

**BERGEN COUNTY UTILITIES AUTHORITY  
MINUTES OF THE REGULAR MEETING  
FEBRUARY 23, 2017**

**In the matter of the 455<sup>th</sup> Regular Meeting of  
The Bergen County Utilities Authority**

1. The **proof of meeting notice** calling the February 23, 2017, meeting was read into the record by Michael Henwood, Board Secretary.

2. Roll Call:

**COMMISSIONERS PRESENT:**

Ronald Phillips, Chairman  
Louis J. DeLisio, Vice Chairman  
Catherine T. Bentz, Commissioner  
Bruce Bonaventuro, Commissioner  
James L. Cassella, Commissioner  
Paul A. Juliano, Commissioner  
Thomas S. Kelley, Commissioner  
John Warms, Commissioner  
George P. Zilocchi, Commissioner

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

3. Motion that the Minutes covering the January 26, 2017 Work Session be approved was moved by Commissioner Cassella and Seconded by Commissioner Bentz and was carried. Commissioner Warms, DeLisio and Juliano 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. BY-LAWS COMMITTEE:

2017 Reorganization - Chairman Phillips requested that General Counsel Kaufman conduct nominations for BCUA Chairman and Vice Chairman as per Resolution 17-4-001. Commissioner Juliano nominated Ronald Phillips for BCUA Chairman and was Seconded by Commissioner Zilocchi. Commissioner Bonaventuro nominated Louis J. DeLisio for Vice Chairman and was seconded by Commissioner Bentz. A roll call was taken and resolution was adopted as reflected in these minutes.

Resolution 17-4-002 - 2017 Reorganization – Adoption of By-Laws. 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. FINANCE AND LEGAL COMMITTEE:

Resolution 17-1-007 - Approve bills and the claims supported by vouchers totaling \$5,637,400.01 for the month of January and authorize the Acting Treasurer to issue the necessary checks therefor, and to charge the accounts indicated, all as more fully set forth on the Acting Treasurer's check list. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 17-1-008 - Authorize Professional Services Agreement - Audit and Accounting - Lerch, Vinci & Higgins, LLP. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 17-1-009 - Authorize Agreement – Financial Advisor - Acacia Financial Group, Inc. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 17-1-010 - Authorize Agreement –Health Insurance/Employee Benefits Consulting Service - LaMendola Associates, Inc. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 17-1-011 - -- Authorize Professional Services Agreement – General Legal Counsel - Kaufman, Semeraro & Leibman, L.L.P. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 17-1-012 - Authorize Professional Services Agreement – Bond Counsel - McManimon, Scotland & Baumann, L.L.C. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 17-1-013 - Authorize Professional Services Agreement – Special Counsel - Florio, Perrucci, Steinhardt & Fader, L.L.C. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

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Resolution 17-1-014 - Authorize Professional Services Agreement — Professional Appraisal Services - Edgewater WPCF Project - Shenehon Company. – General Legal Counsel. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 17-1-015 - Authorize Professional Services Agreement – Special Counsel – Price, Meese, Shulman & D'Armino Attorneys at Law. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 17-1-016 - Authorize Agreement – Public Relations - Catania Consulting Group. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 17-1-017 - Authorize Agreement – Grants/Government Services Consulting – Gibbons P.C. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 17-1-018- Approve donation to the Little Ferry First Aid Corps; Little Ferry Hook & Ladder 1; and Little Ferry Hose Company #1. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 17-1-019 - Authorize renewal of membership in Water Environment & Reuse Foundation (WE&RF) formally known as the Water Environment Research Foundation (WERF). Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

7. CONSTRUCTION & ENGINEERING COMMITTEE:

Resolution 17-2-005 - Authorize Professional Services Agreement - Energy Management and Related Air Pollution Control Permit Engineering Services – Remington & Vernick Engineers. Motion to adopt the resolution was made by Commissioner Juliano and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 17-2-006- Authorize Professional Services Agreement - Site Work /Land Surveying Engineer – Neglia Engineering Associates. Motion to adopt the resolution was made by Commissioner Juliano and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 17-2-007 - Authorize Professional Services Agreement -Environmental Consulting Engineers – Arcadis, U.S., Inc. Motion to adopt the resolution was made by Commissioner Juliano and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 17-2-008 - Authorize Professional Services Agreement - General Consulting Engineers – Alaimo Group. Motion to adopt the resolution was made by Commissioner Juliano and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 17-2-009 - Authorize Professional Services Agreement – Special Environmental Engineering Services - NJPDES Regional Long Term Control Plan for the Bergen County CSO Group - Mott MacDonald, LLC. Motion to adopt the resolution was made by Commissioner Juliano and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 17-2-010 - Reject and authorize re-advertisement of Contract 17-04 - Furnish and Deliver Hi- Molecular Weight Cationic Dry Polymer for Sludge Dewatering, Gravity Belt Thickeners (2 Years). Motion to adopt the resolution was made by Commissioner Juliano and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 17-2-011 - Reject and authorize re-advertisement of Contract 17-05 - Furnish and Deliver Liquid Emulsion High Molecular Weight Cationic Polymer for Waste Activated Sludge/Gravity Belt Thickener (2 Years). Motion to adopt the resolution was made by Commissioner Juliano and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 17-2-012 - Award Contract 17-06 to Brentwood Industries, Inc. – Furnish and Deliver Spare Non-Metallic Sludge Collector Tank Parts. Motion to adopt the resolution was made by Commissioner Juliano and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 17-2-013 - Award Contract 17-01 to American Wear, Inc. Cleaning and Rental of Uniforms (Two Years with Two – One Year Options). Motion to adopt the resolution was made by Commissioner Juliano and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 17-2-014 - Authorize Professional Services Agreement - Global Information System (GIS) for Manhole Inventory Project - Neglia Engineering Associates. Motion to adopt the resolution was made by Commissioner Juliano and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 17-2-015 - Approve Change Order – Contract 15-01 - Dry Polymer – Polydyne, Inc. Motion to adopt the resolution was made by Commissioner Juliano and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 17-2-016 - Award Contract 17-010 to Bendlin Incorporated- Furnish and Deliver Morris Pump Impeller. Motion to adopt the resolution was made by Commissioner Juliano and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 17-2-017 - Authorize Amendment of Professional Services Agreement with Arcadis, US. – Special Environmental Engineer. Motion to adopt the resolution was made by Commissioner Juliano and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

8. Chairman Phillips announced a short recess to allow time for the Board Secretary to prepare minutes of this Regular Meeting.
9. Chairman Phillips announced the Regular Meeting would reconvene.
10. The Board Secretary then distributed proposed minutes of the February 23, 2017 Regular Meeting for review by the Commissioners.
11. Move to approve the Minutes of the Regular Meeting of February 23, 2017 as distributed by the Secretary, such minutes to include this motion approving the minutes, without the requirement of further review or approval at a subsequent Regular Meeting. Motion to adopt the Minutes of the Regular Meeting February 23, 2017 was made by Commissioner Zilocchi and Seconded by Commissioner Kelley and was unanimously carried.
12. Upon motion duly made, seconded and unanimously carried, the meeting was adjourned.

BERGEN COUNTY UTILITIES AUTHORITY  
 Minutes of the Regular Meeting  
 February 23, 2017

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Resolution #	17-4-001	17-4-002	17-1-007	17-1-008	17-1-009	17-1-010	17-1-011
Chairman Phillips	Y	Y	Y	Y	Y	Y	Y
V. Chair. DeLisio	Y	Y	Y	Y	Y	Y	Y
Comm. Bentz	Y	Y	Y	Y	Y	Y	Y
Comm. Bonaventuro	Y	Y	Y	Y	Y	Y	Y
Comm. Cassella	Y	Y	Y	Y	Y	Y	Y
Comm. Juliano	Y	Y	Y	Y	Y	Y	Y
Comm. Kelley	Y	Y	Y	Y	Y	Y	Y
Comm. Warms	Y	Y	Y	Y	Y	Y	Y
Comm. Zilocchi	Y	Y	Y	Y	Y	Y	Y

Resolution #	17-1-012	17-1-013	17-1-014	17-1-015	17-1-016	17-1-017	17-1-018
Chairman Phillips	Y	Y	Y	Y	Y	Y	Y
V. Chair. DeLisio	Y	Y	Y	Y	Y	Y	Y
Comm. Bentz	Y	Y	Y	Y	Y	Y	Y
Comm. Bonaventuro	Y	Y	Y	Y	Y	Y	Y
Comm. Cassella	Y	Y	Y	Y	Y	Y	Y
Comm. Juliano	Y	Y	Y	Y	Y	Y	Y
Comm. Kelley	Y	Y	Y	Y	Y	Y	Y
Comm. Warms	Y	Y	Y	Y	Y	Y	Y
Comm. Zilocchi	Y	Y	Y	Y	Y	Y	Y

Resolution #	17-1-019	17-2-005	17-2-006	17-2-007	17-2-008	17-2-009	17-2-010
Chairman Phillips	Y	Y	Y	Y	Y	Y	Y
V. Chair. DeLisio	Y	Y	Y	Y	Y	Y	Y
Comm. Bentz	Y	Y	Y	Y	Y	Y	Y
Comm. Bonaventuro	Y	Y	Y	Y	Y	Y	Y
Comm. Cassella	Y	Y	Y	Y	Y	Y	Y
Comm. Juliano	Y	Y	Y	Y	Y	Y	Y
Comm. Kelley	Y	Y	Y	Y	Y	Y	Y
Comm. Warms	Y	Y	Y	Y	Y	Y	Y
Comm. Zilocchi	Y	Y	Y	Y	Y	Y	Y

Resolution #	17-2-011	17-2-012	17-2-013	17-2-014	17-2-015	17-2-016	17-2-017
Chairman Phillips	Y	Y	Y	Y	Y	Y	Y
V. Chair. DeLisio	Y	Y	Y	Y	Y	Y	Y
Comm. Bentz	Y	Y	Y	Y	Y	Y	Y
Comm. Bonaventuro	Y	Y	Y	Y	Y	Y	Y
Comm. Cassella	Y	Y	Y	Y	Y	Y	Y
Comm. Juliano	Y	Y	Y	Y	Y	Y	Y
Comm. Kelley	Y	Y	Y	Y	Y	Y	Y
Comm. Warms	Y	Y	Y	Y	Y	Y	Y
Comm. Zilocchi	Y	Y	Y	Y	Y	Y	Y

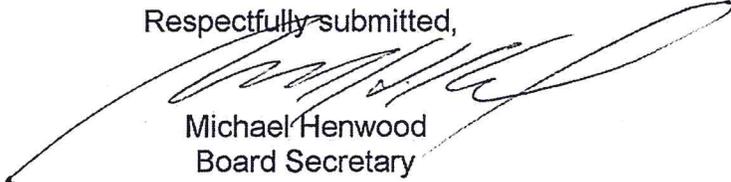
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Resolution #	17-3-003
Chairman Phillips	Y
V. Chair. DeLisio	Y
Comm. Bentz	Y
Comm. Bonaventuro	Y
Comm. Cassella	Y
Comm. Juliano	Y
Comm. Kelley	Y
Comm. Warns	Y
Comm. Zilocchi	Y

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

Respectfully submitted,



Michael Henwood  
Board Secretary

Date: February 23, 2017

17-4-001

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**BE IT RESOLVED** that Ronald Phillips is hereby elected **Chairman** of the Board of Commissioners of The Bergen County Utilities Authority, and Louis DeLisio is hereby elected **Vice Chairman** of the Board of Commissioners of The Bergen County Utilities Authority for the Year 2017 or until the Authority's annual 2018 reorganization meeting.

The above action is made in accordance with the By-Laws of The Bergen County Utilities Authority, Article 5, Section 1.

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 23, 2017.



Michael Henwood  
Board Secretary

**DATED: February 23, 2017**

17-4-002

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

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

1. The annexed By-Laws shall be and they are hereby adopted as the By-Laws of the Authority for use by the Authority, effective upon adoption and shall continue thereafter, unless revised or modified or repealed.

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 February 23, 2017.



Michael Henwood  
Board Secretary

**DATED: February 23, 2017**

**THE BERGEN COUNTY UTILITIES AUTHORITY**

**BY-LAWS**

**Article 1. By-Laws and Organization**

**Section 1. By-Laws**

These By-Laws shall constitute the By-Laws of The Bergen County Utilities Authority (the "Authority"). Amendments to these By-Laws shall be incorporated herein as if more fully set forth at length herein and shall constitute the By-Laws of the Authority.

**Section 2. Organization**

The Authority is a public body politic and corporate, constituting a political subdivision of the State, established as an instrumentality exercising public and essential governmental functions, to provide for the public health and welfare, having perpetual succession and having express and implied powers by virtue of and under N.J.S.A. 40:14b-1 et seq., more commonly known as the "Municipal and County Utilities Authorities Law."

**Article 2. Seal**

**Section 1. Seal**

The Seal of the Authority shall be as follows:

**Article 3. Office**

The office of The Bergen County Utilities Authority shall be at:

Foot of Mehrhof Road  
Little Ferry, New Jersey 07643

Mailing Address: P. O. Box 9, Little Ferry, NJ 07643

## **Article 4. Members**

### **Section 1. Members**

The powers of the Authority shall be vested in the Members thereof in office, from time to time. Each Member shall hold office for the term for which he or she was appointed until his or her successor has been appointed and has qualified.

### **Section 2. Removal**

A Member of the Authority may be removed only by the governing body by which he or she was appointed and only for inefficiency or negligence of duty or misconduct in office, and after he or she shall have been given a copy of the charges against him or her and not sooner than ten (10) days thereafter, had opportunity in person or by counsel to be heard thereon by such governing body.

## **Article 5. Officers**

### **Section 1. Election of Chair and Vice Chair**

The Chair and Vice Chair of the Authority shall be elected by the Membership of the Authority at the Authority's annual reorganization meeting or such meeting called for the purpose of electing the Chair and Vice Chair and/or reorganizing generally. The Chair and Vice Chair shall serve until February 1 of the ensuing year and thereafter, until their successors have been appointed and qualified.

Notwithstanding anything to the contrary herein, in the event the Chair and Vice Chair die, become disabled or otherwise become incapable of performing their duties, the balance of the Members of the Authority shall be entitled to convene a special and/or emergency meeting, in conformity with the notice requirements of N.J.S.A.

10:4-6, et seq. (more commonly referred to as the "Open Public Meetings Act"), to fill the unexpired terms of the immediate past Chair and Vice Chair.

**Section 2. Officers**

The Authority's officers shall be the Chair, Vice Chair and Secretary.

**Section 3. Duties**

The duties and powers of the Chair, Vice Chair and Secretary are as follows:

**Chair**

The Chair shall cause to be called all meetings of the Authority; the Chair shall preside at all meetings of the Authority; the Chair shall be responsible for opening the meetings at the time the meetings are supposed to be opened by calling the Members to order; to ascertain then and throughout the meeting, that a quorum is present; the Chair shall preside over the deliberations of the Authority and conduct the meetings thereof; the Chair shall, on all occasions, preserve order and decorum in a clear, concise and courteous manner, and may cause the removal of all persons who interrupt the orderly proceedings of the Authority; the Chair shall enforce all rules, including these By-Laws and rules of debate; the Chair shall maintain order and respond to parliamentary inquiries, point of order and any other motions that require the action of the Chair; the Chair shall endeavor to alternate between pro and con when conducting a debate on a motion; the Chair shall at all times uphold the By-Laws, rules of order, and standing rules and other documents relevant to the business of the Authority and, in general, to represent the Authority, declaring its will and obeying its command in all matters and regards. The Chair shall not only be familiar with the By-Laws of the Authority, but also set an example of conformity to such rules.

The Chair shall serve as the ex-officio Member of all committees, standing or special, and shall be informed in advance of the meetings of standing or special committees.

