BERGEN COUNTY UTILITIES AUTHORITY
MINUTES OF THE REGULAR MEETING
JUNE 25, 2020

In the matter of the 495th Regular Meeting of
The Bergen County Utilities Authority

1. The **proof of meeting notice** calling the June 25, 2020, meeting was read into the record by Michael Henwood, Board Secretary.

2. Roll Call:

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

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

3. Motion that the Minutes covering the May 28, 2020 Work Session be approved was moved by Commissioner DeLisio and Seconded by Commissioner Kelley. Chairman Phillips abstained.

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

5. FINANCE AND LEGAL COMMITTEE:

Resolution 20-1-034- Approve bills and the claims supported by vouchers totaling $5,899,038.36 for the month of June and authorize the Acting Treasurer to issue the necessary checks therefor, and to charge the accounts indicated, all as more fully set forth on the Acting Treasurer's check list. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

6. CONSTRUCTION & ENGINEERING COMMITTEE:

Resolution 20-2-045 - Authorize Amendment of Professional Services Contract – Edgewater Force Main Project – Alaimo Group. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-2-046 - Reject Bid and Re-Advertise for Contract 19-11 – Furnish and Deliver Gas Products. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-2-047 - Authorize Ratification and Affirm the Authority's Membership in OMNIA Partners (formerly US Communities Government Purchasing Alliance). Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-2-048 - Award U.S. Communities Government Purchasing Alliance Contract No. SUT 161118 to Vic Gerard Golf Cars - Furnish and Deliver Two (2) Club Car Carryall 550 Carts. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-2-049 - Authorize Emergency Purchase Order to New Jersey Door Works - Repair Damaged Security Gate. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-2-050 - Authorize Purchase Order pursuant State Approved Co-op No. 65MCESCCPS ESCNJ 18/19-42 to Chas S. Winner, Inc. D.B.A. Winner Ford – 2020 F450 Regular Cab. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-2-051 - Authorize Purchase Order pursuant State Approved Co-op No. 65MCESCCPS ESCNJ 18/19-42 to Cliffside Body Corporation – Furnish, Deliver and Install Dump Truck Bed, Salter, Lighting and Misc. fitting Items for F-450 Build. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-2-052 - Authorize to Rescind Resolution 20-2-044 and Revise and Re-Advertise for Contract 19-30 (Rebid). Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

7. PERSONNEL & ADMINISTRATIVE COMMITTEE:

Resolution 20-3-013 – Designation of Richard Wierer as the Authority's Temporary Purchasing Agent Pursuant to N.J.A.C. 5:32-4. 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. STRATEGIC PLANNING COMMITTEE:

   Resolution 20-6-005 – Authorize Shared Services Agreement with County of Bergen for Landscape Services. Motion to adopt the resolution was made by Commissioner Warms and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

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

10. Chairman Phillips announced the Regular Meeting would reconvene.

11. The Board Secretary then distributed proposed minutes of the June 25, 2020 Regular Meeting for review by the Commissioners.

12. Motion to approve the Minutes of the Regular Meeting June 25, 2020 as distributed by the Secretary, such minutes to include this motion approving the minutes, without the requirement of further review or approval at a subsequent Regular Meeting. Motion to adopt the Minutes of the Regular Meeting June 25, 2020 was made by Commissioner Massa and Seconded by Commissioner Kelley and Motion was carried.

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

Resolution #	20-1-034	20-2-045	20-2-046	20-2-047	20-2-048	20-2-049	20-2-050	20-2-051
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	-	-	-	-	-	-	-	-
Comm. Kelley	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Massa, Jr.	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Testa	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Warms	Y	Y	Y	Y	Y	Y	Y	Y

Resolution #	20-2-052	20-3-013	20-6-005
Chairman Phillips	Y	Y	Y
V. Chair. DeLisio	Y	Y	Y
Comm. Bentz	Y	Y	Y
Comm. Bonaventuro	Y	Y	Y
Comm. Gumble	-	-	-
Comm. Kelley	Y	Y	Y
Comm. Massa, Jr.	Y	Y	Y
Comm. Testa	Y	Y	Y
Comm. Warms	Y	Y	Y

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

Respectfully submitted,

Date: June 25, 2020

Michael Henwood
Board Secretary

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, in 2007, in accordance with its charter, the Authority acquired the Edgewater wastewater treatment plant located at 520 River Road, Edgewater, New Jersey, from the Edgewater Municipal Utilities Authority (the "Edgewater MUA"); 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 MUA's wastewater treatment plant, now known as the Authority's Edgewater Water Pollution Control Facility (the "Edgewater WPCF"), the Authority assumed responsibility for the compliance plan for the outfall extension project; and

WHEREAS, based upon a value engineering study and report, the Authority ultimately determined that the outfall extension project is not the best and most cost efficient means of achieving compliance with the Authority's NJPDES Surface Water Discharge Permit for the Edgewater WPCF; and

WHEREAS, the value engineering report recommended the closure of the Edgewater WPCF and outfall sewer in favor of the construction of a wastewater pump station and force main project (the "**Edgewater Sewage Force Main Project**"), resulting in the pumping of wastewater from the Edgewater WPCF influent pumping station to the Little Ferry Water Pollution Control Facility (the "Little Ferry WPCF") collection system; and

WHEREAS, in furtherance of the Authority providing essential services, and in furtherance of the **Edgewater Sewage Force Main Project**, the Board of Commissioners of the Authority, by Resolution 15-2-058 adopted September 24, 2015, appointed **Alaimo Group** to provide **Preliminary Design Phase Services** to the Authority for the **Edgewater Sewage Force Main Project** for the duration of the project or until a successor is selected or at the pleasure of the Authority, whichever shall first occur or be exercised; and

WHEREAS, Resolution 15-2-058 Authorized the Chairman of the Board of Commissioners of the Authority to execute an agreement by and between the Authority and **Alaimo Group** (the "2015 Agreement") memorializing the **Preliminary Design Phase Services** to be provided by **Alaimo Group** to the Authority for the **Edgewater Sewage Force Main Project** and providing the budget for compensation to be paid by the Authority to **Alaimo Group** for the providing of those services; and

WHEREAS, the 2015 Agreement was executed by and on behalf of the Authority and **Alaimo Group** on September 24, 2015; and

