

**BERGEN COUNTY UTILITIES AUTHORITY  
MINUTES OF THE REGULAR MEETING  
AUGUST 23, 2018**

**In the matter of the 473<sup>rd</sup> Regular Meeting of  
The Bergen County Utilities Authority**

1. The **proof of meeting notice** calling the August 23, 2018, 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  
Daniel Gumble, Commissioner  
Paul A. Juliano, Commissioner  
Thomas S. Kelley, Commissioner  
Bruce Bonaventuro, Commissioner  
Peter C. Massa, Jr. Commissioner  
Jon Warms, 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 July 26, 2018 Work Session be approved was moved by Commissioner Warms and Seconded by Commissioner Kelley and was carried. Commissioner Bentz abstained.

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

5. FINANCE AND LEGAL COMMITTEE:

Resolution 18-1-034 - Approve bills and the claims supported by vouchers totaling \$3,989,213.80 for the month of August and authorize the Acting Treasurer to issue the necessary checks therefor, and to charge the accounts indicated, all as more fully set forth on the Acting Treasurer's check list: Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 18-1-035 - Authorize Amendment of Professional Services Contract to Florio, Perrucci, Seinhardt and Cappelli, L.L.C. – Special Legal Counsel. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

6. CONSTRUCTION & ENGINEERING COMMITTEE:

Resolution 18-2-049 – Award Contract 18-06 (Rebid) to National Water Main Cleaning Co. Inc. - On Call Sanitary Sewer Cleaning and TV Inspection (Two (2) Year Period). Motion to adopt the resolution was made by Commissioner Juliano and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 18-2-050 - Award Contract 18-08 to National Water Main Cleaning Co. Inc. - Route 4 Interceptors and 60" Overpeck Trunk Sewer Cleaning and TV Inspection (Two (2) Year Period). Motion to adopt the resolution was made by Commissioner Juliano and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 18-2-051 - Authorize Purchase Order pursuant to State Approved Co-op No. ESCNJ/AEPA IFB #017-F to Weatherproofing Technologies, Inc. – Cogeneration Building Roof Maintenance & Repair. Motion to adopt the resolution was made by Commissioner Juliano and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 18-2-052 - Authorize Purchase Order pursuant State Approved Co-op No. ESCNJ/AEPA IFB #017-F to Weatherproofing Technologies, Inc. – Harrington Park Pump Station - Roof Maintenance & Repair. Motion to adopt the resolution was made by Commissioner Juliano and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 18-2-053 - Authorize Online Auction of Various Surplus Property through Govdeals.com auction service. Motion to adopt the resolution was made by Commissioner Juliano and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 18-2-054 - Authorize Amendment of Professional Services Contract to Neglia Engineering Associates – Land Surveying Engineer - Edgewater WPCF Project. Motion to adopt the resolution was made by Commissioner Juliano and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

7. STRATEGIC PLANNING COMMITTEE:

Resolution 18-6-007 – Oakland Materials LLC Class B Recycling Facility Solid Waste Management Plan Amendment. Motion to adopt the resolution was made by Commissioner Warms and Seconded by Commissioner Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

BERGEN COUNTY UTILITIES AUTHORITY  
 Minutes of the Regular Meeting  
 August 23, 2018

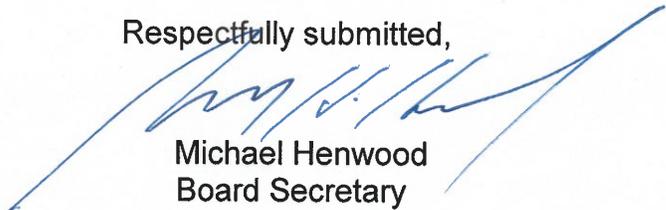
8. Chairman Phillips announced a short recess to allow time for the Board Secretary to prepare minutes of this Regular Meeting.
9. Chairman Phillips announced the Regular Meeting would reconvene.
10. The Board Secretary then distributed proposed minutes of the August 23, 2018 Regular Meeting for review by the Commissioners.
11. Motion to approve the Minutes of the Regular Meeting August 23, 2018 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 August 23, 2018 was made by Commissioner DeLisio and Seconded by Commissioner Massa and was unanimously carried.
12. Upon motion duly made, seconded and unanimously carried, the meeting was adjourned.

Resolution #	18-1-034	18-1-035	18-2-049	18-2-050	18-2-051	18-2-052	18-2-053
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. Gumble	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. Massa, Jr.	Y	Y	Y	Y	Y	Y	Y
Comm. Warmes	Y	Y	Y	Y	Y	Y	Y

Resolution #	18-2-054	18-6-007
Chairman Phillips	Y	Y
V. Chair. DeLisio	Y	Y
Comm. Bentz	Y	Y
Comm. Bonaventuro	Y	Y
Comm. Gumble	Y	Y
Comm. Juliano	Y	Y
Comm. Kelley	Y	Y
Comm. Massa, Jr.	Y	Y
Comm. Warmes	Y	Y

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

Respectfully submitted,



Michael Henwood  
 Board Secretary

Date: August 23, 2018

**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 18-1-013 adopted February 22, 2018, appointed **Florio Perrucci Steinhardt & Cappelli, LLC (formerly D/B/A Florio Perrucci Steinhardt & Fader, LLC)** to serve as **Special Legal Counsel** to the Authority for a One (1) Year Term or until a successor is selected or at the pleasure of the Authority, whichever shall first occur or be exercised; and

**WHEREAS**, Resolution 18-1-013 Authorized the Chairman of the Board of Commissioners of the Authority to execute a contract by and between the Authority and **Florio Perrucci Steinhardt & Cappelli, LLC** (the “Contract”) memorializing the scope of services to be provided by **Florio Perrucci Steinhardt & Cappelli, LLC** to the Authority, including representing the Authority in various labor and employment matters and related litigation, and performing such additional professional legal services for the Authority on an as-needed basis as requested by the Authority, pursuant to which payment by the Authority to **Florio Perrucci Steinhardt & Cappelli, LLC** is not to exceed the total sum of \$25,000.00 without further approval of the Board of Commissioners of the Authority; and

