

**BERGEN COUNTY UTILITIES AUTHORITY
MINUTES OF THE REGULAR MEETING
MAY 23, 2019**

**In the matter of the 482nd Regular Meeting of
The Bergen County Utilities Authority**

1. The **proof of meeting notice** calling the May 23, 2019, meeting was read into the record by Michael Henwood, Board Secretary.

2. Roll Call:

COMMISSIONERS PRESENT:

Ronald Phillips, Chairman
Louis DeLisio, Vice Chairman
Catherine T. Bentz, Commissioner
Bruce Bonaventuro, Commissioner
Paul A. Juliano, Commissioner (Telephonically)
Thomas S. Kelley, Commissioner
Jon Warms, Commissioner

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

3. Motion that the Minutes covering the April 25, 2019 Work Session be approved was moved by Commissioner Kelley and Seconded by Commissioner Bentz and was carried. Commissioner DeLisio and Commissioner 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. FINANCE AND LEGAL COMMITTEE:

Resolution 19-1-027 - Approve bills and the claims supported by vouchers totaling \$4,354,410.76 for the month of May and authorize the Acting Treasurer to issue the necessary checks therefor, and to charge the accounts indicated, all as more fully set forth on the Acting Treasurer's check list Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 19-1-028 - Adoption of 2019/2020 Connection Fees pursuant to N.J.S.A. 40:14B-22. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

6. CONSTRUCTION & ENGINEERING COMMITTEE:

Resolution 19-2-039 – Authorize Substantial Revision of Bid Specifications for Contract No. 19-09 – Disposal of Grit Screenings. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 19-2-040 - Authorize Amendment – Contract No.17-07 - Environmental Protection and Improvement Co., LLC. - Ninety (90) Day Term Extension and Price Increase. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 19-2-041 – Authorize Professional Services Contract –Consulting Engineer – CME Associates. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 19-2-042 - Authorize Professional Services Contract - Design and Construction Management of Aeration Tank Header Improvements Project – CME Associates. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 19-2-043 – Approve Assignment of Contract 16-05B Rebid to Russell Reid Waste Hauling and Disposal Services Company, Inc. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 19-2-044 - Award Contract 19-10 to Univar USA, Inc. - Furnish and Deliver Sodium Hypochlorite. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 19-2-045 – Award Contract 19-12 to Telog Instruments, Inc. - Furnish and Deliver Telog LTE Wireless Modems and Parts. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

BERGEN COUNTY UTILITIES AUTHORITY
 Minutes of the Regular Meeting
 May 23, 2019

Resolution 19-2-046- Authorize payment of four (4) vouchers submitted by NBLG in connection with the Edgewater Project (and under the compensation budget set by Resolution 19-2-027). Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 19-2-047 – Authorize Online Auction of Various Surplus Property through Govdeals.com auction service. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 19-2-048 – Authorize the utilization of the competitive contracting process pursuant to N.J.S.A. 40A:11-4.1et. seq., to procure wastewater program management services for Hurricane Sandy recovery effort at Little Ferry WPC facility and related infrastructure repairs. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

7. Chairman Phillips announced a short recess to allow time for the Board Secretary to prepare minutes of this Regular Meeting.
8. Chairman Phillips announced the Regular Meeting would reconvene.
9. The Board Secretary then distributed proposed minutes of the May 23, 2019 Regular Meeting for review by the Commissioners.
10. Motion to approve the Minutes of the Regular Meeting May 23, 2019 as distributed by the Secretary, such minutes to include this motion approving the minutes, without the requirement of further review or approval at a subsequent Regular Meeting. Motion to adopt the Minutes of the Regular Meeting May 23, 2019 was made by Commissioner Kelley and Seconded by Commissioner Bentz and was unanimously carried with Commissioner Juliano abstaining.
11. Upon motion duly made, seconded and unanimously carried, the meeting was adjourned.