WHEREAS, **Alaimo Group**, since the commencement of the term of the 2015 Agreement, provided significant necessary and valuable professional engineering services to the Authority under the 2015 Agreement, resulting in the Board of Commissioners of the Authority adopting Resolutions modifying the 2015 Agreement by increasing the budget for compensation to be paid by the Authority to **Alaimo Group** under the 2015 Agreement; and

WHEREAS, the Authority continues to require professional engineering services, to be provided by an engineer licensed by the State of New Jersey to provide such professional services to the Authority, in support of the preliminary design portion of the **Edgewater Sewage Force Main Project**; and

WHEREAS, said professional 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 **Alaimo Group** previously 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 **Alaimo Groups'** Statement of Qualifications and prior history, the Authority issued a Request for Proposal providing a scope of work for the providing of **Final Preliminary Design Phase Services** required for the completion of

the preliminary design phase portion of the **Edgewater Sewage Force Main Project**; and

WHEREAS, Alaimo Group submitted to the Authority a written proposal dated December 13, 2019 (the "Proposal") to provide the aforesaid **Final Preliminary Design Phase Services** for the **Edgewater Sewage Force Main Project**, including the scope of services to be provided for an amount not to exceed the total sum of **$183,540.00**, as is 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, **Alaimo Group** 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 determined, based upon the foregoing, that it was necessary for the efficient operation of the Authority to retain the services of **Alaimo Group** to provide **Final Preliminary Design Phase Services** to the Authority for the **Edgewater Sewage Force Main Project**; and

WHEREAS, in furtherance of the Authority providing essential services, and in furtherance of the **Edgewater Sewage Force Main Project**, the Board of Commissioners of the Authority, by Resolution 19-2-096 adopted December 19, 2019, appointed **Alaimo Group** to provide **Final Preliminary Design Phase Services** to the Authority for the **Edgewater Sewage Force Main Project** for the duration of the project or until a successor is selected or at the pleasure of the Authority, whichever shall first occur or be exercised; and

WHEREAS, Resolution 19-2-096 Authorized the Chairman of the Board of Commissioners of the Authority to execute a contract by and between the Authority and **Alaimo Group** (the "Contract") memorializing the **Final Preliminary Design Phase Services** to be provided by **Alaimo Group** to the Authority for the **Edgewater Sewage Force Main Project** and providing the budget for compensation to be paid by the Authority to **Alaimo Group** for the providing of those services, pursuant to which payment is not to exceed the total sum of $183,540.00 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 **Alaimo Group** on January 1, 2020; and

WHEREAS, following the adoption of Resolution 19-2-096 by the Board of Commissioners of the Authority on December 19, 2019, **Alaimo Group**, operating under

the Contract, continued to provide the significant necessary and valuable **Final Preliminary Design Phase Services** to the Authority for the **Edgewater Sewage Force Main Project** and by written correspondence dated June 23, 2020 the **Alaimo Group** provided to the Authority an amended scope of services, including additional significant necessary and valuable services identified as being necessary for the completion of the **Final Preliminary Design Phase Services** for the **Edgewater Sewage Force Main Project**; and

WHEREAS, Alaimo Group, by the June 23, 2020 written correspondence, requested that the Authority increase the compensation budget provided for by the Agreement by the total sum of $136,250.00, resulting in an amended Agreement compensation budget of an amount not to exceed the total sum of $319,790.00 without further approval of the Board of Commissioners of the Authority; and

WHEREAS, the Authority's Director of Strategic Planning and Projects has determined that Alaimo Group has performed all services under the Contract in an effective and efficient manner and further determined that the remaining work to be performed by **Alaimo Group** under the Contract, including the additional services to be completed as identified in the June 23, 2020 written correspondence submitted to the Authority by **Alaimo Group**, 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 necessary for the completion of the **Final Preliminary Design Phase Services** for the **Edgewater Sewage Force Main Project**; and

WHEREAS, the Authority's Director of Strategic Planning and Projects has reviewed the June 23, 2020 written correspondence of **Alaimo Group**, including the request of **Alaimo Group** to increase the compensation budget under the Contract for the total compensation to be paid by the Authority to **Alaimo Group** for services provided by **Alaimo Group** to the Authority pursuant to the Contract, and based upon the above determinations and his review of the June 23, 2020 written correspondence of **Alaimo Group**, the Authority's Director of Strategic Planning and Projects has concluded and recommended that the Authority should amend the Contract by including the additional services identified therein to be provided by **Alaimo Group** pursuant to the Contract and by increasing the budget for compensation to be paid by the Authority to **Alaimo Group** pursuant to the Contract in the total sum of $136,250.00, resulting in an amended compensation budget under the Contract in an amount not to exceed the total sum of $319,790.00 without further approval of the Board of Commissioners of the Authority; and

WHEREAS, the Acting Treasurer of the Authority 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 **Alaimo Group** shall be and is hereby modified by the Authority and the Contract shall be modified to provide that the scope of work to be completed by **Alaimo Group** pursuant thereto shall include those additional services identified in the June 23, 2020 written correspondence submitted to the Authority by **Alaimo Group** and the compensation to be paid by the Authority pursuant thereto shall be increased in the amount of $136,250.00 and the total amount of compensation to now be paid by the Authority to **Alaimo Group** pursuant to the modified Contract shall not exceed the total sum of $319,790.00 without further approval of 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 **Alaimo Group** 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, the Contract retaining **Alaimo Group** to provide **Final Preliminary Design Phase Services** to the Authority for the **Edgewater Sewage Force Main Project** and the contract modifying the Contract as authorized by this Resolution shall be placed on file and made available for public inspection in the Office of the Executive Director, upon execution by **Alaimo Group** and the Authority.

4. The 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 modification of the Contract 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 June 25, 2020.

