

**BERGEN COUNTY UTILITIES AUTHORITY  
MINUTES OF THE REGULAR MEETING  
JULY 23, 2015**

**In the matter of the 437<sup>th</sup> Regular Meeting of  
The Bergen County Utilities Authority**

1. The **proof of meeting notice** calling the July 23, 2015 meeting was read into the record by Paul Kaufman, General Counsel.

2. Roll Call:

**COMMISSIONERS PRESENT:**

Ronald Phillips, Chairman  
Louis J. DeLisio, Vice Chairman  
James L. Cassella, Commissioner  
Paul A. Juliano, Commissioner  
Richard D. Schooler, Commissioner  
George P. Zilocchi, Commissioner

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

3. Motion to appoint Richard Wierer, Deputy Executive Director as Acting Secretary was made and unanimously carried.
4. Motion that the Minutes covering the June 25, 2015 Work Session be approved was moved by Commissioner Schooler and Seconded by Commissioner Cassella and was carried.
5. Chairman Phillips opened the meeting to the public and asked if anyone present wished to be heard. No members of the public wished to speak. The meeting was closed to the public.
6. FINANCE AND LEGAL COMMITTEE:

Resolution 15-1-031– Approve bills and the claims supported by vouchers totaling \$3,886,154.40 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 15-1-032 – Acceptance of Independent Auditor's Report for the year ending December 31, 2014. 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 15-1-033– Supplemental resolution of the Bergen County Utilities Authority declaring its official intent to reimburse expenditures for project costs from the proceeds of debt obligations in connection with its participation in the SFY New Jersey Environmental Infrastructure Trust Financing Program. 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.

7. CONSTRUCTION & ENGINEERING COMMITTEE:

Resolution 15-2-040 – Award Contract 15-20 to F.W. Webb Co. - Furnish and Deliver Valves (2 Years). 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 15-2-041 – Award Contract 15-22 to A.W. Chesterton Company - Furnish and Deliver Mechanical Seals (2 Years). 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 15-2-042 – Award Contract 15-24 to Telog Instruments, Inc. - Furnish and Deliver Telog Meter Parts and Equipment (2 Year). 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 15-2-043 – Award Contract 15-25 to David Weber Oil Co. - Furnish and Deliver Q8 Mahler G5 SAE 40 Medium Ash Gas Engine Oil (2 Year). 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 15-2-044– Reject Bids and Re-Advertise Contract 15-08 - Security Services Two Years with Two (2) One-Year Options. 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 15-2-045 – Award Contract 100235-15 to Enecon Corp - Install High Performance Polymer. 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 15-2-046 – Award Contract 100260-15 to F.D. Pace d/b/a Pace Environmental - Emission Monitoring Probe and Sample Line Assembly. 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 15-2-047 – Authorize the Exercise of One (1) year option for Contract 14-15 with Interloc Solutions, Inc. - Software Maintenance & Support: IBM Maximo License (Version 5.2) (One Year with One (1) One-Year Option). 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 15-2-048 – Approve Second Contract Modification to Contract 187 – DCO Energy LLC. – CHP Cogeneration Expansion Project. 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. PERSONNEL & ADMINISTRATION COMMITTEE:

Resolution 15-3-005 – Establish Title - Director of Engineering, U.U.A.E. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Cassella. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-3-006 – Establish Title - Water Pollution Control Education Program and Outreach Coordinator, U.U.A.E. Motion to adopt the resolution was made by Commissioner DeLisio 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 Acting Secretary to prepare minutes of this Regular Meeting.
10. Chairman Phillips announced the Regular Meeting would reconvene.
11. The Acting Secretary then distributed proposed minutes of the July 23, 2015 Regular Meeting for review by the Commissioners.
12. Move to approve the Minutes of the Regular Meeting of July 23, 2015 as distributed by the Acting 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 July 23, 2015 was made by Commissioner Cassella and second by Commissioner Juliano and was unanimously carried.
13. Upon motion duly made, seconded and unanimously carried, the meeting was adjourned.

BERGEN COUNTY UTILITIES AUTHORITY  
 Minutes of the Regular Meeting  
 July 23, 2015

Resolution #	15-1-031	15-1-032	15-1-033	15-2-040	15-2-041	15-2-042	15-2-043
Chairman Phillips	Y	Y	Y	Y	Y	Y	Y
Comm. Bentz	-	-	-	-	-	-	-
Comm. Cassella	Y	Y	Y	Y	Y	Y	Y
Comm. DeLisio	Y	Y	Y	Y	Y	Y	Y
Comm. Juliano	Y	Y	Y	Y	Y	Y	Y
Comm. Lorenzo	-	-	-	-	-	-	-
Comm. Schooler	Y	Y	Y	Y	Y	Y	Y
Comm. Zilocchi	Y	Y	Y	Y	Y	Y	Y

Resolution #	15-2-044	15-2-045	15-2-046	15-2-047	15-2-048	15-3-005	15-3-006
Chairman Phillips	Y	Y	Y	Y	Y	Y	Y
Comm. Bentz	-	-	-	-	-	-	-
Comm. Cassella	Y	Y	Y	Y	Y	Y	Y
Comm. DeLisio	Y	Y	Y	Y	Y	Y	Y
Comm. Juliano	Y	Y	Y	Y	Y	Y	Y
Comm. Lorenzo	-	-	-	-	-	-	-
Comm. Schooler	Y	Y	Y	Y	Y	Y	Y
Comm. Zilocchi	Y	Y	Y	Y	Y	Y	Y

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



Richard Wierer  
 Acting Secretary

July 23, 2015

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS, N.J.S.A. 40A:5A-15** requires the governing body of each local authority to cause an annual audit of its accounts to be made; and

**WHEREAS,** the annual audit report for the fiscal year ended December 31, 2014 has been completed and filed with the Commissioners of The Bergen County Utilities Authority, pursuant to N.J.S.A. 40A:5A-15; and