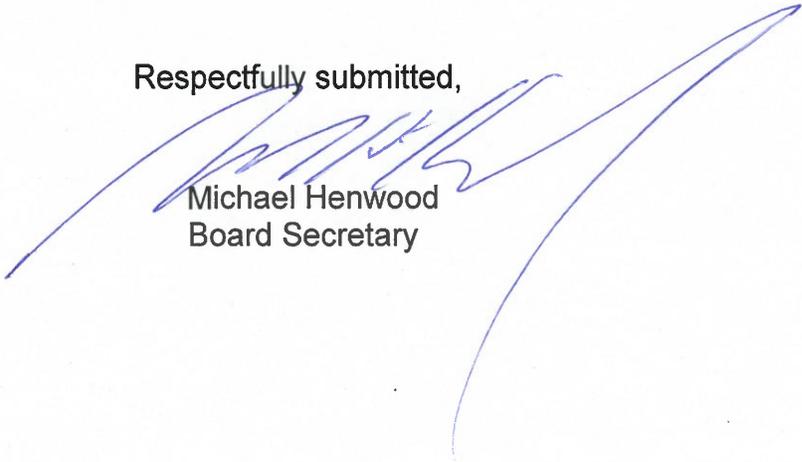
Resolution #	19-1-027	19-1-028	19-2-039	19-2-040	19-2-041	19-2-042	19-2-043
Chairman Phillips	Y	Y	Y	Y	Y	Y	Y
V. Chair. DeLisio	Y	Y	Y	Y	Y	Y	Y
Comm. Bentz	Y	Y	Y	Y	Y	Y	Y
Comm. Bonaventuro	Y	Y	Y	Y	Y	Y	Y
Comm. Gumble	-	-	-	-	-	-	-
Comm. Juliano	Y	Y	Y	Y	Y	Y	Y
Comm. Kelley	Y	Y	Y	Y	Y	Y	Y
Comm. Massa, Jr.	-	-	-	-	-	-	-
Comm. Warms	Y	Y	Y	Y	Y	Y	Y

BERGEN COUNTY UTILITIES AUTHORITY
Minutes of the Regular Meeting
May 23, 2019

Resolution #	19-2-044	19-2-045	19-2-046	19-2-047	19-2-048
Chairman Phillips	Y	Y	Y	Y	Y
V. Chair. DeLisio	Y	Y	Y	Y	Y
Comm. Bentz	Y	Y	Y	Y	Y
Comm. Bonaventuro	Y	Y	Y	Y	Y
Comm. Gumble	-	-	-	-	-
Comm. Juliano	Y	Y	Y	Y	Y
Comm. Kelley	Y	Y	Y	Y	Y
Comm. Massa, Jr.	-	-	-	-	-
Comm. Warms	Y	Y	Y	Y	Y

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

Respectfully submitted,



Michael Henwood
Board Secretary

Date: May 23, 2019

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, the Bergen County Utilities Authority (the "Authority") has a substantial investment in its sanitary sewer treatment and collection systems (the "System"), which has been paid for over the years primarily by the ratepayers through bond issues and capital outlays; and

WHEREAS, by resolution dated March 24, 2005, the Authority adopted a connection fee program under N.J.S.A. 40:14B-24 which specifically authorizes the Authority to adopt a program requiring the payment of a sanitary sewerage connection fee by individuals or parties making new connections to the System, pursuant to its terms; and

WHEREAS, N.J.S.A. 40:14B-24 states "[t]he connection fee shall be recomputed at the end of each fiscal year of the authority, after a public hearing is held in the manner prescribed in section 23 of P.L. 1957, c. 183 (C. 40:14B-23). The revised connection fee may be imposed upon those who subsequently connect in that fiscal year to the system"; and

WHEREAS, in accordance with N.J.S.A. 40:14B-24, the sanitary sewerage connection fee is calculated by dividing the net investment in the System by the number of equivalent dwelling units ("EDU's"); and

WHEREAS, the number of EDU's increased by 9,460, from 255,829 to 265,289 as of December 31, 2017 and 2018, respectively, due to the increase in the gallons of waste water delivered to the System; and

WHEREAS, the Authority's net investment in the System increased from \$585,017,922 to \$606,147,919 as of December 31, 2017 and 2018, respectively, due to the amounts paid for waste water system improvements including interest and principal on the Authority's Water Pollution Control System existing debt; and

WHEREAS, the increase in EDU's and the increase in the net investment in the Authority's Water Pollution Control System results in an increase in the sanitary sewerage connection fee; and

WHEREAS, the firm of Lerch, Vinci & Higgins, L.L.P., the auditors for the Authority, has prepared a report dated April 16, 2019 for the Authority, with the assistance of the Authority staff, on the proper amount for a sanitary sewerage connection fee payable by an individual or party making a new connection to the System for the remainder of 2019 and until the fee is recomputed by the Authority in 2020, in accordance with the formula set forth in N.J.S.A. 40:14B-24, for the privilege of making the connection (the "Lerch Report"); and