Michael Henwood, Secretary

Dated: June 25, 2020

BERGEN COUNTY UTILITIES AUTHORITY
TREASURER'S CERTIFICATION OF FUNDS

RESOLUTION DATE: 6/25/20
RESOLUTION NUMBER: 20-2-045

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

FUNDS AVAILABLE	x
FUNDS ARE NOT AVAILABLE	
BUDGET ACCOUNT	IBANK LOAN
VENDOR	ALAIMO GROUP
CONTRACT NUMBER	19-2-096
REASON	INCREASE IN THE PROFESSIONAL SERVICE NEEDS OF THE AUTHORITY FOR FINAL PRELIMINARY DESIGN PHASE SERVICES
AMOUNT	$136,250.00
CONTRACT LENGTH	TO COMPLETION

Matthew Carter

ACTING TREASURER

BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Bergen County Utilities Authority (the "Authority") solicited bid proposals for **Furnish and Deliver Gas Products (for a Two (2) Year Period)**, pursuant to and in accordance with **Contract No. 20-11**; and

WHEREAS, the following sole bid proposal was received by the Authority on **June 18, 2020** for **Contract No.20-11**:

Vendor	Total Amount Bid for Two (2) Years
AGL Welding Supply Company, Inc. Clifton, NJ	$56,291.00

; and

WHEREAS, the Authority's **Interim Qualified Purchasing Agent** has reviewed the sole bid proposal submitted to the Authority by **AGL Welding Supply Company, Inc.** for **Contract No. 20-11** and has indicated that the sole bid proposal received for **Contract No. 20-11** has been deemed incomplete, nonconforming and nonresponsive based upon the bidder adding line items and line item unit prices for products not included within the Contract Documents and Bid Specifications constituting **Contract No. 20-11** and the bid proposal of **AGL Welding Supply Company, Inc.** is therefore deficient; and

WHEREAS, the Authority's **Interim Qualified Purchasing Agent** has recommended that the bid proposal provided by **AGL Welding Supply Company, Inc.** for **Contract No. 20-11** be rejected for the reasons aforementioned; and

WHEREAS, no acceptable or responsive bid proposals were received by the Authority as of **June 18, 2020**, which was the date set forth in the Invitation to Bid for the receipt of bid proposals pursuant to and in accordance with **Contract No. 20-11**; and

WHEREAS, the Contract Documents and Bid Specifications constituting **Contract No. 20-11** provide that the Authority, as the contracting unit, reserves the right to reject any and all bids, including but not limited to, all nonconforming, nonresponsive or conditional bids; and

WHEREAS, upon further review of the bid specifications, the Authority has determined that the bid specifications should be substantially revised to include additional items to correct and provide for the including of necessary critical items

to **Furnish and Deliver Gas Products (for a Two (2) Year Period)** pursuant to **Contract No. 20-11** as is required by the Authority; and

WHEREAS, on the basis of the foregoing, the Authority's **Interim Qualified Purchasing Agent** has determined and has recommended that the bid proposal of **AGL Welding Supply Company, Inc.** for **Contract No. 20-11** received on June 18, 2020 should be rejected as for the reasons aforementioned and has further determined and recommended that the Authority must substantially revise the bid specifications and then re-advertise for solicitation of bid proposals for **Contract No. 20-11**; and

WHEREAS, based upon the above, the Board of Commissioners of the Authority are desirous of revising the bid specifications as recommended by the Authority's **Interim Qualified Purchasing Agent** and then re-advertising for the solicitation of bid proposals for **Contract No. 20-11** pursuant to N.J.S.A. 40A:11-4 et seq., as an award of **Contract No. 20-11** 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 **AGL Welding Supply Company, Inc.** for **Contract No. 20-11** submitted to the Authority on June 18, 2020 shall be and is hereby rejected for the reasons set forth in this Resolution.

2. The Authority's **Interim Qualified Purchasing Agent** shall be and hereby is authorized and directed to revise the Contract Documents and Bid Specifications for **Furnish and Deliver Gas Products (for a Two (2) Year Period)** pursuant to and in accordance with **Contract No. 20-11** and in accordance with N.J.S.A. 40A:11-13.2(a).

3. The Executive Director, or his designee, shall be and is hereby authorized to re-advertise for the solicitation of bid proposals for **Furnish and Deliver Gas Products (Two (2) Years)** pursuant to and in accordance with **Contract No. 20-11.**

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

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of June 25, 2020.

Michael Henwood
Secretary

Dated: June 25, 2020

BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION

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

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

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

WHEREAS, N.J.S.A. 52:34-6.2 authorizes the Authority to contract for the purchase of goods and services through the use of a nationally recognized and accepted cooperative purchasing agreement that has been developed utilizing a competitive bidding process by another contracting unit within the State of New Jersey, or within any other state, when available, for its administration; and

WHEREAS, U.S. Communities Government Purchasing Alliance previously offered to the Authority the opportunity to voluntarily participate in nationally recognized government purchasing cooperative, providing government procurement resources to its numerous participants; and

WHEREAS, the Authority, then being desirous of continuing its ongoing efforts to make the procurement process for the purchase of goods and contracting for services more efficient and to provide the greatest cost savings to the Authority and its ratepayers, accepted the offer of membership in U.S. Communities Government Purchasing Alliance allowing the Authority to participate in this nationally recognized government purchasing cooperative for the purchase of goods and contracting for services; and

WHEREAS, the U.S. Communities Government Purchasing Alliance subsequently issued a Certificate of Membership to the Authority, designating the Authority as Member #1185155, entitling the Authority to utilize and participate in the U.S. Communities Government Purchasing Alliance for the procurement of goods and services; and

WHEREAS, by Resolution 18-1-048 adopted October 25, 2018, the Board of Commissioners, finding it to be in the Authority's best interests, authorized the Authority

entering into a member participation and to participate in the U.S. Communities Government Purchasing Alliance for the procurement of goods and services; and

WHEREAS, subsequent thereto the Authority was advised that U.S. Communities Government Purchasing Alliance was acquired by OMNIA Partners and is no longer engaging in business as U.S. Communities Government Purchasing Alliance; and

WHEREAS, the Authority, as a result of the information provided, and through its own investigation, has confirmed that the change is one in name only, with OMNIA Partners now otherwise operating the same nationally recognized government purchasing cooperative and now engaging in the same business under the name OMNIA Partners as was done when this nationally recognized government purchasing cooperative was known and conducting business as U.S. Communities Government Purchasing Alliance; and

WHEREAS, the Board of Commissioners believes it is in the Authority's best interests to continue to participate as a member in the OMNIA Partners nationally recognized government purchasing cooperative for the procurement of goods and services.

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

1. Pursuant to the provisions of N.J.S.A. 52:34-6.2, the membership of the Authority in OMNIA Partners, Member #1185155, continuing the Authority's membership in the nationally recognized government purchasing cooperative formerly known as U.S. Communities Government Purchasing Alliance, shall be and is hereby ratified and approved and the Executive Director or his designee shall be and is hereby authorized to execute and enter into a member participation agreement or such other documents as may be necessary to allow the Authority to continue to participate as a member in OMNIA Partners nationally recognized government purchasing cooperative.