Unless otherwise provided, the Chair, or anyone acting in his or her stead, shall sign all contracts and other agreements and obligations of the Authority. The Chair, or anyone acting in her stead, together with the Authority's Executive Director and Chief Financial Officer, shall sign all checks, drafts, notes and/or requisitions of the Authority.

The Chair shall, at the annual reorganization meeting of the Authority, receive nominations from any Member(s) of the Authority for the positions of Chair and Vice Chair for the ensuing year. The Members present shall thereafter vote to select the Chair and Vice Chair from among the nominations received by the Chair.

#### **Vice Chair**

The Vice Chair, in the absence of the Chair, shall have all of the powers to perform all of the duties of the Chair.

#### **Secretary**

The Secretary shall attend all meetings of the Authority and shall be responsible for verification and confirmation of the notification of Authority meetings and the roll of the Members of the Authority, together with such other matters incidental to the performance of duties of the Secretary.

The Secretary's duties shall include attendance at all Authority meetings; the taking and retention of the minutes of the Authority's meetings and the meetings of special or sub-committees thereof; to cause to be issued written notices of the

meetings of the Authority; to maintain a roster of the Membership of the Authority; to provide for and execute copies of the Authority's documents, where necessary, and to produce such minutes and organizational documents available to the Members of the Authority at reasonable times and places and to call the roll, when required.

The Secretary shall also provide to the Chair and Vice a list of all committees, their chairs and Members.

## **Article 6. Meetings**

### **Section 1. Annual Meetings**

The Annual Meeting of the Authority shall be held at the Authority's office on or after the first day of February of each year, on the date and at the time and place established by the Authority for such meetings.

### **Section 2. Work Session Meetings**

Unless otherwise designated and established by law, work session meetings shall be held at the Authority's offices on the fourth Thursday of the month at 6:00 p.m., or at such other times and dates as may, from time to time, be established by the Authority.

### **Section 3. Regular Meetings**

Unless otherwise designated and established by law, regular meetings shall be held at the Authority's offices on the fourth Thursday of each month, commencing immediately upon completion of the regular meeting work session that evening.

### **Section 4. Special Meetings**

Special Meetings of the Authority may be called by the Chair. The Chair shall also call such a meeting upon the written request of the majority of the regular

Members of the Authority. Notice of such meetings shall be served personally, or sent by mail, not less than 48 hours before the date and time set for the meeting. The notices shall comply with the notice requirements of N.J.S.A. 10:4-6, et seq., which may, from time to time, be amended.

**Section 5. Emergency Meetings**

Emergency Meetings may be convened only upon the affirmative vote of three-quarters of the Members present, to deal with matters of such urgency and importance that a delay for the purpose of providing adequate notice would be likely to result in substantial harm to the public interest; provided however, that the notice requirements for such meeting as set forth in N.J.S.A. 10:4-9 of the Open Public Meetings Act, which may from time to time be amended, are satisfied.

**Section 6. Quorum**

A majority of the entire authorized Membership shall constitute a quorum at any meeting.

**Section 7. Voting**

Questions shall be determined by vote of the Members present. Formal action may be taken and motions and resolutions adopted by the Authority at any meeting of the Members thereof by a vote of a majority of the Members present except where the election of the Chair and Vice Chair may be by ballot, if a majority of the Members present elect to establish a ballot procedure to elect the Chair and Vice Chair.

**Section 8. Orders of Business**

Unless suspended or other wise ordered by the Chair or Vice Chair, as the case may be, the order of business at regular meetings shall be as follows:

1. Proof of Notice of Meeting, or Waiver and Notice;
2. Roll Call;
3. Pledge of allegiance;
4. Approval of Minutes;
5. Public Participation;
6. Report of Committees;
7. Unfinished Business;
8. New Business; and
9. Adjournment

#### **Article 7. Presumption of Powers**

##### **Section 1. Presumption**

Consistent with the powers conferred upon the Authority by virtue of N.J.S.A. 40:14B-20, the Authority shall exercise all enumerated and necessary and implied powers in the broadest possible sense in order to fulfill its responsibilities as a public body politic and corporate, discharging essential governmental functions to provide for the public health, safety and welfare, and having perpetual succession.

##### **Section 2. Liberal Construction**

These By-Laws shall be construed liberally to effectuate and implement the Authority's actions in exercising its powers under these By-Laws and N.J.S.A. 40:14B-1, et seq.

#### **Article 8. Mission Statement**

Section 1. The Members of the Authority shall formulate and establish the policies and objectives of the Authority for the management and regulation of its

business and affairs and for the use, maintenance and operation of its utilities systems and any other of its properties.

Section 2. In Authority staff and employees is reposed the responsibility for the day-to-day implementation and/or management of Authority policy, not otherwise reserved by the Members of the Authority pursuant to N.J.S.A. 40:14B-1, et seq. or these By-Laws, or where such matters involved or effect the interpretation of the Members' decisions and/or policies. The Members of the Authority deem such matters within their jurisdiction.

## **Article 9. Committees**

### **Section 1. Committees; Appointment**

The Chair shall appoint such standing or special committees as the Chair deems necessary and designate the chair and Members thereof. Standing Committees shall be the Construction & Engineering Committee, the Legal & Finance Committee, the Personnel & Administration Committee, the Security & Safety Committee, the Strategic Planning Committee and the By-Laws Committee.

### **Section 2. Duties of the Committee Chair**

The committee chair shall call the committee together, from time to time or as directed by the Authority to review or initiate, as the case may be, recommendations to the Authority, with regard to the specific issues, questions, policies and planning relating to matters falling under the jurisdiction of the committee. The committee chair and Members shall develop and formulate a "mission" statement and define the objectives of the committee. Thereafter, the committee chair shall call the committee together from time to time to formulate and/or review, as the case may be,

recommendations to the Authority with regard to the matters subject to the jurisdiction of the committee. Whatever is not agreed to by the majority of the Membership present and not voted on at a committee meeting cannot form part of that committee's report(s) to the Authority.

The committee chair shall be responsible to call the Members of the committee to order, ascertain that a quorum is present, and to announce that the business of the committee is in correct order; to ensure that the business of the committee is addressed and completed expeditiously so that committee recommendations are made to the Authority for further consideration; the committee chair shall also enforce all rules to maintain order, decorum, and debate, and to respond to parliamentary inquiries and point of order, to declare, when appropriate, when the committee is recessed or adjourned, and in general, to exercise the functions of the committee chair of the Authority limited, however, to the business before his or her committee.

The committee chair shall present to the Authority his or her report of the committee's recommendations and respond to any questions or comments when it is appropriate to do so, during the meetings of the Authority at which committee reports are presented.

All Committee meetings shall comply with all requirements of the Open Public Meetings Act, N.J.S.A. 10:4-1 et seq.

## **Article 10. Fiscal Year**

### **Section 1. Fiscal Year**

The fiscal year of the Authority shall begin on January 1 and end on December 31 of each year.

**Article 11. Modification and Repeal**

**Section 1. Procedure**

These By-laws may be modified or repealed, in whole or in part, by the affirmative vote of at least five (5) Members of the Authority at any regular meeting of the authority, or at a special meeting at which the modification or repeal of the By-Laws, in whole or in part, shall be considered, provided however, that written notice of any such special meeting shall have been sent to each Member in accordance with the notice requirements of the Open Public Meetings Act (N.J.S.A. 10:4-6, et seq.).

\_\_\_\_\_  
Chairman

**ADOPTED: February 23, 2017**

**Resolution 17-4-002**

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, there exists the need to engage the services of a certified public accountant/registered municipal accountant to provide **Audit and Accounting Services** to the Bergen County Utilities Authority (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 auditing services may be awarded without competitive bidding as a "professional service"; and

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

**WHEREAS**, **Lerch, Vinci & Higgins, L.L.P.** has submitted a proposal to provide **Audit and Accounting Services** to the Authority, dated **February 15, 2017**, which proposal has been reviewed by the Authority; and

**WHEREAS**, the Authority desires to appoint and retain **Lerch, Vinci & Higgins, L.L.P.** to provide **Audit and Accounting Services** to the Authority for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

**WHEREAS**, the Authority Commissioners have determined that **Lerch, Vinci & Higgins, L.L.P.** is competent, qualified and experienced to provide the **Audit and Accounting Services** to the Authority; and

**WHEREAS**, the Authority has determined, on the basis of the foregoing, that it is necessary for its efficient operation to retain the services of **Lerch, Vinci & Higgins, L.L.P.** to provide **Audit and Accounting Services** to the Authority; and

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

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

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

1. **Lerch, Vinci & Higgins, L.L.P.** shall be and is hereby appointed to provide **Audit and Accounting Services** to the Authority for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively.

2. The Chairman shall be and is hereby authorized to execute an agreement, similar in form and substance to the agreement on file on the Office of the Executive Director, by and between the Authority and **Lerch, Vinci & Higgins, L.L.P.** memorializing the scope of services and compensation to be paid for such services, in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

3. A copy of this Resolution and the agreement retaining **Lerch, Vinci & Higgins, L.L.P.** pursuant to this Resolution shall be placed on file and made available for public inspection in the Office of the Executive Director, upon execution by **Lerch, Vinci & Higgins, L.L.P.** and the Authority.

4. The total amount authorized to be paid pursuant to the contract herein awarded shall not exceed the total sum of **\$215,000.00** 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 in the Office of the Executive Director and made a part hereof.

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

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of February 23, 2017.



Michael Henwood  
Board Secretary

Dated: February 23, 2017

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 02/23/2017

RESOLUTION #: 17-1-008

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

FUNDS AVAILABLE X

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

BUDGET ACCOUNT AUDIT & FINANCIAL ADVISORY  
W-350-51000-000

VENDOR LERCH, VINCI & HIGGINS, L.L.P.

CONTRACT NUMBER 17022301

REASON AUDIT & ACCOUNTING SERVICES

AMOUNT \$215,000.00

CONTRACT LENGTH MARCH 1, 2017 - FEBRUARY 28, 2018

*Matthew Carter*  
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, there exists the need for the Bergen County Utilities Authority (the "Authority") to engage the services of a **Financial Advisor**; and

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

**WHEREAS**, **Financial Advisory Services** are recognized as "extraordinary unspecifiable services" as said services are specialized and qualified in nature, requiring expertise, extensive training and proven reputation in the field of endeavor, pursuant to and in accordance with N.J.S.A. 40A:11-2(7); and

**WHEREAS**, the Authority's Acting Treasurer has determined that the engagement of a **Financial Advisor** is necessary to provide for the efficient operation of the Authority; and

**WHEREAS**, pursuant to and in accordance with N.J.A.C. 5:34-2.3, the Authority's Acting Treasurer has provided the Authority's Commissioners with a Certification, dated February 23, 2017, describing the nature of the work to be done, stating that it is not reasonably possible to draft specifications, and describing why the contract satisfies the Statutory and Administrative Code requirements for extraordinary unspecifiable services; and

**WHEREAS**, **Acacia Financial Group, Inc.** has submitted a proposal to provide **Financial Advisory Services** to the Authority, dated **February 15, 2017**, which proposal has been reviewed by the Authority's Executive Director and Acting Treasurer and determined to be fair and reasonable; and

**WHEREAS**, the Authority has determined, based upon the foregoing, that it is necessary for its efficient operation to retain the services of **Acacia Financial Group, Inc.** to provide **Financial Advisory Services** to the Authority for the year 2016 until the Authority's annual 2017 reorganization meeting, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

**WHEREAS**, the Commissioners of the Authority have determined that **Acacia Financial Group, Inc.** is competent, qualified, experienced and has a proven reputation in the field of **Financial Advisory Services**; and

**WHEREAS**, this contract was awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq. through a publicly advertised Request for Qualifications ("RFQ"), and **Acacia Financial Group, Inc.** was found to be qualified to provide these services.

**WHEREAS**, the Authority is desirous of retaining **Acacia Financial Group, Inc.** to provide **Financial Advisory Services** to the Authority; and

**WHEREAS**, the Authority's Acting Treasurer's Certificate of Available Funds, maintained on file at the Authority, sets forth that sufficient funds for the procurement of the **Financial Advisory Services** have been allotted in the Authority's budget; and

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

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

1. **Acacia Financial Group, Inc.** shall be and is hereby selected by the Authority to perform **Financial Advisory Services** to the Authority for the year 2016, until the Authority's annual 2017 reorganization meeting, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively.

2. The Chairman shall be and is hereby authorized to execute an Agreement by and among the Authority and **Acacia Financial Group, Inc.** memorializing the scope of services to be performed and compensation to be paid therefor, in substantially the form and substance on file in the office of the Executive Director, and satisfactory to the Authority as evidenced by the Chairman's signature thereon.

3. The Acting Treasurer's Certification that funds are available shall be placed on file and made available for public inspection in the Office of the Executive Director and made a part hereof.

4. The total amount authorized to be paid for services provided on an hourly basis pursuant to the contract herein awarded shall not exceed the total sum of **\$17,500.00** without further action by the Board of Commissioners. For all services with respect to the authorization and the issuance of a permanent bond issue or other financing, the amount paid shall be in accordance with the aforesaid proposal.

5. A copy of this resolution and the Agreement retaining **Acacia Financial Group, Inc.** for the aforesaid services pursuant to this Resolution shall be placed on file and made

17-1-009

available for public inspection in the office of the Executive Director, upon execution by **Acacia Financial Group, Inc.** and the Authority.

6. A Notice of Contract Award shall be published in the form prescribed by law.

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of February 23, 2017.

A handwritten signature in black ink, appearing to read 'Michael Henwood', is written over a horizontal line.

Michael Henwood  
Board Secretary

Dated: February 23, 2017

**CERTIFICATION FOR AN EXTRAORDINARY  
UNSPECIFIABLE SERVICES CONTRACT**

**TO:** Members of the Board of Commissioners  
**FROM:** Mathew McCarter  
Acting Treasurer, Bergen County Utilities Authority  
**DATE:** February 23, 2017  
**SUBJECT:** **Award of Contract for Financial Consultant**

This is a contract for the Provision of Consulting - Financial Consultant

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

**Firm:** Acacia Financial Group ("Contractor")  
**Duration:** Until the Authority's 2018 Reorganization Meeting.  
**Purpose:** To provide services to the Authority in regards to the provision of Financial Consulting Services.

---

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

I do hereby certify to the following:

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

The contract will be for the provision of financial consulting services. As Acting Treasurer, I am familiar with the nature of the work to be done under the contract for Financial Consultant which is to be performed by an entity with expertise, extensive training, and a proven reputation in the field of endeavor. It is critical to the efficient operations of the BCUA, that the financial consulting be performed by an entity with expertise, extensive training and a proven reputation in the field of endeavor of providing such consulting service.

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

This contract is a contract for extraordinary unspecifiable services, as provided for under N.J.S.A. 40A:11-5, as such services are of such a qualitative nature that the performance of the services cannot be reasonably described by written specifications, and services requiring financial expertise in the rendering of advice, have been recognized by the Division of Local Government Services, (Local Finance Notice AU 2002-2) as within the statutory definition of Extraordinary Unspecifiable Services.

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

It is not reasonably possible to draft specifications for these services adequately defining the expertise and skill requires in such complex type matters as covered by

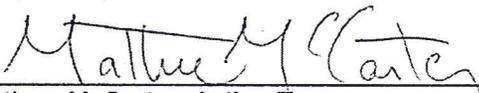
the contract to be let, such services being of such a qualitative nature as well as an endeavor, the scope of which is not reasonably determinable in advance of the receipt of proposals from those with required expertise and skill.

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

Pursuant to the New Jersey Pay to Play Law, N.J.S.A. 19:44A-20.5 et seq., a Request for Qualifications ("RFQ") for the Provision of Financial Consultant services was advertised on December 15, 2016, and statements of qualifications were received. The Contractor was duly qualified by resolution of the Authority dated January 26, 2017. Informal Quotations from at least two qualified providers of Financial Consultant services were informally solicited, and the BCUA has determined the proposal of the Contractor to be fair and reasonable. It is my recommendation that an award for the Provision of Financial Consultant services be provided to the Contractor, price and other factors considered.