WHEREAS, on May 23, 2019, in accordance with the requirements of N.J.S.A. 40:14B-24, the Authority conducted a public hearing (the "Hearing") on the proposed revision of its sanitary sewerage connection fee in the manner prescribed by N.J.S.A. 40:14B-23; and

19-1-028

WHEREAS, testimony at the Hearing was taken by the Authority's Deputy Executive Director as the hearing officer; and

WHEREAS, the Authority's Deputy Executive Director rendered an oral report of the Hearing to the Board of Commissioners of the Authority; and

WHEREAS, the Board of Commissioners of the Authority, having considered: (1) the oral report of the Authority's Deputy Executive Director of the testimony provided at the Hearing; (2) the Lerch Report; and (3) the exhibits entered into evidence at the Hearing, have determined that it would be in the best interest of the Authority and its ratepayers to revise the Authority's current sanitary sewerage connection fee rate; and

WHEREAS, the Authority has determined that the appropriate sanitary sewerage connection fee for the remainder of 2019, and until a new rate is established by the Authority in 2020, shall be a rate of \$2,285.00 per EDU as calculated in the Lerch Report.

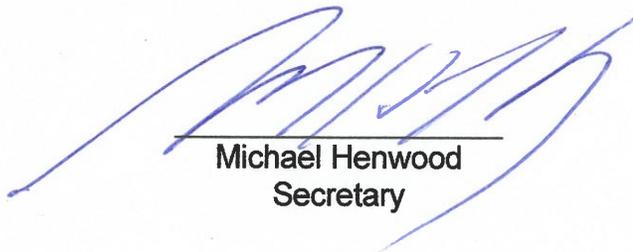
NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Bergen County Utilities Authority, as follows:

1. The Authority hereby amends the sanitary sewerage connection fee charged by the Authority to the rate of \$2,285.00 per EDU as calculated in the Lerch Report effective as of the date of this Resolution and continuing until a new rate is adopted by the Authority in 2020.

2. The Executive Director shall be and is hereby authorized to take any and all steps necessary for the implementation by the Authority of this amended sanitary sewerage connection fee rate.

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of May 23, 2019.



Michael Henwood
Secretary

DATED: May 23, 2019

19-1-028

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 **Disposal of Grit and Screenings for a Two (2) Year Period**, pursuant to and in accordance with **Contract No. 19-09**; and

WHEREAS, two (2) bid proposals were received by the Authority for **Contract No. 19-09** on **April 10, 2019**, the date set forth in the Invitation to Bid for the receipt of bid proposals pursuant to and in accordance with **Contract No. 19-09**; and

WHEREAS, the Board of Commissioners of the Authority, by way of Resolution 19-2-038 adopted April 25, 2019, rejected each of the two (2) bid proposals received for **Contract No. 19-09**, having determined they were not reasonable as to price on the basis of cost estimates prepared for or by the Authority prior to the advertising therefor and further determining that the "lowest bid substantially exceeds the cost estimates for the goods or services" for **Contract No. 19-09**, in accordance with N.J.S.A. 40A:11-13.2(a) and, as a result of rejecting the two (2) bid proposals received, the Board of Commissioners also authorized the Executive Director or his designee to re-advertise for the solicitation of bid proposals for **Contract No. 19-09 (Rebid)**, pursuant to N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, subsequent to the adoption of Resolution 19-2-038 by the Board of Commissioners, the Authority's **Director of Water Pollution Control**, while preparing for the rebid of **Contract No. 19-09** by the Authority, discovered and determined that the bid specifications and bid documents for **Contract No. 19-09**, should be substantially revised, as permitted by N.J.S.A. 40A:11-13.2(d), to correct and provide for necessary critical characteristics for the **Disposal of Grit and Screenings for a Two (2) Year Period**, pursuant to and in accordance with **Contract No. 19-09 (Rebid)** and so that **Contract No. 19-09 (Rebid)** may then be re-advertised for bid proposals following the necessary revisions to the bid specifications and bid documents; and

WHEREAS, the Authority's **Interim Qualified Purchasing Agent and Director of Water Pollution Control**, based upon the above, have recommended that the Authority substantially revise the specifications and bid documents for the **Disposal of Grit and Screenings**, and re-advertise for solicitation of bid proposals for **Contract No. 19-09 (Rebid)** as was previously authorized by Resolution 19-2-038 adopted April 25, 2019; and

WHEREAS, based upon the above, the Board of Commissioners of the Authority are desirous of revising the specifications and bid documents as recommended by the Authority's **Director of Water Pollution Control** and then re-advertising for the solicitation of bid proposals for **Contract No. 19-09 (Rebid)** pursuant to N.J.S.A. 40A:11-4 et seq., as an award of **Contract No. 19-09 (Rebid)** is necessary for the efficient operation of the Authority.