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

3. A copy of this Resolution and a copy of the member participation agreement entered into by the Authority with OMNIA Partners pursuant to this Resolution, if any, and a copy of the Certificate of Membership issued by OMNIA Partners to the Authority, if any, shall be placed on file and made available for public inspection in the office of the Executive Director, upon execution by OMNIA Partners and the Authority.

4. A notice of this Resolution, and any agreement executed pursuant hereto, shall be published in the form prescribed by law if required.

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of June 25, 2020.

Michael Henwood, Secretary

Dated: June 25, 2020

BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION

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

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

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

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

WHEREAS, by Resolution 18-1-048 adopted October 25, 2018, the Board of Commissioners of the Authority ratified and affirmed the membership of the Authority in the U.S. Communities Government Purchasing Alliance, Member #1185155, allowing the Authority to participate in the U.S. Communities Government Purchasing Alliance to purchase goods and contract for services, making the procurement process more efficient and providing cost savings to the Authority and its ratepayers; and

WHEREAS, subsequent thereto, U.S. Communities Government Purchasing Alliance was acquired by OMNIA Partners and OMNIA Partners is now operating the same nationally recognized government purchasing cooperative and engaging in the same business under the name OMNIA Partners as was done when this nationally recognized government purchasing cooperative was known and conducting business as U.S. Communities Government Purchasing Alliance; and

WHEREAS, by Resolution 20-1-049 adopted June 25, 2020, the Board of Commissioners of the Authority ratified and affirmed the membership of the Authority in OMNIA Partners, Member #1185155, continuing the Authority's membership in the nationally recognized government purchasing cooperative formerly known as U.S. Communities Government Purchasing Alliance and allowing the Authority to continue to

participate as a member in OMNIA Partners nationally recognized government purchasing cooperative for the procurement of goods and services; and

WHEREAS, the Authority currently has the need to procure **Two (2) Electric Club Car Carryall 550 Carts**; and

WHEREAS, OMNIA Partners previously awarded Contract Number SUT 161118 to **Vic Gerard Golf Cars** of 281 Squankum Road, Farmingdale, NJ 07727, under OMNIA Partners Contract Number SUT 161118; and

WHEREAS, the Authority, as a member of OMNIA Partners, is able to procure the needed goods and services from **Vic Gerard Golf Cars** under Omnia Partners Contract Number SUT 161118, for the total sum of $33,613.00 as set forth and contained in the written proposal dated June 16, 2020 submitted to the Authority by **Vic Gerard Golf Cars**; and

WHEREAS, it has been recommended by the Authority's **Director of Water Pollution Control** that it would be advantageous to the Authority, and result in a cost savings to the Authority and its ratepayers, for the Authority to engage **Vic Gerard Golf Cars** through OMNIA Partners Contract Number SUT 161118 to **Furnish and Deliver Two (2) Club Car Carryall 550 Carts** for the total sum of $33,613.00 as set forth and contained in the written proposal dated June 16, 2020 submitted to the Authority by **Vic Gerard Golf Cars**; and

WHEREAS, State approved OMNIA Partners Contract Number SUT 161118 meets the "Fair and Open" process requirements of N.J.S.A. 19:44A-20.4 et seq.; and

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

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

1. The Executive Director or his designee shall be and is hereby authorized to execute a purchase order, or purchase orders as may be required, for the procurement of the **Two (2) Club Car Carryall 550 Carts** for the total sum of $33,613.00 as set forth and contained in the written proposal dated June 16, 2020 submitted to the Authority by **Vic Gerard Golf Cars**, 281 Squankum Road, Farmingdale, NJ 07727, and in accordance with the terms of State approved OMNIA Partners Contract Number SUT 161118.

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

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

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

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of June 25, 2020.

Michael Henwood, Secretary

Dated: June 25, 2020

BERGEN COUNTY UTILITIES AUTHORITY
TREASURER'S CERTIFICATION OF FUNDS

RESOLUTION DATE: 6/25/20
RESOLUTION NUMBER: 20-2-048

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

FUNDS AVAILABLE	x
FUNDS ARE NOT AVAILABLE	
BUDGET ACCOUNT	CAPITAL OUTLAY 15441000 560100
VENDOR	VIC GERARD GOLF CARS
CONTRACT NUMBER	N/A
REASON	TWO (2) CLUB CAR CARRYALL 550 CARTS
AMOUNT	$33,613.00
CONTRACT LENGTH	N/A

Matthew M Carter

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 has been designated by the New Jersey Department of Homeland Security as a critical infrastructure facility; and

WHEREAS, the Authority, in order to provide the heightened level of security measures required to protect its essential operations as a designated critical infrastructure facility, previously installed and continues to maintain security slide gates at each of the two (2) entrances to its water pollution control facility located in Little Ferry, New Jersey (the "Little Ferry WPCF"), blocking the two (2) entrances to the Little Ferry WPCF for the purpose of preventing and protecting against anyone gaining unauthorized access to the Little Ferry WPCF; and

WHEREAS, on June 11, 2020, as is memorialized in the investigation report issued by the Little Ferry Borough Police Department dated June 11, 2020, a true and correct copy of which is attached to this Resolution, an individual operating an automobile, which automobile was subsequently determined to be stolen by this individual, used the subject automobile to crash into and destroy the security slide gate situated at the Empire Boulevard entrance to the Little Ferry WPCF, allowing the individual to then breach the entrance, gaining unauthorized access to the Little Ferry WPCF; and

WHEREAS, as a result of the individual crashing into and destroying this security slide gate with the stolen automobile, this security slide gate was unable to be operated by the Authority's security staff and the security slide gate at the Empire Boulevard entrance to the Little Ferry WPCF now requires full and complete removal and extensive part replacements and repairs in order to replace and restore this security slide gate to its operational condition in order to block this entrance to the Little Ferry WPCF and provide protection to the Little Ferry WPCF and the Authority's employees and authorized visitors against unauthorized access by individuals and vehicles; 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 Authority's Director of Engineering executed and provided to the Board of Commissioners of the Authority a Certification of Emergency dated June 23, 2020, 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 Authority's Director of Engineering certified within said Certification of Emergency that the Authority must procure **Security Slide Gate Replacement and Repairs** through emergency procurement in order to restore the security slide gate at the Empire Boulevard entrance to the Little Ferry WPCF to its operational condition, blocking the entrance to the Little Ferry WPCF and preventing and protecting against others gaining unauthorized access to the Little Ferry WPCF; and