**WHEREAS**, the Contract was executed by and on behalf of the Authority and **Florio Perrucci Steinhardt & Cappelli, LLC** on March 1, 2018; and

**WHEREAS**, **Florio Perrucci Steinhardt & Cappelli, LLC**, operating under the Contract, has continued to provide significant necessary and valuable services serving as **Special Legal Counsel** to the Authority, and performing such other additional legal services as requested by the Authority since the commencement of the term of the Contract; and

**WHEREAS**, **Florio Perrucci Steinhardt & Cappelli, LLC**, by written correspondence dated August 17, 2018, advised the Authority that as of that date, **Florio Perrucci Steinhardt & Cappelli, LLC** had expended approximately \$20,204.53 in services to the Authority under the Contract and the Contract provides for a compensation budget of \$25,000.00 to be paid by the Authority to **Florio Perrucci Steinhardt & Cappelli, LLC** for services performed pursuant thereto; and

**WHEREAS**, **Florio Perrucci Steinhardt & Cappelli, LLC**, by written correspondence dated August 17, 2018 requested that the Authority increase the compensation budget

provided for by the Contract by the total sum of \$25,000.00, resulting in an amended Contract compensation budget of an amount not to exceed the total sum of \$50,000.00; and

**WHEREAS**, the Executive Director of the Authority has determined that **Florio Perrucci Steinhardt & Cappelli, LLC** has performed all services under the Contract in an effective and efficient manner and further determined that the remaining work to be performed by **Florio Perrucci Steinhardt & Cappelli, LLC** under the Contract is essential to the proper and effective operation of the Authority and critical to the health, welfare and safety of the ratepayers and employees of the Authority; and

**WHEREAS**, the Executive Director of the Authority has reviewed the August 17, 2018 written correspondence of **Florio Perrucci Steinhardt & Cappelli, LLC**, including the request of **Florio Perrucci Steinhardt & Cappelli, LLC** to increase the compensation budget for the total compensation to be paid by the Authority to **Florio Perrucci Steinhardt & Cappelli, LLC** under the Contract, and based upon that review and the above determinations, he has concluded and recommended that the Authority should amend the Contract by increasing the budget for compensation to be paid by the Authority to **Florio Perrucci Steinhardt & Cappelli, LLC** pursuant to the Contract in the total sum of \$25,000.00, resulting in an amended compensation budget under the Contract in an amount not to exceed the total sum of \$50,000.00 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 Contract pursuant to this Resolution.

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

1. The Contract entered into by and between the Authority and **Florio Perrucci Steinhardt & Cappelli, LLC** shall be and is hereby modified by the Authority and the Contract shall be modified to provide that the compensation to be paid by the Authority pursuant thereto shall be increased in the amount of \$25,000.00 and the total amount of compensation to now be paid by the Authority to **Florio Perrucci Steinhardt & Cappelli, LLC** pursuant to the modified Contract shall not exceed the total sum of \$50,000.00 without further approval of the Board of Commissioners of the Authority.

2. The Chairman of the Authority shall be and is hereby authorized to execute a contract by and between the Authority and **Florio Perrucci Steinhardt & Cappelli, LLC** modifying the Contract as approved and authorized by this Resolution, 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 contract modifying the Contract pursuant to this Resolution, shall be placed on file and made available for public inspection in the Office of the Executive Director, upon execution by **Florio Perrucci Steinhardt & Cappelli, LLC** 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.

**18-1-035**

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

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of August 23, 2018.



Michael Henwood  
Secretary

**DATED: August 23, 2018**

**18-1-035**

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 8/23/2018

RESOLUTION #: 18-1-035

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, & CAPPELLI, LLC

CONTRACT NUMBER

18022205

REASON

INCREASE IN THE PROFESSIONAL SERVICES  
NEEDS OF THE AUTHORITY FOR  
SPECIAL LEGAL COUNSEL

AMOUNT

\$25,000.00

CONTRACT LENGTH

MARCH 1, 2018 - FEBRUARY 28, 2019

*Matthew Carter*

ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, on prior occasion, upon advertisement and pursuant to specifications, the Bergen County Utilities Authority (the "Authority") solicited bid proposals for **On-Call Sanitary Sewer Cleaning and TV Inspection (Two (2) Year Period)**, pursuant to and in accordance with **Contract No. 18-06**; and

**WHEREAS**, the following bid proposals were received by the Authority on **June 14, 2018**, the date set forth in the Invitation to Bid for the receipt of bid proposals pursuant to and in accordance with **Contract No.18-06**:

<b>Vendor</b>	<b>Total Bid Price (Two (2) Years)</b>
Pipe and Plant Solutions, Inc. Oakland, CA	\$1,097,500.00
National Water Main Cleaning Co. Kearny, NJ	\$1,117,800.00

; and

**WHEREAS**, the Authority's **Qualified Purchasing Agent** reviewed the bid proposals submitted to the Authority by **Pipe and Plant Solutions, Inc.** and **National Water Main Cleaning Co.** for **Contract No. 18-06** and recommended that the bid proposal of **Pipe and Plant Solutions, Inc.** be rejected as being incomplete, nonconforming and nonresponsive based upon the failure to submit a copy of its Business Registration Certificate and completed and executed Non-Collusion Affidavit with the submitted bid proposal and recommended that the bid proposal of **National Water Main Cleaning Co.** be rejected as being incomplete, nonconforming and nonresponsive based upon the failure to submit an appropriate completed and executed Non-Collusion Affidavit with the submitted bid proposal; and

**WHEREAS**, on the basis of the foregoing, the Authority's **Qualified Purchasing Agent** determined that the bid proposals submitted to the Authority for **Contract No. 18-06** by **Pipe and Plant Solutions, Inc** and **National Water Main Cleaning Co.** should be rejected for the reasons aforementioned; and

**WHEREAS**, the Authority's **Qualified Purchasing Agent** recommended that the bid proposals of **Pipe and Plant Solutions, Inc** and **National Water Main Cleaning Co.** for **Contract No. 18-06** received June 14, 2018 be rejected for the reasons aforementioned; and