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

Respectfully,

  
Mathew McCarter, Acting Treasurer

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

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 02/23/2017  
RESOLUTION #: 17-1-009

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

FUNDS AVAILABLE X

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

BUDGET ACCOUNT AUDIT & FINANCIAL ADVISORY  
W-350-51000-000

VENDOR ACACIA FINANCIAL GROUP, INC.

CONTRACT NUMBER 17022302

REASON FINANCIAL ADVISORY SERVICES

AMOUNT \$17,500.00

CONTRACT LENGTH MARCH 1, 2017 - FEBRUARY 28, 2018

Mather McCarter  
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, there exists the need to engage the services of a **Health Insurance/Employee Benefits Consultant** to serve as **Health Insurance/Employee Benefits Consultant** to the Bergen County Utilities Authority (the "Authority"); and

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

**WHEREAS**, **Health Insurance/Employee Benefits Consultant** services are recognized as "extraordinary unspecifiable services" as said services are specialized and qualified in nature, requiring expertise, extensive training and proven reputation in the field of endeavor, pursuant to and in accordance with N.J.S.A. 40A:11-2(7) and this contract is awarded without competitive bidding as an "extraordinary unspecifiable service", pursuant to and in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

**WHEREAS**, the Authority's Executive Director has determined that the engagement of a **Health Insurance/Employee Benefits Consultant** is necessary to provide for the efficient operation of the Authority; and

**WHEREAS**, pursuant to and in accordance with N.J.A.C. 5:34-2.3, the Authority's Executive Director has provided the Authority's Commissioners with a Certification, dated February 23, 2017, describing the nature of the work to be done, stating that it is not reasonably possible to draft specifications, and describing why the contract satisfies the Statutory and Administrative Code requirements for extraordinary unspecifiable services; and

**WHEREAS**, **LaMendola Associates Inc.** has submitted a proposal to serve as **Health Insurance/Employee Benefits Consultant** to the Authority dated **February 15, 2017**, which proposal has been reviewed by the Authority's Executive Director and determined to be fair and reasonable; and

**WHEREAS**, the Authority has determined, based upon the foregoing, that it is necessary for its efficient operation to retain the services of **LaMendola Associates Inc.** to provide **Health Insurance/Employee Benefits Consultant** services to the Authority for the year 2017 until the Authority's annual 2018 reorganization meeting, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

**WHEREAS**, the Commissioners of the Authority have determined that **LaMendola Associates Inc.** is competent, qualified, experienced and has a proven reputation in the field of **Health Insurance/Employee Benefits Consultant** services; and

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

("RFQ"), and **LaMendola Associates Inc.** was found to be qualified to provide these services; and

**WHEREAS**, the Authority desires to enter into a contract with **LaMendola Associates Inc.** to serve as **Health Insurance/Employee Benefits Consultant** to the Authority for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

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

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

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

1. That **LaMendola Associates Inc.** shall be and is hereby appointed to serve as **Health Insurance/Employee Benefits Consultant** to the Authority for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively.

2. The Chairman shall be and is hereby authorized to execute, an agreement, similar in form and substance to the agreement attached hereto, by and among the Authority and **LaMendola Associates Inc.** memorializing the scope of services and compensation 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 agreement retaining **LaMendola Associates Inc.** as **Health Insurance/Employee Benefits Consultant** pursuant to this Resolution shall be placed on file and made available for public inspection in the office of the Executive Director, upon execution by **LaMendola Associates Inc.** and the Authority.

4. The total amount authorized to be paid pursuant to the contract herein awarded shall not exceed the total sum of **\$47,500.00** without further action by the Board of Commissioners.

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

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

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

**17-1-010**

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 23, 2017.



Michael Henwood  
Board Secretary

**DATED: February 23, 2017**

**CERTIFICATION FOR AN EXTRAORDINARY  
UNSPECIFIABLE SERVICES CONTRACT**

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

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

**DATE:** February 23, 2017

**SUBJECT:** Award of Contract for Health Insurance/Employee Benefits Consultant

This is a contract for the Provision of Consulting - Health Insurance/Employee Benefits Consultant

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

**Firm:** LaMendola Associates, Inc. ("Contractor")

**Duration:** Until the Authority's 2018 reorganization meeting.

**Cost:** Not to exceed \$47,500 annually.

**Purpose:** To provide services to the Authority in regards to the provision of consulting services - Health Insurance/Employee Benefits Consultant

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

I do hereby certify to the following:

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

The contract will be for the provision of Health Insurance/Employee Benefits Consultant services. As Executive Director, I am familiar with the nature of the work to be done under the contract for which is to be performed by an entity with expertise, extensive training, and a proven reputation in the field of endeavor. It is critical to the efficient operations of the BCUA, that Health Insurance/Employee Benefits Consultant services be performed by an entity with expertise, extensive training and a proven reputation in the field of endeavor.

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

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

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

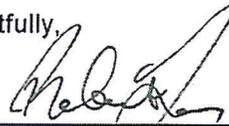
See II. Insurance consulting and administrative service contracts satisfy the criteria of Extraordinary Unspecifiable Services.

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

Pursuant to the New Jersey Pay to Play Law, N.J.S.A. 19:44A-20.5 et seq., a Request for Qualifications ("RFQ") for the Provision of Health Insurance/Employee Benefits Consultant services was advertised on December 18, 2016, and statements of qualifications were received. Only one vendor responded to the Request for Qualifications. Under the circumstances the solicitation of competitive quotations from more than one vendor is impracticable. The Contractor was duly qualified by resolution of the Authority dated January 26, 2017. Informal Quotations from the Contractor for Health Insurance/Employee Benefits Consultant services were solicited, and the BCUA has determined the proposal of the Contractor to be fair and reasonable. It is my recommendation that an award for the Provision of Health Insurance/Employee Benefits Consultant be provided to the Contractor, price and other factors considered.

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

Respectfully,



---

Robert E. Laux, Executive Director

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

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 02/23/2017  
RESOLUTION #: 17-1-010

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

FUNDS AVAILABLE X

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

BUDGET ACCOUNT EMPLOYEE BENEFITS - HOSPITALIZATION  
A-340-71000-000

VENDOR LAMENDOLA ASSOCIATES, INC.

CONTRACT NUMBER 17022303

REASON HEALTH INSURANCE/  
BENEFITS CONSULTANT

AMOUNT \$47,500.00

CONTRACT LENGTH MARCH 1, 2017 - FEBRUARY 28, 2018

Matthew McCarter  
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, there exists the need to retain legal counsel to perform requisite legal services to represent the Bergen County Utilities Authority (the "Authority") as its **General Legal Counsel**; and

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

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

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

**WHEREAS**, **Kaufman, Semeraro & Leibman, L.L.P** has submitted a proposal to serve as **General Legal Counsel**, dated February 15, 2017, which proposal has been reviewed by the Authority; and

**WHEREAS**, the Authority's Commissioners have determined that **Kaufman, Semeraro & Leibman, L.L.P** is competent and qualified to serve as the Authority's **General Legal Counsel**; and

**WHEREAS**, the Authority desires to appoint and retain **Kaufman, Semeraro & Leibman, L.L.P.** to serve as the Authority's **General Legal Counsel** for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

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

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

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

17-1-011

1. **Kaufman, Semeraro & Leibman, L.L.P.** shall be and is hereby appointed to serve as **General Legal Counsel** to the Authority for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively.

2. The Chairman shall be and is hereby authorized to execute an agreement, similar in form and substance to the agreement on file at the Authority by and between the Authority and **Kaufman, Semeraro & Leibman, L.L.P.**, memorializing the scope of services and compensation to be paid for such services, in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

3. A copy of this Resolution and a copy of the Agreement retaining **Kaufman, Semeraro & Leibman, L.L.P.** to serve as **General Legal Counsel** to the Authority pursuant to this Resolution shall be placed on file and made available for public inspection in the Office of the Executive Director, upon execution by **Kaufman, Semeraro & Leibman, L.L.P.** and the Authority.

4. The total amount authorized to be paid pursuant to the contract herein awarded shall not exceed the total sum of **\$125,000.00**, without further action by the Board of Commissioners.

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

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

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of February 23, 2017.

  
Michael Henwood  
Board Secretary

DATED: February 23, 2017

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 02/23/2015

RESOLUTION #: 17-1-011

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

FUNDS AVAILABLE X

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

BUDGET ACCOUNT LEGAL  
W-350-50800-000

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

CONTRACT NUMBER 17022304

REASON GENERAL LEGAL COUNSEL

AMOUNT \$125,000.00

CONTRACT LENGTH MARCH 1, 2017 - FEBRUARY 28, 2018

Mather McCarter  
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, there exists the need to retain legal counsel to perform requisite legal services to represent the Bergen County Utilities Authority (the "Authority") as its **Bond Counsel**, in connection with the authorization and issuance of obligations for projects the Authority elects to undertake, and for other related legal services the Authority may request; and

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

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

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

**WHEREAS**, **McManimon, Scotland & Baumann, L.L.C.** has submitted a proposal to serve as **Bond Counsel** to the Authority dated **February 15, 2017**, which proposal has been reviewed by the Authority; and

**WHEREAS**, the Authority desires to appoint and retain **McManimon, Scotland & Baumann, L.L.C.** to serve as the Authority's **Bond Counsel** for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

**WHEREAS**, the Authority Commissioners have determined that **McManimon, Scotland & Baumann, L.L.C.** is competent, qualified and experienced to serve as the Authority's **Bond Counsel**; and

**WHEREAS**, the Authority has determined on the basis of the foregoing, that it is necessary for its efficient operation to retain the services of **McManimon, Scotland & Baumann, L.L.C.** to serve as **Bond Counsel** to the Authority; and

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

17-1-012

**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. **McManimon, Scotland & Baumann, L.L.C.** shall be and is hereby appointed to serve as **Bond Counsel** to the Authority for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively.

2. The Chairman shall be and is hereby authorized to execute an Agreement in form and substance similar to the agreement on file at the Authority, by and between the Authority and **McManimon, Scotland & Baumann, L.L.C.**, memorializing the scope of services to be rendered and compensation to be paid for such services, in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

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

4. The total amount authorized to be paid pursuant to the contract herein awarded shall not exceed the total sum of **\$25,000.00** for services billed on an hourly basis, without further action by the Board of Commissioners. For all legal services with respect to the authorization and the issuance of a permanent bond issue or other financing, the amount paid shall be in accordance with the aforesaid proposal.

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

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of February 23, 2017.

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

**DATED: February 23, 2017**

17-1-012

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 02/23/2017  
RESOLUTION #: 17-1-012

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

FUNDS AVAILABLE X

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

BUDGET ACCOUNT LEGAL  
W-350-50800-000

VENDOR MC MANIMON, SCOTLAND & BAUMANN, L.L.C.

CONTRACT NUMBER 17022305

REASON BOND COUNSEL

AMOUNT \$25,000.00

CONTRACT LENGTH MARCH 1, 2017 - FEBRUARY 28, 2018

Matthew M. Carter  
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, there exists the need to continue to engage **Special Legal Counsel** to represent the Bergen County Utilities Authority (the "Authority") in various labor and employment matters, related litigation, and performing such additional legal services which may, from time to time, be requested by the Authority; and

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

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

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

**WHEREAS**, **Florio Perrucci Steinhardt & Fader, L.L.C.** has submitted a proposal to continue to serve as **Special Legal Counsel** to the Authority dated **February 15, 2017**, which proposal has been reviewed by the Authority; and

**WHEREAS**, the Authority has determined on the basis of the foregoing, that it is necessary for its efficient operation to retain the services of **Florio Perrucci Steinhardt & Fader, L.L.C.** as **Special Legal Counsel** to represent the Authority in various labor and employment matters, related litigation, and performing such additional legal services which may, from time to time, be requested by the Authority; for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever first occurs or be exercised, respectively; and

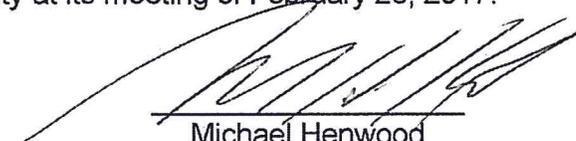
**WHEREAS**, N.J.S.A. 40A:11-1, et seq. requires that the resolution authorizing the award of contracts for professional services and the contract itself be available for public inspection; and

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

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

1. **Florio Perrucci Steinhardt & Fader, L.L.C.** shall be and it is hereby engaged by the Authority as **Special Legal Counsel** to represent the Authority in various labor and employment matters, related litigation, and performing such additional legal services which may, from time to time, be requested by the Authority; for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever first occurs or be exercised, respectively.
2. The Chairman shall be and is hereby authorized to execute an Agreement in form and substance similar to the agreement on file at the Authority, by and between the Authority and **Florio Perrucci Steinhardt & Fader, L.L.C.** memorializing the scope of services to be rendered and compensation to be paid for such services, in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.
3. A copy of this Resolution and a copy of the agreement engaging **Florio Perrucci Steinhardt & Fader, L.L.C.** to serve as **Special Legal Counsel** to the Authority pursuant to this Resolution shall be placed on file and made available for public inspection in the Office of the Executive Director, upon execution by **Florio Perrucci Steinhardt & Fader, L.L.C.** and the Authority.
4. The total amount authorized to be paid pursuant to the contract herein awarded shall not exceed the total sum of **\$75,000.00** without further action by the Board of Commissioners.
5. The Acting Treasurer's Certification that funds are available shall be placed on file and made available for public inspection at the Authority and made a part hereof.
6. A notice of this contract award shall be published in the form prescribed by law.
7. The formal action(s) of the Commissioners of The Bergen County Utilities Authority embodied herein are expressly contingent upon and subject to the provisions of N.J.S.A. 40:14B-14(b).

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of February 23, 2017.

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

DATED: February 23, 2017

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 02/23/2017

RESOLUTION #: 17-1-013

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

FUNDS AVAILABLE X

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

BUDGET ACCOUNT LEGAL  
W-350-50800-000

VENDOR FLORIO, PERRUCCI, STEINHARDT & FADER, L.L.C.