WHEREAS, **New Jersey Door Works** submitted to the Authority Proposal No. 223211 dated June 17, 2020 in the amount of **$64,987.00** for **Security Slide Gate Replacement and Repairs**, providing for all necessary replacement parts and repairs to return the security slide gate at the Empire Boulevard entrance to the Little Ferry WPCF to its operational condition; and

WHEREAS, the Authority's Director of Engineering has determined and recommended that **New Jersey Door Works** is competent, qualified, experienced and has a proven reputation to provide **Security Slide Gate Replacement and Repairs** to the Authority; and

WHEREAS, the Authority's Director of Engineering determined that the emergency procurement of **Security Slide Gate Replacement and Repairs** 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 Dominic L. DiSalvo, P.E., the Authority's Director of Engineering, by the Certification of Emergency dated June 23, 2020, resulting in the emergency procurement of **Security Slide Gate Replacement and Repairs** so that the

Authority may return the security slide gate at the Empire Boulevard entrance to the Little Ferry WPCF to its operational state, blocking the entrance to the Little Ferry WPCF and preventing and providing protection against others gaining unauthorized access to the Little Ferry WPCF.

2. The Authority hereby accepts the Certification of Emergency of the Authority's Director of Engineering, dated June 23, 2020, and same is to be placed on file in the office of the Executive Director and available for public inspection.

3. Proposal No. 223211 submitted to the Authority by **New Jersey Door Works** for the emergency procurement of **Security Slide Gate Replacement and Repairs**, shall be and is hereby accepted for processing and payment, for an amount not to exceed the total sum of **$64,987.00,** 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 June 25, 2020.

Michael Henwood
Secretary

Dated: June 25, 2020

WATER POLLUTION CONTROL DIVISION
CERTIFICATION OF EMERGENCY

To: BCUA Commissioners Date: June 23, 2020

From: Dominic L. DiSalvo, P.E., Director of Security

Re: Emergency Procurement Security Slide Gate Replacement and Repairs

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

Firm: New Jersey Door Works

Cost: $64,987.00 Budget Code:

Period: Immediate upon approval.

Emergency: Providing necessary parts and service to perform and provide Emergency Procurement of Security Slide Gate Replacement and Repairs at Empire Boulevard entrance to Little Ferry Water Pollution Control Facility.

This is requested to be awarded without competitive bids as an "emergency" purchase (N.J.S.A. 40A:11-6). I do hereby certify as follows:

1. Quotations have been solicited and are as follows:

New Jersey Door Works has proposed to provide Security Slide Gate Replacement and Repairs at the Empire Boulevard entrance to the BCUA's Little Ferry Water Pollution Control Facility as has been requested by the BCUA which is to be completed on an emergent basis as provided in the written proposal submitted to the BCUA dated June 17, 2020 and for an amount not to exceed the total sum of $64,987.00.

This ☐(is) ☒(is not) the lowest quotation. If not, detailed explanation is as follows:

The need to secure the providing of Security Slide Gate Replacement and Repairs on an emergent basis is required to protect the BCUA's Little Ferry Water Pollution Control Facility and its employees by blocking the Empire Boulevard entrance to the BCUA's Little Ferry Water Pollution Control Facility and prohibiting access thereto by unauthorized visitors. Due to the inability to plan this unforeseen event and resulting need for parts and repair services, it was not possible for the BCUA to obtain multiple bids for the providing of these parts and services.

2. Description of emergency purchase or explanation why it cannot be described by written specification is as follows:

On June 11, 2020, as is memorialized in the investigation report issued by the Little Ferry Borough Police Department dated June 11, 2020, an individual driving a stolen automobile traveling at approximately 40 miles per hour crashed into and destroyed the security slide gate situated at the Empire Boulevard entrance to the Little Ferry Water Pollution Control Facility. The BCUA's Security Administrator has confirmed that as a result of the damage to this security slide gate it remains unable to be operated by the BCUA's security staff. The security slide gate at the Empire Boulevard entrance to the Little Ferry Water Pollution Control Facility now requires full and complete removal and extensive part replacements and repairs in order to replace and restore this security slide gate to its operational condition. An operational security slide gate is necessary in order to properly secure this entrance to the Little Ferry Water Pollution Control Facility which provides security and protection not only to the facility itself but also to the Authority's employees and any authorized visitors on site.

3. I have reviewed the rules and regulations of the Division of Local Government Services as contained in the Local Public Contract Guidelines and Regulations (revised) and certify that the securing of the providing of Security Slide Gate Replacement and Repairs may be considered as an emergency purchase in accordance with the requirements thereof.

Respectfully,

Dominic L. DiSalvo, P.E.
Director of Engineering

BERGEN COUNTY UTILITIES AUTHORITY
TREASURER'S CERTIFICATION OF FUNDS

RESOLUTION DATE: 6/25/20
RESOLUTION NUMBER: 20-2-049

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

FUNDS AVAILABLE	x
FUNDS ARE NOT AVAILABLE	
BUDGET ACCOUNT	CAPITAL OUTLAY 15441000 560100
VENDOR	NEW JERSEY DOOR WORKS
CONTRACT NUMBER	N/A
REASON	SECURITY SLIDE GATE REPLACEMENT & REPAIRS
AMOUNT	$64,987.00
CONTRACT LENGTH	N/A

Matthew M Cater
ACTING TREASURER

BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION

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

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

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

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

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

WHEREAS, the Authority currently has the need to **Furnish and Deliver a 2020 F-450 Regular Cab (F4H)**; and

WHEREAS, the ESCNJ previously awarded a contract to **Chas S. Winner, Inc. D.B.A. Winner Ford** of 250 Haddonfield Berlin Road, Cherry Hill, NJ 08034-3507, under State Approved Co-op No. 65MCESCCPS ESCNJ 18/19-42, for the purchase of certain vehicles; and

WHEREAS, the Authority, as a member of the ESCNJ, is able to participate in the ESCNJ Cooperative Pricing System to procure the needed **Furnish and Deliver a 2020 F-450 Regular Cab (F4H)** from **Chas S. Winner, Inc. D.B.A. Winner Ford** under State Approved Co-op No. 65MCESCCPS ESCNJ 18/19-42 for the total sum of $38,343.69 as set forth and contained in the written proposal dated June 22, 2020 submitted to the Authority by **Chas S. Winner, Inc. D.B.A. Winner Ford**; and