**WHEREAS**, the Board of Commissioners of the Authority, by way of Resolution 18-2-040 adopted June 28, 2018, rejected the bid proposals of **Pipe and Plant Solutions, Inc** and **National Water Main Cleaning Co.** for **Contract No. 18-06** for the reasons aforementioned and authorized the Authority's **Qualified Purchasing Agent** to direct and revise the bid documents to correct and provide for necessary critical characteristics for **On-Call Sanitary Sewer Cleaning and TV Inspection**, pursuant to and in accordance with **Contract No. 18-06**

and further authorized the Authority’s Executive Director, or his designee, to readvertise for the soliciatiation of bid proposals for **On-Call Sanitary Sewer Cleaning and TV Inspection**; and

**WHEREAS**, as a result of the revisions made to the bid documents for **Contract No. 18-06** as directed and authorized by Resoltuion 18-2-040, the Authority advertised and solicited bid proposals for **On-Call Sanitary Sewer Cleaning and TV Inspection (Two (2) Year Period)**, pursuant to and in accordance with **Contract No. 18-06 (Rebid)**; and

**WHEREAS**, the following bid proposals were received by the Authority on **July 19, 2018**, the date set forth in the Invitation to Bid for the receipt of bid proposals pursuant to and in accordance with **Contract No.18-06 (Rebid)**:

<b>Vendor</b>	<b>Total Bid Price (Two (2) Years)</b>
Pipe and Plant Solutions, Inc. Oakland, CA	\$744,000.00
National Water Main Cleaning Co. Kearny, NJ	\$233,375.00

; and

**WHEREAS**, the Authority’s **Director of Engineering and General Consulting Engineer** have reviewed the bid proposals submitted to the Authority by **Pipe and Plant Solutions, Inc.** and **National Water Main Cleaning Co.** for **Contract No. 18-06 (Rebid)** and have recommended that **National Water Main Cleaning Co.** be awarded **Contract No. 18-06 (Rebid)** 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 **National Water Main Cleaning Co.** constitutes the lowest complying and responsible bidder for **Contract No. 18-06 (Rebid)**, in accordance with N.J.S.A. 40A:11-1 et seq.; and

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

**WHEREAS**, the award of **Contract No. 18-06 (Rebid)** 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:

18-2-049

1. **National Water Main Cleaning Co.** shall be and is hereby determined to be the lowest complying and responsible bidder for **On-Call Sanitary Sewer Cleaning and TV Inspection**, constituting **Contract No. 18-06 (Rebid)** for a **Two (2) Year Period** for a total amount not to exceed the sum of **\$233,375.00** without further approval of the Commissioners of the Authority.

2. The Chairman shall be and is hereby authorized to execute a contract with **National Water Main Cleaning Co.** of 1806 Newark-Jersey City Turnpike, Kearny, NJ 07032 for **On-Call Sanitary Sewer Cleaning and TV Inspection**, constituting **Contract No.18-06 (Rebid)** for a **Two (2) Year Period** for a total amount not to exceed the sum of **\$233,375.00** without further approval of the Commissioners of the Authority.

3. The bid security of all unsuccessful bidders for **Contract No. 18-06 (Rebid)**, if any, shall be returned in accordance with N.J.S.A. 40A:11-1 et seq.

4. The Acting Treasurer's Certifications 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. 18-06 (Rebid)**, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by **National Water Main Cleaning Co.** and the Authority.

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of August 23, 2018.



Michael Henwood  
Secretary

**Dated: August 23, 2018**

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 8/23/2018

RESOLUTION #: 18-2-049

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

FUNDS AVAILABLE

X

FUNDS ARE NOT AVAILABLE

BUDGET ACCOUNT

CAPITAL OUTLAY  
W-200-80800-000

VENDOR

NATIONAL WATER MAIN CLEANING CO.

CONTRACT NUMBER

18-06

REASON

ON-CALL SANITARY SEWER  
CLEANING & TV INSPECTION

AMOUNT

\$233,375.00

CONTRACT LENGTH

SEPTEMBER 1, 2018 - AUGUST 31, 2020

Matthew M. Carter  
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, on prior occasion, upon advertisement and pursuant to specifications, the Bergen County Utilities Authority (the "Authority") solicited bid proposals for **On-Call Sanitary Sewer Cleaning and TV Inspection (Two (2) Year Period)**, pursuant to and in accordance with **Contract No. 18-06**; and

**WHEREAS**, the following bid proposals were received by the Authority on **June 14, 2018**, the date set forth in the Invitation to Bid for the receipt of bid proposals pursuant to and in accordance with **Contract No.18-06**:

Vendor	Total Bid Price (Two (2) Years)
Pipe and Plant Solutions, Inc. Oakland, CA	\$1,097,500.00
National Water Main Cleaning Co. Kearny, NJ	\$1,117,800.00

; and

**WHEREAS**, the Authority's **Qualified Purchasing Agent** reviewed the bid proposals submitted to the Authority by **Pipe and Plant Solutions, Inc.** and **National Water Main Cleaning Co.** for **Contract No. 18-06** and recommended that the bid proposal of **Pipe and Plant Solutions, Inc.** be rejected as being incomplete, nonconforming and nonresponsive based upon the failure to submit a copy of its Business Registration Certificate and completed and executed Non-Collusion Affidavit with the submitted bid proposal and recommended that the bid proposal of **National Water Main Cleaning Co.** be rejected as being incomplete, nonconforming and nonresponsive based upon the failure to submit an appropriate completed and executed Non-Collusion Affidavit with the submitted bid proposal; and

**WHEREAS**, on the basis of the foregoing, the Authority's **Qualified Purchasing Agent** determined that the bid proposals submitted to the Authority for **Contract No. 18-06** by **Pipe and Plant Solutions, Inc** and **National Water Main Cleaning Co.** should be rejected for the reasons aforementioned; and

**WHEREAS**, the Authority's **Qualified Purchasing Agent** recommended that the bid proposals of **Pipe and Plant Solutions, Inc** and **National Water Main Cleaning Co.** for **Contract No. 18-06** received June 14, 2018 be rejected for the reasons aforementioned; and