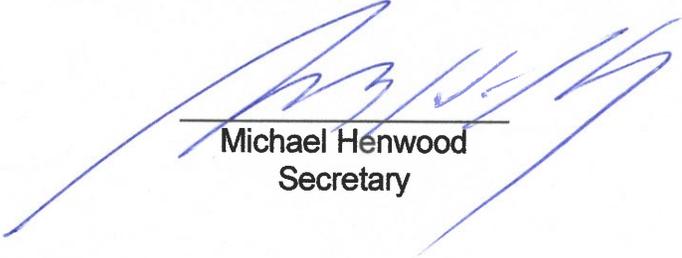
NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Bergen County Utilities Authority as follows:

1. The Authority's **Interim Qualified Purchasing Agent**, with assistance from the Authority's **Director of Water Pollution Control**, shall be and hereby is authorized and directed to revise the bid specifications and bid documents to correct and provide for necessary critical characteristics for the **Disposal of Grit and Screenings**, pursuant to and in accordance with **Contract No. 19-09 (Rebid)**.

2. The Executive Director, or his designee, shall be and is hereby authorized to re-advertise for the solicitation of bid proposals for the **Disposal of Grit and Screenings** for a **Two (2) Year Period** for **Contract No. 19-09 (Rebid)**.

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of May 23, 2019.



Michael Henwood
Secretary

Dated: May 23, 2019

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Bergen County Utilities Authority (the "Authority") solicited bid proposals for the **Disposal of Grit and Screenings (for a Two (2) Year Period)**, pursuant to and in accordance with **Contract No. 17-07**; and

WHEREAS, two (2) bid proposals were received by the Authority for **Contract No. 17-07** on March 16, 2017, the date set forth in the Invitation to Bid for the receipt of bid proposals pursuant to and in accordance with **Contract No. 17-07**; and

WHEREAS, the Board of Commissioners of the Authority, by way of Resolution 17-2-020 adopted March 23, 2017, rejected each of the two (2) bid proposals received for **Contract No. 17-07** as being not reasonable as to price on the basis of cost estimates prepared for or by the Authority prior to the advertising therefor and in accordance with N.J.S.A. 40A:11-13.2(a) and further authorized the Executive Director or his designee to re-advertise for the solicitation of bid proposals for **Contract No. 17-07 (Rebid)**, pursuant to N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, on April 27, 2017, the Board of Commissioners of the Authority adopted Resolution 17-2-030, finding **Environmental Protection & Improvement Company, LLC ("EPIC")** to be the lowest complying and responsible vendor for **Disposal of Grit and Screenings (for a Two (2) Year Period)**, pursuant to and in accordance with **Contract No. 17-07 (Rebid)** and authorizing the execution of a contract with EPIC for **Disposal of Grit and Screenings (for a Two (2) Year Period)**, pursuant to and in accordance with **Contract No. 17-07 (Rebid)**, with a unit price of \$94.00 per ton and for a total contract price of **\$896,400.00**; and

WHEREAS, pursuant to Article 4 of the Procurement Agreement of **Contract No. 17-07 (Rebid)**, the term of **Contract No. 17-07 (Rebid)** is a **Two (2) Year Period**, which term commenced June 1, 2017 and terminates May 31, 2019; and

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Authority solicited bid proposals for **Disposal of Grit and Screenings for a Two (2) Years Period**, pursuant to and in accordance with **Contract No. 19-09**; and

WHEREAS, two (2) bid proposals were received by the Authority for **Contract No. 19-09** on **April 11, 2019**, the date set forth in the Invitation to Bid for the receipt of bid proposals pursuant to and in accordance with **Contract No. 19-09**; and

WHEREAS, the Board of Commissioners of the Authority, by way of Resolution 19-2-037 adopted April 25, 2019, rejected each of the two (2) bid proposals received for