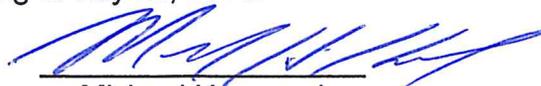
**WHEREAS, N.J.S.A. 40A:5A-17** requires the governing body of each authority to, within 45 days of receipt of the annual audit, certify by resolution to the Local Finance Board that each member thereof has personally reviewed the annual audit report, and specifically the sections of the audit report entitled "General Comments" and "Recommendations," and has evidenced same by group affidavit in the form prescribed by the Local Finance Board;

**WHEREAS,** the members of the governing body have received the annual audit and have personally reviewed the annual audit, and have specifically reviewed the sections of the annual audit report entitled "General Comments" and "Recommendations" in accordance with N.J.S.A. 40A:5A-17; and have received and reviewed the corrective action plan prepared by the Authority's Acting Treasurer in response thereto;

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

1. The Commissioners of the Authority hereby certify to the Local Finance Board of the State of New Jersey that each Commissioner has personally reviewed the annual audit report for the fiscal year ended December 31, 2014, and specifically has reviewed the sections of the audit report entitled "General Comments" and "Recommendations," and has evidenced same by group affidavit in the form prescribed by the Local Finance Board.
2. The Secretary of the Authority is hereby directed to promptly submit to the Local Finance Board the aforesaid group affidavit, accompanied by a certified true copy of this resolution.
3. The Commissioners of the Authority do hereby adopt the corrective action plan prepared by the Acting Treasurer.
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 July 23, 2015.



Michael Henwood  
Secretary

**Dated: July 23, 2015**

**SUPPLEMENTAL RESOLUTION OF THE BERGEN COUNTY UTILITIES AUTHORITY DECLARING ITS OFFICIAL INTENT TO REIMBURSE EXPENDITURES FOR PROJECT COSTS FROM THE PROCEEDS OF DEBT OBLIGATIONS IN CONNECTION WITH ITS PARTICIPATION IN THE SFY NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM**

**WHEREAS**, The Bergen County Utilities Authority (the "Borrower") intends to acquire, construct, renovate and/or install the environmental infrastructure project more fully described in Exhibit A attached hereto (the "Project");

**WHEREAS**, the Borrower intends to finance the Project with debt obligations of the Borrower (the "Project Debt Obligations") but may pay for certain costs of the Project (the "Project Costs") prior to the issuance of the Project Debt Obligations with funds of the Borrower that are not borrowed funds;

**WHEREAS**, the Borrower reasonably anticipates that obligations, the interest on which is excluded from gross income under Section 103 of the Internal Revenue Code of 1986, as amended (the "Code"); will be issued by the New Jersey Environmental Infrastructure Trust (the "Issuer") to finance the Project on a long-term basis by making a loan to the Borrower with the proceeds of the Issuer's obligations (the "Project Bonds"); and

**WHEREAS**, the Borrower desires to preserve its right to treat an allocation of proceeds of the Project Debt Obligations to the reimbursement of Project Costs paid prior to the issuance of the Project Debt Obligations as an expenditure for such Project Costs to be reimbursed for purposes of Sections 103 and 141 through 150, inclusive, of the Code; and

**WHEREAS**, due to an unforeseen increase in costs and a delay in the receipt of the anticipated Project Debt Obligations the Borrower needs to authorize another \$2,500,000 of proceeds of the Project Debt Obligations to the reimbursement of Project Costs paid prior to the issuance of the Project Debt Obligations as an expenditure for such Project Costs to be reimbursed for purposes of Sections 103 and 141 through 150, inclusive, of the Code, as a prudent and conservative fiscal measure;

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the Borrower as follows:

**Section 1.** The Borrower reasonably expects to reimburse its expenditure of Project Costs paid prior to the issuance of the Project Debt Obligations with proceeds of its Project Debt Obligations.

**Section 2.** This resolution is intended to be and hereby is a declaration of the Borrower's official intent to reimburse the expenditure of Project Costs paid prior to the issuance of the Project Debt Obligations with the proceeds of a borrowing to be incurred by the Borrower, in accordance with Treasury Regulations §150-2.

**Section 3.** The maximum principal amount of the Project Debt Obligations expected to be issued to finance the Project is not to exceed an aggregate amount of \$9,000,000.

**Section 4.** The Project Costs to be reimbursed with the proceeds of the Project Debt Obligations will be “capital expenditures” in accordance with the meaning of Section 150 of the Code.

**Section 5.** No reimbursement allocation will employ an “abusive arbitrage device” under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Code. The proceeds of the Project Bonds used to reimburse the Borrower for Project Costs, or funds corresponding to such amounts, will not be used in a manner that results in the creation of “replacement proceeds”, including “sinking funds”, “pledged funds” or funds subject to a “negative pledge” (as such terms are defined in Treasury Regulations §1.148-1), of the Project Debt Obligations or another issue of debt obligations of the Borrower, other than amounts deposited into a “bona fide debt service fund” (as defined in Treasury Regulations §1.148-1).

**Section 6.** All reimbursement allocations will occur not later than 18 months after the later of (i) the date the expenditure from a source other than the Project Debt Obligations is paid, or (ii) the date the Project is “placed in service” (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than 3 years after the expenditure is paid.

**Section 7.** This resolution shall take effect immediately.

**EXHIBIT A**

**PROJECT DESCRIPTION**

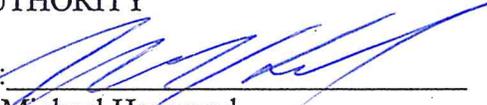
The acquisition of an approximately 1.4 megawatt Combined Heat and Power (“CHP”) cogeneration unit to burn biogas produced from anaerobic digesters, and all work ancillary and necessary therefor.

