRACT LENGTH 01/26/2016 to 01/26/2017

Matthew 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 **Liquid Sewage Sludge Barge Transport (Three (3) Year Contract with Two (2) One (1) Year Options)**, pursuant to and in accordance with **Contract No. 10-15A**; and

**WHEREAS**, by way of Resolution dated September 23, 2010, **Spectraserve Inc.** was determined to be the lowest complying and responsible bidder for **Liquid Sewage Sludge Barge Transport**, constituting **Contract No. 10-15A** for a total contract price of \$29.80/1000 gallons for a Three (3) Year Period; and for the two (2) optional years for a total contract price of \$32.84/1000 gallons for **Option Year Five (5)** of the contract; and

**WHEREAS**, by way of Resolution dated September 23, 2010, the Chairman was authorized to execute an agreement with **Spectraserve Inc.** for **Liquid Sewage Sludge Barge Transport**, constituting **Contract No. 10-15A** for a total contract price of **\$29.80/1000 gallons** for the **initial Three Year Period**; and

**WHEREAS**, pursuant to the terms of **Contract No. 10-15A**, the Authority had the option to extend the contract for **Liquid Sewage Sludge Barge Transport** with **Spectraserve Inc.** for two (2) additional **One (1) Year Periods**; and

**WHEREAS**, by way of Resolution 13-2-062 dated September 26, 2013, the Chairman was authorized to execute an agreement with **Spectraserve Inc.** for **Liquid Sewage Sludge Barge Transport**, pursuant to and in accordance with **Contract No. 10-15A**, exercising the first **One (1) Year Option, Option Year Four (4)** of the contract, by the Authority to extend the contract for an additional **One (1) Year Period** (from October 6, 2013 through October 5, 2014) for a total contract price of **\$31.29/1000 gallons** for the **One (1) Year Period**; and

**WHEREAS**, by way of Resolution 14-2-054 dated September 25, 2014, the Chairman was authorized to execute an agreement with **Spectraserve Inc.** for **Liquid Sewage Sludge Barge Transport**, pursuant to and in accordance with **Contract No. 10-15A**, exercising the second **One Year Option, Option Year Five (5)** of the contract, by the Authority to extend the contract for an additional **One (1) Year Period** (from October 6, 2014 through October 5, 2015) for a total contract price of **\$32.84/1000 gallons** for the **One (1) Year Period**; and

**WHEREAS**, the Executive Director of the Authority previously recommended, with the consent of **Spectraserv Inc.**, that the contract for **Liquid Sewage Sludge Barge Transport** with **Spectraserve Inc.** be extended for a period of time not to exceed ninety (90) days (with said period of extension commencing October 6, 2015 and expiring January 3, 2016) on the same terms and conditions for **Option Year Five (5)** of the contract, including the total contract price of **\$32.84/1000 gallons** for the extension period; and

**WHEREAS**, the extending of the term of **Contract No. 10-15A** with **Spectraserve Inc.** for **Liquid Sewage Sludge Barge Transport** for a period of time not to exceed ninety (90) days was necessary at that time for the continuing efficient operation of the Authority as the providing of

**Liquid Sewage Sludge Barge Transport** services to the Authority is required in order to avoid an emergency situation at the Authority's Little Ferry Water Pollution Control Facility (the "Little Ferry WPCF") by continuing to meet the Authority's ongoing need to transport liquid sewage sludge by barge from the Authority's Little Ferry WPCF to Newark, New Jersey as the Authority required the additional time in order to complete the specifications for the new contract and to then advertise and award the new contract in accordance with applicable New Jersey law; and

**WHEREAS**, by way of Resolution 15-2-060 dated September 24, 2015, the Chairman was authorized to execute an agreement with **Spectraserve Inc.** for **Liquid Sewage Sludge Barge Transport**, pursuant to and in accordance with **Contract No. 10-15A**, extending the contract for an additional period of time not to exceed ninety (90) days (from October 6, 2015 through January 3, 2016) for a total contract price of **\$32.84/1000 gallons** for the extension period; and

