

**BERGEN COUNTY UTILITIES AUTHORITY  
MINUTES OF THE REGULAR MEETING  
SEPTEMBER 26, 2019**

**In the matter of the 486<sup>TH</sup> Regular Meeting of  
The Bergen County Utilities Authority**

1. The **proof of meeting notice** calling the September 26, 2019, meeting was read into the record by Michael Henwood, Board Secretary.

2. Roll Call:

**COMMISSIONERS PRESENT:**

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

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

3. Motion that the Minutes covering the August 22, 2019 Work Session be approved was moved by Commissioner Massa and Seconded by Commissioner Warmes and was carried. Commissioners Bentz, Bonaventuro, and Gumble abstained.
4. Chairman Phillips opened the meeting to the public and asked if anyone present wished to be heard. The meeting was closed to the public.
5. FINANCE AND LEGAL COMMITTEE:

Resolution 19-1-041 - Approve bills and the claims supported by vouchers totaling \$5,757,689.80 for the month of September and authorize the Acting Treasurer to issue the necessary checks therefor, and to charge the accounts indicated, all as more fully set forth on the Acting Treasurer's check list. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Gumble. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 19-1-042 - Ratify and Approve Financial Actions directed by Mathew McCarter, Acting Treasurer, during the month of August 2019. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Gumble. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 19-1-043 - Approve NJEIT-NJEDA Reimbursement – Sludge Digester – Blackstart. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Gumble. A roll call was taken and the resolution was adopted as reflected in these minutes.

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Resolution 19-1-044 - Authorize renewal of membership to the National Association of Clean Water Agencies (NACWA). Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Gumble. A roll call was taken and the resolution was adopted as reflected in these minutes.

6. CONSTRUCTION & ENGINEERING COMMITTEE:

Resolution 19-2-066 – Award Contract No. 19-15 to Hisco Pump Incorporated – Furnish and Deliver Moyno Pump Parts – (One (1) Year Period). Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 19-2-067 - Award Contract 19-17 to Simaren Corp. d/b/a Wisdom Protective Services - Security Services – (Two (2) Years with Two (2) One (1) Year Options). Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 19-2-068 - Award Contract 19-19 to David Weber Oil Co. - Furnish and Deliver Q8 Mahler G5 SAE 40 Medium Ash Gas Engine Oil – (Two (2) Year Period). Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 19-2-069 - Authorize re-advertisement and rebid of Contract 19-23 – Furnish and Deliver Spare Non-Metallic Sludge Collector Tank Parts (for a Two (2) Year Period). Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 19-2-070 - Reject Bids and Re-Advertise and Rebid Contract 19-24 - Digester Gas Treatment Media Procurement and Replacement. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 19-2-071 - 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 Bonaventuro and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 19-2-072 - Authorize First One (1) Year Option to Russell Reid Waste Hauling and Disposal Service Co., Inc. - Contract 16-05B Rebid – Liquid Sludge Transport – (Three (3) years with Two (2) One (1) year options). Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 19-2-073 - Award Professional Services Contract – STP Remediation Project– Neglia Engineering Associates. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 19-2-074 - Authorize the use of competitive contracting pursuant to N.J.S.A. 40A:11-4.3(a) for the procurement of Primary Settling Tank Improvements. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 19-2-075 - Authorize Amendment of Professional Services Contract – Environmental Consulting Engineers – Arcadis, U.S., Inc. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 19-2-076 - Award Professional Services Contract – Geotechnical Services Consultant – GZA Geo Environmental, Inc. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 19-2-077 - Award Contract for Emergency Procurement - Digester Gas Treatment Media Procurement and Replacement. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

7. PERSONNEL & ADMINISTRATION COMMITTEE:

Resolution 19-3-008 - Establish Title – Director of Strategic Planning and Projects (UUAЕ). Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Bonaventuro. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 19-3-009 - Appointment of Director of Strategic Planning and Projects (UUAЕ). Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Bonaventuro. A roll call was taken and the resolution was adopted as reflected in these minutes.

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

9. Chairman Phillips announced the Regular Meeting would reconvene.

10. The Board Secretary then distributed proposed minutes of the September 26, 2019 Regular Meeting for review by the Commissioners.

11. Motion to approve the Minutes of the Regular Meeting September 26, 2019 as distributed by the Secretary, such minutes to include this motion approving the minutes, without the requirement of further review or approval at a subsequent Regular Meeting. Motion to adopt the Minutes of the Regular Meeting September 26, 2019 was made by Commissioner Massa and Seconded by Commissioner Bentz and was unanimously carried. Commissioner Kelley abstained.

BERGEN COUNTY UTILITIES AUTHORITY  
 Minutes of the Regular Meeting  
 September 26, 2019

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

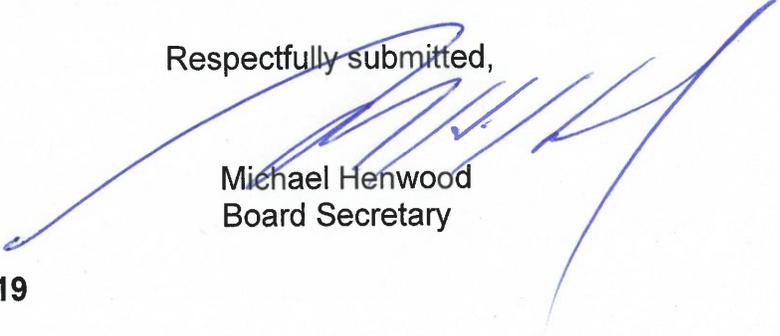
Resolution #	19-1-041	19-1-042	19-1-043	19-1-044	19-2-066	19-2-067	19-2-068	19-2-069
Chairman Phillips	Y	Y	Y	Y	Y	Y	Y	Y
V. Chair. DeLisio	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Bentz	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Bonaventuro	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Gumble	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Kelley	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Massa, Jr.	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Warms	Y	Y	Y	Y	Y	Y	Y	Y

Resolution #	19-2-070	19-2-071	19-2-072	19-2-073	19-2-074	19-2-075	19-2-076	19-2-077
Chairman Phillips	Y	Y	Y	Y	Y	Y	Y	Y
V. Chair. DeLisio	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Bentz	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Bonaventuro	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Gumble	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Kelley	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Massa, Jr.	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Warms	Y	Y	Y	Y	Y	Y	Y	Y

Resolution #	19-3-008	19-3-009
Chairman Phillips	Y	Y
V. Chair. DeLisio	Y	Y
Comm. Bentz	Y	Y
Comm. Bonaventuro	Y	Y
Comm. Gumble	Y	Y
Comm. Kelley	Y	Y
Comm. Massa, Jr.	Y	Y
Comm. Warms	Y	Y

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

Respectfully submitted,



Michael Henwood  
 Board Secretary

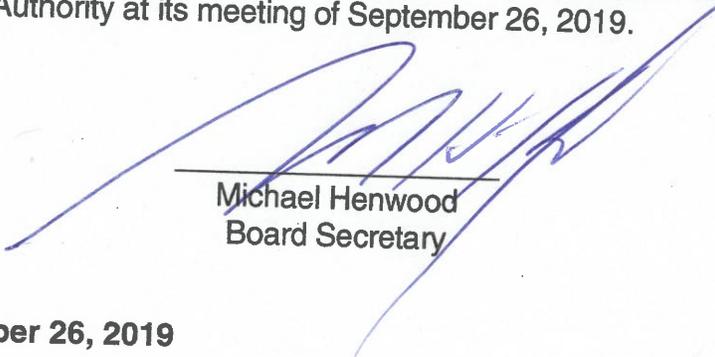
Date: September 26, 2019

**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 August 2019 be and are hereby ratified and approved.

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of September 26, 2019.



Michael Henwood  
Board Secretary

**Dated: September 26, 2019**

**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 NEW JERSEY INFRASTRUCTURE BANK FINANCING PROGRAM AND THE NEW JERSEY ECONOMIC DEVELOPMENT AGENCY ENERGY RESILIENCY BANK 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 as a supplemental loan by the (i) New Jersey Infrastructure Bank, and (ii) the New Jersey Economic Development Agency Energy Resiliency Bank (collectively, 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.

**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 aggregate maximum principal amount of the Project Debt Obligations expected to be issued to finance the Project is \$46,000,000, allocated to two (2) different projects as set forth in Exhibit A hereto.

**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**

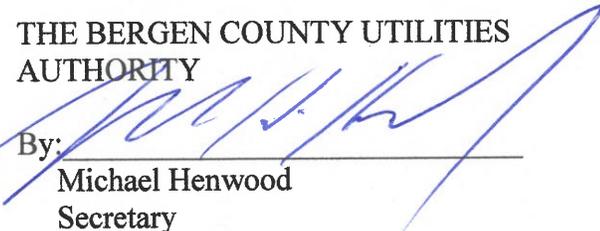
1. Sludge Digester Improvements including digester covers, digester gas flares, improvements to heat exchangers, sludge recirculation pumps, control valves, transfer pumps, mixing systems, gas compressors, process instruments and all work necessary and incidental thereto (Estimated Maximum Cost- \$40,000,000); and
2. All necessary and incidental costs of the work required to implement blackstart capabilities for Cogen #1 and Cogen #2 (Estimated Maximum Cost- \$6,000,000).