CERTIFICATE

I, the undersigned Secretary of The Bergen County Utilities Authority, a body corporate and politic of the State of New Jersey, HEREBY CERTIFY that the foregoing resolution is a true copy of an original resolution which was duly adopted by said Authority at a meeting duly called and held on July 23, 2015 and at which a quorum was present and acted throughout, and that said copy has been compared by me with the original resolution recorded in the records of the Authority and that it is a correct transcript thereof and of the whole of said resolution, and that said original resolution has not been altered, amended or repealed but is in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand this 24 day of July, 2015.

THE BERGEN COUNTY UTILITIES  
AUTHORITY

By:   
\_\_\_\_\_  
Michael Henwood  
Secretary

**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 Valves (for a Two (2) Year Period)**, pursuant to and in accordance with **Contract No. 15-20**; and

**WHEREAS**, no bid proposals were received by the Authority on June 11, 2015, the date set forth in the Invitation to Bid for the receipt of bid proposals pursuant to and in accordance with **Contract No. 15-20**; and

**WHEREAS**, the Authority's Commissioners, by way of Resolution dated June 25, 2015, authorized the Executive Director or his designee to re-advertise for the solicitation of bid proposals for **Contract No. 15-20 (Rebid)**, pursuant to N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, the following bid proposals were received by the Authority on July 14, 2015 for **Contract No. 15-20 (Rebid)**:

Vendor	Total Amount Bid for Two (2) Years
F.W. Webb Co. Elmwood Park, NJ	\$524,236.30
Raritan Group, Inc. New Brunswick, NJ	\$602,190.88

**WHEREAS**, the Authority's **Plant Manager** has reviewed the bid proposals and has recommended that **F.W. Webb Co.** should be awarded **Contract No. 15-20 (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 **F.W. Webb Co.** constitutes the lowest complying and responsible bidder for **Contract No. 15-20 (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.

15-2-040

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

1. **F.W. Webb Co.** shall be and is hereby determined to be the lowest complying and responsible bidder to **Furnish and Deliver Valves**, constituting **Contract No. 15-20 (Rebid)** for a **Two (2) Year Period** for a total sum of **\$524,236.30**.
2. The Chairman shall be and he is hereby authorized to execute an agreement with **F.W. Webb Co.** of 30 Stefanic Ave, Elmwood Park, NJ 07407 to **Furnish and Deliver Valves**, constituting **Contract No. 15-20 (Rebid)** for a **Two (2) Year Period** for a total sum of **\$524,236.30**.
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. 15-20 (Rebid), shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by F.W. Webb Co. 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 July 23, 2015.



Michael Henwood  
Secretary

**Dated: July 23, 2015**

15-2-040

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 07/23/2015

RESOLUTION #: 15-2-040

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-630-63100-000  
SUPPLIES - PIPES, VALVES & FILLINGS

VENDOR F.W. WEBB CO.

CONTRACT NUMBER 15-20

REASON FURNISH AND DELIVER VALVES

AMOUNT \$524,236.30

CONTRACT LENGTH 08/01/2015 TO 07/31/2017

*Matthew McCate*  
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 Mechanical Seals (for a Two (2) Year Period)**, pursuant to and in accordance with **Contract No. 15-22**; and

**WHEREAS**, the following sole bid proposal was received by the Authority on **July 14, 2015** for **Contract No.15-22**:

Vendor	Total Amount Bid for Two (2) Years
A.W. Chesterton Company Wodburn, MA	\$1,992,840.00

; and

**WHEREAS**, the Authority's **Qualified Purchasing Agent and Plant Manager** have reviewed the sole bid proposal and have recommended that **A.W. Chesterton Company** be awarded **Contract No. 15-22** 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 **A.W. Chesterton Company** constitutes the lowest complying and responsible bidder for **Contract No. 15-22**, 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. **A.W. Chesterton Company** shall be and is hereby determined to be the lowest complying and responsible bidder to **Furnish and Deliver Mechanical Seals** constituting **Contract No. 15-22**, for a **Two (2) Year Period** for a total sum of **\$1,992,840.00**.

2. The Chairman shall be and is hereby authorized to execute an agreement with **A.W. Chesterton Company** of 500 Unicorn Park Drive, Wodburn, MA 01801 to **Furnish and**

15-2-041

**Deliver Mechanical Seals**, constituting **Contract No.15-22** for a **Two (2) Year Period** for a total sum of **\$1,992,840.00**.

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

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

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

6. A copy of this Resolution and the agreement executed pursuant to this Resolution, along with Contract No. 15-22, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by A.W. Chesterton Company 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 July 23, 2015.



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Michael Henwood  
Secretary

**Dated: July 23, 2015**

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 07/23/2015

RESOLUTION #: 15-2-041

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  
REPL PARTS - PROCESS EQUIPMENT

VENDOR A.W. CHESTERTON COMPANY

CONTRACT NUMBER 15-22

REASON FURNISH AND DELIVER MECHANICAL SEALS

AMOUNT \$1,992,840.00

CONTRACT LENGTH 08/01/2015 TO 07/31/2017

Matthew M'Carte  
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 Telog Meter Parts and Equipment (for a Two (2) Year Period)**, pursuant to and in accordance with **Contract No. 15-24**; and

**WHEREAS**, the following sole bid proposal was received by the Authority on **July 14, 2015** for **Contract No.15-24**:

<b>Vendor</b>	<b>Total Amount Bid for Two (2) Years</b>
Telog Instruments, Inc. Victor, NY	\$100,446.00

; and

**WHEREAS**, the Authority's **Qualified Purchasing Agent** has reviewed the sole bid proposal and has recommended that **Telog Instruments, Inc.** be awarded **Contract No. 15-24** 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 **Telog Instruments, Inc.** constitutes the lowest complying and responsible bidder for **Contract No. 15-24**, 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. **Telog Instruments, Inc.** shall be and is hereby determined to be the lowest complying and responsible bidder to **Furnish and Deliver Telog Meter Parts and Equipment** constituting **Contract No. 15-24**, for a **Two (2) Year Period** for a total sum of **\$100,446.00**.