**WHEREAS**, as the Authority now requires additional time in order to complete the bid process for the awarding of the new contract in accordance with, and as required by, applicable New Jersey law, the Executive Director of the Authority has recommended, with the consent of **Spectraserv Inc.**, that the contract for **Liquid Sewage Sludge Barge Transport** with **Spectraserve Inc.** be extended for an additional period of time not to exceed ninety (90) days (with said period of extension commencing January 4, 2016 and expiring April 2, 2016) on the same terms and conditions for **Contract No. 10-15A**, except that the total contract price shall be amended from **\$32.84/1000 gallons** to **\$42.85/1000 gallons** during the extension period; and

**WHEREAS**, the extending of the term of **Contract No. 10-15A** with **Spectraserve Inc.** for **Liquid Sewage Sludge Barge Transport** for an additional period of time not to exceed ninety (90) days is now necessary for the continuing efficient operation of the Authority as the providing of **Liquid Sewage Sludge Barge Transport** services to the Authority is required in order to avoid an emergency situation at the Authority's Little Ferry WPCF by continuing to meet the Authority's ongoing need to transport liquid sewage sludge by barge from the Authority's Little Ferry WPCF to Newark, New Jersey; and

**WHEREAS**, **Spectraserv, Inc.** has expressed to the Authority its willingness to enter into an agreement with the Authority extending the term of **Contract No. 10-15A** for an additional period of time not to exceed ninety (90) days on the same terms and conditions of **Contract No. 10-15A** except for an amendment of the total contract price from **\$32.84/1000 gallons** to **\$42.85/1000 gallons** which amended total contract price was requested by **Spectraserv, Inc.** in consideration for agreeing to the additional extension period of **Contract No. 10-15A**; 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. The Executive Director shall be and he is hereby authorized to execute an agreement with **Spectraserve Inc.** for **Liquid Sewage Sludge Barge Transport** extending the term of **Contract No. 10-15A** for an additional period of time not to exceed ninety (90) days

**16-2-008**

(commencing January 4, 2016 and expiring April 2, 2016) in the total sum of **\$42.85/1000 gallons.**

2. All other terms of **Contract No. 10-15A** shall remain in full force and effect without modification.

3. The Chief Financial Officer'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 Agreement executed pursuant to this Resolution, along with Contract No. 10-15A, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by Spectraserve 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 January 28, 2015.



Michael Henwood  
Board Secretary

**Dated: January 28, 2016**

**16-2-008**

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 01/28/2016

RESOLUTION #: 16-2-008

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

FUNDS AVAILABLE

X

FUNDS ARE NOT AVAILABLE

BUDGET ACCOUNT

W-670-60500-000  
SLUDGE DISPOSAL

VENDOR

SPECTRASERVE INC.

CONTRACT NUMBER

10-15A TERM EXTENSION

REASON

LIQUID SEWAGE SLUDGE BARGE TRANSPORT

AMOUNT

42.85/1000 GALLONS BASED ON VOLUME

CONTRACT LENGTH

01/04/2016 TO 04/02/2016

  
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, the **Passaic Valley Sewerage Commissioners** (the “**PVSC**”) owns and operates a wastewater treatment facility located in Newark, New Jersey, generally referred to as the **PVSC Wastewater Treatment Plant**; and

**WHEREAS**, the **PVSC Wastewater Treatment Plant** has sludge treatment facilities; and

**WHEREAS**, the **Bergen County Utilities Authority** (the “**Authority**”) operates wastewater treatment facilities in Little Ferry, New Jersey (“**Little Ferry Plant**”) and in Edgewater, New Jersey (“**Edgewater Plant**”) which generate sludge from their treatment process; and