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 September 26, 2019 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 26 day of September 2019.

THE BERGEN COUNTY UTILITIES  
AUTHORITY

By: 

Michael Henwood  
Secretary

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

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

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

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

**WHEREAS**, the **National Association of Clean Water Agencies (the "NACWA")** is a nationally recognized leader in environmental policy and a well-established technical resource on water quality & ecosystem protection issues; and

**WHEREAS**, membership in **NACWA** is a unique opportunity to improve the effectiveness in the operation of the Authority, enhance professional development and achieve the goals & objectives the Authority shares with other publicly owned treatment works; and

**WHEREAS**, **NACWA's** active membership and close working relationship with the United States Congress and the United States Environmental Protection Agency (the "EPA") allow its members to interact with national policy makers and shape the course of United States of America's environmental protection legislation; and

**WHEREAS**, **NACWA** has submitted to the Authority a written proposal dated September 13, 2019, seeking to induce the Authority to renew its existing membership, which proposal has been reviewed by the Authority's Executive Director and Director of Engineering; and

**WHEREAS**, the proposed annual membership/dues to be paid by the Authority for membership in **NACWA** for the time period of October 1, 2019 through September 30, 2020 is \$26,500.00, which amount is based on the Authority being a publicly owned treatment agency with a service area population of 500,000; and

**WHEREAS**, the Authority's Executive Director and Director of Engineering have recommended that the Authority renew its membership to **NACWA**; and

**WHEREAS**, the Authority has determined, based upon the foregoing, that it is necessary and/or desirable for its efficient operations to renew its membership in **NACWA** for October 1, 2019 through September 30, 2020.

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

1. The Chairman shall be and is hereby authorized to renew the membership of the Authority in **NACWA**, and execute any and all agreements and other documents necessary to renew said membership and make payment of payment of membership fees/dues to **NACWA** in an amount not to exceed the total sum of \$26,500.00.
2. The Acting Treasurer's Certification that funds are available shall be maintained on file at the Authority.
3. A copy of this resolution and the agreement to renew the Authority's membership in **NACWA** shall be placed on file and made available for public inspection in the office of the Executive Director, upon execution by **NACWA** and the Authority.
4. A notice of this membership renewal shall be published in the form prescribed by law.
5. The formal action(s) of the Commissioners of the Bergen County Utilities Authority embodied herein are expressly contingent upon and subject to the provisions 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 September 26, 2019.

  
Michael Henwood  
Board Secretary

**Dated: September 26, 2019**

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 9/26/2019

RESOLUTION #: 19-1-044

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 PERMITS, FEES & LICENSES  
W-350-50700-000

VENDOR NATIONAL ASSOCIATION OF CLEAN  
WATER AGENCIES

CONTRACT NUMBER N/A

REASON ANNUAL MEMBERSHIP

AMOUNT \$26,500.00

CONTRACT LENGTH OCTOBER 1, 2019 - SEPTEMBER 30, 2020

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 to **Furnish and Deliver Moyno Pump Parts** for a **One (1) Year Period**, pursuant to and in accordance with **Contract No. 19-15**; and

**WHEREAS**, the following sole bid proposal was received by the Authority on **September 18, 2019** for **Contract No.19-15**:

Vendor	Total Bid Price for One (1) Year
HISCO Pump Incorporated Bloomfield, CT	\$30,054.00

; and

**WHEREAS**, the Authority's **Director of Water Pollution Control** and **Interim Qualified Purchasing Agent** have reviewed the sole bid proposal and have recommended that **HISCO Pump Incorporated** be awarded **Contract No. 19-15** 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 **HISCO Pump Incorporated** constitutes the lowest complying and responsible bidder for **Contract No. 19-15**, 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. **HISCO Pump Incorporated** shall be and is hereby determined to be the lowest complying and responsible bidder to **Furnish and Deliver Moyno Pump Parts**, constituting **Contract No. 19-15** for a **One (1) Year Period** for a total amount not to exceed the sum of **\$30,054.00**.

2. The Chairman shall be and is hereby authorized to execute a contract with **HISCO Pump Incorporated** of 4 Mosey Drive, Bloomfield, CT 06002 to **Furnish and Deliver Moyno**

19-2-066

**Pump Parts**, constituting **Contract No.19-15** for a **One (1) Year Period** for a total amount not to exceed the sum of **\$30,054.00**.

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

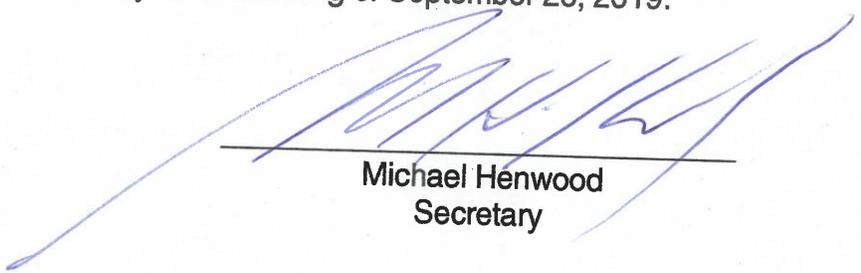
4. The Acting Treasurer's Certification that funds are available shall be maintained on file at the Authority and made a part hereof.

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

6. A copy of this Resolution and the contract executed pursuant to this Resolution, along with Contract No. 19-15, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by **HISCO Pump Incorporated** 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 September 26, 2019.



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

**Dated: September 26, 2019**

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 9/26/2019

RESOLUTION #: 19-2-066

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

PUMPS  
W-550-61300-000

VENDOR

HISCO PUMP INCORPORATED

CONTRACT NUMBER

19-15

REASON

FURNISH & DELIVER MOYNO PUMP PARTS

AMOUNT

\$30,054.00

CONTRACT LENGTH

OCTOBER 1, 2019 - SEPTEMBER 30, 2020

Matthew M. Carter  
ACTING TREASURER

## BERGEN COUNTY UTILITIES AUTHORITY RESOLUTION

**WHEREAS**, on prior occasion, upon advertisement and pursuant to specifications, the Bergen County Utilities Authority (the "Authority") solicited bid proposals for **Security Services for a Two (2) Year Period with Two (2) One (1) Year Options**, pursuant to and in accordance with **Contract No. 19-17**; and

**WHEREAS**, the following three (3) bid proposals were received by the Authority on **September 18, 2019 for Contract No. 19-17**:

Vendor	Total Amount Bid for Two (2) Years
Simaren Corp. d/b/a Wisdom Protective Services Westbury, NY	\$551,320.00
Universal Protection Service, LLC d/b/a Allied Universal Security Services Lyndhurst, NJ	\$615,860.00
Costa Security Services, LLC Bridgewater, NJ	\$827,960.00

; and

**WHEREAS**, the Authority's **Interim Qualified Purchasing Agent and Administrator of Security and Emergency Management Operations** have reviewed both the bid proposals submitted to the Authority by each of the above listed bidders and, based upon that review, have recommended that **Simaren Corp. d/b/a Wisdom Protective Services** should be awarded **Contract No. 19-17** on its bid submitted for **Contract No. 19-17** 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 **Simaren Corp. d/b/a Wisdom Protective Services** constitutes the lowest complying and responsible bidder for **Contract No. 19-17**, 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. **Simaren Corp. d/b/a Wisdom Protective Services** shall be and is hereby determined to be the lowest complying and responsible bidder for **Security Services (Two (2) Year Period with Two (2) One (1) Year Options)**, constituting **Contract No. 19-17** for a **Two (2) Year Period** (commencing November 1, 2019 and expiring October 31, 2021) for an amount not to exceed the total sum of **\$551,320.00**.

2. The Chairman shall be and he is hereby authorized to execute a contract with **Simaren Corp. d/b/a Wisdom Protective Services** of **837 Old Country Road, Westbury, NY 11590** for **Security Services (Two (2) Year Period with Two (2) One (1) Year Options)**, constituting **Contract No. 19-17** for a **Two (2) Year Period** (commencing November 1, 2019 and expiring October 31, 2021) for an amount not to exceed the total sum of **\$551,320.00**.

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.

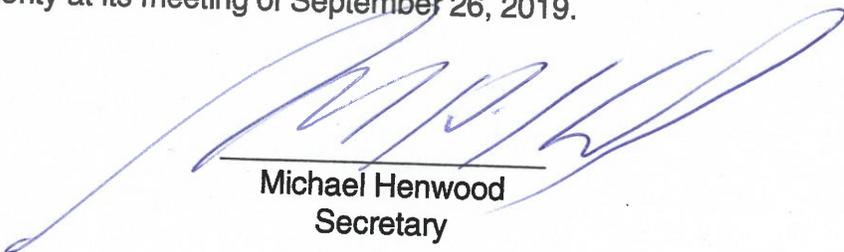
4. The Acting Treasurer's Certification that funds are available shall be maintained on file at the Authority and made a part hereof.

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. 19-17, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by **Simaren Corp. d/b/a Wisdom Protective Services** 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 September 26, 2019.