2. The Chairman shall be and is hereby authorized to execute an agreement with **Telog Instruments, Inc.** of 830 Canning Parkway, Victor, NY 14564 to **Furnish and Deliver**

15-2-042

**Mechanical Seals**, constituting **Contract No.15-24** for a **Two (2) Year Period** for a total sum of **\$100,446.00**.

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

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

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

6. A copy of this Resolution and the agreement executed pursuant to this Resolution, along with Contract No. 15-24, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by Telog Instruments, 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 July 23, 2015.



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Michael Henwood  
Secretary

**Dated: July 23, 2015**

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 07/23/2015

RESOLUTION #: 15-2-042

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  
COLL SYSTEM - PARTS & SUPPLIES

VENDOR TELOG INSTRUMENTS, INC.

CONTRACT NUMBER 15-24

REASON FURNISH AND DELIVER  
PARTS AND EQUIPMENT

AMOUNT \$100,446.00

CONTRACT LENGTH 08/01/2015 TO 07/31/2017

Matthew M'Carte  
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 Q8 Mahler G5 SAE 40 Medium Ash Gas Engine Oil (for a Two (2) Year Period)**, pursuant to and in accordance with **Contract No. 15-25**; and

**WHEREAS**, the following sole bid proposal was received by the Authority on **July 14, 2015** for **Contract No.15-25**:

Vendor	Total Amount Bid for Two (2) Years
David Weber Oil Co. Carlstadt, NJ	\$90,398.00

; and

**WHEREAS**, the Authority's **Qualified Purchasing Agent** has reviewed the sole bid proposal and has recommended that **David Weber Oil Co.** be awarded **Contract No. 15-25** 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 **David Weber Oil Co.** constitutes the lowest complying and responsible bidder for **Contract No. 15-25**, 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. **David Weber Oil Co.** shall be and is hereby determined to be the lowest complying and responsible bidder to **Furnish and Deliver Q8 Mahler G5 SAE 40 Medium Ash Gas Engine Oil** constituting **Contract No. 15-25**, for a **Two (2) Year Period** for a total sum of **\$90,398.00**.

2. The Chairman shall be and is hereby authorized to execute an agreement with **David Weber Oil Co.** of 601 Industrial Road, Carlstadt, NJ 07072 to **Furnish and Deliver Q8**

15-2-043

**Mahler G5 SAE 40 Medium Ash Gas Engine Oil, constituting Contract No.15-25 for a Two (2) Year Period for a total sum of \$90,398.00.**

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

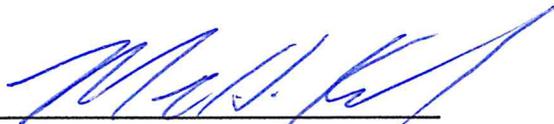
4. The Acting Treasurer's Certification that funds are available shall be maintained on file at the Authority and made a part hereof.

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

6. A copy of this Resolution and the agreement executed pursuant to this Resolution, along with Contract No. 15-25, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by David Weber Oil Co. 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 July 23, 2015.



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

**Dated: July 23, 2015**

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 07/23/2015

RESOLUTION #: 15-2-043

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  
REPL PARTS - COGENERATION SYSTEM

VENDOR DAVID WEBER OIL CO.

CONTRACT NUMBER 15-25

REASON FURNISH AND DELIVER TELOG METER  
Q8 MAHLER SAE 40 MEDIUM ASH GAS ENGINE OIL

AMOUNT \$90,398.00

CONTRACT LENGTH 08/01/2015 TO 07/31/2017

*Matthew McCarte*  
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 **Security Services (Two (2) Year Contract with Two (2) One (1) Year Options)**, pursuant to and in accordance with **Contract No. 15-08**; and

**WHEREAS**, the following four (4) bid proposals were received by the Authority on **July 16, 2015** for **Contract No. 15-08**:

Vendor	Total Amount Bid
Motivated Security Services, Inc. Somerville, NJ	\$595,996.80
International Proactive Security, L.L.C. Fair Lawn, NJ	\$605,727.36
U.S. Security Associates, Inc. Secaucus, NJ	\$627,925.20
Universal Protection Services, Inc. New York, New York	INCOMPLETE

; and

**WHEREAS**, the Authority's **Qualified Purchasing Agent** has indicated that the bid proposal of **Motivated Security Services, Inc.** has been deemed incomplete and nonconforming based upon the failure of **Motivated Security Services, Inc.** to utilize the exact amount bid for the cost of unarmed guards per hour (the "Unit Price") for the **Two (2) Year Period** of **Contract 15-08** as that amount bid for the Unit Price for the second option year of **Contract 15-08** as required by the Procurement Bid Form 00300 at page BF 4 of 8 making it a conditional bid and the bid proposal of **Motivated Security Services, Inc.** is therefore deficient; and

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

**WHEREAS**, **Qualified Purchasing Agent** has indicated that the bid proposal of **Universal Protection Services, Inc.** has been deemed incomplete, nonresponsive and non-conforming based upon the failure of **Universal Protection Services, Inc.** to provide necessary information and documents as required by the Contract Documents and Bid Specifications constituting **Contract No. 15-18**; and

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

**WHEREAS**, the **Qualified Purchasing Agent** has indicated that the bid of **Motivated Security Services, Inc.** in the amount of \$595,996.80 is the low bid and, even if deemed fully

complete and conforming by the Authority, that low bid substantially exceeds the estimated cost estimate of the Authority for **Contract 15-08**; and

**WHEREAS**, **Qualified Purchasing Agent** has indicated that the bids of **International Proactive Security, L.L.C.** and **U.S. Security Associates, Inc.**, each of which exceed the amount of the low bid of **Motivated Security Services, Inc.**, also substantially exceed the cost estimate of the Authority for **Contract 15-08**;

**WHEREAS**, the Authority's **Qualified Purchasing Agent** has recommended that the bid proposals of **Motivated Security Services, Inc.**, **International Proactive Security, L.L.C.** and **International Proactive Security, L.L.C.** be rejected pursuant to N.J.S.A. 40A:11-13.2(a) as each of the bids substantially exceed the cost estimate of the Authority for **Contract 15-08**; and