19-2-040

Contract No. 19-09, having determined they were not reasonable as to price on the basis of cost estimates prepared for or by the Authority prior to the advertising therefor and further determining that the “lowest bid substantially exceeds the cost estimates for the goods or services” for **Contract No. 19-09**, in accordance with N.J.S.A. 40A:11-13.2(a) and, as a result of rejecting the two (2) bid proposals received, the Board of Commissioners also authorized the Executive Director or his designee to re-advertise for the solicitation of bid proposals for **Contract No. 19-09 (Rebid)**, pursuant to N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, subsequent to the adoption of Resolution 19-2-038 by the Board of Commissioners, the Authority’s **Director of Water Pollution Control**, while preparing for the rebid of **Contract No. 19-09** by the Authority, discovered and determined that the bid specifications and bid documents for **Contract No. 19-09**, should be substantially revised, as permitted by N.J.S.A. 40A:11-13.2(d), to correct and provide for necessary critical characteristics for the **Disposal of Grit and Screenings for a Two (2) Year Period**, pursuant to and in accordance with **Contract No. 19-09 (Rebid)** and so that **Contract No. 19-09 (Rebid)** may then be re-advertised for bid proposals following the necessary revisions to the bid specifications and bid documents; and

WHEREAS, the Board of Commissioners of the Authority, by way of Resolution 19-2-039 adopted May 23, 2019, authorized and directed the Authority’s **Interim Qualified Purchasing Agent**, with assistance from the Authority’s **Director of Water Pollution Control**, to revise the bid specifications and bid documents to correct and provide for necessary critical characteristics for the **Disposal of Grit and Screenings**, pursuant to and in accordance with **Contract No. 19-09 (Rebid)**, and further authorized the Executive Director, or his designee, to re-advertise for the solicitation of bid proposals for **Disposal of Grit and Screenings for a Two (2) Years Period** for **Contract No. 19-09 (Rebid)**; and

WHEREAS, in order to provide for sufficient time for the Authority to modify the bid specifications and bid documents for **Contract No. 19-09 (Rebid)** as authorized and directed by Resolution 19-2-037, it has been determined by the Authority that the term of **Contract No. 17-07 (Rebid)**, which terminates as of May 31, 2019, must be extended; and

WHEREAS, the Authority finds that **EPIC** has performed **Contract No. 17-07 (Rebid)** for **Disposal of Grit and Screenings** in an effective and efficient manner; and

WHEREAS, the extending of the term of **Contract No. 17-07 (Rebid)** with **EPIC** for **Disposal of Grit and Screenings** for a period of time not to exceed ninety (90) days is necessary for the efficient operation of the Authority as the Authority requires the additional time in order to enable the Authority to complete the bid process and award **Contract No. 19-09 (Rebid)** in accordance with applicable New Jersey law; and

19-2-040

19-2-040

WHEREAS, EPIC has expressed to the Authority its willingness to enter into an agreement with the Authority extending the term of **Contract No. 17-07 (Rebid)** for a period of time not to exceed ninety (90) days on the same terms and conditions of **Contract No. 17-07 (Rebid)** except for an amendment of the unit price from \$108.00 per ton to \$144.75 per ton for **Disposal of Grit and Screenings** from the Authority's Water Pollution Control Facility located in the Borough of Little Ferry, Bergen County, New Jersey and from the Authority's Water Pollution Control Facility located in the Borough of Edgewater, Bergen County, New Jersey; 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 Executive Director shall be and he is hereby authorized to execute a contract with **EPIC** for **Disposal of Grit and Screenings**: (a) extending the term of **Contract No. 17-07 (Rebid)** for an additional period of time not to exceed ninety (90) days (commencing June 1, 2019 and expiring August 30, 2019); (b) amending the unit price from \$108.00 per ton to \$144.75 per ton for **Disposal of Grit and Screenings** from the Authority's Water Pollution Control Facility located in the Borough of Little Ferry, Bergen County, New Jersey and from the Authority's Water Pollution Control Facility located in the Borough of Edgewater, Bergen County, New Jersey; and (c) increasing the total contract price of **\$896,400.00** in the amount of **\$300,356.25**, resulting in an amended total contract price for **Contract No. 17-07 (Rebid)** in the total sum of **\$1,196,756.25** without further action by the Board of Commissioners of the Authority.
2. All other terms of **Contract No. 17-07 (Rebid)** entered into by the Authority with **EPIC** for the **Disposal of Grit and Screenings** shall remain in full force and effect without modification.
3. The Acting Treasurer's Certification the funds are available shall be placed on file and made available for public inspection at the Authority and made a part hereof.
4. A copy of this Resolution and the contract executed pursuant to this Resolution, along with **Contract No. 17-07 (Rebid)**, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by **EPIC** and the Authority.
5. A notice of this amendment of **Contract No. 17-07 (Rebid)** shall be published in the form prescribed by law.