CONTRACT NUMBER 17022306

REASON SPECIAL LEGAL COUNSEL

AMOUNT \$75,000.00

CONTRACT LENGTH MARCH 1, 2017 - FEBRUARY 28, 2018

Matthew M. 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 has determined that specialized **Professional Appraisal Services** are required to be performed by a real estate appraiser with significant experience in the specialized practice of appraising railroad corridors and railroad property, including the application of the "across the fence" methodology, in connection with the Edgewater WPCF Project; and

**WHEREAS**, the specialized **Professional Appraisal Services** required to be provided include the providing of appraisals for railroad owned properties, which the Authority will be required to acquire an easement or other interest in, in order to advance the Edgewater WPCF Project pursuant to and consistent with the terms of the 2015 ACO; and

**WHEREAS**, said specialized **Professional Appraisal 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., seeking a real estate appraiser with significant experience in the specialized practice of appraising railroad corridors and railroad property and familiarity with the "across the fence" methodology in connection with the Edgewater WPCF Project; and

**WHEREAS**, **Shenhon Company**, of 88 South 10<sup>th</sup> Street, Suite 400, Minneapolis, MN 55403 has submitted to Kaufman, Semeraro & Leibman, LLP, the Authority's General Legal Counsel ("General Legal Counsel"), a written proposal to provide the aforesaid specialized **Professional Appraisal Services** in connection with the Edgewater WPCF Project dated February 22, 2017, for an amount not to exceed the total sum of \$29,000.00, which proposal has been reviewed by the Authority's General Legal Counsel which has determined said proposal to be fair and reasonable and that **Shenhon Company** has the necessary expertise in the specialized field; and

**WHEREAS**, the Board of Commissioners of the Authority has determined that **Shenhon Company** is competent, qualified and experienced to provide the specialized **Professional Appraisal Services** in connection with the Edgewater WPCF Project; and

**WHEREAS**, the Authority has determined, based upon the foregoing, that it is necessary for the efficient operation of the Authority for the Authority's General Legal Counsel to retain the services of **Shenhon Company** to provide the specialized **Professional Appraisal Services** in connection with the Edgewater WPCF Project; and

**WHEREAS**, the Authority desires to authorize the Authority's General Legal Counsel to retain **Shenhon Company** to provide the specialized **Professional Appraisal Services** to the Authority in connection with the Edgewater WPCF Project which specialized **Professional Appraisal Services** shall include the providing of all services set forth within the written proposal submitted by **Shenhon Company** to the Authority's General Legal Counsel dated February 22, 2017, which services shall include but not be limited to the providing of certified real estate valuation appraisals for all railroad owned properties as requested by the Authority, utilizing the "across the fence"

17-1-014

methodology, as part of the Edgewater WPCF Project for an amount not to exceed the total sum of \$29,000.00 without further action by the Board of Commissioners of the Authority; and

**WHEREAS**, N.J.S.A. 40A:11-1, et seq. provides that a contract for professional appraisal 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, except to the extent that same may fall within the attorney-client privilege, be available for public inspection; and

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

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

1. That the Authority's General Legal Counsel shall be and is hereby authorized to retain **Shenhon Company** to provide the specialized **Professional Appraisal Services** in connection with the Edgewater WPCF Project as set forth in the written proposal submitted by **Shenhon Company** to the Authority's General Legal Counsel dated February 22, 2017 and this Resolution for an amount of compensation not to exceed the total sum of \$29,000.00 without further action by the Commissioners of the Authority.

2. The Authority's General Legal Counsel shall be and is hereby authorized to execute a contract retaining **Shenhon Company** and memorializing the scope of services and hourly billing rates to be paid for such services as is acceptable to the Authority.

3. A copy of 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 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).

**17-1-014**

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 23, 2017.

  
Michael Henwood  
Secretary

**Dated: February 23, 2017**

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 02/23/2017  
RESOLUTION #: 17-1-014

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 CONSTRUCTION COSTS TO BE REIMBURSED

VENDOR SHENEHON COMPANY

CONTRACT NUMBER 17022307

REASON EDGEWATER SEWAGE FORCE  
MAIN PROJECT

AMOUNT \$29,000.00

CONTRACT LENGTH MARCH 1, 2017 - FEBRUARY 28, 2018

Matthew McCarter  
ACTING TREASURER

17-016

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, there exists the need to continue to engage **Special Legal Counsel** to represent the Bergen County Utilities Authority (the "Authority") in various labor and employment matters, related litigation, and performing such additional legal services which may, from time to time, be requested by the Authority; and

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

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

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

**WHEREAS**, **Price, Meese, Shulman & D'Armino, P.C.** has submitted a proposal to continue to serve as **Special Legal Counsel** to the Authority dated **February 15, 2017**, which proposal has been reviewed by the Authority; and

**WHEREAS**, the Authority has determined on the basis of the foregoing, that it is necessary for its efficient operation to retain the services of **Price, Meese, Shulman & D'Armino, P.C.** as **Special Legal Counsel** to represent the Authority in various labor and employment matters, related litigation, and performing such additional legal services which may, from time to time, be requested by the Authority; for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever first occurs or be exercised, respectively; and

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

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

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

1. **Price, Meese, Shulman & D'Armino, P.C.** shall be and it is hereby engaged by the Authority as **Special Legal Counsel** to represent the Authority in various labor and employment matters, related litigation, and performing such additional legal services which may, from time to time, be requested by the Authority; for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever first occurs or be exercised, respectively.

2. The Chairman shall be and is hereby authorized to execute an Agreement in form and substance similar to the agreement on file at the Authority, by and between the Authority and **Price, Meese, Shulman & D'Armino, P.C.** memorializing the scope of services to be rendered and compensation to be paid for such services, in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

3. A copy of this Resolution and a copy of the agreement engaging **Price, Meese, Shulman & D'Armino, P.C.** to serve as **Special Legal Counsel** to the Authority pursuant to this Resolution shall be placed on file and made available for public inspection in the Office of the Executive Director, upon execution by **Price, Meese, Shulman & D'Armino, P.C.** and the Authority.

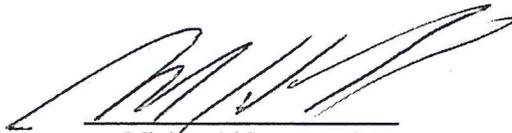
4. The total amount authorized to be paid pursuant to the contract herein awarded shall not exceed the total sum of **\$95,000.00** without further action by the Board of Commissioners.

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

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

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of February 23, 2017.



Michael Henwood  
Board Secretary

DATED: February 23, 2017

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 02/23/2017  
RESOLUTION #: 17-1-015

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

FUNDS AVAILABLE X

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

BUDGET ACCOUNT LEGAL  
W-350-50800-000

VENDOR PRICE, MEESE, SHULMAN & D'ARMINIO P.C.

CONTRACT NUMBER 17022308

REASON SPECIAL LEGAL COUNSEL

AMOUNT \$95,000.00

CONTRACT LENGTH MARCH 1, 2017 - FEBRUARY 28, 2018

Matthew McCarter  
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, there exists the need for the Bergen County Utilities Authority (the "Authority") to engage the services of a consultant to provide **Public Relations Consultant Services**; and

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

**WHEREAS**, **Public Relations Consultant Services** are considered "extraordinary unspecifiable services," as said services are specialized and qualified in nature requiring expertise, extensive training and proven reputation in the field of endeavor, pursuant to and in accordance with N.J.S.A. 40A:11-2(7); and

**WHEREAS**, pursuant to and in accordance with N.J.A.C. 5:34-2-3, the Authority's Executive Director has provided the Authority's Commissioners with a Certification, dated **February 23, 2017**, attached hereto and made a part hereof, describing, *inter alia*, the nature of the work to be done and describing in detail why the contract satisfied the Statutory and Administrative Code requirements for "extraordinary unspecifiable services;" and

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

**WHEREAS**, **The Catania Consulting Group, Inc.** has submitted a proposal to serve as **Public Relations Consultant** to the Authority, dated **February 15, 2017**, which proposal has been reviewed by the Authority; and

**WHEREAS**, the Authority desires to enter into a contract with **The Catania Consulting Group, Inc.** to serve as **Public Relations Consultant** to the Authority for the year 2017, until the Authority's annual 2018 reorganization meeting, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

**WHEREAS**, the Authority Commissioners have determined that **The Catania Consulting Group, Inc.** is competent, qualified and experienced to serve as the Authority's **Public Relations Consultant**; and

**WHEREAS**, the Authority has determined, on the basis of the foregoing, that it is necessary for its efficient operation to retain the services of **The Catania Consulting Group, Inc.** to serve as **Public Relations Consultant** to the Authority; and

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

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

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

1. **The Catania Consulting Group, Inc.** shall be and is hereby appointed to serve as **Public Affairs and Media Relations Consultant** to the Authority for the year 2017, until the Authority's annual 2018 reorganization meeting, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively.

2. The Chairman shall be and is hereby authorized to execute an agreement, similar in form and substance to the agreement on file at the Authority, by and between the Authority and **The Catania Consulting Group, Inc.** memorializing the scope of services and compensation to be paid for such services, in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

3. A copy of this Resolution and the agreement retaining **The Catania Consulting Group, 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 **The Catania Consulting Group, Inc.** and the Authority.

4. The total amount authorized to be paid pursuant to the contract herein awarded shall not exceed the total sum of **\$42,000.00** without further action by the Board of Commissioners.

5. The Chief Financial Officer'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.

17-1-016

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of February 23, 2017.



Michael Henwood  
Board Secretary

DATED: February 23, 2017

**CERTIFICATION FOR AN EXTRAORDINARY  
UNSPECIFIABLE SERVICES CONTRACT**

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

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

**DATE:** February 23, 2017

**SUBJECT:** **Award of Contract for Public Relations Services Consultant**

This is a contract for the Provision of Consulting – Public Relations. This certification is submitted to request your approval of a resolution authorizing a contract to be executed as follows:

**Firm:** The Catania Consulting Group Inc. (“Contractor”)

**Duration:** Until the Authority’s 2018 reorganization meeting.

**Cost:** Monthly amount of \$3,500.00 not to exceed \$42,000.00 annually.

**Purpose:** To provide services to the Authority for provision of Public Relations Consulting Services.

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

I do hereby certify to the following:

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

The contract will be for the provision of public relations consulting services. Contractor will assist the Authority with the identification of public relations opportunities and the formulation and processing of public outreach and education for the Authority’s benefit and use in furtherance of its operations. As Executive Director, I am familiar with the nature of the work to be done under the contract for Public Relations Consultant which is to be performed by an entity with expertise, extensive training, and a proven reputation in the field of endeavor. It is critical to the efficient operations of the BCUA, that the services related to public relations consulting be performed by an entity with expertise, extensive training and a proven reputation in the field of endeavor of providing such consulting service.

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

This contract is a contract for extraordinary unspecifiable services, as provided for under N.J.S.A. 40A:11-5, as such services are of such a qualitative nature that the performance of the services cannot be reasonably described by written specifications. Written specifications cannot be drafted because the services to be undertaken will evolve depending upon the rapidly changing landscape that shapes public perception through the media.

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

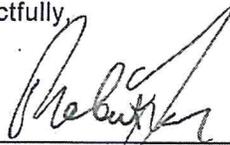
It is not reasonably possible to draft specifications for these services adequately defining the expertise and skill required in such complex type matters as covered by the contract to be let, such services being of such a qualitative nature as well as the scope of which is not reasonably determinable in advance of the receipt of proposals from those with certain expertise and skill. Written specifications cannot be drafted because the contracted services depend heavily upon expertise, knowledge and the experience in Public Communications.

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

Pursuant to the New Jersey Pay-to-Play Law, N.J.S.A. 19:44A-20.5 et seq., a Request for Qualifications ("RFQ") for the Provision of Grants Consultant Services was advertised on December 15, 2016, and statements of qualifications were received. The Contractor was duly qualified by resolution of the Authority dated January 26, 2017. Informal Quotations from qualified providers of Public Relations Services were informally solicited, and the BCUA has determined the proposal of the Contractor to be fair and reasonable. It is my recommendation that an award for the Provision of Public Relations Consultant services be provided to the Contractor, price and other factors considered.

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

Respectfully,



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

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

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 02/23/2017  
RESOLUTION #: 17-1-016

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

FUNDS AVAILABLE X

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

BUDGET ACCOUNT PUBLIC INFORMATION  
W-350-51100-000

VENDOR THE CATANIA CONSULTING GROUP, INC.

CONTRACT NUMBER 17022309

REASON PUBLIC RELATIONS CONSULTANT SERVICES

AMOUNT \$42,000.00

CONTRACT LENGTH MARCH 1, 2017 - FEBRUARY 28, 2018

Mather McCarter  
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, there exists the need to engage the services of a Legal/Government/Service Consultant to serve as **Grants/Government Service Consultant** to the Bergen County Utilities Authority (the "Authority"); and

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

**WHEREAS**, **Grants/Government Service Consultant** services are recognized as "extraordinary unspecifiable services" as said services are specialized and qualified in nature, requiring expertise, extensive training and proven reputation in the field of endeavor, pursuant to and in accordance with N.J.S.A. 40A:11-2(7) and this contract is awarded without competitive bidding as an "extraordinary unspecifiable service", pursuant to and in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

**WHEREAS**, the Authority's Executive Director has determined that the engagement of a **Grants/Government Service Consultant** is necessary to provide for the efficient operation of the Authority; and

**WHEREAS**, pursuant to and in accordance with N.J.A.C. 5:34-2.3, the Authority's Executive Director has provided the Authority's Commissioners with a Certification, dated February 23, 2017, describing the nature of the work to be done, stating that it is not reasonably possible to draft specifications, and describing why the contract satisfies the Statutory and Administrative Code requirements for extraordinary unspecifiable services; and

**WHEREAS**, **Gibbons P.C.** has submitted a proposal to serve as **Grants/Government Service Consultant** to the Authority dated **February 15, 2017**, which proposal has been reviewed by the Authority's Executive Director and determined to be fair and reasonable; and

**WHEREAS**, the Authority has determined, based upon the foregoing, that it is necessary for its efficient operation to retain the services of **Gibbons P.C.** to provide **Grants/Government Service Consultant** services to the Authority for the year 2017 until the Authority's annual 2018 reorganization meeting, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

**WHEREAS**, the Commissioners of the Authority have determined that **Gibbons P.C.** is competent, qualified, experienced and has a proven reputation in the field of **Grants/Government Service Consultant** services; and

**WHEREAS**, this contract was awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq. through a publicly advertised Request for Qualifications ("RFQ"), and **Gibbons P.C.** was found to be qualified to provide these services; and

**WHEREAS**, the Authority desires to enter into a contract with **Gibbons P.C.** to serve as **Grants/Government Service Consultant** to the Authority for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

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

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

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

1. **Gibbons P.C.** shall be and is hereby appointed to serve as **Grants/Government Service Consultant** to the Authority for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively.

2. The Chairman shall be and is hereby authorized to execute an agreement, similar in form and substance to the agreement on file in the Office of the Executive Director, by and between the Authority and **Gibbons P.C.** memorializing the scope of services and compensation to be paid for such services, in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

3. A copy of this Resolution and the agreement retaining **Gibbons P.C.** as **Grants/Government Service Consultant** 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 the Authority.

4. The total amount authorized to be paid pursuant to the contract herein awarded shall not exceed the total sum of **\$96,000.00** 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 in the Office of the Executive Director and made a part hereof.

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

**17-1-017**

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of February 23, 2017.

A handwritten signature in black ink, appearing to read "Michael Henwood", written over a horizontal line.

Michael Henwood  
Board Secretary

**Dated: February 23, 2017**

**CERTIFICATION FOR AN EXTRAORDINARY  
UNSPECIFIABLE SERVICES CONTRACT**

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

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

**DATE:** February 23, 2017

**SUBJECT:** **Award of Contract for Grants / Government Services Consultant**

This is a contract for the Provision of Consulting - Grants Consultant. This certification is submitted to request your approval of a resolution authorizing a contract to be executed as follows:

**Firm:** Gibbons, P.C. ("Contractor")

**Duration:** Until the Authority's 2018 reorganization meeting.

**Cost:** Monthly amount of \$8,000.00 not to exceed \$96,000.00 annually.

**Purpose:** To provide services to the Authority for provision of Grants Consulting Services.

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

I do hereby certify to the following:

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

The contract will be for the provision of grants consulting services. Contractor will assist the Authority with the identification of grant opportunities and the formulation and processing of grant applications to obtain grant monies for the Authority's benefit and use in furtherance of its operations. As Executive Director, I am familiar with the nature of the work to be done under the contract for Grants Consultant which is to be performed by an entity with expertise, extensive training, and a proven reputation in the field of endeavor. It is critical to the efficient operations of the BCUA, that the services related to grants consulting be performed by an entity with expertise, extensive training and a proven reputation in the field of endeavor of providing such consulting service.

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

This contract is a contract for extraordinary unspecifiable services, as provided for under N.J.S.A. 40A:11-5, as such services are of such a qualitative nature that the performance of the services cannot be reasonably described by written specifications. Written specifications cannot be drafted because the services to be undertaken will evolve depending upon the availability of grants. Furthermore, identifying which grants may be available to the Authority will also require expertise, knowledge and the experience to identify when grants may be available to the Authority and their benefit to the Authority and its ratepayers.