Michael Henwood  
Secretary

**Dated: September 26, 2019**

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 9/26/2019

RESOLUTION #: 19-2-067

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

PLANT SECURITY  
A-620-55200-000

VENDOR

SIMAREN CORP D/B/A WISDOM PROTECTIVE  
SERVICES

CONTRACT NUMBER

19-17

REASON

SECURITY SERVICES

AMOUNT

\$551,320.00

CONTRACT LENGTH

NOVEMBER 1, 2019 - OCTOBER 31, 2021

  
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, on prior occasion, upon advertisement and pursuant to specifications, the Bergen County Utilities Authority (the "Authority") solicited bid proposals to **Furnish and Deliver Q8 Mahler G5 SAE 40 Medium Ash Gas Engine Oil** for a **Two (2) Year Period**, pursuant to and in accordance with **Contract No. 19-19**; and

**WHEREAS**, the following sole bid proposal were received by the Authority on **September 18, 2019** for **Contract No. 19-19**:

Vendor	Total Amount Bid for Two (2) Year Period
David Weber Oil Co. Carlstadt, NJ	\$151,140.00

**WHEREAS**, the Authority, pursuant to and in accordance with N.J.S.A. 40A:11-13(d), advised all potential bidders for **Contract No. 19-19** in the relevant bid package documents for **Contract No. 19-19** that Q8 Mahler G5 SAE 40 Medium Ash Oil "is to be considered a proprietary good"; and

**WHEREAS**, the Authority's **Interim Qualified Purchasing Agent** and the Authority's **Director of Water Pollution Control** have reviewed the bid proposal of **David Weber Oil Co.** and have recommended that **David Weber Oil Co.** be awarded **Contract No. 19-19** 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. 19-19**, 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** for a **Two (2) Year Period**, pursuant to and in accordance with **Contract No. 19-**

19-2-068

19 for a total amount not to exceed the sum of **\$151,140.00** without further approval of the Commissioners of the Authority.

2. The Chairman shall be and is hereby authorized to execute a contract with **David Weber Oil Co.** of 601 Industrial Road, Carlstadt, NJ 07072 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. 19-19** for a total amount not to exceed the sum of **\$151,140.00** without further approval of the Commissioners of the Authority.

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

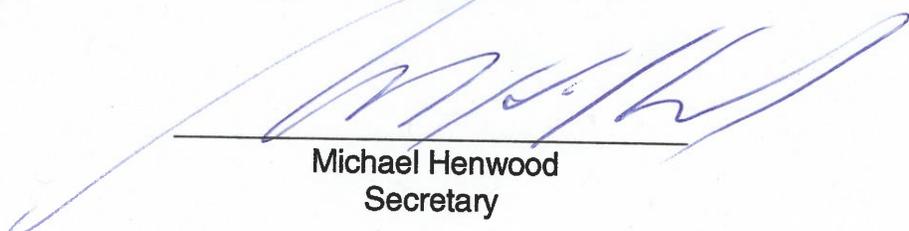
4. The Acting Treasurer's Certification that funds are available shall be maintained on file at the Authority and made a part hereof.

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

6. A copy of this Resolution and the contract executed pursuant to this Resolution, along with Contract No. 19-19, 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 September 26, 2019.



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Michael Henwood  
Secretary

**Dated: September 26, 2019**

19-2-068

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 9/26/2019

RESOLUTION #: 19-2-068

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

FUEL OIL  
W-370-59300-000

VENDOR

DAVID WEBER OIL CO.

CONTRACT NUMBER

19-19

REASON

FURNISH & DELIVER Q8 MAHLER G5 SAE 40  
MEDIUM ASH GAS ENGINE OIL

AMOUNT

\$151,140.00

CONTRACT LENGTH

OCTOBER 1, 2019 - SEPTEMBER 30, 2021

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 to **Furnish and Deliver Spare Non-Metallic Sludge Collector Tank Parts (for a Two (2) Year Period)**, pursuant to and in accordance with **Contract No. 19-23**; and

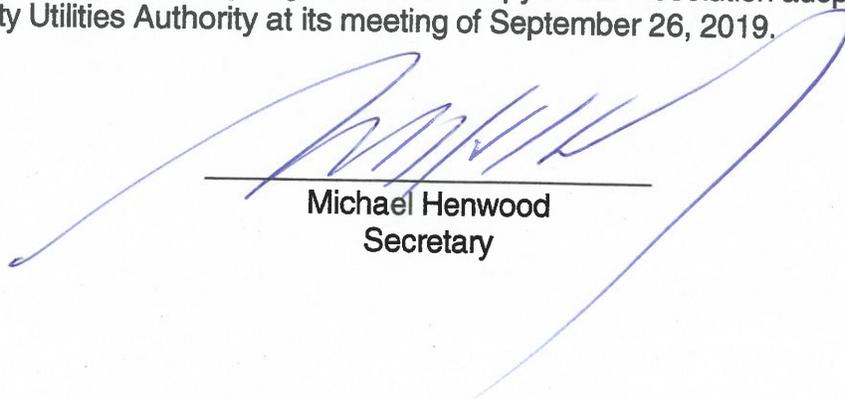
**WHEREAS**, no bid proposals were received by the Authority on **September 18, 2019**, the date set forth in the Invitation to Bid for the receipt of bid proposals pursuant to and in accordance with **Contract No. 19-23**; and

**WHEREAS**, the Commissioners of the Authority are desirous of re-advertising for the solicitation of bid proposals for **Contract No. 19-23**, pursuant to N.J.S.A. 40A:11-4, as an 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 Executive Director, or his designee, shall be and is hereby authorized to re-advertise for the solicitation of bid proposals for **Contract No. 19-23 to Furnish and Deliver Spare Non-Metallic Sludge Collector Tank Parts (for a Two (2) Year Period)**.
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 September 26, 2019.



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

**Dated: September 26, 2019**

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, on prior occasion, upon advertisement and pursuant to specifications, the Bergen County Utilities Authority (the "Authority") solicited bid proposals for **Digester Gas Treatment Media Procurement and Replacement (One (1) Year Period with One (1) One (1) Year Option)**, pursuant to and in accordance with **Contract No. 19-24**; and

**WHEREAS**, the following sole bid proposal was received by the Authority on **September 24, 2019** for **Contract No.19-24**:

Vendor	Total Bid Price for One (1) Year
Nichem Co. Newark, NJ	\$175,050.00

; and

**WHEREAS**, the Authority's **Director of Water Pollution Control** and **Interim Qualified Purchasing Agent** have reviewed the sole bid proposal submitted to the Authority by **Nichem Co.** for **Contract No. 19-24** and have recommended that the sole bid proposal received for **Contract No. 19-24** is nonresponsive and should be rejected as, due to lack of clarity in the bid documents with respect to the amount of material to be provided, the sole bid proposal received included bid amounts calculated upon the bidder providing a substantially lesser quantity of material than that which is required to be provided by the bidder pursuant to **Contract No. 19-24** and the Authority is therefore without assurance that **Contract No. 19-24** would be performed as anticipated and, in order to avoid further confusion and to provide the Authority with assurance that **Contract No. 19-24** will be performed as anticipated, the Authority must substantially revise the bid specifications in accordance with N.J.S.A. 40A:11-13.2(d); and

**WHEREAS**, on the basis of the foregoing, the Authority's **Director of Water Pollution Control** and **Interim Qualified Purchasing Agent** have determined and have recommended that the bid proposal of **Nichem Co.** for **Contract No. 19-24** received on September 24, 2019 should be rejected as nonresponsive and the Authority must substantially revise the bid specifications and rebid **Contract No. 19-24** in accordance with N.J.S.A. 40A:11-13.2(d); and

**WHEREAS**, based upon the above, the Board of Commissioners of the Authority are desirous of revising the specifications and bid documents as recommended by the Authority's **Director of Water Pollution Control** and then re-advertising for the solicitation of bid proposals for **Contract No. 19-24 (Rebid)** pursuant to N.J.S.A. 40A:11-4 et seq., as an award of **Contract No. 19-24 (Rebid)** 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:

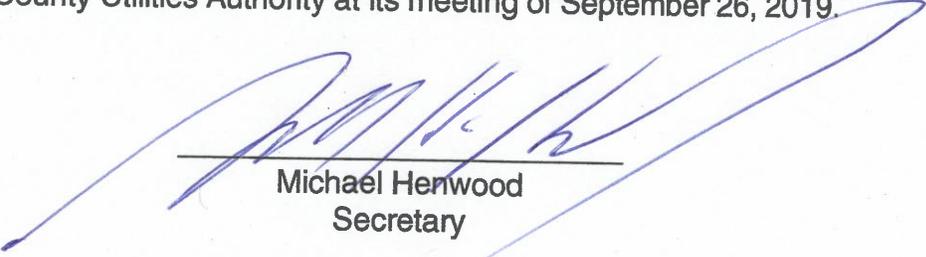
1. The bid proposal of **Nichem Co.** for **Contract No. 19-24** submitted to the Authority on September 24, 2019 shall be and is hereby rejected as being nonresponsive and the Authority's **Interim Qualified Purchasing Agent**, with assistance from the Authority's **Director of Water Pollution Control**, shall be and hereby is authorized and directed to revise the bid specifications and bid documents for **Contract No. 19-24** to correct and provide for necessary critical characteristics for **Digester Gas Treatment Media Procurement and Replacement (One (1) Year Period with One (1) One (1) Year Option)** pursuant to and in accordance with **Contract No. 19-24 (Rebid)** and in accordance with N.J.S.A. 40A:11-13.2(a).