**WHEREAS**, the **PVSC** currently treats all of the sludge generated by the **Authority** at the Little Ferry Plant and the Edgewater Plant pursuant to an Agreement between the **PVSC** and the **Authority** dated November 30, 2010 (the “**2010 Agreement**”); and

**WHEREAS**, the **Authority** previously entered into **Contract No. 10-15A** with Spectraserv, Inc. (“**Spectraserv**”) providing for the transportation of liquid sludge by **Spectraserv** from the Little Ferry Plant to the **PVSC Wastewater Treatment Plant**; and

**WHEREAS**, pursuant to the terms of the **Sludge Disposal Agreement** with **PVSC**, the term of that **Sludge Disposal Agreement** shall be co-terminus with the term of **Contract No. 10-15A** with **Spectraserv** and then, following the termination of **Contract No. 10-15A**, the **Sludge Disposal Agreement** shall continue to be co-terminus with the agreement which the **Authority** will enter into for the transportation of sludge from the Little Ferry Plant to the **PVSC Wastewater Treatment Plant** following the termination of **Contract No. 10-15A**, the term of which shall include any option year(s) exercised by the **Authority** and any other extension thereof as agreed to by the **Authority** resulting in the automatic extension of the **Sludge Disposal Agreement** with **PVSC** for an equal period of time; and

**WHEREAS**, after various extensions, the 2010 Agreement between the **Authority** and **PVSC** is set to expire on April 2, 2016, which date is the current expiration date of **Contract No. 10-15A**, or on the date of a new agreement, whichever comes first; and

**WHEREAS**, the **Authority** desires to have the sludge from both the Little Ferry Plant and the Edgewater Plant continue to be treated by **PVSC** at the **PVSC Wastewater Treatment Plant**; and

**WHEREAS**, the Commissioners of the **Authority** and **PVSC** are desirous of entering into a new agreement providing for the treatment of the sludge and other related matters (“**2016 Sludge Disposal Agreement**”), by and among the **Authority** and the **PVSC**, in such form and substance acceptable to the **Authority**, as evidenced by the Chairman’s signature thereon, at the following rates per 1,000 gallons of sludge:

<u>Percent Total Solids</u>	<u>Rate</u>
Up to 3.9	\$49.17
4.0% to 4.4%	\$54.43
4.5% to 4.9%	\$59.66
5.0% to 5.5%	\$64.92
5.6% to 5.9%	\$70.09
6.0% to 6.4%	\$75.42
6.5% to 6.9%	\$80.66
7.0% to 7.4%	\$85.90
7.5% to 7.9%	\$91.16
8.0% to 8.4%	\$96.42

**WHEREAS**, the treatment of the **Authority**-generated sludge by and through wastewater treatment facilities owned and/or operated by **PVSC** has been included as an approved alternative in the **Authority's Long-Term Land-Based Sludge Management Plan**; and

**WHEREAS**, the Acting Treasurer of the Authority has certified that funds are available for this purpose and that such funds have been appropriated at **Budget Code W670-60500-000**;

**WHEREAS**, N.J.S.A. 40A:11-5(2) provides that a contract made or entered with an agency, authority or commission of the State of New Jersey is exempt from public bidding; and

**WHEREAS**, the award of this Contract is necessary for the efficient operation of the Authority.

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

1. The Chairman shall be and he is hereby authorized to execute the **2016 Sludge Disposal Agreement**, by and between the **Authority** and **PVSC**, providing for the treatment of the **Authority's** sludge and other related matters for the foregoing rates, in such form and substance as is acceptable to the **Authority**, as evidenced by the Chairman's signature thereon.

2. The Certification of the Acting Treasurer stating that funds are available for this purpose shall be filed in the office of the Executive Director and made a part hereof prior to contract execution.

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

**16-2-009**

4. A copy of this Resolution and the **2016 Sludge Disposal Agreement** executed pursuant to this Resolution, shall be placed on file and made available for public inspection in the office of the Executive Director upon execution by **PVSC** and the **Authority**.