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

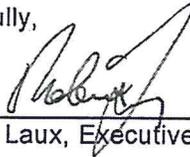
It is not reasonably possible to draft specifications for these services adequately defining the expertise and skill requires in such complex type matters as covered by the contract to be let, such services being of such a qualitative nature as well as an endeavor, the scope of which is not reasonably determinable in advance of the receipt of proposals from those with certain expertise and skill. Written specifications cannot be drafted because the contracted services depend heavily upon expertise, knowledge and the experience to identify when grants may be available to the Authority and their benefit to the Authority and its ratepayers.

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

Pursuant to the New Jersey Pay-to-Play Law, N.J.S.A. 19:44A-20.5 et seq., a Request for Qualifications ("RFQ") for the Provision of Grants Consultant Services was advertised on December 15, 2016, and statements of qualifications were received. The Contractor was duly qualified by resolution of the Authority dated January 26, 2017. Informal Quotations from qualified providers of Grants Consultant Services were informally solicited, and the BCUA has determined the proposal of the Contractor to be fair and reasonable. It is my recommendation that an award for the Provision of Grants Consultant services be provided to the Contractor, price and other factors considered.

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

Respectfully,



---

Robert E. Laux, Executive Director

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

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 02/23/2017  
RESOLUTION #: 17-1-017

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

FUNDS AVAILABLE X

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

BUDGET ACCOUNT LEGAL  
W-350-50800-000

VENDOR GIBBONS, P.C.

CONTRACT NUMBER 17022310

REASON GRANTS/GOVERNMENT  
SERVICE CONSULTANT

AMOUNT \$96,000.00

CONTRACT LENGTH MARCH 1, 2017 - FEBRUARY 28, 2018

Mather M. Carter  
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, the Authority wishes to make a donation to the **Little Ferry First Aid Corps, Little Ferry Hook & Ladder 1** and **Little Ferry Hose Company #1** in recognition of their dedicated services; and

**WHEREAS**, the Authority's Chief Financial Officer's Certificate of Available Funds, maintained on file at the Authority, sets forth that sufficient funds for the subject donations have been appropriated; and

**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the Bergen County Utilities Authority that the sums of \$2,000.00 each be paid to the **Little Ferry First Aid Corps, Little Ferry Hook & Ladder 1**, and **Little Ferry Hose Company #1**, to support their respective services for the current year; and

**BE IT FURTHER RESOLVED** that the formal actions of the Commissioners of the Bergen County Utilities Authority embodies herein are expressly contingent upon and subject to N.J.S.A. 40:14B-4(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 23, 2017.



Michael Henwood  
Board Secretary

**Dated: February 23, 2017**

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 02/23/2017  
RESOLUTION #: 17-1-018

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 SERVICES - OTHER EXPENSES  
A-620-54500-000

VENDOR LITTLE FERRY FIRST AID CORPS  
LITTLE FERRY HOOK & LADDER #1  
LITTLE FERRY HOSE COMPANY #1

CONTRACT NUMBER N/A

REASON SERVICES

AMOUNT \$2,000 EACH

CONTRACT LENGTH N/A

Matthew McCarter  
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, the **Water Environment & Reuse Foundation ("WE&RF")** formally known as the **Water Environment Research Foundation ("WERF")** is a not-for-profit foundation dedicated to advancing science and technology to address water quality issues as they impact water resources, the atmosphere, lands, and the quality of life; and

**WHEREAS**, **WE&RF** produces peer-reviewed research reports used by its subscribers and others to develop scientifically-based approaches, processes, and technologies to improve the management of waters resources; and

**WHEREAS**, **WE&RF** represents that it is staffed by a team of environmental professionals, including a committee of distinguished scientists and engineers who provide oversight, advice, and review of the wastewater and stormwater collection and treatment projects of the Bergen County Utilities Authority (the "Authority"); and

**WHEREAS**, **WE&RF** further represents that its investigators are comprised of individuals and organizations from municipal agencies, academia, government laboratories, and various industrial and consulting firms whose experience extends the spectrum of **WERF's** research covering the areas of wastewater and stormwater collection and treatment systems, watersheds and ecosystems, and of human and environmental health; and

**WHEREAS**, **WE&RF** is funded through contributions and subscriptions from utilities, municipal agencies, corporations, consulting firms, associations, state regulatory agencies, private individuals and foundations, as well as congressional appropriations, the United States Environmental Protection Agency, and other governmental agencies; and

**WHEREAS**, **WE&RF** has submitted a proposal dated February 7, 2017, to induce the Authority to renew its subscription and re-join **WE&RF**, which proposal has been reviewed by the Executive Director and Chief Engineer of the Authority; and

**WHEREAS**, the Authority's Executive Director and Chief Engineer have recommended that the Authority renew its subscription to **WE&RF**; and

**WHEREAS**, the proposed annual subscription/dues for 2017 is \$35,750.00 based on an average flow of 75 mgd during a twelve month period commencing January 1, 2017, through December 31, 2017; and

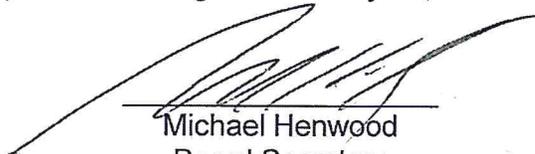
**WHEREAS**, the Authority has determined, based upon the foregoing, that it is necessary and/or desirable for its efficient operations to renew its subscription and rejoin **WE&RF** for 2017.

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

17-1-019

1. The Chairman shall be and is hereby authorized to renew the subscription by and between the Authority and **WE&RF**, in the amount not to exceed \$35,750.00.
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 subscribe/join **WE&RF** shall be placed on file and made available for public inspection in the office of the Executive Director, upon execution by **WE&RF** and the Authority.
4. A notice of this subscription 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 February 23, 2017.



Michael Henwood  
Board Secretary

Dated: February 23, 2017

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 02/23/2017

RESOLUTION #: 17-1-019

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, LICENSES AND FEES  
W-350-50700-000

VENDOR

WATER ENVIRONMENT &  
REUSE FOUNDATION

CONTRACT NUMBER

REASON

NATIONAL ASSOC MEMBERSHIP RENEWAL

AMOUNT

\$35,750.00

CONTRACT LENGTH

JANUARY 1, 2017 TO DECEMBER 31, 2017

Matthew McCarter  
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 ("NJPDDES") 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 has determined that specialized **Professional Appraisal Services** are required to be performed by a real estate appraiser with significant experience in the specialized practice of appraising railroad corridors and railroad property, including the application of the "across the fence" methodology, in connection with the Edgewater WPCF Project; and

**WHEREAS**, the specialized **Professional Appraisal Services** required to be provided include the providing of appraisals for railroad owned properties, which the Authority will be required to acquire an easement or other interest in, in order to advance the Edgewater WPCF Project pursuant to and consistent with the terms of the 2015 ACO; and

**WHEREAS**, said specialized **Professional Appraisal 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., seeking a real estate appraiser with significant experience in the specialized practice of appraising railroad corridors and railroad property and familiarity with the "across the fence" methodology in connection with the Edgewater WPCF Project; and

**WHEREAS**, **Shenhon Company**, of 88 South 10<sup>th</sup> Street, Suite 400, Minneapolis, MN 55403 has submitted to Kaufman, Semeraro & Leibman, LLP, the Authority's General Legal Counsel ("General Legal Counsel"), a written proposal to provide the aforesaid specialized **Professional Appraisal Services** in connection with the Edgewater WPCF Project dated February 22, 2017, for an amount not to exceed the total sum of \$29,000.00, which proposal has been reviewed by the Authority's General Legal Counsel which has determined said proposal to be fair and reasonable and that **Shenhon Company** has the necessary expertise in the specialized field; and

**WHEREAS**, the Board of Commissioners of the Authority has determined that **Shenhon Company** is competent, qualified and experienced to provide the specialized **Professional Appraisal Services** in connection with the Edgewater WPCF Project; and

**WHEREAS**, the Authority has determined, based upon the foregoing, that it is necessary for the efficient operation of the Authority for the Authority's General Legal Counsel to retain the services of **Shenhon Company** to provide the specialized **Professional Appraisal Services** in connection with the Edgewater WPCF Project; and

**WHEREAS**, the Authority desires to authorize the Authority's General Legal Counsel to retain **Shenhon Company** to provide the specialized **Professional Appraisal Services** to the Authority in connection with the Edgewater WPCF Project which specialized **Professional Appraisal Services** shall include the providing of all services set forth within the written proposal submitted by **Shenhon Company** to the Authority's General Legal Counsel dated February 22, 2017, which services shall include but not be limited to the providing of certified real estate valuation appraisals for all railroad owned properties as requested by the Authority, utilizing the "across the fence"

17-1-020

methodology, as part of the Edgewater WPCF Project for an amount not to exceed the total sum of \$29,000.00 without further action by the Board of Commissioners of the Authority; and

**WHEREAS**, N.J.S.A. 40A:11-1, et seq. provides that a contract for professional appraisal 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, except to the extent that same may fall within the attorney-client privilege, be available for public inspection; and

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

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

1. That the Authority's General Legal Counsel shall be and is hereby authorized to retain **Shenhon Company** to provide the specialized **Professional Appraisal Services** in connection with the Edgewater WPCF Project as set forth in the written proposal submitted by **Shenhon Company** to the Authority's General Legal Counsel dated February 22, 2017 and this Resolution for an amount of compensation not to exceed the total sum of \$29,000.00 without further action by the Commissioners of the Authority.

2. The Authority's General Legal Counsel shall be and is hereby authorized to execute a contract retaining **Shenhon Company** and memorializing the scope of services and hourly billing rates to be paid for such services as is acceptable to the Authority.

3. A copy of 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 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).

**17-1-020**

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 23, 2017.



Michael Henwood  
Secretary

**Dated: February 23, 2017**

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 02/23/2017

RESOLUTION #: 17-1-020

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

CONSTRUCTION COSTS TO BE REIMBURSED

VENDOR

SHENEHON COMPANY

CONTRACT NUMBER

17022312

REASON

EDGEWATER SEWAGE FORCE  
MAIN PROJECT

AMOUNT

\$29,000.00

CONTRACT LENGTH

MARCH 1, 2017 - FEBRUARY 28, 2018

Matthew M. Carter  
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

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

**WHEREAS**, The Bergen County Utilities Authority ("Authority") plays an important role in providing this essential service 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**, there exists the need to engage the services of **Remington, Vernick and Arango Engineers ("RVA")** of Secaucus, New Jersey, a licensed professional engineer, to serve as **Energy Management and related Air Pollution Control Permit Engineering Consultant**; 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**, the Authority has adopted a qualifications-based selection policy and a fair and open process for professional services, pursuant to N.J.S.A. 19:44A-20.4 et seq. through a publicly advertised Request for Qualifications ("RFQ") and Request for Proposals ("RFP"); and

**WHEREAS**, **RVA** has submitted a proposal to serve as **Energy Management and related Air Pollution Control Permit Engineering Consultant** dated February 15, 2017, which proposal has been reviewed by the Director of Engineering of the Authority; and

**WHEREAS**, the Director of Engineering of the Authority has determined from recent services and statement of qualifications that **RVA** is competent, qualified, and experienced to serve as **Energy Management and related Air Pollution Control Permit Engineering Consultant**; and

**WHEREAS**, the Authority desires to appoint and retain **RVA** to serve as **Energy Management and related Air Pollution Control Permit Engineering Consultant** for a

**One (1) Year Term ending February 28, 2018**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

**WHEREAS**, the Authority has determined, based upon the foregoing, that it is necessary for its efficient operation to retain the services of **RVA** to serve as **Energy Management and related Air Pollution Control Permit Engineering Consultant** to the Authority; 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

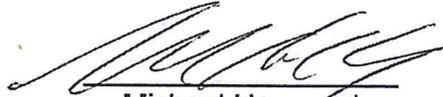
**WHEREAS**, the Acting Treasurer of the Authority has certified that funds are available for this purpose.

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

1. That **RVA** shall be and is hereby appointed to serve as **Energy Management and related Air Pollution Control Permit Engineering Consultant** for a **One (1) Year Term ending February 28, 2018**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively.
2. The Chairman shall be and is hereby authorized to execute an agreement by and between the Authority and **RVA** 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 agreement retaining **RVA** as **Energy Management and related Air Pollution Control Permit Engineering Consultant** shall be placed on file and made available for public inspection in the office of the Executive Director, upon execution by **RVA** and the Authority.
4. The total amount authorized to be paid pursuant to the contract herein awarded shall not exceed the total sum of **\$250,000.00** 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 in the Office of the Executive Director.
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).

**17-2-005**

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 23, 2017.



Michael Henwood  
Secretary

**Dated: February 23, 2017**

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 02/23/2017  
RESOLUTION #: 17-2-005

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

FUNDS AVAILABLE X

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

BUDGET ACCOUNT ENGINEERING  
W-350-50400-000

VENDOR REMINGTON, VERNICK AND ARRANGO ENGINEERS

CONTRACT NUMBER 17022313

REASON ENERGY MANAGEMENT AND RELATED  
AIR POLLUTION CONTROL PERMIT  
ENGINEERING

AMOUNT \$250,000.00

CONTRACT LENGTH MARCH 1, 2017 - FEBRUARY 28, 2018

*Matthew McCarter*  
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

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

**WHEREAS**, The Bergen County Utilities Authority ("Authority") plays an important role in providing this essential service 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 Authority's water pollution control system assets are located on approximate 200 acres of land and over 100 miles of sewer maintenance easements; and

**WHEREAS**, a portion of the 200 acres of property and 100 miles of easements are located on wetlands, tidelands, waterfront, streams, and other restricted and regulated lands; and

**WHEREAS**, the Authority's capital improvement program may require the acquisition of land upon which the work is to be performed, rights-of-way for access thereto, and other such lands that may be designated for the use of construction, in addition to easements for permanent structures; and

**WHEREAS**, 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 serve as **Site Work Engineering/Land Surveying Consultant** to 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**, these services were solicited through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq. through a publicly advertised Request for Qualifications ("RFQ"); and

**WHEREAS**, **Neglia Engineering Associates** has submitted a Statement of Qualifications and the Commissioners of the Authority have determined that **Neglia Engineering Associates** is competent, qualified and experienced to serve as the Authority's **Site Work Engineering/Land Surveying Consultant**; and

**WHEREAS**, **Neglia Engineering Associates** demonstrated in the Statement of Qualifications that **Neglia Engineering Associates** will provide professional staff to assist

the Authority in various engineering and surveying projects. **Neglia Engineering Associates** has a modern technically advanced staff made up of managers, professional engineers, professional surveyors, a certified landscape architect, construction inspectors, etc. and over fifty-five (55) years of experience in all aspects of engineering.; and

**WHEREAS**, **Neglia Engineering Associates** has satisfactorily served in the capacity of **Site Work Engineering/Land Surveying Consultant** for the Authority since March 2004; and

**WHEREAS**, based on **Neglia Engineering Associates'** Statement of Qualifications and prior history, the Authority issued a Request for Proposal ("RFP") dated February 6, 2017; and

**WHEREAS**, the RFP provided a scope of work that includes: attending meetings, as required, with Authority staff; provide monthly summary reports; is on call; and at the direction of the Authority performs professional engineering services in the areas of civil and other site work related engineering expertise as may be required for the day-to-day operation of the Authority's physical assets, including, but not limited to, two large secondary level water pollution control facilities, eight pump stations and associated force mains, over one hundred miles of intercepting sewers and over one hundred and fifty sewage flow meters. In addition to being responsible for site work related projects, the **Site Work Engineering/Land Surveying Consultant** shall perform land surveying work such as construction layout, deed searches, deed descriptions, easement searches, easement description, and all other land surveying related work as allowed by law, and as may be required and directed by the Authority; and

**WHEREAS**, the RFP specified that the professional engineering services (including any services that may be considered as landscape design/architectural services) are anticipated to fall within the following five phases of work.

- A. Study and Report;
- B. Preliminary Design;
- C. Final Design;
- D. Bidding or Negotiating; and
- E. Construction.