2. The Executive Director, or his designee, shall be and is hereby authorized to re-advertise for the solicitation of bid proposals for **Digester Gas Treatment Media Procurement and Replacement (One (1) Year Period with One (1) One (1) Year Option)** for **Contract No. 19-24 (Rebid)**.

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

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 September 26, 2019.



Michael Henwood  
Secretary

**Dated: September 26, 2019**

**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 **September 5, 2019**, the Authority issued a Request for Qualifications for Geotechnical Services Consultant, Environmental Permitting Consultant and Modeling and Permitting Consultant 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 **September 18, 2019**; 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 Construction and Engineering Committee recommends that the firms listed below be deemed qualified for the following positions.

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

1. The following firms be and are hereby qualified to render services on behalf of the Authority for the year of 2019:

**GEOTECHNICAL SERVICES CONSULTANT**

GZA Geo Environmental, Inc.  
Tectonic Engineering & Surveying Consultants P.C.  
MFS Consulting Engineers & Surveyor Corp.

**ENVIRONMENTAL PERMITTING CONSULTANT**

Najarian Associates, Inc.  
Arcadis US, Inc.  
NV5, Inc.  
AKRF, Inc.  
Suburban Consulting Engineers, Inc.  
Boswell Engineering, Inc.  
Brinkerhoff Environmental Services, Inc.

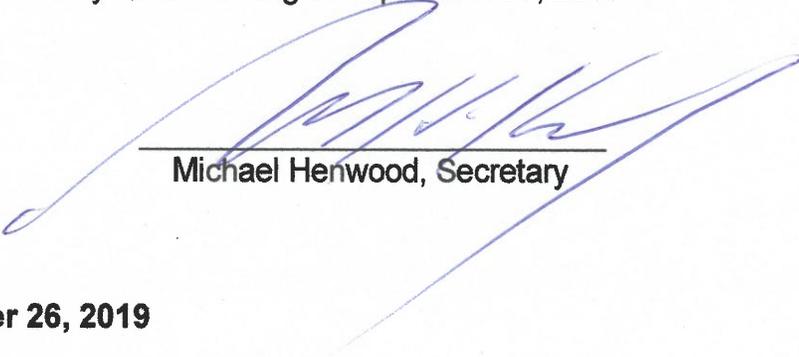
**MODELING AND PERMITTING CONSULTANT**

Arcadis US, Inc.  
Najarian Associates, Inc.

**19-2-071**

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of September 26, 2019.



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Michael Henwood, Secretary

**Dated: September 26, 2019**

**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 Transport – Tanker Truck**, pursuant to and in accordance with **Contract No. 16-05B (for a Three (3) Year Period with Two (2) One (1) Year Options)**; and

**WHEREAS**, by way of Resolution 16-2-070 adopted October 11, 2016 by the Board of Commissioners of the Authority, as amended by Resolution 17-2-087 adopted December 21, 2017 by the Board of Commissioners of the Authority, **Accurate Waste Removal Services, Inc. ("AWRS")** was determined by the Authority to be the lowest complying and responsible service provider for **Liquid Sewage Sludge Transport – Tanker Truck**, constituting **Contract No. 16-05B (Rebid)**, for a total unit cost of **\$38.95/1,000 gallons** per contract year for contract years one (1) through three (3) of **Contract No. 16-05B (Rebid)** and the anticipated total annual sum of **\$2,332,326.00** per contract year for contract years one (1) through three (3) of **Contract No. 16-05B (Rebid)**, and for a total unit cost of **\$40.00/1,000 gallons** for **Option Year One (1)** (contract year four (4)) of **Contract No. 16-05B (Rebid)** and for a total unit cost of **42.00/1,000 gallons** for **Option Year Two (2)** (contract year five (5)) of **Contract No. 16-05B (Rebid)**; and

**WHEREAS**, by way of Resolution 16-2-070 adopted October 11, 2016 by the Board of Commissioners of the Authority, as amended by Resolution 17-2-087 adopted December 21, 2017 by the Board of Commissioners of the Authority, the Chairman of the Board of Commissioners of the Authority was authorized to execute a contract with **AWRS** for **Liquid Sewage Sludge Transport – Tanker Truck**, constituting **Contract No. 16-05B (Rebid)** for the unit price of **\$38.95/1,000 gallons** per contract year for contract years one (1) through three (3) of **Contract No. 16-05B (Rebid)** and for the resulting total anticipated annual sum of **\$2,332,326.00** per contract year for contract years one (1) through three (3) of **Contract No. 16-05B (Rebid)**; and

**WHEREAS**, pursuant to Resolution 16-2-070, **Contract No. 16-05B (Rebid)** was entered into by and between the Authority and **AWRS** on November 1, 2016; and

**WHEREAS**, **Contract No. 16-05B (Rebid)** was amended by the Authority and **AWRS** pursuant to Resolution 18-2-018 adopted February 22, 2018 by the Board of Commissioners of the Authority; and

**WHEREAS**, the Authority, by way of Resolution 19-2-043 adopted May 23, 2019 by the Board of Commissioners of the Authority, consented to the assignment of **Contract No. 16-05B (Rebid)** from **AWRS** to **Russell Reid Waste Hauling and Disposal Service Co., Inc.** and authorized the Chairman of the Board of Commissioners of the Authority to execute a contract with **AWRS** and **Russell Reid Waste Hauling and Disposal**

19-2-072

Service Co., Inc. memorializing the assignment of **Contract No. 16-05B (Rebid)** as authorized by, and pursuant to, Resolution 19-2-043; and

**WHEREAS**, pursuant to the terms of **Contract No. 16-05B (Rebid)**, the Authority has the option to extend the contract for an additional **One (1) Year Period** by exercising the first **One (1) Year Option** for the unit price of **\$40.00/1,000 gallons** and the total anticipated annual sum of **\$2,395,200.00** for **Option Year (1)** (contract year four (4)) of **Contract No. 16-05B (Rebid)**; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-15, the Authority finds that **Russell Reid Waste Hauling and Disposal Service Co., Inc.** has performed **Liquid Sewage Sludge Transport – Tanker Truck** services, constituting **Contract No. 16-05B (Rebid)**, in an effective and efficient manner; and

**WHEREAS**, exercising the first **One (1) Year Option** of **Contract No. 16-05B (Rebid)** with **Russell Reid Waste Hauling and Disposal Service Co., Inc.** for **Liquid Sewage Sludge Transport – Tanker Truck** is necessary for the efficient operation of the Authority; and

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

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

1. The Executive Director shall be and he is hereby authorized to execute a contract with **Russell Reid Waste Hauling and Disposal Service Co., Inc.** for **Liquid Sewage Sludge Transport – Tanker Truck**, pursuant to and in accordance with **Contract No. 16-05B (Rebid)**, which contract exercises the first **One (1) Year Option** by the Authority to extend **Contract No. 16-05B (Rebid)** for an additional **One (1) Year Period** (commencing November 1, 2019 and expiring October 31, 2020) for the unit price of **\$40.00/1,000 gallons** and the total anticipated annual sum of **\$2,395,200.00** for **Option Year (1)** (contract year four (4)) of **Contract No. 16-05B (Rebid)**.
2. All other terms of **Contract No. 16-05B (Rebid)** shall remain in full force and effect without modification.
3. The Acting Treasurer's Certification that funds are available shall be placed on file and made available for public inspection at the Authority and made a part hereof.
4. A notice of this contract award shall be published in the form prescribed by law.

**19-2-072**

5. A copy of this Resolution and the contract executed pursuant to this Resolution, along with **Contract No. 16-05B (Rebid)**, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by **Russell Reid Waste Hauling and Disposal Service Co., 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 September 26, 2019.



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Michael Henwood  
Secretary

**Dated: September 26, 2019**

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 9/26/2019

RESOLUTION #: 19-2-072

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

FUNDS AVAILABLE

X

FUNDS ARE NOT AVAILABLE

BUDGET ACCOUNT

SLUDGE DISPOSAL  
W-670-60500-000

VENDOR

RUSSELL REID WASTE  
HAULING & DISPOSAL SERVICE CO., INC.