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 January 28, 2016.



Michael Henwood, Secretary

**Dated: January 28, 2016**

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 01/28/2016

RESOLUTION #: 16-2-009

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

FUNDS AVAILABLE X

FUNDS ARE NOT AVAILABLE \_\_\_\_\_

BUDGET ACCOUNT W-670-60500-000  
SLUDGE DISPOSAL

VENDOR PASSAIC VALLEY SEWERAGE COMMISSIONERS

CONTRACT NUMBER TO BE ASSIGNED

REASON LIQUID SEWAGE SLUDGE BARGE TRANSPORT

AMOUNT RATES AS PER AGREEMENT, ESTIMATED TOTAL  
AS PER ANNUAL BUDGET

CONTRACT LENGTH 01/04/2016 TO 04/02/2016, THEN TO BE  
COTERMINUS WITH SPETRASERV CONTRACT XX

  
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, and in order to realize significant energy cost savings, the Authority constructed its Combined Heat and Power Facility (the “CHP Facility”) on site of the Authority’s Little Ferry Water Pollution Control Facility (the “LFWPCF”), with construction of the CHP Facility being completed in June 2008; and

**WHEREAS**, the Bergen County Utilities Authority (the “Authority”) was desirous to implement the **Expansion of the Gas Fired Combined Heat and Power (CHP) Cogeneration Project** within its facilities (the “Expansion Project”); and

**WHEREAS**, the Expansion Project, consisting of the addition of a 1.4 Megawatt third engine to the CHP Cogeneration Unit, was necessary to satisfy the anticipated increase of biogas; and

**WHEREAS**, the Expansion Project would result in the Authority realizing potential annual cost savings and credits based on increased electrical and heat energy output; and

**WHEREAS**, the Authority also recognized the impact of recent extreme weather public emergency events and the power interruptions and quality fluctuations in the PJM electrical grid during these public emergency events and, the Authority desired to implement the Expansion Project as long-term back-up power during power outages by the proposed expansion of its existing CHP Cogeneration System including black-start capabilities and the presence of this CHP Cogeneration microgrid would serve to protect the water environment and public from exposure to untreated or partly treated wastewater; and

**WHEREAS**, following a Request for Proposal (“RFP”) process, **Remington, Vernick & Arango Engineers (“RVA”)**, the consulting engineer retained to assist the Authority with the Expansion Project, along with the Authority recommended that the

16-2-010

Executive Director be permitted to negotiate the terms of an agreement with **DCO Energy, L.L.C. ("DCO")** for the Expansion Project; and

**WHEREAS**, based upon the recommendation of **RVA**, the Board of Commissioners of the Authority determined that it was necessary for the efficient operations of the Authority to retain the services of **DCO** to undertake and complete the Expansion Project and on February 27, 2014 the Board of Commissioners of the Authority adopted Resolution 14-2-012 authorizing the Executive Director of the Authority to negotiate the terms of an agreement with **DCO** for the Expansion Project which agreement remained subject to approval by the Board of Commissioners; and

**WHEREAS**, the Authority entered into negotiations with **DCO** and an agreement for the Expansion Project was reached with **DCO** and on March 27, 2014 the Board of Commissioners of the Authority adopted Resolution 14-2-017 authorizing the execution of an agreement for the Expansion Project with **DCO**, memorializing the scope of services to be performed by **DCO** and the compensation to be paid by the Authority therefore, which agreement was negotiated and executed by **DCO** and the Authority on April 17, 2014 (the "DCO Contract"); and

**WHEREAS**, **DCO** is nearing completion of the Expansion Project; and

**WHEREAS**, on September 25, 2015 the New Jersey Department of Environmental Protection ("NJDEP") approved the Air Pollution Control Operating Permit Significant Modification and Preconstruction Approval for the modification to the Authority's Title V Operating Permit (Facility ID No. 02620, Permit Activity No. BOP140002) (the "Permit") which is the Permit for the Expansion Project; and