**WHEREAS**, no acceptable or responsive bid proposals were received by the Authority as of **July 16, 2015**, which was the date set forth in the Invitation to Bid for the receipt of bid proposals pursuant to and in accordance with **Contract 15-08**; and

**WHEREAS**, the Contract Documents and Bid Specifications constituting **Contract No. 15-08** provide at Section (15.1) of the Instructions to Bidders that the Authority, as the contracting unit, reserves the right to reject any and all bids, including but not limited to, all non-conforming, non-responsive or conditional bids; and

**WHEREAS**, the Commissioners of the Authority are desirous of re-advertising for the solicitation of bid proposals for **Contract No. 15-08** pursuant to N.J.S.A. 40A:11-4 et seq., as an award of **Contract No. 15-08** is necessary for the efficient operation of the Authority; and

**WHEREAS**, as all bids substantially exceed the cost estimate of the Authority for **Contract 15-08** and as an award of **Contract No. 15-08** is necessary for the efficient operation of the Authority, the Commissioners of the Authority are desirous of the Authority further analyzing the Contract Documents and Bid Specifications constituting **Contract No. 15-08** and, pursuant to N.J.S.A. 40A:11-13.2(d), making necessary revisions to those Contract Documents and Bid Specifications, if any, that the Authority determines may result in a decrease in the bid amounts received on the **Rebid of Contract 15-08**.

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

1. The bid of **Motivated Security Services, Inc.** shall be and is hereby rejected as being an incomplete and non-conforming bid, constituting a non-waivable, incurable, material deviation from **Contract No. 15-08**.
2. The bid of **Universal Protection Services, Inc.** shall be and is hereby rejected as being incomplete, nonresponsive and a non-conforming bid, constituting a non-waivable, incurable, material deviation from **Contract No. 15-08**.

3. The bids of **Motivated Security Services, Inc., International Proactive Security, L.L.C.** and **U.S. Security Associates, Inc.** each exceed the cost estimate of the Authority for **Contract 15-08** and each of those bids shall be and are hereby rejected pursuant to N.J.S.A. 40A:11-13.2(a).

4. The Executive Director, or his designee, shall be and is hereby authorized to re-advertise for the solicitation of bid proposals for **Security Services (Two (2) Year Contract with Two (2) One (1) Year Options)** for **Contract No. 15-18 (Rebid)**.

5. The Executive Director, or his designee, shall be and is hereby authorized pursuant to N.J.S.A. 40A:11-13.2(d) to make revisions to the Contract Documents and Bid Specifications for **Contract No. 15-08 (Rebid)** if the Authority determines that any such revisions may result in a decrease in the bid amounts received **Contract 15-08 (Rebid)**.

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

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 July 23, 2015.

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

**Dated: July 23, 2015**

**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 to **Install High Performance Polymer**, pursuant to and in accordance with **Requisition No. 100235-15**; and

**WHEREAS**, the following sole proposal was received by the Authority on **July 15, 2015** for **Requisition No. 100235-15**:

<u>Vendor</u>	<u>Total Amount Bid</u>
Enecon Corp. Medford, NY	\$17,640.00

**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 **Enecon Corp.** should be awarded **Requisition No.100235-15** 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 **Enecon Corp.** constitutes the lowest complying and responsible proposal for **Requisition No. 100235-15**, 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 **Enecon Corp.** in the sum of \$17,640.00 shall be and is hereby determined to be the lowest complying and responsible proposal to **Install High Performance Polymer** constituting **Requisition No.100235-15** for the total sum of **\$17,640.00**.

2. The Executive Director shall be and is hereby authorized to execute an agreement with **Enecon Corp.** of **6 Platinum Court, Medford, NY 11763** to **Install High Performance Polymer**, constituting **Requisition No. 100235-15** for the total sum of **\$17,640.00**.

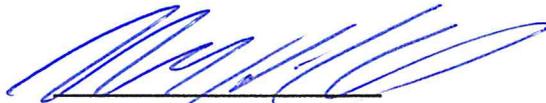
3. The Acting Treasurer's Certification that funds are available shall be maintained on file at the Authority and made a part hereof.

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

5. A copy of this Resolution and the agreement executed pursuant to this Resolution, along with **Requisition No. 100235-15**, shall be placed on file and made available for public inspection in the office of the Executive Director upon execution by Enecon Corp. 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 July 23, 2015.



Michael Henwood  
Secretary

**Dated: July 23, 2015**

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 07/23/2015

RESOLUTION #: 15-2-045

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-550-62000-000  
REPL PARTS - AIR SYSTEMS & COMPRESSORS

VENDOR ENECON CORP.

CONTRACT NUMBER REQUISITION NO. 100235-15

REASON INSTALL HIGH PERFORMANCE POLYMER

AMOUNT \$17,640.00

CONTRACT LENGTH TO COMPLETION

Matthew McCarty  
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 **Emission Monitoring Probe and Sample Line Assembly**, pursuant to and in accordance with **Requisition No. 100260-15**; and

**WHEREAS**, the following sole proposal was received by the Authority on **July 16, 2015** for **Requisition No. 100260-15**:

<u>Vendor</u>	<u>Total Amount Bid</u>
F.D. Pace Environmental d/b/a Pace Environmental Whitehall, PA	\$19,681.00

**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 **F.D. Pace d/b/a Pace Environmental** should be awarded **Requisition No.100260-15** 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 **F.D. Pace d/b/a Pace Environmental** constitutes the lowest complying and responsible proposal for **Requisition No. 100260-15**, 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 **F.D. Pace d/b/a Pace Environmental** in the sum of \$19,681.00 shall be and is hereby determined to be the lowest complying and responsible proposal for **Emission Monitoring Probe and Sample Line Assembly** constituting **Requisition No.100260-15** for the total sum of **\$19,681.00**.