WHEREAS, it has been recommended by the Authority's Director of Water Pollution Control that it would be advantageous to the Authority, and result in a cost savings to the Authority and its ratepayers, for the Authority to procure **Furnish and Deliver a 2020 F-450 Regular Cab (F4H)** from **Chas S. Winner, Inc. D.B.A. Winner Ford** through the State Approved Co-op No. 65MCESCCPS ESCNJ 18/19-42; and

WHEREAS, State approved Co-op No. 65MCESCCPS ESCNJ 18/19-42 meets the "Fair and Open" process requirements of N.J.S.A. 19:44A-20.4 et seq.; and

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

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

1. The Executive Director or his designee shall be and is hereby authorized to execute a purchase order, or purchase orders as may be required, to **Furnish and Furnish and Deliver a 2020 F-450 Regular Cab (F4H)** for the total sum of $38,343.69 as set forth and contained in the written proposal dated June 22, 2020 submitted to the Authority by **Chas S. Winner, Inc. D.B.A. Winner Ford**, and in accordance with the terms of State Approved Co-op No. 65MCESCCPS ESCNJ 18/19-42.

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

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

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

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of June 25, 2020.

Michael Henwood, Secretary

Dated: June 25, 2020

BERGEN COUNTY UTILITIES AUTHORITY
TREASURER'S CERTIFICATION OF FUNDS

RESOLUTION DATE: 6/25/20
RESOLUTION NUMBER: 20-2-050

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

FUNDS AVAILABLE	x
FUNDS ARE NOT AVAILABLE	
BUDGET ACCOUNT	CAPITAL OUTLAY 15441000 560100
VENDOR	CHAS S. WINNER, INC. D.B.A WINNER FORD
CONTRACT NUMBER	CO-OP NO. 65MCESCCPS ESCNJ 18/19-42
REASON	FURNISH & DELVER A 2020 F-450 REGULAR CAB (F4H)
AMOUNT	$38,343.69
CONTRACT LENGTH	N/A

Matthew McCarter
ACTING TREASURER

BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION

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

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

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

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

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

WHEREAS, the Authority currently has the need to **Furnish, Deliver and Install Dump Truck Bed, Salter, Lighting and Misc. Up fitting Items for F-450 Build**; and

WHEREAS, the ESCNJ previously awarded a contract to **Cliffside Body Corporation** of 130 Broad Avenue, Fairview, NJ 07022, under State Approved Co-op No. 65MCESCCPS ESCNJ 18/19-42, for the purchase of certain vehicles; and

WHEREAS, the Authority, as a member of the ESCNJ, is able to participate in the ESCNJ Cooperative Pricing System to procure the needed vehicle from **Cliffside Body Corporation** under State Approved Co-op No. 65MCESCCPS ESCNJ 18/19-42 for the total sum of $25,290.52 as set forth and contained in the written proposal dated June 23, 2020 submitted to the Authority by **Cliffside Body Corporation**; and

WHEREAS, it has been recommended by the Authority's Director of Water Pollution Control that it would be advantageous to the Authority, and result in a cost savings to the Authority and its ratepayers, for the Authority to procure a vehicle from **Cliffside Body Corporation** through the State Approved Co-op No. 65MCESCCPS ESCNJ 18/19-42 to **Furnish, Deliver and Install Dump Truck Bed, Salter, Lighting and Misc Upfitting Items for F-450 Build**; and

WHEREAS, State Approved Co-op No. 65MCESCCPS ESCNJ 18/19-42 meets the "Fair and Open" process requirements of N.J.S.A. 19:44A-20.4 et seq.; and

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

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

1. The Executive Director or his designee shall be and is hereby authorized to execute a purchase order, or purchase orders as may be required, to **Furnish, Deliver and Install Dump Truck Bed, Salter, Lighting and Misc. Up fitting Items for F-450 Build** for the total sum of $25,290.52 as set forth and contained in the written proposal dated June 23, 2020 submitted to the Authority by **Cliffside Body Corporation**, and in accordance with the terms of State Approved Co-op No. 65MCESCCPS ESCNJ 18/19-42.

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

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

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

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of February 28, 2019.

Michael Henwood, Secretary

Dated: **June 25, 2020**

BERGEN COUNTY UTILITIES AUTHORITY
TREASURER'S CERTIFICATION OF FUNDS

RESOLUTION DATE: 6/25/20
RESOLUTION NUMBER: 20-2-051

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

FUNDS AVAILABLE	x
FUNDS ARE NOT AVAILABLE	
BUDGET ACCOUNT	CAPITAL OUTLAY 15441000 560100
VENDOR	CLIFFSIDE BODY CORPORATION
CONTRACT NUMBER	CO-OP NO. 65MCESCCPS ESCNJ 18/19-42
REASON	FURNISH, DELIVER & INSTALL DUMP TRUCK BED, SALTER, LIGHTING & MISC. UP FITTING ITEMS FOR F-450 BUILD
AMOUNT	$25,290.52
CONTRACT LENGTH	N/A

Matthew McCarter
ACTING TREASURER

BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Bergen County Utilities Authority (the "Authority") solicited bid proposals for **Two (2) Digester Gas Flare Assemblies**, pursuant to and in accordance with **Contract No. 19-30**; and

WHEREAS, the following bid proposals were received by the Authority on **March 6, 2020** for **Contract No.19-30**:

Vendor	Total Bid Price
G.P. Jager, Inc. Boonton, NJ	$1,022,475.00
Varec Biogas, Inc. Huntington Beach, CA	$1,298,400.00

; and

WHEREAS, the Authority's Commissioners, by way of Resolution 20-2-024 adopted March 26, 2020, rejected the bid proposals received as the Authority's **Interim Qualified Purchasing Agent** and the Authority's consulting engineer, **AECOM**, deemed each of the bid proposals received deficient as each of the submitted bid proposals were determined to be incomplete, nonconforming and nonresponsive, and authorized and directed the Authority's **Interim Qualified Purchasing Agent**, with assistance from the Authority's consulting engineer, **AECOM**, to revise the bid specifications and bid documents for **Contract No. 19-30** to correct and provide for necessary critical technical information which is to be provided with any responsive bid for **Two (2) Digester Gas Flare Assemblies** pursuant to and in accordance with **Contract No. 19-30 (Rebid)** and further authorized the Executive Director or his designee to re-advertise for the solicitation of bid proposals for **Contract No. 19-30 (Rebid)**, pursuant to N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, as a result of the revisions made to the bid documents for **Contract No. 19-30**, as directed and authorized by Resolution 20-2-024, the Authority advertised and solicited bid proposals for **Two (2) Digester Gas Flare Assemblies**, pursuant to and in accordance with **Contract No. 19-30 (Rebid)**; and