**WHEREAS**, Permit Reference Conditions 48 through 50 and 51, applicable to the newly installed third biogas engine, require the Authority to obtain actual operating data for a one (1) year period which is necessary for the design and receipt of competitive bids to construct a Selective Catalytic Reduction ("SCR") emission treatment system for the newly installed third biogas engine; and

**WHEREAS**, the Authority, in order to ensure compliance with the Permit and these Reference Conditions included in the Permit, has determined that certain engineering services are required to assist the Authority with the **Air Pollution Control Operating Permit Compliance Plan Implementation Project (Phase 1)**, which engineering services will include administration of the compliance plan, review of actual operating data obtained during the one (1) year period, design and provide bid assistance services for the SCR emission treatment system and prepare a report determining the cost feasibility of the SCR emission treatment system; and

**WHEREAS**, **ARCADIS U.S., Inc.** has submitted to the Authority a proposal dated January 18, 2016 to provide the aforesaid professional engineering services, which

16-2-010

proposal included Task 1/Phase 1 (including Sub-Tasks 1.1, 1.2 and 1.3), Digester Gas Pretreatment System Evaluation (work with the Authority to conduct the study based on the approved protocol to determine what level of digester gas pre-treatment is necessary to ensure a one (1) year life of the SCR catalyst as described in Permit Reference Condition 49 for the newly installed third biogas engine) for an amount not to exceed the sum of \$160,000.00; and

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

**WHEREAS**, N.J.S.A. 40A:11-5(1)(a)(i) provides that a contract for professional services may be awarded without competitive bidding as a “professional service;” and

**WHEREAS**, under the fair and open process pursuant to N.J.S.A. 19:44A-20 et seq., **ARCADIS U.S., Inc.** responded to the Authority’s publicly advertised “Request for Qualifications” and was qualified as competent to provide consulting engineer services by Resolution 15-2-001 adopted January 21, 2015 by the Board of Commissioners of the Authority; and

**WHEREAS**, the Authority has determined that **ARCADIS U.S., Inc.** is competent, qualified, and experienced to provide these professional engineering services to the Authority as outlined above; and

**WHEREAS**, the Authority has determined, based upon the foregoing, that it is necessary for its efficient operations to retain the services of **ARCADIS U.S., Inc.** to assist the Authority with **Air Pollution Control Operating Permit Compliance Plan Implementation Project (Phase 1)**; and

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

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

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

1. **ARCADIS U.S., Inc.** shall be and is hereby retained by the Authority to provide professional engineering services to assist the Authority with the **Air Pollution**

16-2-010

**Control Operating Permit Compliance Plan Implementation Project (Phase 1)** for an amount not to exceed the sum of **\$160,000.00**, computed based on hourly rate plus all reimbursable items for Tasks 1/Phase 1 as set forth and included within the January 18, 2016 proposal of ARCADIS U.S., Inc., without further approval of the Commissioners of the Authority.

2. The Chairman shall be and is hereby authorized to execute an agreement by and between the Authority and **ARCADIS U.S., Inc.**, memorializing the scope of services to be performed and the compensation to be paid therefore, in the form acceptable to the Chairman and satisfactory to the Authority, as evidenced by the Chairman's signature thereon.

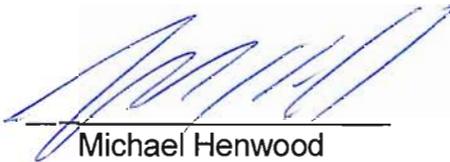
3. The Acting Treasurer's Certification that funds are available shall be maintained on file at the Authority.

4. A copy of this Resolution and agreement retaining **ARCADIS U.S., Inc.** to provide the aforesaid services executed pursuant to this Resolution shall be placed on file and made available for public inspection in the Office of the Executive Director, upon execution by ARCADIS U.S., Inc. and the Authority.