2. The Executive Director shall be and is hereby authorized to execute an agreement with **F.D. Pace d/b/a Pace Environmental** of **5240 West Coplay Road, Whitehall, PA 18052** for **Emission Monitoring Probe and Sample Line Assembly**, constituting **Requisition No. 100260-15** for the total sum of **\$19,681.00**.

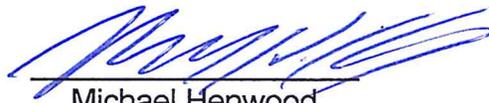
3. The Acting Treasurer's Certification that funds are available shall be maintained on file at the Authority and made a part hereof.

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

5. A copy of this Resolution and the agreement executed pursuant to this Resolution, along with **Requisition No. 100260-15**, shall be placed on file and made available for public inspection in the office of the Executive Director upon execution by F.D. Pace d/b/a Pace Environmental 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 July 23, 2015.



Michael Henwood  
Secretary

Dated: July 23, 2015

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 07/23/2015

RESOLUTION #: 15-2-046

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  
REPL PARTS - COGENERATION

VENDOR F.D. PACE ENVIRONMENTAL dba PACE ENVIRONMENTAL

CONTRACT NUMBER REQUISITION NO. 100260-15

REASON EMISSION MONITORING PROBLE AND  
SAMPLE LINE ASSEMBLY

AMOUNT \$19,681.00

CONTRACT LENGTH TO COMPLETION

Matthew McCarte  
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 **Software Maintenance & Support: IBM Maximo License (Version 5.2) - One (1) Year Contract with a One (1) Year Option**), pursuant to and in accordance with **Contract No. 14-15**; and

**WHEREAS**, by way of Resolution 14-2-046 dated September 25, 2014, **Interloc Solutions, Inc.** was determined to be the lowest complying and responsible bidder for **Software Maintenance & Support: IBM Maximo License (Version 5.2)**, constituting **Contract No. 14-15** for a total contract price of \$43,317.60 for year one (1); and for the optional year for a total contract price of \$47,650.20; and

**WHEREAS**, by way of Resolution 14-2-046 dated September 25, 2014, the Chairman was authorized to execute an agreement with **Interloc Solutions, Inc.** for **Software Maintenance & Support: IBM Maximo License (Version 5.2)**, constituting **Contract No. 14-15** for a total contract price of **\$43,317.60** for the **Initial One (1) Year Period**; and

**WHEREAS**, pursuant to the terms of **Contract No. 14-15**, the Authority has the option to extend the contract for **Software Maintenance & Support: IBM Maximo License (Version 5.2)** with **Interloc Solutions, Inc.** for an additional **One (1) Year Period** for the total sum of **\$47,650.20**; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-15 the Authority finds **Interloc Solutions, Inc.** has performed **Contract No. 14-15** for **Software Maintenance & Support: IBM Maximo License (Version 5.2)** in an effective and efficient manner; and

**WHEREAS**, exercising the **One (1) Year Option** of **Contract No. 14-15** to **Interloc Solutions, Inc.** for **Software Maintenance & Support: IBM Maximo License (Version 5.2)** 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 **Interloc Solutions, Inc.** for **Software Maintenance & Support: IBM Maximo License (Version 5.2)**, pursuant to and in accordance with **Contract No. 14-15**, which exercises the **One (1) Year Option** by the Authority to extend the contract for an additional **One (1) Year Period** (commencing September 1, 2015 and expiring August 31, 2016) for the total sum of **\$47,650.20**.

2. All other terms of **Contract No. 14-15** shall remain in full force and effect without modification.

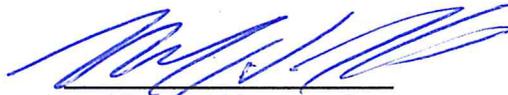
3. The Acting Treasurer's Certification that funds are available shall be on file at the Authority and made a part hereof.

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

5. A copy of this Resolution and the Agreement executed pursuant to this Resolution, along with Contract No. 14-15, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by Interloc Solutions, 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 July 23, 2015.



Michael Henwood  
Secretary

**Dated: July 23, 2015**

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 07/23/2015  
RESOLUTION #: 15-2-047

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 A-620-56300-000  
HARDWARE & SOFTWARE MAINTENANCE

VENDOR INTERLOC SOLUTIONS, INC.

CONTRACT NUMBER 14-15

REASON SOFTWARE MAINTENANCE AND SUPPORT  
IBM MAXIMO LICENCE (VERSION 5.2)

AMOUNT \$47,650.20

CONTRACT LENGTH 09/01/2015 TO 08/31/2016

Matthew M'Carten  
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY RESOLUTION**  
**REPLACEMENT OF COMBINED HEAT AND POWER (CHP)**  
**COGENERATION SYSTEM HEAT RECOVERY UNITS**  
**AND**  
**AIR POLLUTION CONTROL DEVICE HOUSINGS**

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

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

**WHEREAS**, the Authority owns and operates a combined heat and power (“CHP”) cogeneration facility on the site of the Authority’s Little Ferry Water Pollution Control Facility; and

**WHEREAS**, the CHP cogeneration facility has been in operation since 2008 and has saved ratepayers almost \$14,000,000.00 in energy and other costs since that time; and

**WHEREAS**, since 2008, there have been multiple shutdowns of the CHP cogeneration facility engines attributed to corroded and leaking heat recovery units (“HRU”); and most recently, a new HRU was installed and failed within four (4) months of installation; and

**WHEREAS**, each HRU costs more than \$100,000.00, plus labor costs, to remove and replace each unit; and

**WHEREAS**, the Director of Water Pollution Control Division/Chief Engineer (“Director”) recommended that a consulting engineer be retained for CHP cogeneration heat recovery unit engineering study (“Study”); and

**WHEREAS**, on November 26, 2013, the Authority accepted a proposal from PS&S engineers to perform the following professional services:

1. Recommend a specific testing procedure, including frequency, to determine the concentrations of sulfuric acid, hydrogen sulfide, and moisture concentrations at several points in the gas and exhaust train;
2. Evaluate moisture removal systems for the CHP facility;
3. Provide recommended solutions to any moisture or chemical issues that are contributing to the corrosion issue;
4. Review the materials of construction and specifications for the most recent HRU, compared to previous units used previously, to determine if there was a material difference that led to the recent accelerated failure;
5. Employ a metallurgist to evaluate the recent fouling of the HRU;

6. Evaluate failed HRUs for possible salvage; and
7. Issue a report of the findings of this evaluation.

; and

**WHEREAS**, based on the results of the Study and recommendations from the original equipment manufacturer service company, it was recommended that the Authority specify the use of stainless steel HRUs manufactured by Enalco Company to resist corrosion and are longer lasting; and

**WHEREAS**, the new third CHP cogeneration unit is fitted with an HRU manufactured by Enalco Company with two (2) spare Enalco HRU units; and

**WHEREAS**, these two (2) spare Enalco HRUs are available for use on the two (2) original CHP cogenerations units on an immediate basis, therefore saving six (6) to nine (9) months of time for the fabrication of additional Enalco HRUs; and

**WHEREAS**, the Enalco HRUs are not an exact fit into the locations of the original HRUs and various piping and breeching need to be retrofitted for the Enalco HRUs to be properly installed; and

**WHEREAS**, on March 27, 2014, the Board of Commissions of the Authority adopted Resolution 14-2-017 authorizing the execution of an agreement for the Expansion Project with DCO Energy LLC (“DCO Energy”), memorializing the scope of services to be performed by DCO Energy and the compensation to be paid by the Authority, therefore, in an amount not to exceed \$6,786,234.00 (the cost of the Expansion Project) without further approval of the Board of Commissioners of the Authority, which agreement was negotiated and executed by DCO Energy and the Authority on April 17, 2014 (the “DCO Contract”); and

**WHEREAS**, Remington, Vernick, and Arango Engineers (“RVA”) previously prepared a grant application that resulted in the Authority receiving a \$2,500,000.00 Renewal Energy Incentive Program grant (“REIP Grant”) awarded by the New Jersey Board of Public Utilities (“NJBP”) as approved and authorized by the August 21, 2013, Order of the NJBP, Docket No. EO13070679V for up to forty percent (40%) of the estimated cost for the Expansion Project; and

**WHEREAS**, the balance of the cost of the Expansion Project, \$4,286,234.00 (the cost of the Expansion Project less the REIP Grant), is to be funded with a low interest loan under the New Jersey Environmental Infrastructure Financing Program, which is administered by the State of New Jersey, Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust (“NJEIT”); and

**WHEREAS**, the DCO Contract provided that the Expansion Project is a cost plus project allowing variances of the costs resulting from the design and construction of the Expansion Project, plus additional tasks subsequently needed as discovered during the Expansion Project; and

**WHEREAS**, on May 28, 2015, the Authority adopted a resolution authorizing the allowable compensation to be paid by the Authority pursuant to the DCO Contract to be increased in the total sum of \$1,041,506.85 to provide for payment of the additional costs and the total compensation to be paid by

the Authority pursuant to the modified DCO Contract shall not exceed the total sum of \$7,827,740.85 without further approval of the Commissioners of the Authority; and

**WHEREAS**, the Director recommended that DCO Energy through its design consultant, Concord Energy, provide a design of the piping and breeching retrofit for the two original CHP cogeneration units and was included in a contract modification (CM003) approved by the Authority by resolution dated May 28, 2015; and

**WHEREAS**, DCO Energy has provided a set of design drawings reviewed by RVA and approved on behalf of the Authority for bid; and

**WHEREAS**, there have also been recent problems with the performance of catalytic oxidizers on the two original CHP cogeneration units, which have resulted in increased carbon monoxide emissions; and

**WHEREAS**, the catalytic oxidizers serve as air pollution control devices and the increase of carbon monoxide emissions have caused exceedances in Title V Air Pollution Control Permit limitations resulting in the shutdown of the two original CHP cogeneration units on July 13, 2015, until compliance with carbon monoxide emission limits is achieved; and

**WHEREAS**, the cause of the increase in carbon monoxide emissions is the expansion of the housing of each of the catalytic oxidizers allowing exhaust emissions to bypass the air pollution control devices and associated treatment; and

**WHEREAS**, compliance with carbon monoxide emission limits will be achieved by the installation of new housings for the oxidizers; and

**WHEREAS**, DCO Energy solicited bids for the **Replacement of Combined Heat and Power Cogeneration System Heat Recovery Units and Air Pollution Control Device Housings** due on July 13, 2015; and

**WHEREAS**, two (2) bids were received and the lowest cost was submitted by Shelby Mechanical based on a \$68,100.00 cost reduction for the retrofitting if both engines are repaired simultaneously; and

**WHEREAS**, Shelby Mechanical performed the mechanical work for the installation of the new third CHP cogeneration unit and understands the scope and is experienced working with DCO Energy and the Authority; and

**WHEREAS**, based on the bid by Shelby Mechanical that does not include the retrofitting cost reduction, DCO Energy has submitted a proposal as follows:

Mechanical Cost	\$529,955.00	Shelby's cost without price reduction
Electrical Cost	\$30,000.00	Estimate from DCO
Silencers	\$30,140.00	
Catalyst Housing	\$25,080.00	
Hard Cost Total	\$623,232.00	
DCO Fees (38.62%)	\$220,892.00	
Project Total Cost	\$844,094.00	

; and

**WHEREAS**, based on the bid by Shelby Mechanical with the cost reduction of \$68,100.00, the hard cost total reduces to \$555,102.00 and the DCO Energy fees reduce to \$214,310.00, resulting in the total project cost being reduced to \$769,412.00; and