**WHEREAS**, the Board of Commissioners of the Authority, by way of Resolution 18-2-040 adopted June 28, 2018, rejected the bid proposals of **Pipe and Plant Solutions, Inc** and **National Water Main Cleaning Co.** for **Contract No. 18-06** for the reasons aforementioned and authorized the Authority's **Qualified Purchasing Agent** to direct and revise the bid documents to correct and provide for necessary critical characteristics for **On-Call Sanitary Sewer Cleaning and TV Inspection**, pursuant to and in accordance with **Contract No. 18-06**

and further authorized the Authority’s Executive Director, or his designee, to readvertise for the soliciatiation of bid proposals for **On-Call Sanitary Sewer Cleaning and TV Inspection**; and

**WHEREAS**, as a result of the revisions made to the bid documents for **Contract No. 18-06** as directed and authorized by Resoltuion 18-2-040, the Authority advertised and solicited bid proposals for **Route 4 Interceptors and 60” Overpeck Trunk Sewer Cleaning and TV Inspection** pursuant to and in accordance with **Contract No. 18-08**; and

**WHEREAS**, the following bid proposals were received by the Authority on **July 19, 2018**, the date set forth in the Invitation to Bid for the receipt of bid proposals pursuant to and in accordance with **Contract No.18-08**:

Vendor	Total Bid Price
Pipe and Plant Solutions, Inc. Oakland, CA	\$1,167,300.00
National Water Main Cleaning Co. Kearny, NJ	\$250,525.00

; and

**WHEREAS**, the Authority’s **Director of Engineering** and **General Consulting Engineer** have reviewed the bid proposals submitted to the Authority by **Pipe and Plant Solutions, Inc.** and **National Water Main Cleaning Co.** for **Contract No. 18-08** and have recommended that **National Water Main Cleaning Co.** be awarded **Contract No. 18-08** 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 **National Water Main Cleaning Co.** constitutes the lowest complying and responsible bidder for **Contract No. 18-08**, 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 **Contract No. 18-08** 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. **National Water Main Cleaning Co.** shall be and is hereby determined to be the lowest complying and responsible bidder for **Route 4 Interceptors and 60” Overpeck Trunk Sewer Cleaning and TV Inspection**, constituting **Contract No. 18-08** for a total amount not to exceed the sum of **\$250,525.00** without further approval of the Commissioners of the Authority.

2. The Chairman shall be and is hereby authorized to execute a contract with **National Water Main Cleaning Co.** of 1806 Newark-Jersey City Turnpike, Kearny, NJ 07032 for **Route 4 Interceptors and 60" Overpeck Trunk Sewer Cleaning and TV Inspection**, constituting **Contract No.18-08** for a total amount not to exceed the sum of **\$250,525.00** without further approval of the Commissioners of the Authority.

3. The bid security of all unsuccessful bidders for **Contract No. 18-08**, if any, shall be returned in accordance with N.J.S.A. 40A:11-1 et seq.

4. The Acting Treasurer's Certifications 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. 18-08**, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by **National Water Main Cleaning Co.** and the Authority.

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of August 23, 2018.



Michael Henwood  
Secretary

Dated: **August 23, 2018**

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 8/23/2018

RESOLUTION #: 18-2-050

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

FUNDS AVAILABLE

X

FUNDS ARE NOT AVAILABLE

BUDGET ACCOUNT

CAPITAL OUTLAY  
W-200-80800-000

VENDOR

NATIONAL WATER MAIN CLEANING CO.

CONTRACT NUMBER

18-08

REASON

ROUTE 4 INTERCEPTORS & 60" OVERPECK  
TRUNK SEWER CLEANING & TV INSPECTION

AMOUNT

\$250,525.00

CONTRACT LENGTH

TO COMPLETION

Matthew McCarter  
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

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

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

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

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

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

**WHEREAS**, the Authority currently has the need to complete the **Cogeneration Building Roof Repair and Maintenance Project**; and

**WHEREAS**, the ESCNJ previously awarded a contract to **Weatherproofing Technologies, Inc.** of 3735 Green Road, Beachwood, OH 44122, under Contract No. ESCNJ/AEPA IFB #017-F for Roofing & Building Envelope Repair & Maintenance Service; and

**WHEREAS**, the Authority, as a member of the ESCNJ Cooperative Pricing System, is able to procure the needed services for the **Cogeneration Building Roof Repair and Maintenance Project** from **Weatherproofing Technologies, Inc.** under ESCNJ Contract No. ESCNJ/AEPA IFB #017-F for the total sum of \$20,122.64 as set

**18-2-051**

forth and contained in the written proposal dated August 21, 2018 submitted to the Authority by **Weatherproofing Technologies, Inc.**; and

**WHEREAS**, it has been recommended by the Authority's Interim Qualified Purchasing Agent that it would be advantageous to the Authority, and result in a cost savings to the Authority and its ratepayers, for the Authority to engage **Weatherproofing Technologies, Inc.** through ESCNJ Contract No. ESCNJ/AEPA IFB #017-F to provide the necessary services to complete the **Cogeneration Building Roof Repair and Maintenance Project**; and

**WHEREAS**, ESCNJ Cooperative Pricing System Contract No. ESCNJ/AEPA IFB #017-F meets the "Fair and Open" process requirements of N.J.S.A. 19:44A-20.4 et seq.; and

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

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

1. The Executive Director or his designee shall be and is hereby authorized to execute a purchase order, or purchase orders as may be required, for the completion of the **Cogeneration Building Roof Repair and Maintenance Project** for the total sum of \$20,122.64 as set forth and contained in the written proposal dated August 21, 2018 submitted to the Authority by **Weatherproofing Technologies, Inc.**, and in accordance with the terms of ESCNJ Contract No. ESCNJ/AEPA IFB #017-F.

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

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

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

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

**18-2-051**

**18-2-051**

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of August 23, 2018.



Michael Henwood  
Secretary

**Dated: August 23, 2018**

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 8/23/2018

RESOLUTION #: 18-2-051

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

FUNDS AVAILABLE

X

FUNDS ARE NOT AVAILABLE

BUDGET ACCOUNT

CAPITAL OUTLAY  
W-200-80800-000

VENDOR

WEATHERPROOFING TECHNOLOGIES, INC.