CONTRACT NUMBER

16-05B FIRST ONE YEAR OPTION

REASON

LIQUID SEWAGE SLUDGE TRANSPORT - TANKER  
TRUCK

AMOUNT

\$2,395,200.00

CONTRACT LENGTH

NOVEMBER 1, 2019 - OCTOBER 31, 2020

Matthew Carter  
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

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

**WHEREAS**, the operation and maintenance of an effective and efficient water pollution control system, including but not limited to the daily operation of the Authority's Water Pollution Control Facility situated in the Borough of Little Ferry, Bergen County, New Jersey (the "Little Ferry WPCF"), represents a vital responsibility of government that is essential to ensuring the health, safety, and welfare of those whose daily life activities depend on such a system; and

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

**WHEREAS**, **Neglia Engineering Associates**, the Authority's **Site Work Engineering/Land Surveying Consultant**, at the request of the Authority, previously implemented remedial investigation activities to further evaluate and delineate the nature and extent of any residual soil impacts previously detected adjacent to the previously abandoned in-place 4,000 gallon leaded gasoline UST and characterize the nature and extent of ground water impact, with the findings of that investigation being included as part of the Remedial Investigation Report/Remedial Action Work Plan dated May 2017 (the "2017 Report"); and

**WHEREAS**, based upon the findings of the investigation presented in the 2017 Report, the Authority determined that certain engineering services are required for designing, developing specifications and providing construction management for the **Treatment Plant Soil Remediation Project** located at the Authority's Little Ferry WPCF; and

**WHEREAS**, as part of the **Treatment Plant Soil Remediation Project**, there exists the need to engage the services of an engineering firm authorized to provide professional engineering services in the State of New Jersey to provide those services as are needed for the completion of the **Treatment Plant Soil Remediation Project**; and

**WHEREAS**, said engineering services are recognized as "professional services" as same shall be rendered by person(s) authorized by law to practice a recognized profession, whose practice is regulated by law, and the performance of which services requires knowledge of an advanced type of learning acquired by a prolonged formal

course of specialized instruction and study, pursuant to and in accordance with N.J.S.A. 40A:11-2(6); and

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

**WHEREAS**, based on **Neglia Engineering Associates'** Statement of Qualifications and prior history, the Authority issued a Request for Proposal providing a scope of work for the **Treatment Plant Soil Remediation Project**; and

**WHEREAS**, **Neglia Engineering Associates** has submitted to the Authority a written proposal dated September 16, 2019 (the "Proposal") to provide the aforesaid professional engineering and construction management services for the **Treatment Plant Soil Remediation Project**, for an amount not to exceed the total sum of **\$32,490.00** as more fully set forth and contained in the Proposal, which Proposal has been reviewed and determined to be fair and reasonable by the Director of Engineering of the Authority; and

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

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

**WHEREAS**, the Authority has determined, based upon the foregoing, that it is necessary for the efficient operation of the Authority to retain the services of **Neglia Engineering Associates** to provide these engineering services to the Authority in connection with the **Treatment Plant Soil Remediation Project**; and

**WHEREAS**, the Authority desires to appoint and retain **Neglia Engineering Associates** for the providing of the engineering services to the Authority for the **Treatment Plant Soil Remediation Project** for an amount not to exceed the total sum of **\$32,490.00**; and

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

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

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

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

1. The **Neglia Engineering Associates** shall be and is hereby appointed to serve as **Engineering and Construction Management Services Consultant** to the Authority for the **Treatment Plant Soil Remediation Project** for an amount not to exceed the total sum of **\$32,490.00** without further action by the Board of Commissioners of the Authority.

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

3. A copy of this Resolution and the contract retaining **Neglia Engineering Associates** as **Engineering and Construction Management Services Consultant** as approved and authorized by this Resolution shall be placed on file and made available for public inspection in the Office of the Executive Director, upon execution by **Neglia Engineering Associates** and the Authority.

4. The total amount authorized to be paid by the Authority to **Neglia Engineering Associates** pursuant to the contract herein awarded for the **Treatment Plant Soil Remediation Project** shall not exceed the total sum of **\$32,490.00** without further action by the Board of Commissioners.

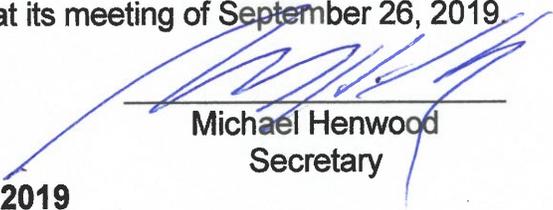
5. The Acting Treasurer's Certification that funds are available shall be placed on file and made available for public inspection at the Authority and made a part hereof.

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

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

**19-2-073**

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of September 26, 2019.



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Michael Henwood  
Secretary

**Dated: September 26, 2019**

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 9/26/2019

RESOLUTION #: 19-2-073

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

FUNDS AVAILABLE X

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

BUDGET ACCOUNT ENGINEERING  
W-350-50400-000

VENDOR NEGLIA ENGINEERING ASSOCIATES

CONTRACT NUMBER 19092601

REASON ENGINEERING & CONSTRUCTION MANAGEMENT  
SERVICES CONSULTANT FOR THE TREATMENT PLANT  
SOIL REMEDIATION PROJECT

AMOUNT \$32,490.00

CONTRACT LENGTH TO COMPLETION

Matthew Carter  
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

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

**WHEREAS**, the operation and maintenance of an effective and efficient water pollution control system, including but not limited to the daily operation of the Authority's Water Pollution Control Facility situated in the Borough of Little Ferry, Bergen County, New Jersey (the "Little Ferry WPCF"), represents a vital responsibility of government that is essential to ensuring the health, safety, and welfare of those whose daily life activities depend on such a system; and

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

**WHEREAS**, Primary Settling Tanks 1-4 in Battery A of the Little Ferry WPCF are in need of improvements; and

**WHEREAS**, Primary Settling Tank #4 and Gallery A-2 in Battery A of the Little Ferry WPCF have experienced differential settling that was first investigated through engineering studies by the Authority's consulting engineers, Alaimo Group, and their sub-consultants in 2005; and

**WHEREAS**, significant settlement has been documented and initial attempts to limit continuing settling have only produced marginal success; and

**WHEREAS**, Primary Settling Tank #4 is presently out-of-service to reduce the weight on its structure and also to prevent wastewater from leaking into the gallery; and

**WHEREAS**, during severe wet-weather events, the Authority has observed that Primary Settling Tank #4 fills with wastewater and structural cracks near the effluent trough allow wastewater to enter Gallery A-2; and

**WHEREAS**, recent periodic groundwater leaks enter Gallery A-2 and A-3 through joints and cracks and overwhelm sump pumps and while the Authority works diligently to repair known leaks, new leaks continue to form; and

**WHEREAS**, record rainfall in the last year has resulted in the Little Ferry WPCF experiencing high inflow and infiltration and combined sewer flows and, as a result, it is

important for the Authority to maintain the hydraulic capacity of the Little Ferry WPCF which includes the primary treatment systems; and

**WHEREAS**, due to Primary Settling Tank #4 being placed out-of-service, any issues experienced with the remaining Primary Settling Tanks requiring the Authority to take one of them out of service impacts the hydraulic capacity of the battery; and

**WHEREAS**, additional settlement in Gallery A-2 has the potential to compromise the gravity thickener overflow pipe, which hangs from the Gallery A-2 ceiling; and the Battery A and B air header, which is presently not seated in its floor mounted cradle; and

**WHEREAS**, based upon the observed conditions as presented herein above, the Authority, desirous of protecting its assets, has determined that it requires the services of an engineering firm authorized to provide professional engineering services in the State of New Jersey for the **Primary Settling Tanks ( Battery A ) Improvements Project**, which services include designing and implementing the recommendations as contained in the March 9, 2018 report of the Authority's consulting engineers, Alaimo Group, including the installing of piles beneath Primary Settling Tank #4, repairing Gallery A-2 and performing other necessary improvements throughout Primary Settling Tanks 1-4 in Battery A to return the system to peak performance; and

**WHEREAS**, the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., provides an alternative to the competitive bidding processes under certain circumstances by utilizing a contracting procedure referred to as "competitive contracting"; and

**WHEREAS**, N.J.S.A. 40A:11-4.3(a) requires that in order to initiate competitive contracting, the governing body shall pass a resolution authorizing the use of competitive contracting each time specialized goods or services enumerated in N.J.S.A. 40A:11-4.1 are desired to be contracted; and

**WHEREAS**, the Authority believes it is imperative that it be prepared to move forward with the **Primary Settling Tanks ( Battery A ) Improvements Project** without delay; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-4.1(i), the retention of professional engineering services which are exempt from bidding pursuant to N.J.S.A. 40A:11-5 are eligible for the competitive contracting process; and

**WHEREAS**, N.J.S.A. 40A:11-4.3(b) requires that the competitive contracting process be administered by the Authority's purchasing agent, qualified pursuant to N.J.S.A. 40A:11-9, or by the Authority's legal counsel, or by an administrator designated by the Authority; and

**WHEREAS**, the Authority's Executive Director has determined that it is in the Authority's best interests to utilize the competitive contracting process for the procurement of professional engineering services to undertake and complete the **Primary Settling Tanks ( Battery A ) Improvements Project** at the Little Ferry WPCF pursuant to, and in accordance with, N.J.S.A. 40A:11-4.1; and

**WHEREAS**, N.J.S.A. 40A:11-4.4(a) requires that the Authority's purchasing agent, qualified pursuant to N.J.S.A. 40A:11-9, the Authority's legal counsel, or an administrator designated by the Authority, shall prepare or have prepared a request for proposal documentation which shall include: all requirements necessary for potential vendors to submit a proposal; and a methodology by which the Authority will evaluate and rank proposals received from vendors; and

**WHEREAS**, N.J.S.A. 40A:11-4.5(a) requires that a notice of availability of request for proposal documentation be published in the Authority's official newspaper at least twenty (20) days prior to the date established for the submission of proposals.