**WHEREAS**, the Authority's representative for the project, RVA, recommends that DCO Energy be issued a contract modification in the amount not to exceed \$769,412.00 without further authorization by the Authority; and

**WHEREAS**, the Authority has determined, based on the foregoing, that it is necessary for its efficient operation to issue a contract modification to DCO Energy to return the original two CHP cogeneration units to operation as part of the Expansion Project at an estimated benefit to the Authority of \$10,000.00 per day of operation; and

**WHEREAS**, the Authority's Acting Treasurer has certified that funds are available for this purpose under the 2014 revenue bond issue and/or existing NJEIT low/no interest loan, subject to the approval of the NJDEP to the modification of the DCO Contract and the additional costs being included in the loan under the NJEIFP; and

**WHEREAS**, the health and safety of the individuals visiting, living, and working in the Authority's sewer service district necessitate the on-going operation and maintenance of the Authority's water pollution control assets, including, but not limited to, the replacement of HRUs and air pollution control units for CHP cogeneration; and

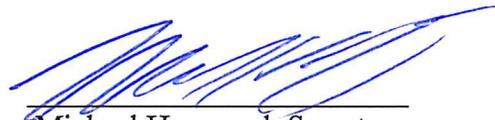
**WHEREAS**, failure to ensure those continued operations and maintenance of the Authority's water pollution control assets would result in unacceptable threats to the health and safety of Bergen County residents, most immediately those in the Authority's sewer service district, which would be too large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

**WHEREAS**, the Authority also recognizes the impact of recent extreme weather public emergency events, the power interruptions, and quality fluctuations in the PJM electrical grid during these public emergency events and the Authority desires to operate and maintain the CHP cogeneration units as long-term back-up power during power outage, and the continued operation and maintenance of the CHP cogeneration micro-grid will serve to protect the water environment and public from exposure to untreated or partly treated wastewater.

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

1. The additional costs incurred by DCO Energy in the design and construction of the Expansion Project which include and relate to the **Replacement of Combined Heat and Power Cogeneration System Heat Recovery Units and Air Pollution Control Device Housings** shall be and are hereby approved by the Authority.
2. The Authority hereby authorizes and directs the completion and submission on behalf of the Authority to the NJDEP any and all contract modification forms required by the NJDEP for payment of the additional costs to be included in the loan issued to the Authority under the NJEIFP.
3. The Executive Director shall be and is hereby authorized to take such action as necessary for the completion and submission of the contract modification forms to the NJDEP, including, but not limited to, the execution of those contract modification forms.
4. The DCO Contract shall be and is hereby modified by the Authority and the DCO Contract shall be modified to provide that the compensation to be paid by the Authority pursuant thereto shall be increased in the amount of \$769,412.00, and the total amount of compensation to now be paid by the Authority pursuant to the modified DCO Contract shall not exceed the total sum of \$8,597,152.85, without further approval of the Commissioners of the Authority.
5. The Chairman of the Authority shall be and is hereby authorized to execute an agreement by and between the Authority and DCO Energy, modifying the DCO Contract as approved and authorized by this resolution in the form acceptable to the Chairman and satisfactory to the Authority as evidenced by the Chairman's signature thereon.
6. The approval of the modification of the DCO Contract pursuant to this resolution is expressly contingent upon and subject to the approval of the NJDEP.
7. A copy of this resolution and the agreement modifying the DCO Contract 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 DCO Energy and the Authority.
8. The Acting Treasurer's certification that funds are available shall be maintained on file at the Authority.
9. A notice of this modification of the DCO Contract shall be published in the form prescribed by law.
10. The formal action(s) of the Commissioners of the Bergen County Utilities Authority embodied herein including, but not limited to, the execution by the Chairman of an agreement modifying the DCO Contract pursuant to this resolution, are expressly contingent upon and subject to the full and final approval of that contract modification and the full and final approval of the inclusion of the additional costs in the loan under the New Jersey Environmental Infrastructure Financing Program required to be issued by the New Jersey Department of Environmental Protection to the Authority

11. 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).



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Michael Henwood, Secretary

Dated: July 23, 2015

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 07/23/2015

RESOLUTION #: 15-2-048

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 TEMPORARY FINANCING

VENDOR DCO ENERGY LLC

CONTRACT NUMBER C-187 MODIFICATION

REASON REPLACEMENT OF COMBINED HEAT AND  
POWER COGENERATION SYSTEM HEAT RECOVERY  
UNITS AND AIR POLLUTION CONTROL DEVICE HOUSINGS

AMOUNT \$769,412.00

CONTRACT LENGTH 09/01/2015 TO 08/31/2016

*Mather M'Carten*  
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, pursuant to N.J.S.A. 40:14b-18, the Authority may appoint and employ such personnel as the Authority may determine necessary for its efficient operations.

**WHEREAS**, the Board of Commissioners have determined the need to establish the position of Director of Engineering, U.U.A.E.

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

1. The Authority creates a position of Director of Engineering, U.U.A.E. and the table of organization for the Authority is hereby amended accordingly; and
2. The formal action(s) of the Commissioners of The Bergen County Utilities Authority embodied herein are expressly contingent upon and subject to the provisions of N.J.S.A. 40:14b-14(b).

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of July 23, 2015.



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Michael Henwood  
Secretary

**Dated: July 23, 2015**

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, pursuant to N.J.S.A. 40:14b-18, the Authority may appoint and employ such personnel as the Authority may determine necessary for its efficient operations.

**WHEREAS**, the Board of Commissioners have determined the need to establish the position of Director of Engineering, U.U.A.E.

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

1. The Authority creates a position of Water Pollution Control Education Program and Outreach Coordinator, U.U.A.E and the table of organization for the Authority is hereby amended accordingly; and
2. The formal action(s) of the Commissioners of The Bergen County Utilities Authority embodied herein are expressly contingent upon and subject to the provisions of N.J.S.A. 40:14b-14(b).

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of July 23, 2015.

  
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Michael Henwood  
Secretary

**Dated: July 23, 2015**