WHEREAS, the following sole bid proposal was received by the Authority on **May 21, 2020**, the date set forth in the Invitation to Bid for the receipt of bid proposals for **Contract No.19-30 (Rebid)**:

Vendor	Total Bid Price for One (1) Year
Varec Biogas, Inc. Huntington Beach, CA	$1,298,400.00

; and

WHEREAS, the Authority's **Interim Qualified Purchasing Agent** and the Authority's consulting engineer, **AECOM**, reviewed the sole bid proposal submitted to the Authority by **Varec Biogas, Inc.** for **Contract No. 19-30 (Rebid)** and recommended that **Varec Biogas, Inc.** be awarded **Contract No. 19-30 (Rebid)** in accordance with N.J.S.A. 40:11-1 et seq., as the lowest complying and responsible bidder; and

WHEREAS, by way of Resolution 20-2-044 adopted May 28, 2020, the Authority awarded **Contract No. 19-30 (Rebid)** to **Varec Biogas, Inc.**; and

WHEREAS, subsequent to the adoption of Resolution 20-2-044 by the Board of Commissioners of the Authority, and prior to entering into **Contract No. 19-30 (Rebid)** with **Varec Biogas, Inc.** as authorized thereby, the Authority determined that the bid proposal submitted to the Authority by **Varec Biogas, Inc.** for **Contract No. 19-30 (Rebid)** was deficient as the submitted bid proposal included certain proposed amendments to **Contract No. 19-30 (Rebid)** and **Varec Biogas, Inc.** advised the Authority it would not waive these proposed amendments to **Contract No. 19-30 (Rebid)**, resulting in the submitted proposal then being deemed by the Authority to be incomplete, nonconforming and nonresponsive; and

WHEREAS, no acceptable or responsive bid proposals were received by the Authority as of **May 21, 2020**, which was the date set forth in the Invitation to Bid for the receipt of bid proposals pursuant to and in accordance with **Contract 19-30 (Rebid)**; and

WHEREAS, the Contract Documents and Bid Specifications constituting **Contract No. 19-30 (Rebid)** provide that the Authority, as the contracting unit, reserves the right to reject any and all bids, including but not limited to, all nonconforming, nonresponsive or conditional bids; and

WHEREAS, the Authority, subsequent to the adoption of Resolution 20-2-044, further discovered and determined that the bid specifications should be substantially revised to correct and provide for necessary critical characteristics for **Two (2) Digester Gas Flare Assemblies**, pursuant to and in accordance with **Contract No. 19-30 (Rebid)** and so that **Contract No.19-30 (Rebid)** may then be re-advertised for bid proposals; and

WHEREAS, the Authority's **Interim Qualified Purchasing Agent** and the Authority's consulting engineer, **AECOM**, have recommended that Resolution 20-2-044, and the award of **Contract No. 19-30 (Rebid)** pursuant thereto, should be rescinded for the reasons aforementioned and have further recommended that the Authority must

substantially revise the specifications for **Two (2) Digester Gas Flare Assemblies**, and re-advertise for solicitation of bid proposals for **Contract No. 19-30 (Rebid)**; and

WHEREAS, based upon the above, the Board of Commissioners of the Authority are desirous of revising the specifications as is required and re-advertising for the solicitation of bid proposals for **Contract No. 19-30 (Rebid)** pursuant to N.J.S.A. 40A:11-4 et seq., as an award of **Contract No. 19-30 (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. Resolution 20-2-044 adopted May 28, 2020 shall be and hereby is rescinded and the award of **Contract No. 19-30 (Rebid)** for **Two (2) Digester Gas Flare Assemblies** to **Varec Biogas, Inc.** shall have no further effect as the bid proposal submitted to the Authority therefore by **Varec Biogas, Inc.** has been deemed by the Authority to be incomplete, nonconforming and nonresponsive.

2. The Authority's **Inerim Qualified Purchasing Agent**, with the assistance of the Authority's consulting engineer, **AECOM**, shall be and is hereby authorized and directed to revise the bid documents to correct and provide for necessary critical technical information which is to be provided with any responsive bid for **Two (2) Digester Gas Flare Assemblies**, pursuant to and in accordance with **Contract No. 19-30 (Rebid).**

3. The Executive Director, or his designee, shall be and is hereby authorized to re-advertise for the solicitation of bid proposals for **Two (2) Digester Gas Flare Assemblies** pursuant to and in accordance with **Contract No. 19-30 (Rebid)**.

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

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of June 25, 2020.

Michael Henwood
Secretary

Dated: June 25, 2020

BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION

WHEREAS, by Resolution 18-3-006 adopted June 28, 2018, the Board of Commissioners of the Bergen County Utilities Authority (the "Authority") appointed Richard Wierer, the Authority's Deputy Executive Director, to also serve as the Authority's Temporary Qualified Purchasing Agent to perform the requisite duties associated with such title as set forth in N.J.A.C. 5:32-4, to administer and/or implement the rules and regulations promulgated thereunder, as amended; and

WHEREAS, by Resolution 19-3-007 adopted June 27, 2019, the Board of Commissioners of the Authority, with the approval of the State of New Jersey, Department of Community Affairs, Division of Local Government Services provided by correspondence dated June 21, 2019, reappointed Richard Wierer to continue to serve as the Authority's Temporary Qualified Purchasing Agent until such time as a successor is appointed and/or qualified to serve, or at the pleasure of the Authority, whichever shall earliest occur; and

WHEREAS, the spread of Coronavirus 2019 ("COVID-19") within New Jersey created an imminent public health hazard, threatening and endangering the health, safety, and welfare of the residents of the State of New Jersey and Philip D. Murphy, the Governor of the State of New Jersey, in order to protect the health, safety and welfare of the people of the State of New Jersey, issued Executive Order 103 on March 9, 2020, declaring and proclaiming that a Public Health Emergency and State of Emergency exist in the State of New Jersey due to the existence and impact of COVID-19, which declaration continues, having been extended by Executive Order 119 issued April 7, 2020, Executive Order 138 issued May 6, 2020 and Executive Order 151 issued June 4, 2020; and