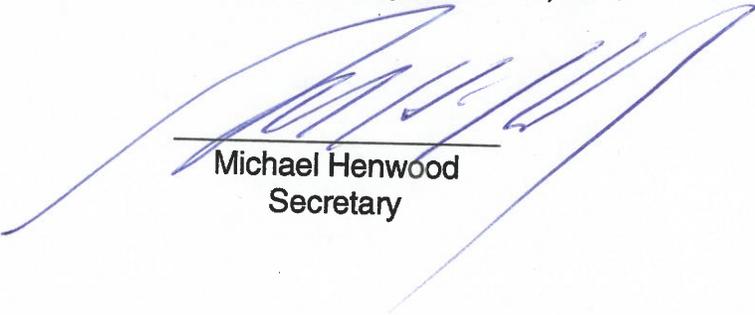
**NOW THEREFORE, BE IT RESOLVED** by the Commissioners of the Bergen County Utilities Authority as follows:

1. Pursuant to and in accordance with N.J.S.A. 40A:11-4.1 et seq., the Authority shall be and is hereby authorized to utilize the competitive contracting process to procure professional engineering services to perform and complete the **Primary Settling Tanks ( Battery A ) Improvements Project** at the Little Ferry WPCF pursuant to, and in accordance with, N.J.S.A. 40A:11-4.1.
2. Pursuant to, and in accordance with, N.J.S.A. 40A:11-4.3, the aforesaid competitive contracting process shall be administered by the Authority's Interim Qualified Purchasing Agent and/or an administrator designated by the Authority, in consultation with the Authority's General Legal Counsel.
3. Pursuant to, and in accordance with, N.J.S.A. 40A:11-4.4(a), the Authority's Interim Qualified Purchasing Agent and/or an administrator designated by the Authority, in consultation with the Authority's General Legal Counsel, shall prepare or have prepared a Request for Proposals, which shall include: all requirements necessary for potential vendors to submit a proposal; and a methodology by which the Authority will evaluate and rank proposals received from vendors.
4. Pursuant to, and in accordance with, N.J.S.A. 40A:11-4.5(a), a notice of availability of the Request for Proposals shall be published in the Authority's official newspaper at least twenty (20) days prior to the date established for the submission of proposals.
5. 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.

19-2-074

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 September 26, 2019.



Michael Henwood  
Secretary

Dated: September 26, 2019

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

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

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

**WHEREAS**, in furtherance of providing these essential services, the Board of Commissioners of the Authority, by Resolution 19-2-004 adopted February 28, 2019, appointed ARCADIS U.S., Inc. to serve as Special Environmental Engineer to the Authority for a One (1) Year Term or until a successor is selected or at the pleasure of the Authority, whichever shall first occur or be exercised; and

**WHEREAS**, Resolution 19-2-004 Authorized the Chairman of the Board of Commissioners of the Authority to execute a contract by and between the Authority and ARCADIS U.S., Inc. (the "Contract") memorializing the services to be provided by ARCADIS U.S., Inc. to the Authority as Special Environmental Engineer and providing the budget for compensation to be paid by the Authority to ARCADIS U.S., Inc. for the providing of those services, pursuant to which payment is not to exceed the total sum of \$300,000.00 without further approval of the Board of Commissioners of the Authority; and

**WHEREAS**, the Contract was executed by and on behalf of the Authority and ARCADIS U.S., Inc. on March 1, 2019; and

**WHEREAS**, ARCADIS U.S., Inc., operating under the Contract, has continued to provide significant necessary and valuable services to the Authority as the Authority's Special Environmental Engineer on an as-requested basis on a number of critical ongoing projects as well as additional other projects the Authority identified since the commencement of the term of the Contract, which projects include:

- Assisting the Authority with the preparation of a capacity analysis report required to be submitted to the New Jersey Department of Environmental Protection;
- Continuing to assist the Authority with the preparation of the updated Wastewater Management Plan as is required by governing administrative regulations;
- Assisting the Authority with developing carbon media requirements for the digester gas treatment vessel and the carbon vessels in the Blower and Cogeneration Buildings and preparing the specifications for inclusion in Authority bid documents for procuring this carbon media for

these facilities and in the dewatering building. It is anticipated that ARCADIS US, Inc. will be requested to assist the Authority with additional related services, including the evaluation of bids and review of performance test data. ARCADIS US, Inc. is also prepared to continue to assist the Authority with addressing other related issues as they arise;

- Assisting the Authority with the basis of design report for the air injection system for the Cogeneration Building which was submitted to the Authority in August 2019 and, as the Authority moves forward with procuring and installing the air injection system, ARCADIS US, Inc. will be available to answer questions and assist the Authority as needed, including reviewing data on the performance of the carbon absorbers;
- Since the time of the Authority's carbon vessel incurring damage in April 2019, ARCADIS US, Inc. has been working with the Authority to evaluate the condition of the carbon vessels and related piping and has also advised the Authority relative to disconnection procedures and hydrostatic testing of the carbon vessel piping and prepared draft contract documents to solicit new carbon vessel and related improvements. ARCADIS US, Inc. anticipates continuing to assist the Authority during the bidding process, including reviewing bids and shop drawings;
- ARCADIS US, Inc. has been assisting the Authority for over 20 years with relevant permitting for the Authority's Little Ferry and Edgewater Water Pollution Control Facilities, including recently assisting the Authority in negotiating new permit effluent limits for the Authority's Little Ferry Water Pollution Control Facility and providing the hydraulic modeling and assessment of this plant's hydraulic capacity for the Authority's Long Term Control Plan permit process. In addition, ARCADIS US, Inc. is continuing to assist the Authority in addressing other permitting and regulatory issues, as well as performing the design, construction administration, and start-up of facility modifications that may be required as a result of the planning and permitting process and assisting the Authority with the preparation of applicable reports;
- Supporting the Authority on an as-requested basis with the evaluation of its wastewater effluent re-use agreements, which efforts include developing several financial pro-forma analyses over various agreement term limits, escalation alternatives, initial price offers, rate reduction offers for larger effluent quantities and evaluating other water source alternatives that may be available to wastewater effluent users as part of on-going evaluations to determine potential capital equipment and long-term operating costs for comparison to current and proposed pricing options; and
- Hurricane Sandy (Major Disaster Declaration FEMA-DR-4086-NJ) caused significant flooding at the Authority's Little Ferry Water Pollution Control Facility in late October 2012. ARCADIS US, Inc. is

continuing to assist the Authority in working with Federal Emergency Management Agency and the New Jersey Office of Emergency Management to finalize remaining elements of certain project worksheets for hazard mitigation and has been working closely with the Authority to oversee the work being done related to the Main Switchyard, Main Switchgear Building, Cogeneration Building, Blower Building, substations, electric feeders and cabling. The services provided have included overseeing design, scope, and cost alterations to the original scopes of work and it is anticipated that the Authority will require ARCADIS US, Inc. to continue providing such services.

; and

**WHEREAS**, by written correspondence, ARCADIS U.S., Inc. advised the Authority that ARCADIS U.S., Inc. requires an increase of the compensation budget of \$300,000.00 to be paid by the Authority to ARCADIS U.S., Inc. for services performed pursuant thereto; and

**WHEREAS**, ARCADIS U.S., Inc., by the written correspondence, requested that the Authority increase the compensation budget provided for by the Contract by the total sum of \$200,000.00, resulting in an amended Contract compensation budget of an amount not to exceed the total sum of \$500,000.00; and

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

**WHEREAS**, the Authority's Director of Engineering has reviewed the written correspondence of ARCADIS U.S., Inc., including the request of ARCADIS U.S., Inc. to increase the compensation budget under the Contract for the total compensation to be paid by the Authority to ARCADIS U.S., Inc., and based upon the above determinations and his review of the written correspondence of ARCADIS U.S., Inc., he has concluded and recommended that the Authority should amend the Contract by increasing the budget for compensation to be paid by the Authority to ARCADIS U.S., Inc. pursuant to the Contract; and

**WHEREAS**, the Authority's Acting Treasurer has recommended that the Authority should amend the Contract by increasing the budget for compensation to be paid by the Authority to ARCADIS US, Inc. in the total sum of \$200,000.00, resulting in an amended compensation budget under the Contract in an amount not to exceed the total sum of \$500,000.00 without further approval of the Board of Commissioners of the Authority, and the Authority's Acting Treasurer has certified that funds are available for the modification of the Contract pursuant to this Resolution.

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

1. The Contract entered into by and between the Authority and ARCADIS U.S., Inc. shall be and is hereby modified by the Authority and the Contract shall be modified to provide that the compensation to be paid by the Authority pursuant thereto shall be increased in the amount of \$200,000.00 and the total amount of compensation to now be paid by the Authority to ARCADIS U.S., Inc. pursuant to the modified Contract shall not exceed the total sum of \$500,000.00 without further approval of the Board of Commissioners of the Authority.