CONTRACT NUMBER

ESCNJ/AEPA IFB #017-F

REASON

COGENERATION BUILDING  
ROOF REPAIR & MAINTENANCE PROJECT

AMOUNT

\$20,122.64

CONTRACT LENGTH

TO COMPLETION

Matthew M Carter  
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

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

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

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

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

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

**WHEREAS**, the Authority currently has the need to complete the **Harrington Park Pump Station Roof Repair and Maintenance Project**; and

**WHEREAS**, the ESCNJ previously awarded a contract to **Weatherproofing Technologies, Inc.** of 3735 Green Road, Beachwood, OH 44122, under Contract No. ESCNJ/AEPA IFB #017-F for Roofing & Building Envelope Repair & Maintenance Service; and

**WHEREAS**, the Authority, as a member of the ESCNJ Cooperative Pricing System, is able to procure the needed services for the **Harrington Park Pump Station Roof Repair and Maintenance Project** from **Weatherproofing Technologies, Inc.** under ESCNJ Contract No. ESCNJ/AEPA IFB #017-F for the total sum of \$3,356.16 as

**18-2-052**

set forth and contained in the written proposal dated August 7, 2018 submitted to the Authority by **Weatherproofing Technologies, Inc.**; and

**WHEREAS**, it has been recommended by the Authority's Interim Qualified Purchasing Agent that it would be advantageous to the Authority, and result in a cost savings to the Authority and its ratepayers, for the Authority to engage **Weatherproofing Technologies, Inc.** through ESCNJ Contract No. ESCNJ/AEPA IFB #017-F to provide the necessary services to complete the **Harrington Park Pump Station Roof Repair and Maintenance Project**; and

**WHEREAS**, ESCNJ Cooperative Pricing System Contract No. ESCNJ/AEPA IFB #017-F meets the "Fair and Open" process requirements of N.J.S.A. 19:44A-20.4 et seq.; and

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

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

1. The Executive Director or his designee shall be and is hereby authorized to execute a purchase order, or purchase orders as may be required, for the completion of the **Harrington Park Pump Station Roof Repair and Maintenance Project** for the total sum of \$3,356.16 as set forth and contained in the written proposal dated August 7, 2018 submitted to the Authority by **Weatherproofing Technologies, Inc.**, and in accordance with the terms of ESCNJ Contract No. ESCNJ/AEPA IFB #017-F.

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

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

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

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

**18-2-052**

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of August 23, 2018.



Michael Henwood  
Secretary

**Dated: August 23, 2018**

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 8/23/2018

RESOLUTION #: 18-2-052

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

COLLECTION SYSTEMS - EMERGENCY REPAIRS  
W-220-52400-000

VENDOR

WEATHERPROOFING TECHNOLOGIES, INC.

CONTRACT NUMBER

ESCNJ/AEPA IFB #017-F

REASON

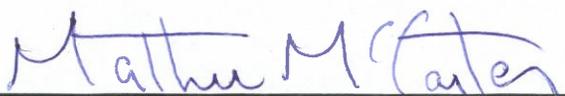
HARRINGTON PARK PUMP STATION  
ROOF REPAIR & MAINTENANCE PROJECT

AMOUNT

\$3,356.16

CONTRACT LENGTH

TO COMPLETION

  
ACTING TREASURER

## BERGEN COUNTY UTILITIES AUTHORITY RESOLUTION

**WHEREAS**, the Bergen County Utilities Authority (the "Authority") has determined that it is the owner of certain items, including but not limited to, two (2) Yale Pallet Jack Forklifts and one (1) dual axel tire jack that is surplus property no longer needed by the Authority for public use; and

**WHEREAS**, the State of New Jersey permits the sale of surplus property no longer needed for public use through the use of online auction services, pursuant to the Local Unit Electronic Technology Pilot Program and Study Act, P.L. 2001, c.30; and

**WHEREAS**, the Authority is desirous of selling the surplus property owned by the Authority which is listed in **Schedule "A"**, attached hereto and incorporated herein by reference, in an "as is" condition, without express or implied warranties.

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

1. The Executive Director, or his designee, shall be and is hereby authorized to execute a purchase order, or purchase orders as may be required, memorializing the Authority's entry into an agreement with GovDeals, Inc. for the sale of surplus property owned by the Authority which sale(s) shall be conducted online through GovDeals.com pursuant to State Contract T-2581 in accordance with the terms and conditions of State Contract T-2581 and as follows:

Online Auction Site:	<a href="http://www.govdeals.com">www.govdeals.com</a>
Length of Auction:	Ten (10) Days.
List of Surplus Property to be sold:	See Schedule "A"
Auction Fees:	Authority pays zero (0%) percent and the winning bidder pays a twelve and one-half (12.50%) percent buyer's premium
Shipping:	All shipping arrangements and shipping costs are the responsibility of the buyer. Item pickup on location: Foot of Empire Blvd, Moonachie, NJ 07074.

**18-2-053**

Possession: Within ten (10) business days (excluding holidays) of winning bid and at pickup location.

Other Terms: The sale is being conducted pursuant to Local Finance Notice 2008-9. The surplus property is being sold in "as is, where is" condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property. Payment by the bidder must be submitted to GovDeals, Inc. within five (5) business days (excluding holidays) of winning the bid. Pickup of items auctioned must be made within ten (10) business days (excluding holidays) of winning the bid unless other arrangements have been made prior.

2. The Authority reserves the right to accept or reject any bid submitted.

3. The terms and conditions of the agreement entered into with GovDeals, Inc. by the Authority pursuant to this Resolution shall be made available online at [www.govdeals.com](http://www.govdeals.com) and also be made available for public inspection at the administrative offices of the Authority.

4. The formal action(s) of the Commissioners of the Bergen County Utilities Authority embodied herein are expressly contingent upon and subject to the provisions of N.J.S.A. 40:14B-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 August 23, 2018.