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

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of January 28, 2016.

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

Dated: January 28, 2016

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 01/28/2016

RESOLUTION #: 16-2-010

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

FUNDS AVAILABLE

X

FUNDS ARE NOT AVAILABLE

BUDGET ACCOUNT

2015 NJEIT BOND ISSUE

VENDOR

ARCADIS U.S., INC.

CONTRACT NUMBER

REASON

AIR POLLUTION CONTROL OPERATING PERMIT  
COMPLIANCE PLAN IMPLEMENTATION PROJECT (PHASE1)

AMOUNT

\$160,000.00

CONTRACT LENGTH

TO COMPLETION

  
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 December 18, 2015 the Authority issued a Request For Qualifications for General Insurance, Health Insurance and Public Relations Consultants, and Third Party Administrators for Cafeteria Plan, Dental Plan, Health Benefits and Worker's Compensation 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 **January 12, 2016**; 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 2016:

**General Insurance Consultant**  
Otterstedt Insurance Agency, Inc.

**Health Insurance Consultant**  
LaMendola Associates, Inc  
Doyle Alliance Group

**Public Relations Consultant**  
Catania Consulting Group, Inc.

**Third Party Administrator for Cafeteria Plan Section 125**  
Insurance Design Administrators

**Third Party Administrator for Dental Plan**  
Delta Dental of New Jersey, Inc

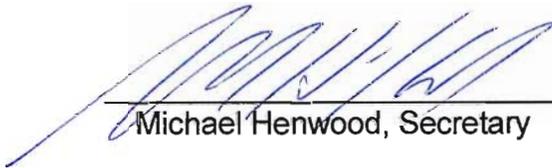
**Third Party Administrators for Health Benefits**  
Insurance Design Administrators

**Third Party Administrator Workers Compensation/General Liability**

Bergen Risk Managers, Inc.  
Inservco Insurance Services, Inc.  
TriStar Insurance Group

**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 January 28, 2016.



Michael Henwood, Secretary

**Dated: January 28, 2016**

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, 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**, pursuant to N.J.S.A. 40:14B-18, the Authority is authorized to appoint and employ full or part-time managerial personnel as the Authority may determine necessary for its efficient operations, and shall determine their qualifications, terms of office, duties, compensation as it determines necessary; and

**WHEREAS**, the Commissioners of the Authority have determined the personnel actions set forth herein to be necessary for the efficient operations of the Authority;

**NOW THEREFORE, BE IT RESOLVED** by the Commissioners of the Bergen County Utilities Authority that the below listed appointments/reassignments, base salaries and where appropriate, title is established or amended and shall be and is hereby adopted effective January 1, 2016.

Dominic DiSalvo, P.E. -	Director of Engineering	\$146,780.00
Stephen Askew -	Director of Water Pollution Control	\$145,000.00
Walter Paul -	Manager Sewage Treatment Plant Operation and Maintenance/C-4 Licensed Collection System Operator	\$134,341.00
James Carroll -	Manager of Safety Training and Compliance	\$75,000.00
Louis D'Arminio -	Administrator of Security and Emergency Management Operations	\$93,429.00

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

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 on January 28, 2016.

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

**Dated: January 28, 2016**

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

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

**WHEREAS**, the Annual Recycling Tonnage Report must be submitted by email to the New Jersey Department of Environmental Protection ("NJDEP") utilizing a spreadsheet provided by the NJDEP on or before April 30 of each year; and

**WHEREAS**, failure to submit the Annual Recycling Tonnage Report signed by a CRP will jeopardize a municipality's receipt of the annual recycling tonnage grant; and

**WHEREAS**, certain Bergen County municipalities do not employ a CRP; and

**WHEREAS**, the Authority is desirous of assisting those municipalities that do not employ a CRP to ensure that those municipalities do not jeopardize the receipt of the annual recycling tonnage grant by providing the services of a CRP to sign and submit participating municipalities 2015 Annual Recycling Tonnage Report; and