2. The Chairman of the Authority shall be and is hereby authorized to execute a contract by and among the Authority and ARCADIS U.S., Inc., modifying the Contract as approved and authorized by this Resolution, in the form acceptable to the Chairman, and satisfactory to the Authority as evidenced by the Chairman's signature thereon.

3. A copy of this Resolution, and the contract modifying the Contract with ARCADIS U.S., Inc. pursuant to this Resolution, shall be placed on file and made available for public inspection in the Office of the Executive Director, upon execution by ARCADIS U.S., Inc. and the Authority.

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

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

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of September 26, 2019.



Michael Henwood, Secretary

**Dated: September 26, 2019**

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 9/26/2019

RESOLUTION #: 19-2-075

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

FUNDS AVAILABLE X

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

BUDGET ACCOUNT ENGINEERING  
W-350-50400-000

VENDOR ARCADIS U.S., INC.

CONTRACT NUMBER 19022810

REASON INCREASE IN THE PROFESSIONAL SERVICE  
NEEDS OF THE AUTHORITY FOR  
SPECIAL ENVIRONMENTAL ENGINEER

AMOUNT \$200,000.00

CONTRACT LENGTH SEPTEMBER 26, 2019 - FEBRUARY 29, 2020

Matthew Carter  
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

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

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

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

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

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

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

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

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

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

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

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

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

**WHEREAS**, the wastewater flows from the Edgewater WPCF are now proposed to be treated in a more efficient, effective, and cost effective manner at the Authority's Little Ferry WPCF on or before July 4, 2019; and

**WHEREAS**, as part of the Edgewater WPCF Project, the Authority previously determined that specialized Professional Appraisal Services were required to be performed by a real estate appraiser with significant experience in the specialized practice of appraising railroad corridors and railroad property in connection with the Edgewater WPCF Project; and

**WHEREAS**, Resolution 17-1-014 adopted February 23, 2017 by the Board of Commissioners of the Authority, authorized the Authority's General Legal Counsel to

retain Shenehon Company to provide the aforesaid specialized Professional Appraisal Services in connection with the Edgewater WPCF Project, which services include the providing of appraisals for railroad owned properties, including an existing tunnel (the "Tunnel"), which the Authority will be required to acquire an easement or similar other interest in, in order to advance the Edgewater WPCF Project pursuant to and consistent with the terms of the 2015 ACO; and

**WHEREAS**, Shenehon Company has advised that, in order for Shenehon Company to provide a more complete appraisal for the Tunnel which is included within the proposed alignment for the construction of the sanitary sewer force main as part of the Edgewater WPCF Project and which the Authority must therefore obtain an easement or other similar interest in, Shenehon Company requires the completion of an investigation of the integrity of the tunnel and the production of a report providing the findings of that investigation; and

**WHEREAS**, in order for the Authority to provide the report concerning the integrity of the Tunnel as requested by Shenehon Company, the Authority needs and is required to engage the services of an engineering firm authorized to provide professional engineering services in the State of New Jersey to perform the **Tunnel Integrity Assessment Services** for the Authority; and

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

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

**WHEREAS**, **GZA Geo Environmental, Inc.** previously submitted a Statement of Qualifications to the Authority and the Commissioners of the Authority previously determined by Resolution that **GZA Geo Environmental, Inc.** is competent, qualified and experienced to serve as the Authority's Geotechnical Services Consultant; and

**WHEREAS**, based on the Statement of Qualifications submitted by **GZA Geo Environmental, Inc.** the Authority issued a Request for Proposal ("RFP") to **GZA Geo Environmental, Inc.**, as **Geotechnical Services Consultant** to the Authority, to perform the **Tunnel Integrity Assessment Services** for the Authority; and

**WHEREAS**, the RFP provided a scope of work to be performed to undertake and complete the **Tunnel Integrity Assessment Services**; and

**WHEREAS**, the RFP specified that the **Geotechnical Services Consultant** shall be required and obligated to indemnify the Authority and provide insurance required by the Authority; and

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

**WHEREAS**, in response to the RFP, **GZA Geo Environmental, Inc.** submitted to the Authority a written proposal dated September 25, 2019 (the "Proposal") to perform the **Tunnel Integrity Assessment Services** for the Authority for an amount not to exceed the total sum of **\$308,200.00**, which proposal has been reviewed and determined to be fair and reasonable by the Authority's Director of Engineering; and

**WHEREAS**, the Proposal included attachments providing to the Authority the requested schedule of hourly billing rates, Certificate of Liability Insurance naming the Authority as an additional insured, New Jersey Business Registration Certificate, Ownership Disclosure Statement, Affirmative Action Compliance Notice, Iran Disclosure Form and Certificate of Employee Information Report; and

**WHEREAS**, the Authority has determined, based upon the foregoing, that it is necessary for its efficient operation to retain the services of **GZA Geo Environmental, Inc., Geotechnical Services Consultant** to the Authority, to perform the **Tunnel Integrity Assessment Services** for the Authority; and

**WHEREAS**, the Authority desires to appoint and retain **GZA Geo Environmental, Inc.** to perform the **Tunnel Integrity Assessment Services** for the Authority for an amount not to exceed the sum of **\$308,200.00**; and

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

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

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

1. **GZA Geo Environmental, Inc., Geotechnical Services Consultant** to the Authority, shall be and is hereby appointed to perform the **Tunnel Integrity Assessment Services** for the Authority, pursuant to and consistent with the terms of the Proposal submitted by **GZA Geo Environmental, Inc.** to the Authority, for an amount not to exceed the sum of **\$308,200.00** without further action by the Board of Commissioners.

2. The Chairman shall be and is hereby authorized to execute a contract, similar in form and substance to the contract on file at the Authority, by and between the

Authority and **GZA Geo Environmental, Inc.** memorializing the scope of services and hourly billing rates to be paid for such services as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

3. A copy of this Resolution, the contract retaining **GZA Geo Environmental, Inc.** as General Consulting Engineer to the Authority and the contract 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 **GZA Geo Environmental, Inc.** and the Authority.

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

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

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of September 26, 2019.



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

**Dated: September 26, 2019**

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 9/26/2019

RESOLUTION #: 19-2-076

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

FUNDS AVAILABLE X

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

BUDGET ACCOUNT ENGINEERING  
W-350-50400-000

VENDOR GZA GEO ENVIRONMENTAL, INC.

CONTRACT NUMBER 19092602

REASON TUNNEL INTEGRITY ASSESSMENT SERVICES

AMOUNT \$308,200.00

CONTRACT LENGTH TO COMPLETION

  
ACTING TREASURER

## BERGEN COUNTY UTILITIES AUTHORITY RESOLUTION

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

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

**WHEREAS**, the Authority plays an important role in providing these essential services within the Authority's sewer service district, which is within Bergen County; and

**WHEREAS**, the Authority, as part of its operations, requires the procurement of carbon media for the digester gas treatment vessels located in the Blower Building and the Cogeneration Building located at the Authority's Water Pollution Control Facility situated in the Borough of Little Ferry, Bergen County, New Jersey (the "Little Ferry WPCF") along with the related services for removal of the spent carbon media and installation of the new carbon media; and

**WHEREAS**, the Authority solicited bid proposals for **Digester Gas Treatment Media Procurement and Replacement (One (1) Year Period with One (1) One (1) Year Option)**, pursuant to and in accordance with **Contract No. 19-24** and at the bid opening on September 24, 2019, the Authority received a sole bid proposal which the Authority determined was nonresponsive and should be rejected as, due to lack of clarity in the bid documents with respect to the amount of carbon media to be provided, the sole bid proposal received included bid amounts calculated upon the bidder providing a substantially lesser quantity of material than that which is required to be provided by the bidder pursuant to **Contract No. 19-24** and the Authority is therefore without assurance that **Contract No. 19-24** would be performed as anticipated and, in order to avoid further confusion and to provide the Authority with assurance that **Contract No. 19-24** will be performed as anticipated, the Board of Commissioners of the Authority, by Resolution 19-2-070 adopted September 26, 2019, rejected the sole bid proposal received and authorized and directed the revising of the bid specifications and bid documents for **Contract No. 19-24** in accordance with N.J.S.A. 40A:11-13.2(d); and

**WHEREAS**, the Authority's Director of Engineering executed a Certificate of Emergency dated September 25, 2019, confirming that under the Authority's Title V Permit for the Little Ferry WPCF, the Authority is required to conduct emissions testing on its Cogeneration Engines which is presently scheduled for October 1, 2019 through October

3, 2019 and the Authority requires **Digester Gas Treatment Media Procurement and Replacement** in order to undertake and complete this required testing; and

**WHEREAS**, as the Authority was unable to award **Contract No. 19-24** prior to the required testing scheduled for October 1, 2019 through October 3, 2019, in order to complete this required testing the Authority must procure **Digester Gas Treatment Media Procurement and Replacement** through emergency procurement; and

**WHEREAS**, N.J.S.A. 40A:11-6 authorizes the Authority to negotiate or award a contract 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 Director of Engineering executed and provided to the Board of Commissioners of the Authority a Certification of Emergency dated September 25, 2019, a true and correct copy of which is annexed hereto and incorporated herein and made a part hereof by reference as if more fully set forth herein; and