Michael Henwood  
Secretary

**Dated: August 23, 2018**

**18-2-053**

**Schedule A**

1. **Auction 1:** Equipment:  
No. 6178: 2006 Yale model MPW80E pallet jack forklift (# 97)  
Vin # A891N02182D  
  
No. 6090 Yale MCW030LAN24SS072 pallet jack forklift (#91)  
Vin # N527126  
  
Dual axel tire jack (no ID tag)

**Bid Start: To Be Determined upon Advertisement**

**Bid Stop:**

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

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

**WHEREAS**, in 2007, in accordance with its charter, the Authority acquired the Edgewater wastewater treatment plant located at 520 River Road, Edgewater, New Jersey, from the Edgewater Municipal Utilities Authority (the "Edgewater MUA"); and

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

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

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

**WHEREAS**, after acquiring the Edgewater MUA's wastewater treatment plant, now known as the Authority's Edgewater Water Pollution Control Facility (the "Edgewater WPCF"), the Authority assumed responsibility for the compliance plan for the outfall extension project; and

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

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

**18-2-054**

Little Ferry Water Pollution Control Facility (the "Little Ferry WPCF") collection system; and

**WHEREAS**, in furtherance of the Authority providing essential services, and in furtherance of the Edgewater Sewage Force Main Project, the Board of Commissioners of the Authority, by Resolution 14-2-063 adopted December 18, 2014, appointed Neglia Engineering Associates to serve as Land Surveying Engineer to the Authority for the Edgewater Sewage Force Main Project for the duration of the project or until a successor is selected or at the pleasure of the Authority, whichever shall first occur or be exercised; and

**WHEREAS**, Resolution 14-2-063 Authorized the Chairman of the Board of Commissioners of the Authority to execute an agreement by and between the Authority and Neglia Engineering Associates (the "Agreement") memorializing the services to be provided by Neglia Engineering Associates to the Authority as Land Surveying Engineer for the Edgewater Sewage Force Main Project and providing the budget for compensation to be paid by the Authority to Neglia Engineering Associates for the providing of those services, pursuant to which payment is not to exceed the total sum of \$163,270.00 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 Neglia Engineering Associates on January 1, 2015; and

**WHEREAS**, Neglia Engineering Associates, since the commencement of the term of the Agreement, has continued to provide significant necessary and valuable professional services to the Authority under the Agreement, resulting in the Board of Commissioners of the Authority, by Resolution 16-2-061 adopted September 22, 2016, authorizing the Chairman of the Board of Commissioners to modify the Agreement by increasing the budget for compensation to be paid by the Authority to Neglia Engineering Associates under the Agreement in the amount of \$204,185.00, resulting in an amended Agreement compensation budget in the total sum of \$367,455.00 without further approval of the Board of Commissioners of the Authority; and

**WHEREAS**, since the adoption of Resolution 16-2-061 by the Board of Commissioners on September 22, 2016, Neglia Engineering Associates continued to provide significant necessary and valuable professional services to the Authority on an as-requested basis under the Agreement, continuing to serve as the Authority's Land Surveying Engineer for the Edgewater Sewage Force Main Project since the commencement of the term of the Agreement, which tasks included:

- Deed and title document review;
- Boundary analysis based on new documents received;
- Field reconnaissance for additional evidence based on new documents received;
- Continued project coordination and management;

**18-2-054**

- Project meetings (as required);
- Update and finalize wetlands report;
- Finalize parcel maps/Additional HDD easements;
- Finalize parcel descriptions;
- Prepare baseline and survey control plan in accordance with correct proposed alignment;
- Finalize overall aerial mapping and cross-section plans to incorporate updated boundary and field located information;

; and

**WHEREAS**, by Resolution 17-2-043, adopted June 22, 2017, the Board of Commissioners of the Authority authorized the Chairman of the Board of Commissioners to modify the Agreement by increasing the budget for compensation to be paid by the Authority to Neglia Engineering Associates under the Agreement by the amount of \$105,000.00, resulting in an amended Agreement compensation budget in the total sum of \$472,455.00 without further approval of the Board of Commissioners of the Authority; and

**WHEREAS**, Neglia Engineering Associates, operating under the Agreement subsequent to the adoption of Resolution 17-2-043, continued to provide significant necessary and valuable services to the Authority as Land Surveying Engineer for the Edgewater Sewage Force Main Project and, by written correspondence dated September 12, 2017, Neglia Engineering Associates advised the Authority that, due to the recent amendment of the proposed force-main route, Neglia Engineering Associates will be required to provide additional services to the Authority as Land Surveying Engineer to the Authority for the Edgewater Sewage Force Main Project, including providing additional aerial mapping, provide a bathymetric survey of creek crossings, provide additional utility designation services, provide on-ground topographic survey to supplement the additional aerial mapping, delineate existing wetlands and state open waters and review title report data and prepare easement drawings and written descriptions for the new properties included in the amended proposed force-main route; and

**WHEREAS**, Neglia Engineering Associates, by the September 12, 2017 written correspondence, requested that the Authority increase the compensation budget provided for by the Agreement by the total sum of \$85,000.00, resulting in an amended Agreement compensation budget of an amount not to exceed the total sum of \$557,955.00 without further approval of the Board of Commissioners of the Authority; and

**WHEREAS**, by Resolution 17-2-065, adopted September 28, 2017, the Board of Commissioners of the Authority authorized the Chairman of the Board of Commissioners to modify the Agreement by increasing the budget for compensation to be paid by the Authority to Neglia Engineering Associates under the Agreement by the amount of

**18-2-054**

\$85,000.00, resulting in an amended Agreement compensation budget in the total sum of \$557,955.00 without further approval of the Board of Commissioners of the Authority; and

**WHEREAS**, Neglia Engineering Associates, operating under the Agreement subsequent to the adoption of Resolution 17-2-065, has continued to provide significant necessary and valuable surveying and engineering services to the Authority as Land Surveying Engineer for the Edgewater Sewage Force Main Project; and