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

**WHEREAS**, the Commissioners of the Authority have determined, based upon the foregoing, that in order expand its ongoing municipal recycling assistance program it is necessary to enter into an agreement for Certified Recycling Professional Services ("Services Agreement for a Certified Recycling Professional to Prepare the Annual Recycling Tonnage Report") with municipalities wishing to participate therein; and

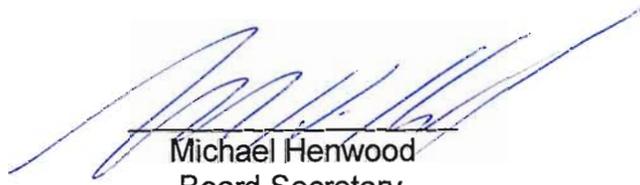
**NOW THEREFORE, BE IT RESOLVED** by the Commissioners of The Bergen County Utilities Authority as follows:

1. The Executive Director shall be and is hereby authorized to execute a Shared Services Agreement arranging and providing for a Certified Recycling Professional to Prepare the 2015 Annual Recycling Tonnage Report with municipalities wishing to participate therein in substantially the form on file at the Authority Office, or in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

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

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 January 28, 2016.



Michael Henwood  
Board Secretary

Dated: January 28, 2016

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, P.L. 2007, c. 311 et seq. provides for the awarding of Recycling Enhancement Tax entitlements by the Department of Environmental Protection to designate solid waste management districts to assist them in the preparation, revision and implementation of comprehensive solid waste management recycling plans; and

**WHEREAS**, The Bergen County Utilities Authority (the "Authority"), as planning and implementing agency for the Bergen County Solid Waste Management District, has made application for such financial assistance; and

**WHEREAS**, the application made by the Authority on behalf of the Bergen County Solid Waste Management District to the Commissioner of the New Jersey Department of Environmental Protection is for a **2015 Recycling Enhancement Act Tax Fund in the amount of \$738,098.00**; and

**WHEREAS**, upon approval of the foregoing application, the Authority proposes to utilize the funds derived from the **2015 Recycling Enhancement Act Tax Fund** to fund the Authority's Recycling Programs (the "Programs"); and

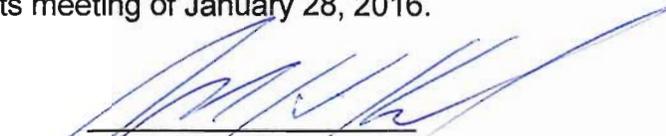
**WHEREAS**, the Authority, as planning and implementing agency for the Bergen County Solid Waste Management District, deems it in the best interest of the Authority's constituent municipalities and rate payers, to apply for the **2015 Recycling Enhancement Act Tax Fund** to fund its share of the costs of the Programs; and

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

1. The Chair shall be and is hereby authorized to execute an agreement by and between the Authority and the New Jersey Department of Environmental Protection for **the 2015 Recycling Enhancement Act Tax Fund** in the amount of **\$738,098.00** for the express purpose of funding solid waste services, to wit, the Programs;
2. The Authority does hereby hold the State of New Jersey, and its departments and agencies harmless from any damages, losses and claims which may arise directly or indirectly from the execution of the tax grant;
3. The Authority hereby accepts the terms and conditions set forth in the Recycling Enhancement Act and the guidelines promulgated under it;

4. The formal action(s) of the Commissioners of The Bergen County Utilities Authority embodied herein are expressly contingent upon and subject to the provisions of N.J.S.A. 40:14B-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 January 28, 2016.