19-2-040

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of May 23, 2019.



Michael Henwood
Secretary

Dated: May 23, 2019

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 5/23/2019

RESOLUTION #: 19-2-040

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

FUNDS AVAILABLE

X

FUNDS ARE NOT AVAILABLE

BUDGET ACCOUNT

SOLID WASTE DISPOSAL
W-670-60700-000

VENDOR

ENVIRONMENTAL PROTECTION & IMPROVEMENT CO., LLC

CONTRACT NUMBER

17-07

REASON

DISPOSAL OF GRITS & SCREEINGS

AMOUNT

\$300,356.25

CONTRACT LENGTH

JUNE 1, 2019 - AUGUST 30, 2019

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 (the "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 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, **CME Associates, LLP** submitted a Statement of Qualifications to the Authority and the Board of Commissioners of the Authority, by Resolution 19-2-001 adopted January 24, 2019, determined that **CME Associates, LLP** is competent, qualified and experienced to serve as **Special Consulting Engineer** to the Authority; and

WHEREAS, **CME Associates, LLP** has previously satisfactorily served in the capacity of **Special Consulting Engineer** to the Authority; and

WHEREAS, based on **CME Associates, LLP's** Statement of Qualifications and prior history serving as **Special Consulting Engineer** to the Authority, the Authority issued a Request for Proposal ("RFP") dated May 14, 2019; and

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

- Attending regular monthly meetings of the Authority's Board of Commissioners and attend other meetings upon request;
- Providing monthly summary reports of on-going projects;

- Being on-call, and at the direction of the Director of Engineering, performs professional engineering and services in the areas of civil and other related engineering expertise as may be required for the day-to-day operation of the Authority's physical assets, including, but not limited to, the Little Ferry and Edgewater water pollution control facilities, eight (8) pump stations and associated force mains, and over one hundred (100) miles of intercepting sewers and over one hundred fifty (150) sewage flow meters; and
- Provide a collections system operator (NJDEP C4).

; 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 (5) phases of work: 1) Study and Report and 2) Preliminary Design; 3) Final Design; 4) Bidding or Negotiating; and 5) Construction; and

WHEREAS, the RFP specified that general engineering, site work and property surveying projects may be performed by others for the Authority; and

WHEREAS, the RFP specified that the **Special Consulting Engineer** shall be required and obligated to indemnify the Authority and provide insurance coverages 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 during a period of service commencing May 23, 2019 and terminating February 29, 2020 without further written authorization by contract amendment; and

WHEREAS, in response to the RFP, **CME Associates, LLP** submitted to the Authority a written proposal dated May 17, 2019 (the "Proposal") to serve as **Special Consulting Engineer** to the Authority and to provide the aforesaid professional engineering services to the Authority which proposal has been reviewed and determined to be fair and reasonable by the Authority's Director of Engineering; and

WHEREAS, the Proposal included attachments 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 has determined, based upon the foregoing, that it is necessary for its efficient operation to retain the services of **CME Associates, LLP** to serve as **Special Consulting Engineer** to the Authority; and

WHEREAS, the Authority desires to appoint and retain **CME Associates, LLP** to serve as **Special Consulting Engineer** to the Authority for a term commencing May 23, 2019 and terminating February 29, 2020, or until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively, and for an amount not to exceed the total sum of \$100,000.00; 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; and

WHEREAS, the health and safety of the individuals living, working and/or visiting 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 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; 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 **CME Associates, LLP** shall be and is hereby appointed to serve as **Special Consulting Engineer** to the Authority for a term commencing May 23, 2019 and terminating February 29, 2020, or until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively, for an amount not to

exceed the total sum of \$100,000.00 without further action by the Board of Commissioners of the Authority.

2. The Chairman shall be and is hereby authorized to execute a contract similar in form and substance to the contract on file at the Authority, by and among the Authority and **CME Associates, LLP** 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 **CME Associates, LLP** as **Special Consulting Engineer** as approved and authorized by this Resolution shall be placed on file and made available for public inspection in the office of the Executive Director, upon execution by **CME Associates, LLP** and the Authority.