**WHEREAS**, following adoption of Resolution 17-2-065 by the Board of Commissioners, the Authority identified services that Neglia Engineering Associates is continuing to provide as part of the Edgewater Sewage Force Main Project as well as additional services which the Authority has requested that Neglia Engineering Associates include in the scope of work to be completed by Neglia Engineering Associates pursuant to the Agreement as part of the Edgewater Sewage Force Main Project; and

**WHEREAS**, the Agreement, as modified by Resolution 17-2-065, provides for a compensation budget of \$557,955.00 to be paid by the Authority to Neglia Engineering Associates for services performed pursuant thereto; and

**WHEREAS**, by written correspondence dated August 7, 2018, Neglia Engineering Associates advised the Authority that in order for Neglia Engineering Associates to complete the continuing and additional tasks as identified and requested by the Authority to be included in the scope of work to be completed by Neglia Engineering Associates as part of the Edgewater Sewage Force Main Project, Neglia Engineering Associates requires the compensation budget provided for by the Agreement to be increased by the total sum of \$60,000.00, resulting in an amended Contract compensation budget of an amount not to exceed the total sum of \$617,955.00; and

**WHEREAS**, the Authority's Director of Engineering has determined that Neglia Engineering Associates has performed all services under the Agreement in an effective and efficient manner and further determined that the remaining work to be performed by Neglia Engineering Associates under the Agreement, including but not limited to the continuing and additional tasks identified by the Authority to be included within the scope of work to be completed by Neglia Engineering Associates as part of the Edgewater Sewage Force Main Project, is essential to the proper and effective operation of the Authority's Water Pollution Control Division and critical to the health, welfare and safety of the ratepayers and employees of the Authority and necessary for the completion of the Edgewater Sewer Force Main Project; and

**WHEREAS**, the Authority's Director of Engineering has reviewed the August 7, 2018 written correspondence of Neglia Engineering Associates, including the request of Neglia Engineering Associates to increase the compensation budget under the Agreement for the total compensation to be paid by the Authority to Neglia Engineering Associates for services provided by Neglia Engineering Associates to the Authority pursuant to the

**18-2-054**

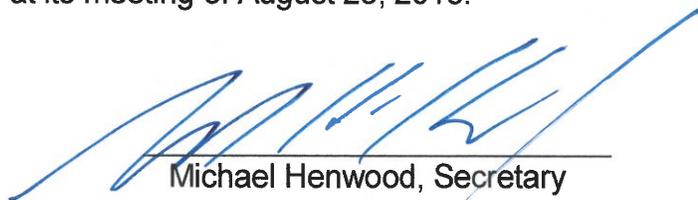
**18-2-054**

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

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

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of August 23, 2018.



Michael Henwood, Secretary

**Dated: August 23, 2018**

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 8/23/2018

RESOLUTION #: 18-2-054

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  
W-000-11960-000

VENDOR

NEGLIA ENGINEERING ASSOCIATES

CONTRACT NUMBER

E14121801

REASON

INCREASE IN THE PROFESSIONAL SERVICES  
NEEDS OF THE AUTHORITY FOR  
EDGEWATER SEWER FORCE MAIN PROJECT

AMOUNT

\$60,000.00

CONTRACT LENGTH

TO COMPLETION

Matthew McCarter  
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**WHEREAS**, in accordance with and pursuant to the New Jersey Solid Waste Management Act (N.J.S.A. 13:1E-1, et seq.), the County of Bergen constitutes a Solid Waste Management District; and

**WHEREAS**, the Board of Chosen Freeholders of the County of Bergen heretofore prepared a Bergen County District Solid Waste Management Plan (the "Bergen County Plan") which has been amended from time to time, in order to provide for the collection, processing and disposal of solid waste generated within Bergen County; and

**WHEREAS**, the Bergen County Utilities Authority (the "Authority") is a public body corporate and politic of the State of New Jersey, organized pursuant to and in accordance with the Municipal and County Utilities Authorities Law, N.J.S.A. 40:14B-1 et seq., and exercises essential governmental functions for the public health, benefit and welfare of the citizens of the County of Bergen; and

**WHEREAS**, by Resolution dated December 23, 1980, the Board of Chosen Freeholders of the County of Bergen designated the Authority as the agency empowered to supervise the implementation of the Bergen County Plan and to, inter alia, take control and responsibility for various solid waste systems and facilities operated in and by the County of Bergen; and

**WHEREAS**, on November 30, 2007, the New Jersey Department of Environmental Protection ("NJDEP") certified the May 16, 2007 amendment to the Bergen County Plan (the "2007 District SWMP Amendment"), which detailed Bergen County's long-term solid waste management strategy; and

**WHEREAS**, the Authority reviews any proposed modifications or amendments to the Bergen County Plan and makes recommendations regarding those proposed modifications or amendments thereto to the Board of Chosen Freeholders of the County of Bergen; and

**WHEREAS**, on September 17, 2017, the Authority received an application submitted to the Authority by Oakland Materials, LLC for an amendment to the Bergen County Plan ("Bergen County Plan Amendment") for the inclusion of the Oakland Materials, LLC Class B Recycling Facility, situated at 342 West Oakland Avenue in the Borough of Oakland, Bergen County, New Jersey (the "Facility"); and

**WHEREAS**, on December 14, 2017, the Authority conducted a public hearing regarding the proposed Facility; and

**WHEREAS**, no members of the public attended the public hearing for the proposed Bergen County Plan Amendment; and

**WHEREAS**, the public record remained open after the public hearing for the submission of written comments, and written comments from the Borough of Oakland were received by the Authority; and

**WHEREAS**, the Authority has completed its review of the proposed Bergen County Plan Amendment; and

**WHEREAS**, the Bergen County Plan provides the following standard for consideration of proposed amendments to the Bergen County Plan:

“For the purpose of its review, the [Authority] is bound by the provisions of the New Jersey Solid Waste Management Act (*N.J.S.A. 13:1E et.seq.*). To that end, any proposed amendment to the Bergen County District Solid Waste Management Plan is first presented to the [Authority] for evaluation. The proposal is then presented to the general public, by way of public hearing for comment and, where required, response. The proposed amendment is then either rejected or accepted by the commissioners of the [Authority] for recommendation to the Bergen County Board of Chosen Freeholders. The [Authority’s] sole basis for accepting or rejecting a proposed amendment to the Bergen County District Solid Waste Management Plan is consistency with the existing Solid Waste Management Plan.”