Michael Henwood  
Board Secretary

**Dated: January 28, 2016**

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., (“the Act”) authorizes any local unit of the State to enter into an Interlocal Services Agreement with any other local unit(s) for the joint provision within the several jurisdictions of any service which any party to the agreement is empowered to undertake within its own jurisdiction; and

**WHEREAS**, by Resolution dated December 23, 1980, the Board of Chosen Freeholders of the County of Bergen designated the Bergen County Utilities Authority (“Authority”) as the agency empowered to supervise the implementation of its Solid Waste Management Plan and to take control and responsibility for various solid waste systems and facilities operated in and by the County of Bergen; and

**WHEREAS**, the Authority established a Solid Waste Cooperative Marketing Program in which participating municipalities enter into a Solid Waste Service Agreement with the Authority to utilize the Authority’s designated solid waste disposal facility; and

**WHEREAS**, pursuant to and in accordance with the foregoing, the Authority issued bid specifications for solid waste processing, transport and disposal services under Contract 13-04 for the processing and disposal of solid waste generated by participating Bergen County municipalities; and

**WHEREAS**, by Resolution 13-2-035 adopted April 25, 2013, the Board of Commissioners of the Authority awarded Contract No. 13-04, for the acceptance, processing and disposal of municipal solid waste, to ADS Solid Waste of New Jersey, Inc. for a contract term of three (3) years and with the Authority being given the option of extending that contract term for an additional two (2) periods of one (1) year each; and

**WHEREAS**, by Resolution 13-2-075 adopted December 19, 2013, the Board of Commissioners of the Authority consented to the assignment of Contract No. 13-04 from ADS Solid Waste of New Jersey, Inc. to Covanta 4Recovery, L.L.P.; and

**WHEREAS**, while the initial three (3) year contract term of Contract No. 13-04 expires May 31, 2016, the Authority has the option to extend the term of Contract No. 13-04 for an two (2) periods of one (1) year each; and

**WHEREAS**, the Authority is exercising its right to extend the contract term of Contract No. 13-04 as confirmed by Resolution 16-2-002 providing for the extension of the contract term of Contract No. 13-04 for an initial one (1) year period, which Resolution is scheduled to be adopted at the January 28, 2016 Regular Meeting of the Board of Commissioners of the Authority; and

**WHEREAS**, following the adoption of Resolution 16-2-002, the Authority continues to hold the right to extend the contract term of Contract No. 13-04 for an additional one (1) year period following the expiration of the one (1) year contract term provided for by the adoption of Resolution 16-2-002; and

**WHEREAS**, on prior occasion the Authority entered into agreements for Cooperative Marketing for Solid Waste Disposal ("Solid Waste Service Agreement") with Bergen County municipalities wishing to participate therein which Solid Waste Service Agreements terminate on May 31, 2016, and

**WHEREAS**, the Board of Commissioners of the Authority has determined, based upon the foregoing, that it is necessary for the efficient operations of the Authority to enter into a one (1) year extension of the Solid Waste Service Agreements with Bergen County municipalities wishing to participate therein.

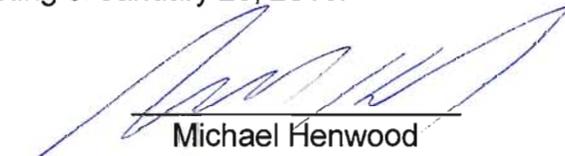
**NOW THEREFORE, BE IT RESOLVED** by the Commissioners of the Bergen County Utilities Authority as follows:

1. The Executive Director shall be and is hereby authorized to execute an agreement providing for a one (1) year extension of the Solid Waste Service Agreement with Bergen County municipalities wishing to participate therein pursuant to the terms of the Act, in such final form as is acceptable to the Authority, as evidenced by the Executive Director's signature thereon, pursuant to the Act.

2. A copy of this Resolution, and the agreement executed pursuant to this Resolution, along with a copy of the Solid Waste Service Agreement and Contract No. 13-04 and any agreements providing for the extension thereof, shall be placed on file and made available for public inspection in the Office of the Executive Director, upon execution by the Authority.

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 January 28, 2016.



Michael Henwood  
Authority Secretary

**Dated: January 28, 2016**