; and

**WHEREAS**, the RFP specified that general consulting engineering, special consulting engineering, and energy and air pollution control permit management engineering may be performed by others for the Authority; and

**WHEREAS**, the RFP specified that the **Site Work Engineering/Land Surveying Consultant** 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**, the RFP specified that payment for services rendered shall be computed-based on an hourly billing rate, plus reimbursables not to exceed \$100,000.00, during a period of service of three hundred and sixty-five (365) consecutive calendar days without further written authorization by contract amendment; and

**WHEREAS**, **Neglia Engineering Associates** has submitted a proposal to serve as **Site Work Engineering/Land Surveying Consultant**, dated **February 15, 2017**, on a time and material basis not to exceed \$100,000.00, which proposal has been reviewed by the Authority's Director of Engineering; and

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

**WHEREAS**, the Authority's Engineering and Construction Committee has concluded that the disruption of professional services and additional learning costs associated with a change in **Site Work Engineering/Land Surveying Consultant** will far exceed any benefit to the Authority; and

**WHEREAS**, the Authority has determined, based upon the foregoing, that it is necessary for its efficient operation to retain the services of **Neglia Engineering Associates** to serve as **Site Work Engineering/Land Surveying Consultant** to the Authority; and

**WHEREAS**, the Authority desires to appoint and retain **Neglia Engineering Associates** to serve as **Site Work Engineering/Land Surveying Consultant** to the Authority for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

**WHEREAS**, 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 the Bergen County Utilities Authority as follows:

1. That **Neglia Engineering Associates** shall be and is hereby appointed to serve as **Site Work Engineering/Land Surveying Consultant** to Authority for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively.

2. The Chairman shall be and is hereby authorized to execute, an agreement, similar in form and substance to the agreement 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 agreement retaining **Neglia Engineering Associates** as **Site Work Engineering/Land Surveying Consultant** 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 pursuant to the contract herein awarded shall not exceed the total sum of **\$100,000.00** 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).

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 23, 2017.



Michael Henwood  
Acting Secretary

DATED: February 23, 2017

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 02/23/2017  
RESOLUTION #: 17-2-006

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

FUNDS AVAILABLE X

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

BUDGET ACCOUNT ENGINEERING  
W-350-50400-000

VENDOR NEGLIA ENGINEERING ASSOCIATES

CONTRACT NUMBER 17022314

REASON SITE WORK ENGINEERING/LAND  
SURVEYING CONSULTANT

AMOUNT \$100,000.00

CONTRACT LENGTH MARCH 1, 2017 - FEBRUARY 28, 2018

Matthew McCarter  
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

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

**WHEREAS**, The Bergen County Utilities Authority ("Authority") plays an important role in providing this essential service 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**, 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 serve as **Special Environmental Engineer** to 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**, these services were solicited through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq. through a publicly advertised Request for Qualifications ("RFQ"); and

**WHEREAS**, **ARCADIS U.S. Inc.** has submitted a Statement of Qualifications and the Commissioners of the Authority have determined that **ARCADIS U.S. Inc.** is competent, qualified and experienced to serve as the Authority's **Special Environmental Engineer**; and

**WHEREAS**, **ARCADIS U.S. Inc.** has a staff of approximately 1,500 engineers, scientists, planners, management consultants, and support personnel in the Water Division, is able to locally provide the Authority with any professional services as may be required and offers national expertise from thousands of wastewater treatment projects throughout the country, including state-of-the-art technology and process innovations; and

**WHEREAS**, **ARCADIS U.S. Inc.** has satisfactorily served in the capacity of **Special Environmental Engineer** for the Authority since March 2004; and

**WHEREAS**, based on **ARCADIS U.S. Inc.'s** Statement of Qualifications and prior history, the Authority issued a Request for Proposal (RFP) dated February 6, 2017; and

**WHEREAS**, the RFP provided a scope of work that includes:

- attending regular monthly meetings of the Authority's commissioners and attend other meetings upon request;
- provide monthly summary reports of on-going projects;
- being on-call and, at the direction of the Director, perform professional engineering services in the areas of civil and environmental expertise as may be required for water pollution control facility wastewater, sludge management, associated NJPDES, and other related permitting management and planning;
- updating the Authority's sewage sludge management plan, operations and maintenance manuals, safety manual, and Emergency Response Plan as may be requested and regulations require;
- assisting with engineering and administration of Authority's participation in the New Jersey Environmental Infrastructure Trust ("NJEIT") Fund;
- assisting in the identification of and application for other services of additional financing, such as community block grants (CBBG);
- providing FEMA support services for restoration and mitigation for Hurricane Sandy and other disasters/events; and
- any other special professional engineering service as may be authorized by the Director for compliance with regulatory agencies and associated permit management and compliance.

; and

**WHEREAS**, the scope of work in the RFP is required for the proper planning and operation of the Authority's physical assets, including, but not limited to, two large secondary level water pollution control facilities, eight pump stations and associated force mains, and over one hundred miles of intercepting sewers and over one hundred and fifty sewage flow meters; and

**WHEREAS**, the RFP specified that the professional engineering services are anticipated to fall within the following two phases of work: 1) Study and Report and 2) Operations; and

**WHEREAS**, the RFP specified that general consulting engineering, energy and air pollution control permit management engineering, site work, and property surveying projects may be performed by others for the Authority; and

**WHEREAS**, the RFP specified that the **Special Environmental Engineer** 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**, the RFP specified that payment for services rendered shall be computed based on an hourly billing rate, plus reimbursables not to exceed \$300,000.00, during a period of service of three hundred and sixty-five (365) consecutive calendar days without further written authorization by contract amendment; and

**WHEREAS**, **ARCADIS U.S. Inc.** has submitted a proposal to serve as **Special Environmental Engineer**, dated **February 14, 2017**, which proposal has been reviewed by the Authority's Director of Engineering; and

**WHEREAS**, the proposal included attachments including 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, W-9 Form and Certificate of Employee Information Report; and

**WHEREAS**, the Authority's Engineering and Construction Committee has concluded that the disruption of professional services and additional learning costs associated with a change in **Special Environmental Engineer** will far exceed any benefit to the Authority; and

**WHEREAS**, the Authority has determined, based upon the foregoing, that it is necessary for its efficient operation to retain the services of **ARCADIS U.S. Inc.** to serve as **Special Environmental Engineer** to the Authority; and

**WHEREAS**, the Authority desires to appoint and retain **ARCADIS U.S. Inc.** to serve as **Special Environmental Engineer** to the Authority for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

**WHEREAS**, 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; and

**WHEREAS**, the health and safety of the individuals visiting, living, and working in the Authority's sewer service district necessitate the on-going operation and maintenance of the Authority's water pollution control assets including, but not limited to, the appointment of a **Special Environmental Engineer**; and

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

**WHEREAS**, it is the Authority's responsibility that its assets are safeguarded and maintained and that all actions are taken to insure the integrity of the operation of the Authority and the expenditure of ratepayer funds.

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

1. That **ARCADIS U.S. Inc.** shall be and is hereby appointed to serve as **Special Environmental Engineer** to the Authority for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively.

2. The Chairman shall be and is hereby authorized to execute, an agreement, similar in form and substance to the agreement on file at the Authority, by and among the Authority and **ARCADIS U.S. 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 and the agreement retaining **ARCADIS U.S. Inc.** as **Special Environmental Engineer** 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 total amount authorized to be paid pursuant to the contract herein awarded shall not exceed **\$300,000.00** 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).

**17-2-007**

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 23, 2017.



Michael Henwood  
Secretary

**DATED: February 23, 2017**

**17-2-007**

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 02/23/2017  
RESOLUTION #: 17-2-007

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

FUNDS AVAILABLE X

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

BUDGET ACCOUNT ENGINEERING  
W-350-50400-000

VENDOR ARCADIS U.S., INC.

CONTRACT NUMBER 17022315

REASON SPECIAL ENVIRONMENTAL ENGINEER

AMOUNT \$300,000.00

CONTRACT LENGTH MARCH 1, 2017 - FEBRUARY 28, 2018

Matthew M. Carter  
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

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

**WHEREAS**, the Bergen County Utilities Authority ("Authority") plays an important role in providing this essential service 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**, 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 serve as **General Consulting Engineer** to 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**, these services were solicited through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq. through a publicly advertised Request for Qualifications ("RFQ"); and

**WHEREAS**, **Alaimo Group** has submitted a Statement of Qualifications and the Commissioners of the Authority have previously determined that **Alaimo Group** is competent, qualified and experienced to serve as the Authority's **General Consulting Engineers**; and

**WHEREAS**, **Alaimo Group** has satisfactorily served in the capacity of **General Consulting Engineer** for the Authority since March 2004; and

**WHEREAS**, based on Alaimo Group's Statement of Qualifications and prior history, the Authority issued a Request for Proposal ("RFP") dated February 6, 2017; and

**WHEREAS**, the RFP provided a scope of work including meeting preparation and attendance; monthly reports; user charge and connection change calculations and supporting report assistant; and completion of pre-existing general consulting projects; and

**WHEREAS**, the RFP specified that the **General Consulting Engineer** 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**, the RFP specified that payment for services rendered shall be computed-based on an hourly billing rate, plus reimbursables not to exceed the total sum of \$250,000.00, during a period of service of three hundred and sixty-five (365) consecutive calendar days without further written authorization by contract amendment; and

**WHEREAS**, **Alaimo Group** has submitted a proposal to serve as **General Consulting Engineer**, dated **February 9, 2017**, on a time and material basis, not to exceed \$250,000.00, which proposal has been reviewed by the Authority's Director of Engineering; and

**WHEREAS**, the proposal included attachments including 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, Certificate of Employee Information Report, Exhibit A, Mandatory Equal Employment Opportunity Language, Iran Disclosure Form, W-9 Form and Certificate of Authorization; and

**WHEREAS**, previously the Authority's Engineering and Construction Committee has concluded that the disruption of professional services and additional learning costs associated with a change in **General Consulting Engineer** will far exceed any benefit to the Authority; and

**WHEREAS**, the Authority has determined, based upon the foregoing, that it is necessary for its efficient operation to retain the services of **Alaimo Group** to serve as **General Consulting Engineer** to the Authority; and

**WHEREAS**, the Authority desires to appoint and retain **Alaimo Group** to serve as **General Consulting Engineer** to the Authority for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

**WHEREAS**, 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; and

**WHEREAS**, the health and safety of the individuals visiting, living, and working in the Authority's sewer service district necessitate the on-going operation and maintenance of the Authority's water pollution control assets, including, but not limited to, the appointment of a **General Consulting Engineer**; and

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

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

1. That **Alaimo Group** shall be and is hereby appointed to serve as **General Consulting Engineer** to the Authority for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively.

2. The Chairman shall be and is hereby authorized to execute, an agreement, similar in form and substance to the agreement on file at the Authority, by and among the Authority and **Alaimo Group** 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 agreement retaining **Alaimo Group** as **General Consulting Engineer** 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 total amount authorized to be paid pursuant to the contract herein awarded shall not exceed **\$250,000.00** without further action by the Board of Commissioners.

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

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

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

17-2-008

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of February 23, 2017.



Michael Herwood  
Board Secretary

Dated: February 23, 2017

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 02/23/2017  
RESOLUTION #: 17-2-008

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

FUNDS AVAILABLE X

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

BUDGET ACCOUNT ENGINEERING  
W-350-50400-000

VENDOR ALAIMO GROUP

CONTRACT NUMBER 17022316

REASON GENERAL CONSULTING ENGINEER

AMOUNT \$250,000.00

CONTRACT LENGTH MARCH 1, 2017 - FEBRUARY 28, 2018

Matthew Carter  
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

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

**WHEREAS**, the Bergen County Utilities Authority ("Authority") plays an important role in providing these essential services; and

**WHEREAS**, operating within Bergen County, the Authority's Water Pollution Control Division currently serves forty-seven (47) municipalities and numerous other private industrial subscribers; and

**WHEREAS**, on prior occasion, the United States Environmental Protection Agency ("EPA") finalized the National Combined Sewer Overflow Control Policy that requires New Jersey Pollutant Discharge Elimination System ("NJPDES") permittees with combined sewer systems to undertake a Combined Sewer Overflow ("CSO") Long-Term Control Plan for developing, evaluating and implementing control alternatives for attaining compliance with the Clean Water Act, including compliance with water quality standards and protection of designated uses; and

**WHEREAS**, in June 2004, the New Jersey Department of Environmental Protection ("NJDEP") revoked and reissued CSO General Permit NJPDES No. NJ0105023 to incorporate a requirement for all permittees to undertake and complete the development of a long-term control plan, inclusive of a Public Participation Program and other stipulated tasks; and

**WHEREAS**, certain constituent members of the Authority's sewer service district, to wit, the City of Hackensack, the Village of Ridgefield Park and the Borough of Fort Lee, own and operate various components of a combined sewer system ("CSS") and are required to complete certain tasks in the development of their respective Long Term Control Plans ; and

**WHEREAS**, in 2015 the NJDEP issued a renewed Surface Water Permit NJPDES Permit # NJ0020028 which incorporated a requirement to develop a CSO Long Term Control Plan.

**WHEREAS**, the Authority previously engaged the services of Hatch Mott MacDonald (now known as Mott MacDonald) to assist the Authority in formulating and conducting a group Public Participation Program and to implement a Public Participation Work Plan, in accordance with the reissued general permit for CSS's, which took effect on August 1, 2004, under the title, "Bergen County CSO Group," and to develop, allocate

costs and implement CSO Long-Term Control Plan studies and such other reports as may be required by the NJDEP and regulating the Authority's NJPDES General Permit for CSS's; and

**WHEREAS**, the Authority was previously established as the lead agency of the Bergen County CSO Group to assist the Authority's member municipalities with Combined Sewer Management ("CSM") requirements associated within the Authority's NJPDES Permit; and

**WHEREAS**, by Resolution 15-1-038 adopted September 24, 2015 by the Board of Commissioners of the Authority, the Authority publicly declared its official intent to work cooperatively with the City of Hackensack, the Village of Ridgefield Park and the Borough of Fort Lee in the development of a regional CSO Long Term Control Plan; and

**WHEREAS**, subsequent to the adoption of Resolution 15-1-038 by the Board of Commissioners of the Authority, the Authority's staff has met with representatives of the City of Hackensack, the Village of Ridgefield Park and the Borough of Fort Lee to coordinate the formulation, development and submission of the CSO Long-Term Control Plan for the aforesated municipalities, and the Authority, respectively; and

**WHEREAS**, the NJDEP has encouraged CSO permittees within the same district to complete certain of the permit requirements jointly and to develop a regional CSO Long Term Control Plan; and

**WHEREAS**, the Authority and other members of the Bergen County CSO Group have committed to the NJDEP that they will undertake a Regional Long Term Control Plan, which includes, but is not limited to, a computer model that integrates all of the collection and transport facilities that service combined sewer systems, and an extensive regional public participation program; and

**WHEREAS**, there exists the need for the Authority to engage the services of an engineering firm authorized to provide professional engineering services in the State of New Jersey to serve as **Special Engineering Consultant** to the Authority for the **CSO Long-Term Control Plan Development**; 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 **Mott MacDonald** responded to the Authority's publicly advertised Request for Qualifications ("RFQ") and was qualified as

competent to provide consulting engineering services to the Authority by Resolution 17-2-001 adopted January 26, 2017 by the Board of Commissioners of the Authority; and

**WHEREAS**, the Authority has determined that **Mott MacDonald**, successor entity to **Hatch Mott MacDonald**, is competent, qualified and experienced to serve as the Authority's **Special Engineering Consultant** for the **CSO Long-Term Control Plan Development**; and

**WHEREAS**, based on **Mott MacDonald's** Statement of Qualifications and prior history, the Authority issued a Request for Proposal ("RFP"); and

**WHEREAS**, the RFP provided a scope of work divided into seven (7) tasks that includes as follows:

- Task 1 - Project Coordination;
- Task 2 - NJPDES Assistance;
- Task 3 - Progress Reporting and Nine Minimum Control Requirements;
- Task 4 - Long Term Control Plan Phase 1: Sewer System Characterization
- Task 5 – Long Term Control Plan Phase 2: Development and Evaluation of Alternatives;
- Task 6 – Long Term Control Plan Phase 3: Plan Selection and Implementation Schedule; and
- Task 7 – Public Participation Program.