; and

**WHEREAS**, on November 30, 2007, the NJDEP certified the May 16, 2007 amendment to the Bergen County Plan, which amendment detailed Bergen County’s long-term solid waste management strategy; and

**WHEREAS**, as part of this strategy and the State of New Jersey’s requirements as set forth in the January 2, 2006 Statewide Solid Waste Management Plan, Bergen County is required to achieve a fifty (50%) percent recycling rate; and

**WHEREAS**, the recycling of Class B material is an important component to the overall achievement of a fifty (50%) percent recycling rate; and

**WHEREAS**, there are currently two (2) Class B recycling facilities located in Bergen County and the availability of additional Class B recycling capacity in Bergen County would be beneficial in providing additional market outlets within Bergen County; and

**WHEREAS**, based on the forgoing, the recycling of Class B Recyclables is beneficial to Bergen County in achieving the fifty (50%) percent recycling rate and is consistent with the overall goals and requirements of the Bergen County Plan; and

**WHEREAS**, the Authority received written comments from the Borough of Oakland regarding certain quality of life and environmental issues associated with the application; and

**WHEREAS**, in accordance with the evaluation criteria set forth in the Bergen County Plan, the BCUA must limit its evaluation to merely whether the proposal is consistent with the Bergen County Plan; and

**WHEREAS**, the concerns expressed in the written comments submitted by the Borough of Oakland must be considered by the NJDEP through the permitting process and enforcement process; and

**WHEREAS**, based on the guidelines as previously set forth in this Resolution, the Authority finds that the proposed Bergen County Plan Amendment will be consistent with the overall goals, requirements and approaches of the Bergen County Plan with the following conditions:

- a. The Bergen County Plan Amendment is expressly subject to the receipt of all permits, approvals, consent orders, registrations, and/or certificates issued by the governmental subdivisions/agencies exercising jurisdiction over the proposed Oakland Materials, LLC Class B Recycling Facility, including any and all required approvals from the New York Susquehanna and Western Railroad for ingress and egress to the Facility from Edison Avenue; and
- b. A transcript of the public hearing and copies of all written comments and concerns submitted by the Borough of Oakland shall remain a part of the record and forwarded to NJDEP for its consideration, in the event that the Bergen County Plan Amendment is approved and an application for the proposed Facility is submitted to NJDEP for a permit to operate.

; and

**WHEREAS**, the Authority is desirous of recommending to the Bergen County Board of Chosen Freeholders that the proposed Bergen County Plan Amendment be adopted, subject to the foregoing conditions; and

**WHEREAS**, the Authority is cognizant that, prior to consideration of the Bergen County Plan Amendment by the Bergen County Board of Chosen Freeholders, the proposed Bergen County Plan Amendment may be reviewed by the Bergen County Solid Waste Advisory Council, which may likewise offer recommendations to the Bergen County Board of Chosen Freeholders concerning the proposed Bergen County Plan Amendment; and

**WHEREAS**, the Authority is further cognizant that the proposed Bergen County Plan Amendment is subject to consideration and acceptance by the Bergen County Board of Chosen Freeholders, and only if and when such acceptance has been given can the proposed Bergen County Plan Amendment be forwarded to NJDEP for final approval and certification; and

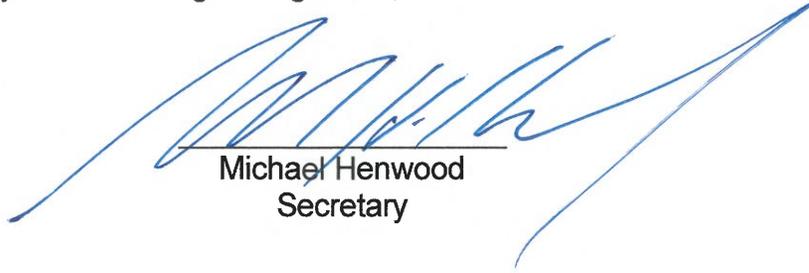
**WHEREAS**, the Authority is further cognizant that, if the proposed Bergen County Plan Amendment is adopted by the Bergen County Board of Chosen Freeholders and is approved by NJDEP, Oakland Materials, LLC must obtain approval from NJDEP prior to any operation of the Facility.

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

1. The aforesaid recitals are hereby incorporated by reference, as though set forth at length herein.
2. The Authority hereby finds that the proposed Bergen County Plan Amendment is consistent with the Bergen County Plan and formally recommends to the Bergen County Board of Chosen Freeholders that the proposed Bergen County Plan Amendment be considered and adopted, upon the requisite notice and public hearing being conducted in accordance with the New Jersey Solid Waste Management Act and the rules and regulations made and provided for same by the NJDEP, with the following conditions:
  - a. The Bergen County Plan Amendment is expressly subject to the receipt of all permits, approvals, consent orders, registrations, and/or certificates issued by the governmental subdivisions/agencies exercising jurisdiction over the proposed Oakland Materials, LLC Class B Recycling Facility, including any and all required approvals from the New York Susquehanna and Western Railroad for ingress and egress to the Facility from Edison Avenue; and
  - b. A transcript of the public hearing and copies of all written comments and concerns submitted by the Borough of Oakland shall remain a part of the record and forwarded to NJDEP for its consideration, in the event that the Bergen County Plan Amendment is approved and an application for the proposed Facility is submitted to NJDEP for a permit to operate.
3. A copy of this Resolution, the Bergen County Plan Amendment and the application of Oakland Materials, LLC shall be forwarded to the Bergen County Board of Chosen Freeholders for consideration and action, as well as to the members of the Bergen County Solid Waste Advisory Council.
4. A copy of this Resolution, together with a copy of the Bergen County Plan Amendment and the application of Oakland Materials, LLC shall be placed on file and made available for public inspection in the Office of the Executive Director.
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).

18-6-007

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of August 23, 2018.



Michael Henwood  
Secretary

**Dated: August 23, 2018**