WHEREAS, on May 27, 2020 the New Jersey Department of Community Affairs, Division of Local Government Services issued Local Finance Notice 2020-13 ("LFN 2020-13"), "COVID-19 Extensions to Various Fiscal, Property Tax, and Licensed Official Deadlines", extending certain Division of Local Government Services licensed positions renewal expiration dates; and

WHEREAS, LFN 2020-13 provides that "[i]f an unlicensed individual appointed as acting...temporary purchasing agent...is serving in that capacity as of May 15, 2020, that individual may be appointed for one additional year in that acting or temporary capacity, subject to Director approval"; and

WHEREAS, in order to provide the Authority with the procurement efficiencies provided for by N.J.S.A. 40A:11-9 and to help mitigate the immediate and significant challenges posed by the current COVID-19 Public Health Emergency and State of Emergency, the Authority's Executive Director, by correspondence dated June 16, 2020, requested the approval of the Director of the State of New Jersey, Department of Community Affairs, Division of Local Government Services to extend the Authority's Temporary Qualified Purchasing Agent term for an additional year pursuant to, and as permitted by, LFN 2020-13; and

WHEREAS, pursuant to and consistent with the approval provided by the State of New Jersey, Department of Community Affairs, Division of Local Government Services to extend the term of Richard Wierer to continue serving as the Authority's Temporary Qualified Purchasing Agent for an additional one (1) year period, the Board of Commissioners of the Authority desires to reappoint Richard Wierer to serve as the Authority's Temporary Qualified Purchasing Agent for

this additional approved one (1) year term commencing July 1, 2020 and terminating June 30, 2021.

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

1. Richard Wierer, the Authority's Deputy Executive Director, shall be and is hereby designated and reappointed to continue to serve as the Authority's Temporary Qualified Purchasing Agent, to perform the requisite duties associated with such title, as set forth in N.J.A.C. 5:32-4, to administer and/or implement the rules and regulations promulgated thereunder, as amended, with such designation and reappointment to be effective immediately upon the adoption of this Resolution and retroactive to the initial designation and appointment pursuant to Resolution 18-3-006 adopted June 28, 2018, until June 30, 2021 or until such time as a successor is appointed and/or qualified to serve, or at the pleasure of the Authority, whichever shall earliest occur.

2. The Executive Director shall be and he is hereby directed to deliver to the State of New Jersey, Department of Community Affairs, Division of Local Government Services the telephone number and E-mail address of Richard Wierer at the Authority and a copy of this Resolution designating and reappointing Richard Wierer as the Authority's Temporary Qualified Purchasing Agent.

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of June 25, 2020.

Michael Henwood, Secretary

DATED: June 25, 2020

BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION

WHEREAS, the Bergen County Utilities Authority ("Authority") is a county utilities authority, organized pursuant to N.J.S.A. 40:14B-1 et seq. and authorized to provide, inter alia, 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 County of Bergen ("Bergen County") is a municipal corporation of the State of New Jersey having a principal place of business at One Bergen County Plaza, Hackensack, New Jersey 07601; and

WHEREAS, the Authority, among other things in furtherance of providing these governmental services, owns, operates and maintains facilities, including a wastewater treatment plant, situated in the Borough of Little Ferry in Bergen County (the "Little Ferry WPCF"); and

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

WHEREAS, N.J.S.A. 40:14B-20 authorizes and permits the Authority to enter into any and all contracts, execute any and all instruments and do and perform any and all acts or things necessary, convenient or desirable for the purposes of the Authority or to carry out any power expressly given to the Authority pursuant to N.J.S.A. 40:14B-1 et seq., expressly subject to N.J.S.A. 40A:11-1 et seq. (the "Local Public Contracts Law"); and

WHEREAS, the Authority notified Bergen County that it may, from time to time, require **Grounds Maintenance Services** to be provided by Bergen County at and around the Authority's Little Ferry WPCF;

WHEREAS, Bergen County proposed to the Authority that the parties enter into a shared services agreement (the "Shared Services Agreement"), pursuant to which Bergen County will provide **Grounds Maintenance Services** to the Authority at and around the Authority's Little Ferry WPCF on an as needed basis; and

WHEREAS, the Authority engaged in discussions with Bergen County regarding the terms of the proposed Shared Services Agreement for the providing of **Grounds Maintenance Services** by Bergen County to the Authority at and around the Authority's Little Ferry WPCF and the Authority's payment of compensation to Bergen County for the providing of these **Grounds Maintenance Services**, and the Authority considers the formation of the Shared Services Agreement with Bergen County to be necessary and/or desirable for the Authority's continued efficient operations; and

WHEREAS, the Executive Director of the Authority has reviewed the proposed Shared Services Agreement to be entered by and between the Authority and Bergen County and recommends that the Board of Commissioners of the Authority accept the terms of the proposed Shared Services Agreement with Bergen County on file at the Authority's offices; and

WHEREAS, the Authority has determined it is in the best interests of the Authority and its ratepayers to enter such agreement; and

WHEREAS, the Authority's Acting Treasurer has certified that funds are available for this purpose and his Certificate is on file at the Authority.

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

1. The Chairman shall be and he is hereby authorized to execute a shared services agreement with Bergen County in final form acceptable to the Commissioners, as evidenced by the Chairman's signature thereon, for the providing of **Grounds Maintenance Services** by Bergen County to the Authority on an as needed basis for the prices to be paid by the Authority to Bergen County as provided therein for an amount not to exceed the total sum of $58,152.00 without further approval of the Board of Commissioners of the Authority.

2. A copy of this Resolution, and the shared services agreement entered into with Bergen County 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 Bergen County and the Authority.

3. The Acting Treasurer's Certification confirming the availability of funds for this obligation shall be placed on file and made available for public inspection in the Office of the Executive Director.

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 June 25, 2020.

Michael Henwood
Board Secretary

Dated: June 25, 2020

BERGEN COUNTY UTILITIES AUTHORITY
TREASURER'S CERTIFICATION OF FUNDS

RESOLUTION DATE: 6/25/20
RESOLUTION NUMBER: 20-6-005

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

FUNDS AVAILABLE	x
FUNDS ARE NOT AVAILABLE	
BUDGET ACCOUNT	ALLOCATION CODE: 12419 BUILDING & GROUNDS OUTSOURCING
VENDOR	BERGEN COUNTY
CONTRACT NUMBER	N/A
REASON	GROUNDS MAINTENANCE SERVICES
AMOUNT	$58,152.00
CONTRACT LENGTH	N/A

ACTING TREASURER