; and

**WHEREAS**, the RFP further provided that tasks 1, 3, 4 & 7 of the Scope of Work as repeated above herein shall be performed as specified in the RFP from March 1, 2017 to February 28, 2018.

**WHEREAS**, the RFP specified that the **Special Engineering Consultant** for the **CSO Long-Term Control Plan Development** shall be required 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**, **Mott MacDonald** has submitted to the Authority a proposal to provide the aforesaid professional engineering services dated February 13, 2017, for an amount not to exceed the total sum of \$575,000.00 for the **Special Engineering Consultant** for the **CSO Long-Term Control Plan Development** for and during the time period of March 1, 2017 through and including February 28, 2018, 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, Certificate of Liability Insurance naming 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 its efficient operation to retain the services of **Mott MacDonald** to serve as **Special Engineering Consultant** to the Authority for the **CSO Long-Term Control Plan Development** for and during the time period of March 1, 2017 through and including February 28, 2018; and

**WHEREAS**, the Authority desires to appoint and retain **Mott MacDonald** to serve as **Special Engineering Consultant** to the Authority for the **CSO Long-Term Control Plan Development** for and during the time period of March 1, 2017 through and including February 28, 2018 for an amount not to exceed the total sum of \$575,000.00; 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 Board of Commissioners of the Bergen County Utilities Authority as follows:

1. **Mott MacDonald** shall be and is hereby retained by the Authority to provide professional engineering services and to serve as **Special Engineering Consultant** to the Authority for the **CSO Long-Term Control Plan Development** for and during the time period commencing March 1, 2017 and expiring February 28, 2018 for an amount not to exceed the total sum of \$575,000.00, computed based on hourly rate plus all reimbursable items for tasks performed as set forth and included within the RFP and the February 13, 2017 written proposal of **Mott MacDonald**, without further approval of the Commissioners of the Authority.

2. The Chairman shall be and is hereby authorized to execute a contract by and between the Authority and **Mott MacDonald**, memorializing the scope of services to be performed during the time period thereof and the compensation to be paid therefore, in the form acceptable to the Chairman and satisfactory to the Authority, as evidenced by the Chairman's signature thereon.

3. A copy of this Resolution and the contract retaining **Mott MacDonald** as **Special Engineering Consultant** to the Authority for the **CSO Long-Term Control Plan Development** 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 Mott MacDonald 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 February 23, 2017.



Michael Henwood  
Secretary

DATED: February 23, 2017

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 02/23/2017  
RESOLUTION #: 17-2-009

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

FUNDS AVAILABLE X

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

BUDGET ACCOUNT ENGINEERING  
W-350-50400-000

VENDOR MOTT MACDONALD, LLC

CONTRACT NUMBER 17022317

REASON SPECIAL ENGINEERING CONSULTANT  
FOR CSO LONG TERM CONTROL  
PLAN DEVELOPMENT

AMOUNT \$575,000.00

CONTRACT LENGTH MARCH 1, 2017 - FEBRUARY 28, 2018

*Matthew McCarter*  
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, on prior occasion, upon advertisement and pursuant to specifications, the Bergen County Utilities Authority (the "Authority") solicited bid proposals to **Furnish and Deliver Hi-Molecular Weight Cationic Dry Polymer for Sludge Dewatering, Gravity Belt Thickeners (Two (2) Year Period)**, pursuant to and in accordance with **Contract No. 17-04**; and

**WHEREAS**, the following sole bid proposal was received by the Authority on **January 10, 2017** for **Contract No.17-04**:

Vendor	Product Type	Total Bid Price Per/lb	Total Bid Price (Two Years)
Atlantic Coast Polymers, Inc. Austin, TX	ACP-345 ACP-355	\$1.49 \$1.55	\$745,000.00 \$775,000.00

**WHEREAS**, the Authority's **Director of Water Pollution Control** has reviewed the sole bid proposal and has indicated that during his review it was discovered that the bid specifications should be substantially revised and the **Director of Water Pollution Control** further indicated that the bid proposal of **Atlantic Coast Polymers, Inc.** should therefore be rejected so that the bid documents may be so revised to correct and provide for necessary critical characteristics to **Furnish and Deliver Hi-Molecular Weight Cationic Dry Polymer for Sludge Dewatering, Gravity Belt Thickeners**, pursuant to and in accordance with **Contract No. 17-04** and so that **Contract No.17-04** may then be re-advertised for bid proposals; and

**WHEREAS**, N.J.S.A. 40A:11-13.2(d) permits the Authority to reject any and all proposals when the contracting unit desires to substantially revise the specifications; and

**WHEREAS**, the Authority's **Qualified Purchasing Agent** has recommended that the bid proposal of **Atlantic Coast Polymers, Inc.** be rejected for the reasons aforementioned pursuant to and in accordance with N.J.S.A. 40A:11-13.2(d) so that the Authority may substantially revise the specifications to **Furnish and Deliver Hi-Molecular Weight Cationic Dry Polymer for Sludge Dewatering, Gravity Belt Thickeners**, and re-advertise for solicitation of bid proposals for **Contract No. 17-04**; and

**WHEREAS**, based upon the above, the Board of Commissioners of the Authority are desirous of re-advertising for the solicitation of bid proposals for **Contract No. 17-04** pursuant to N.J.S.A. 40A:11-4 et seq., as an award of **Contract No. 17-04** 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 of **Atlantic Coast Polymers, Inc.** shall be and is hereby rejected for the reasons set forth in this Resolution pursuant to and in accordance with N.J.S.A. 40A:11-13.2(d).
2. The Authority's **Qualified Purchasing Agent**, shall be and is hereby authorized and directed to revise the bid documents to correct and provide for necessary critical characteristics to **Furnish and Deliver Hi-Molecular Weight Cationic Dry Polymer for Sludge Dewatering, Gravity Belt Thickeners**, pursuant to and in accordance with **Contract No. 17-04**.
3. The Executive Director, or his designee, shall be and is hereby authorized to re-advertise for the solicitation of bid proposals to **Furnish and Deliver Hi-Molecular Weight Cationic Dry Polymer for Sludge Dewatering, Gravity Belt Thickeners (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 February 23, 2017.



Michael Herwood  
Secretary

**Dated: February 23, 2017**

**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 Liquid Emulsion High Molecular Weight Cationic Polymer for Waste Activated Sludge/Gravity Belt Thickener (Two (2) Year Period)**, pursuant to and in accordance with **Contract No. 17-05**; and

**WHEREAS**, no bid proposals were received by the Authority on January 10, 2017, the date set forth in the Invitation to Bid for the receipt of bid proposals pursuant to and in accordance with **Contract No. 17-05**; and

**WHEREAS**, the Authority's Commissioners, by way of Resolution adopted January 26, 2017, authorized the Executive Director or his designee to re-advertise for the solicitation of bid proposals for **Contract No. 17-05 (Rebid)**, pursuant to N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, the following bid proposals were received by the Authority on **February 16, 2017** for **Contract No.17-05 (Rebid)**:

Vendor	Type	Unit Price (Per/ lb)	Total Bid Price (2 Years)
Polydyne, Inc. Riceboro, GA	Clarifloc NE-1811	\$0.64	\$652,800.00
	Clarifloc NE-1744	\$0.74	\$754,800.00
BASF Corporation Charlotte, NC	Zetag 8828FSB	\$0.779	\$794,580.00
Atlantic Coast Polymers, Inc. Austin, TX	ACP-915	\$0.94	\$958,800.00
	ACP-917	\$0.94	\$958,800.00
Kemira Water Solutions, Inc. Lawrence, KS	Super Floc C-4518	\$0.94	\$958,800.00
	Super Floc C-1598	\$0.94	\$958,800.00

**WHEREAS**, the Authority's **Director of Water Pollution Control** has reviewed the bid proposals and has indicated that during his review it was discovered that the bid specifications should be substantially revised and the **Director of Water Pollution Control** further indicated that all bids should therefore be rejected so that the bid documents may be so revised to correct and provide for necessary critical characteristics to **Furnish and Deliver Liquid Emulsion High Molecular Weight Cationic Polymer for Waste Activated Sludge/Gravity Belt Thickener**, pursuant to and in accordance with **Contract No. 17-05**

17-2-011

**(Rebid)** and so that **Contract No.17-05 (Rebid)** may then be re-advertised for bid proposals; and

**WHEREAS**, N.J.S.A. 40A:11-13.2(d) permits the Authority to reject any and all proposals when the contracting unit desires to substantially revise the specifications; and

**WHEREAS**, the Authority's **Qualified Purchasing Agent** has recommended that all bid proposals received for **Contract No. 17-05 (Rebid)** be rejected for the reasons aforementioned pursuant to and in accordance with N.J.S.A. 40A:11-13.2(d) so that the Authority may substantially revise the specifications to **Furnish and Deliver Liquid Emulsion High Molecular Weight Cationic Polymer for Waste Activated Sludge/Gravity Belt Thickener**, and re-advertise for solicitation of bid proposals for **Contract No. 17-05 (Rebid)**; and

**WHEREAS**, based upon the above, the Board of Commissioners of the Authority are desirous of re-advertising for the solicitation of bid proposals for **Contract No. 17-05 (Rebid)** pursuant to N.J.S.A. 40A:11-4 et seq., as an award of **Contract No. 17-05 (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. All bid proposals received for **Contract No. 17-05 (Rebid)** shall be and are hereby rejected for the reasons set forth in this Resolution pursuant to and in accordance with N.J.S.A. 40A:11-13.2(d).

2. The Authority's **Qualified Purchasing Agent**, shall be and is hereby authorized and directed to revise the bid documents to correct and provide for necessary critical characteristics to **Furnish and Deliver Liquid Emulsion High Molecular Weight Cationic Polymer for Waste Activated Sludge/Gravity Belt Thickener**, pursuant to and in accordance with **Contract No. 17-05 (Rebid)**.

3. The Executive Director, or his designee, shall be and is hereby authorized to re-advertise for the solicitation of bid proposals to **Furnish and Deliver Liquid Emulsion High Molecular Weight Cationic Polymer for Waste Activated Sludge/Gravity Belt Thickener (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).

**17-2-011**

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 23, 2017.



Michael Henwood  
Secretary

**Dated: February 23, 2017**

**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. 17-06**; and

**WHEREAS**, the following bid proposals were received by the Authority on **February 7, 2017** for **Contract No.17-06**:

<b>Vendor</b>	<b>Total Amount Bid for Two (2) Years</b>
Brentwood Industries, Inc. Warwick, NY	\$317,294.48
Fairfield Service Company of Indiana, LLC. Marion, OH	\$326,847.98

**WHEREAS**, the Authority's **Qualified Purchasing Agent** has reviewed the bid proposals and has recommended that **Brentwood Industries, Inc.** be awarded **Contract No. 17-06** 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 **Brentwood Industries, Inc.** constitutes the lowest complying and responsible bidder for **Contract No. 17-06**, 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. **Brentwood Industries, Inc.** shall be and is hereby determined to be the lowest complying and responsible bidder to **Furnish and Deliver Spare Non-Metallic Sludge Collector Tank Parts**, constituting **Contract No. 17-06** for a **Two (2) Year Period** for a total sum of **\$317,294.48**.

2. The Chairman shall be and is hereby authorized to execute a contract with **Brentwood Industries, Inc.** of 500 Spring Ridge Drive, Reading, PA 19610 to **Furnish**

17-2-012

**and Deliver Spare Non-Metallic Sludge Collector Tank Parts, constituting Contract No.17-06 for a Two (2) Year Period for a total sum of \$317,294.48.**

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

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

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

6. A copy of this Resolution and the contract executed pursuant to this Resolution, along with Contract No. 17-06, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by Brentwood Industries, Inc. and the Authority.

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of February 23, 2017.



Michael Henwood  
Secretary

**Dated: February 23, 2017**

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 02/23/2017  
RESOLUTION #: 17-2-012

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

FUNDS AVAILABLE X

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

BUDGET ACCOUNT REPLACEMENT PARTS - PROCESS EQUIPMENT  
W-550-61600-000

VENDOR BRENTWOOD INDUSTRIES, INC.

CONTRACT NUMBER 17-06

REASON FURNISH & DELIVER SPARE NON- METALLIC  
SLUDGE COLLECTOR TANK PARTS

AMOUNT \$317,294.48

CONTRACT LENGTH MARCH 1, 2017 - FEBRUARY 28, 2019 (2 YEAR)

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 **Cleaning and Rental of Uniforms for a Two (2) Year Period with Two (2) – One (1) Year Options**, pursuant to and in accordance with **Contract No. 17-01**; and

**WHEREAS**, the following sole bid proposal was received by the Authority on **February 16, 2017** for **Contract No.17-01**:

Vendor	Total Amount Bid for Two (2) Years
American Wear, Inc. East Orange, NJ	\$158,219.44

**WHEREAS**, the Authority's **Qualified Purchasing Agent** has reviewed the sole bid proposal and has recommended that **American Wear, Inc.** be awarded **Contract No. 17-01** in accordance with N.J.S.A. 40:11-1 et seq., as the lowest complying and responsible bidder; and

**WHEREAS**, on the basis of the foregoing, the Authority has determined that **American Wear, Inc.** constitutes the lowest complying and responsible bidder for **Contract No. 17-01**, in accordance with N.J.S.A. 40A:11-1 et seq.; and

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

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

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

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

1. **American Wear, Inc.** shall be and is hereby determined to be the lowest complying and responsible bidder for **Cleaning and Rental of Uniforms**, constituting **Contract No. 17-01** for a **Two (2) Year Period with Two (2) – One (1) Year Options** for a total sum of **\$158,219.44** for the initial **Two (2) Year Period**.

2. The Chairman shall be and is hereby authorized to execute a contract with **American Wear, Inc.** of 261 N. 18<sup>th</sup> Street, East Orange, NJ 07017 for the **Cleaning and Rental of Uniforms**, constituting **Contract No.17-01** for a **Two (2) Year Period with Two**

17-2-013

**(2) – One (1) Year Options** for a total sum of **\$158,219.44** for the initial **Two (2) Year Period**.

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

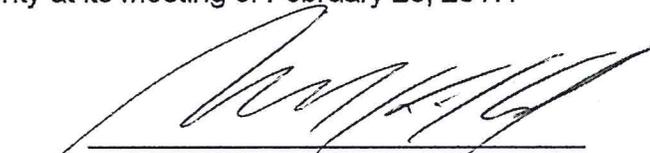
4. The Acting Treasurer's Certification that funds are available shall be maintained on file at the Authority and made a part hereof.

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

6. A copy of this Resolution and the contract executed pursuant to this Resolution, along with Contract No. 17-01, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by American Wear, Inc. and the Authority.

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of February 23, 2017.



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

**Dated: February 23, 2017**

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 02/23/2017  
RESOLUTION #: 17-2-013

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 SAFETY UNIFORMS  
W-590-65000-000

VENDOR AMERICAN WEAR, INC.