**WHEREAS**, the Director of Engineering certified within said Certification of Emergency that the Authority must procure **Digester Gas Treatment Media Procurement and Replacement** through emergency procurement in order to conduct the required emissions testing of Cogeneration Engines 1 and 2; and

**WHEREAS**, Nichem Co. submitted to the Authority Invoice No. 19-226 dated September 25, 2019 in the amount of **\$33,550.00** for **Digester Gas Treatment Media Procurement and Replacement**, with Nichem Co. so that the Authority may conduct the required emissions testing of Cogeneration Engines 1 and 2 as detailed above; and

**WHEREAS**, the Director of Engineering has determined and recommended that Nichem Co. is competent, qualified, experienced and has a proven reputation, having previously provided **Digester Gas Treatment Media Procurement and Replacement** to the Authority; and

**WHEREAS**, the Director of Engineering determined that the emergency procurement of **Digester Gas Treatment Media Procurement and Replacement** is emergently required and necessary to ensure the public's health and welfare, as set forth in the Certification of Emergency referenced above and annexed hereto; and

**WHEREAS**, emergency contracts are exempted from compliance with the fair and open process under N.J.S.A. 19:44A-20.4 et seq.; and

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

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

1. The Authority hereby authorizes, confirms, ratifies and approves the declaration of emergency by the Authority's Director of Engineering, by the Certification of Emergency dated September 25, 2019, resulting in the emergency procurement of **Digester Gas Treatment Media Procurement and Replacement** so that the Authority may conduct the required emissions testing of Cogeneration Engines 1 and 2 to preserve the public health, safety and welfare.

2. The Authority hereby accepts the Certification of Emergency of Dominic DiSalvo, P.E., Director of Engineering, dated September 25, 2019, and same is to be placed on file in the office of the Executive Director and available for public inspection.

3. Invoice No. 19-226 submitted to the Authority by **Nichem Co.** for the emergency procurement of **Digester Gas Treatment Media Procurement and Replacement**, shall be and is hereby accepted for processing and payment, for an amount not to exceed the total sum of **\$33,550.00**, in accordance with the Authority's emergency purchase protocol, without further action by the Board of Commissioners of the Authority.

4. An Emergency Procurement Form shall immediately be sent to the Division of Local Government Services.

5. The Acting Treasurer's Certification that funds are available shall be maintained on file at 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 forgoing to be a true copy of the resolution adopted by the Bergen County Utilities Authority at its meeting of September 26, 2019.



Michael Henwood  
Secretary

**Dated: September 26, 2019**

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 9/26/2019

RESOLUTION #: 19-2-077

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

FUNDS AVAILABLE

X

FUNDS ARE NOT AVAILABLE

BUDGET ACCOUNT

COGENERATION  
W-550-62450-000

VENDOR

NICHEM CO.

CONTRACT NUMBER

N/A

REASON

DIGESTER GAS TREATMENT  
MEDIA PROCUREMENT & REPLACEMENT

AMOUNT

\$33,550.00

CONTRACT LENGTH

TO COMPLETION

  
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

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

**WHEREAS**, pursuant to N.J.S.A. 40:14B-18, the Authority has the power to, among other things, appoint and employ such agents and employees as it may require and determine necessary for its efficient operations, and to determine their duties and compensation; and

**WHEREAS**, the Authority has determined the need to establish the position of Director of Strategic Planning and Projects (UUAE) to perform duties including, but not limited to, those set forth in the job description appended hereto and made a part hereof; and

**WHEREAS**, the Authority has concluded and determined that the appropriate range for the annual amount of compensation for the position of Director of Strategic Planning and Projects (UUAE) is \$121,000.00 to \$159,000.00.

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

1. The Authority does hereby create the position of Director of Strategic Planning and Projects (UUAE) and the table of organization for the Authority shall be and is hereby amended accordingly.
2. The amount of compensation for the position of Director of Strategic Planning and Projects (UUAE) shall be and is hereby set within the range of \$121,000.00 to \$159,000.00 per annum.
3. The Executive Director, and/or his designee, shall be and is hereby authorized and directed to take all actions necessary and appropriate to carry out the purpose and intent of this Resolution.
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).

**19-3-008**

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of September 26, 2019.



**Michael Henwood  
Secretary**

**Dated: September 26, 2019**

## **Director of Strategic Planning and Projects, U.U.A.E.**

The **Director of Strategic Planning and Projects** for the Authority reports directly to the Executive Director and is responsible for utility capital planning, design review, construction project management, and utility operations management associated with the water, wastewater, reclaimed water, and storm water systems. The **Director of Strategic Planning and Projects** also manages corporate strategy and new project development in partnership with each business function.

### **Typical Projects:**

- **Internal Consulting** - Provides support in various business areas by providing capabilities such as thought leadership, increased capacity or evaluation of an issue.
- **Corporate Strategy** - Provides formal problem solving, analytics and delivers executive level presentations.
- **Program Management** - Management of cross-functional or complex projects, efficiency evaluations, process improvement recommendations.
- **New Business Development** - Identify business opportunities and ideas within and between organizations; create long-term value, and provide support in both the implementation and development phase for internal and external growth opportunities.

### **General Responsibilities:**

- Preparation of and management of a robust Capital Planning program.
- Preparation of and management of various grant applications and programs.
- Oversee the preparation of plans and contract specifications for capital improvement projects and assist in the bidding of these projects; to assure the project completion on time and budget.
- Participate in conducting engineering investigations and master planning efforts that include collection and analysis of data, routine calculations, and evaluating the feasibility of alternate solutions.
- Acts as resource and consultant to lead initiatives for internal stakeholders.
- Participate in construction management activities by reviewing shop drawings for conformance with easily interpreted specifications; assist in recordkeeping and in generating progress reports; observe construction procedures, and quality control testing.
- Review of site plans and development plans for conformance with municipal ordinances and regulatory compliance.
- Support water quality and water resource management efforts including permitting and data collection.
- Provide project team support (internal and external).
- Coach and develop other members of the team, and have the ability to identify, engage and manage cross-functional resources outside of the team.
- Provide timely coaching and feedback to project team members and direct reports.
- Oversee Design of infrastructure projects (pumps, water and sewer systems) required including process diagrams and all details required for the project.

This position is listed with the New Jersey Department of Personnel as an **“Unclassified Utilities Authority Employee” non-civil servant.**

Date: 9/26, 2019

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

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

**WHEREAS**, pursuant to N.J.S.A. 40:14B-18, the Authority has the power to, among other things, appoint and employ such agents and employees as it may require and determine necessary for its efficient operations, and to determine their duties and compensation; and

**WHEREAS**, the Authority, by Resolution 19-3-008 adopted September 26, 2019, established the position of Director of Strategic Planning and Projects (UUAE); and

**WHEREAS**, the Commissioners of the Authority consider Bashar Assadi, P.E. as competent and qualified to serve as the Authority's Director of Strategic Planning and Projects (UUAE) commencing upon the approval by the County Executive of the minutes of the meeting of September 26, 2019 or ten (10) days after the copy of the minutes shall have been delivered to the County Executive, as provided for pursuant to N.J.S.A. 40:14B-14(b), whichever occurs earlier, at an initial annual compensation within the salary range previously established for this position by the Authority; and

**WHEREAS**, the Commissioners of the Authority deem it appropriate that, as an emolument of compensation for the office of Director of Strategic Planning and Projects (UUAE), Bashar Assadi, P.E. shall be entitled to receive such benefits as the Authority confers upon its unionized employees; and

**WHEREAS**, the terms and conditions of the appointment herein shall be and they are hereby subject to the availability and appropriation annually of sufficient funds as may be required to meet any extended obligation contained herein; and

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

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

1. Bashar Assadi, P.E. shall be and is hereby appointed to serve as Director of Strategic Planning and Projects (UUAE) of the Authority commencing upon the approval by the County Executive of the minutes of the meeting of September 26, 2019 or ten (10) days after the copy of the minutes shall have been delivered to the County Executive, as provided for pursuant to N.J.S.A. 40:14B-14(b), whichever occurs earlier, at an initial annual compensation

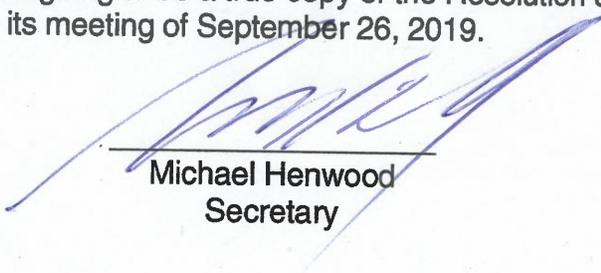
**19-3-009**

within the salary range previously established by the Authority for this position as determined by the Executive Director; and.

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

3. The formal action(s) of the Commissioners of The Bergen County Utilities Authority embodied herein are expressly contingent upon and subject to the provisions 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 September 26, 2019.



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Michael Henwood  
Secretary

**Dated: September 26, 2019**

**19-3-009**