CONTRACT NUMBER 17-01

REASON CLEANING AND RENTAL  
OF UNIFORMS

AMOUNT \$158,219.44

CONTRACT LENGTH MARCH 1, 2017 - FEBRUARY 28, 2019 (2 YEAR)

Matthew M. Carter  
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

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

**WHEREAS**, the Bergen County Utilities Authority (the "Authority") plays an important role in providing this and related 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**, 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 serve as **Special Engineering Consultant** to the Authority for performing the **Global Information System ("GIS") for Manhole Inventory 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**, 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**, 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 ("RFQ") and was qualified as competent to provide consulting engineering services to the Authority by Resolution 17-2-001 adopted January 26, 2017 by the Board of Commissioners of the Authority; and

**WHEREAS**, the Board of Commissioners of the Authority has determined that **Neglia Engineering Associates** is competent, qualified and experienced to serve as the Authority's **Special Engineering Consultant** to the Authority for performing the **GIS for Manhole Inventory Project**; and

**WHEREAS**, based on **Neglia Engineering Associates'** Statement of Qualifications and prior history, the Authority issued a Request for Proposal ("RFP"); and

**WHEREAS**, the RFP provided a scope of work that includes:

- Prepare an updated database for use in the Authority's GIS program;
- Collection of topographic survey information in accordance with the rules and regulations of the New Jersey State Board of Professional Engineers and Land Surveyors (N.J.A.C. 13:40-5.1) ;
- Locate approximately 1,600 manholes in the collection system;
- Note the centerline inverts for each manhole and the flow direction;
- Update existing base layer information;
- Create a systematic process and schedule to perform necessary updates to the GIS database;
- Develop and customize a new GIS infrastructure, provide updates of the system, and provide training and technical support for the Authority's staff; and
- Create an internet based GIS application accessible to the Authority's personnel.

; and

**WHEREAS**, the RFP specified that the **Special Engineering Consultant** to the Authority for performing the **GIS for Manhole Inventory Project** 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, **Neglia Engineering Associates** submitted to the Authority a written proposal dated February 17, 2017 to provide the aforesaid professional engineering services to the Authority for an amount not to exceed the total sum of \$250,000.00 for the **GIS for Manhole Inventory Project**, which proposal has been reviewed and determined to be fair and reasonable by the Director of Engineering of the Authority; and

**WHEREAS**, the written proposal submitted by **Neglia** to the Authority included attachments including 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 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 **Neglia Engineering Associates** to serve as **Special Engineer Consultant** to the Authority for performing the **GIS for Manhole Inventory Project**; and

**WHEREAS**, the Authority desires to appoint and retain **Neglia Engineering Associates** to serve as **Special Engineering Consultant** to the Authority for performing the **GIS for Manhole Inventory Project** for an amount not to exceed the total sum of \$250,000.00; 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; and

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

**WHEREAS**, it is the Authority's responsibility that its assets are safeguarded and maintained and that all actions are taken to insure the integrity of the operation of the Authority and the expenditure of ratepayer funds.

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

1. **Neglia Engineering Associates** shall be and is hereby appointed to serve as **Special Engineering Consultant** to the Authority for the **Global Information System for Manhole Inventory Project** for an amount not to exceed the total sum of \$250,000.00 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 between 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 **Special Engineering Consultant** to the Authority for the **Global Information System for Manhole Inventory Project** 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 **Neglia Engineering Associates** and the Authority.

4. The total amount authorized to be paid pursuant to the contract herein awarded shall not exceed the total sum of **\$250,000.00** without further action by the Board of Commissioners.

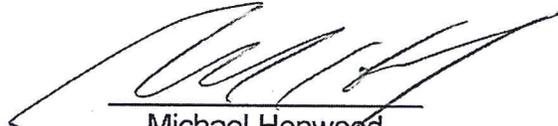
5. The Acting Treasurer's Certification that funds are available shall be placed on file and made available for public inspection at the Authority and made a part hereof.

**17-2-014**

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).

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 23, 2017.



Michael Henwood  
Board Secretary

**DATED: February 23, 2017**

**17-2-014**

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 02/23/2017  
RESOLUTION #: 17-2-014

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 PROJECTS  
W-200-80800-000

VENDOR NEGLIA ENGINEERING ASSOCIATES

CONTRACT NUMBER 17022318

REASON SPECIAL ENVIRONMENTAL CONSULTANT  
FOR THE GLOBAL INFORMATION SYSTEM  
FOR MANHOLE INVENTORY PROJECT

AMOUNT \$250,000.00

CONTRACT LENGTH TO COMPLETION

Matthew McCarter  
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, on prior occasion, upon advertisement and pursuant to specifications, the Bergen County Utilities Authority (the "Authority") solicited bid proposals to **Furnish and Deliver Hi-Molecular Weight Cationic Dry Polymer for Sludge Dewatering, Gravity Belt Thickeners (Two (2) Year Period)**, pursuant to and in accordance with **Contract No. 15-01**; and

**WHEREAS**, the Board of Commissioners of the Authority, by Resolution 15-2-010 adopted February 26, 2015, deemed **Polydyne, Inc.** to be the lowest complying and responsible bidder and authorized the execution of a contract with **Polydyne, Inc.** to furnish its product **Clarifloc NE-1528**, constituting **Contract No. 15-01**, in the amount of \$1.45/lb for a 250,000 lbs. per year cost with the total amount not to exceed the total sum of **\$725,000.00** for a **Two (2) Year Period**; and

**WHEREAS**, the Authority is currently in the procurement process to award a new contract because Contract 15-01 is due to expire on February 28, 2017; and

**WHEREAS**, the Director of Water Pollution Control submitted a change order proposal requesting an increase in the total sum of **\$84,825.00** ("Change Order No. 1"), which sum does not change the quality or character of the items to be provided and which sum shall enable the Authority to complete the aforementioned procurement process to award a new contract; and

**WHEREAS**, the Authority's Director of Water Pollution Control and Qualified Purchasing Agent have reviewed, approved and recommended Change Order No. 1 to Process the Net Increase of **\$84,825.00** to **Furnish and Deliver Hi-Molecular Weight Cationic Dry Polymer for Sludge Dewatering, Gravity Belt Thickeners (Two (2) Year Period)**, in accordance with **Contract No. 15-01**, for a total amended sum of **\$809,825.00**; and

**WHEREAS**, Change Order No. 1 to Process the Net Increase in the sum of **\$84,825.00** is necessary for the efficient operation of the Authority; and

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

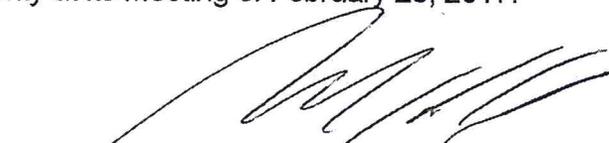
**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the Bergen County Utilities Authority as follows:

1. The Chairman shall be and he is hereby authorized to execute Change Order No. 1 to Process the Net Increase in the sum of **\$84,825.00** as stated in the February 21, 2017 change order proposal to **Furnish and Deliver Hi-Molecular Weight Cationic Dry Polymer for Sludge Dewatering, Gravity Belt Thickeners**, in accordance with **Contract No. 15-01**, for a total amended sum of **\$809,825.00 (Two (2) Year Period)**;

**17-2-015**

2. A copy of this Resolution and the change order to Process the Net Increase in the sum of \$84,825.00 shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by Polydyne, Inc. and the Authority.
3. The total aggregate amount awarded together with this amendment shall not exceed the sum of \$809,825.00 without further action by the Board of Commissioners of the Authority.
4. The Acting Treasurer's Certification that funds are available shall be maintained on file at the Authority and made a part hereof.
5. A notice of this amendment shall be published in the form prescribed by law.
6. The formal action(s) of the Commissioners of the Bergen County Utilities Authority embodied herein are expressly contingent upon and subject to the provisions of N.J.S.A. 40:14B-14(b).

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of February 23, 2017.



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

**Dated: February 23, 2017**



# CHANGE ORDER

No. One (1)

PROJECT: \_\_\_\_\_ DATE OF ISSUANCE: 2/21/2017

OWNER: BERGEN COUNTY UTILITIES AUTHORITY  
Foot of Mehrhof Road, P. O. Box 9  
Little Ferry, NJ 07643

CONTRACTOR: Polydyne, Inc. OWNER'S PROJECT NO. 15-01

You are directed to make the following changes in the Contract Documents.

Description: Additional polymer is needed while the procurement process is completed for Contract 17-04

Purpose of Change Order: Additional dry polymer is needed while new Contract 17-04 is awarded

Attachments:

APPROVED:  
BY:   
BCUA  
DATE: 2/21/17

ACCEPTED:  
BY:   
Contractor  
DATE: 2/22/17 Boyd Stanley, Business Director

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 02/23/2017  
RESOLUTION #: 17-2-015

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 POLYMERS  
W-320-59700-000

VENDOR POLYDINE, INC.

CONTRACT NUMBER 15-01 CHANGE ORDER # 01

REASON FURNISH & DELIVER HI MOLECULAR WEIGHT  
CATIONIC DRY POLYMER

AMOUNT \$84,825.00  
(AMENDED CONTRACT SUM \$809,825)

CONTRACT LENGTH MARCH 1, 2015 - FEBRUARY 28, 2017 (2 YEAR)

Matthew McCarter  
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, on prior occasion, upon advertisement and pursuant to specifications, the Bergen County Utilities Authority (the "Authority") solicited bid proposals to **Furnish and Deliver Morris Pump Impeller for a One (1) Year Period**, pursuant to and in accordance with **Contract No. 17-10**; and

**WHEREAS**, the following bid proposals were received by the Authority on **February 16, 2017** for **Contract No.17-10**:

Vendor	Total Amount Bid for One (1) Year
Bendlin Incorporated Clifton, NJ	\$20,600.00
Hayes Pump, Inc. Fairfield, NJ	\$36,745.00
Reiner Pump Systems, Inc. Sparta, NJ	\$56,239.00

**WHEREAS**, the Authority's **Qualified Purchasing Agent** has reviewed the bid proposals and has recommended that **Bendlin Incorporated** be awarded **Contract No. 17-10** 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 **Bendlin Incorporated** constitutes the lowest complying and responsible bidder for **Contract No. 17-10**, 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:

- Bendlin Incorporated** shall be and is hereby determined to be the lowest complying and responsible bidder to **Furnish and Deliver Morris Pump Impeller**, constituting **Contract No. 17-10**, for a **One (1) Year Period** for a total sum of **\$20,600.00**.

**17-2-016**

2. The Chairman shall be and is hereby authorized to execute a contract with **Bendlin Incorporated** of 1037 Route 46 East, Suite 207 Clifton, NJ 07013 to **Furnish and Deliver Morris Pump Impeller**, constituting **Contract No.17-10**, for a **One (1) Year Period** for a total sum of **\$20,600.00**.

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. 17-10, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by Bendlin 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 February 23, 2017.

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

**Dated: February 23, 2017**

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 02/23/2017  
RESOLUTION #: 17-2-016

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

FUNDS AVAILABLE X

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

BUDGET ACCOUNT PUMPS  
W-550-61300-000

VENDOR BENDLIN INCORPORATED

CONTRACT NUMBER 17-10

REASON FURNISH AND DELIVER  
MORRIS PUMP IMPELLER

AMOUNT \$20,600.00

CONTRACT LENGTH MARCH 1, 2017 - FEBRUARY 28, 2018

Matthew McCarty  
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

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

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

**WHEREAS**, in furtherance of providing these essential services, the Board of Commissioners of the Authority, by Resolution 16-2-013 adopted February 25, 2016, 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 16-2-013 Authorized the Chairman of the Board of Commissioners of the Authority to execute an agreement by and between the Authority and ARCADIS U.S., Inc. (the "Agreement") 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 \$200,000.00 without further approval of the Board of Commissioners of the Authority; and

**WHEREAS**, the Agreement was executed by and on behalf of the Authority and ARCADIS U.S., Inc. on March 1, 2016; and

**WHEREAS**, ARCADIS US, Inc., operating under the Agreement, continued to provide significant and 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 Agreement, resulting in the Board of Commissioners of the Authority, by Resolution 16-2-052 adopted August 25, 2016, modifying the Agreement by authorizing an increase in the total amount of compensation to be paid by the Authority to ARCADIS US, Inc. pursuant thereto in the sum of \$180,000.00, resulting in an increase in the total amount of compensation to be paid by the Authority to ARCADIS US, Inc. pursuant to the Agreement to the total sum of \$380,000.00 without further approval of the Board of Commissioners of the Authority; and

**WHEREAS**, since the adoption of Resolution 16-2-052 by the Board of Commissioners on August 25, 2016, ARCADIS U.S., Inc., operating under the Agreement, has continued to provide significant necessary and valuable services to the Authority as the

17-2-017

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 Agreement, which projects include:

- State Revolving Loan Fund Assistance: Providing administration and technical assistance in applying for and securing funding through federal and state grants and loans for the Authority's various capital improvement projects, such as the Cogen Expansion Project and the Edgewater WPCF Project;
- Superstorm Sandy: Attending monthly meetings and assisting with the Authority's attempts to recover reimbursement monies from FEMA for repair of damages caused by Superstorm Sandy;
- New Jersey Energy Resiliency Bank: Assisting with soliciting funding from the New Jersey Energy Resiliency Bank for the Authority's power supply projects;
- Sludge Management Assistance: Updated the Authority's Sludge Management Plan and assisting the Authority with the preparation of bid documents for residuals hauling;
- Assisting with updating the Authority's Confined Space Entry Program;
- Assisting with permitting and regulatory issues;
- Control Building water damage remediation;
- Confined Space Entry (CSE) program;
- Air pollution control operating permit compliance plan implementation for the CHP system expansion project; and
- Assisting with the evaluation of wastewater effluent re-use agreements.

; and

**WHEREAS**, by written correspondence dated February 17, 2017, ARCADIS U.S., Inc. advised the Authority that as of February 17, 2017, ARCADIS U.S., Inc. had expended approximately \$380,000.00 in services to the Authority under the Agreement and the Agreement, as amended by aforementioned Resolution 16-2-052, provides for a compensation budget of \$380,000.00 to be paid by the Authority to ARCADIS U.S., Inc. for services performed pursuant thereto; and

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**WHEREAS**, ARCADIS U.S., Inc., by the February 17, 2017 written correspondence, requested that the Authority increase the compensation budget provided for by the Agreement by the total sum of \$20,000.00, resulting in an amended Agreement compensation budget of an amount not to exceed the total sum of \$400,000.00; and

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

**WHEREAS**, the Authority's Director of Engineering has reviewed the February 17, 2017 written correspondence of ARCADIS U.S., Inc., including the request of ARCADIS U.S., Inc. to increase the compensation budget under the Agreement 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 February 17, 2017 written correspondence of ARCADIS U.S., Inc., he has concluded and recommended that the Authority should amend the Agreement by increasing the budget for compensation to be paid by the Authority to ARCADIS U.S., Inc. pursuant to the Agreement in the total sum of \$20,000.00, resulting in an amended compensation budget under the Agreement in an amount not to exceed the total sum of \$400,000.00 without further approval of the Board of Commissioners of the Authority; and

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

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

1. The Agreement entered into by and between the Authority and ARCADIS U.S., Inc. shall be and is hereby modified by the Authority and the Agreement shall be modified to provide that the compensation to be paid by the Authority pursuant thereto shall be increased in the amount of \$20,000.00 and the total amount of compensation to now be paid by the Authority to ARCADIS U.S., Inc. pursuant to the modified Agreement shall not exceed the total sum of \$400,000.00 without further approval of the Board of Commissioners of the Authority.

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

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3. A copy of this Resolution, the Agreement, the agreement modifying the Agreement entered into as authorized by Resolution 16-2-052 and the agreement modifying the Agreement with ARCADIS U.S., Inc. 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 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 Agreement shall be published in the form prescribed by law.

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

7.

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 23, 2017.



Michael Henwood, Secretary

Dated: February 23, 2017

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 02/23/2017  
RESOLUTION #: 17-2-017

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 16022513

REASON O

REASON SPECIAL ENVIRONMENTAL ENGINEER

AMOUNT \$20,000.00  
(AMENDED CONTRACT SUM \$400,000)

CONTRACT LENGTH MARCH 1, 2016 - FEBRUARY 28, 2017

*Matthew McAster*  
ACTING TREASURER