4. The total amount authorized to be paid by the Authority to **CME Associates; LLP** 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 May 23, 2019.



Michael Henwood
Secretary

DATED: May 23, 2019

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 5/23/2019

RESOLUTION #: 19-2-041

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

FUNDS AVAILABLE

X

FUNDS ARE NOT AVAILABLE

BUDGET ACCOUNT

ENGINEERING
W-350-50400-000

VENDOR

CME ASSOCIATES, LLP

CONTRACT NUMBER

19052301

REASON

SPECIAL CONSULTING ENGINEER

AMOUNT

\$100,000.00

CONTRACT LENGTH

MAY 23, 2019 - FEBRUARY 29, 2020



ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

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

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

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

WHEREAS, D&B Engineers and Architects, P.C., at the request of the Authority, previously evaluated Aeration Tanks #12 and #13 aeration system, issuing a technical memorandum to the Authority dated August 7, 2012 (the "2012 Memorandum"); and

WHEREAS, based upon the findings contained in the 2012 Memorandum, the Authority has determined that it needs to engage the services of an engineering firm authorized to provide professional engineering services in the State of New Jersey to perform an updated evaluation of Aeration Tanks #12 and #13, air headers, drop legs, valves, distribution headers, ancillary equipment, an evaluation of the process air header and ancillary equipment feeding Aeration Tanks #7 through #13 and design and construction management services for the Authority in connection with the **Aeration Tank Header Improvements Project**; and

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

WHEREAS, these services were solicited through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq. through a publicly advertised Request for Qualifications ("RFQ"); and

WHEREAS, CME Associates, LLP submitted a Statement of Qualifications to the Authority and the Board of Commissioners of the Authority, by Resolution 19-2-001 adopted January 24, 2019, determined that **CME Associates, LLP** is competent, qualified and experienced to provide consulting engineering services to the Authority; and

WHEREAS, based on **CME Associates, LLP's** Statement of Qualifications and prior history providing consulting engineering services to the Authority, the Authority issued a Request for Proposal ("RFP") dated May 15, 2019, providing a scope of work for the **Aeration Tank Header Improvements Project**; and

WHEREAS, the RFP specified that the consulting engineer shall be required and obligated to indemnify the Authority and provide insurance coverages 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, **CME Associates, LLP** submitted to the Authority a written proposal dated May 22, 2019 (the "Proposal") to professional engineering services to the Authority in connection with the **Aeration Tank Header Improvements Project** for an amount not to exceed the total sum of \$162,819.00, which proposal has been reviewed and determined to be fair and reasonable by the Authority's Director of Engineering; and

WHEREAS, the Proposal included attachments 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 has determined, based upon the foregoing, that it is necessary for its efficient operation to retain the services of **CME Associates, LLP** to provide these engineering services to the Authority in connection with the **Aeration Tank Header Improvements Project**; and

WHEREAS, the Authority desires to appoint and retain **CME Associates, LLP** for the providing of the engineering services to the Authority for the **Aeration Tank Header Improvements Project** until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively, and for an amount not to exceed the total sum of \$162,819.00 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 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 living, working and/or visiting 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 completion of the **Aeration Tank Header Improvements Project**; 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 **CME Associates, LLP** shall be and is hereby appointed to provide engineering services to the Authority in connection with the **Aeration Tank Header Improvements Project** until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively, for an amount not to exceed the total sum of \$162,819.00 without further action by the Board of Commissioners of the Authority.

2. The Chairman shall be and is hereby authorized to execute a contract similar in form and substance to the contract on file at the Authority, by and among the Authority and **CME Associates, LLP** 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 **CME Associates, LLP** to provide engineering services to the Authority in connection with the **Aeration Tank**

Header Improvements Project as approved and authorized by this Resolution shall be placed on file and made available for public inspection in the office of the Executive Director, upon execution by **CME Associates, LLP** and the Authority.

4. The total amount authorized to be paid by the Authority to **CME Associates, LLP** pursuant to the contract herein awarded shall not exceed the total sum of **\$162,819.00** without further action by the Board of Commissioners of the Authority.

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 May 23, 2019.



Michael Henwood
Secretary

DATED: May 23, 2019

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 5/23/2019

RESOLUTION #: 19-2-042

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

FUNDS AVAILABLE

X

FUNDS ARE NOT AVAILABLE

BUDGET ACCOUNT

IBANK LOAN

VENDOR

CME ASSOCIATES, LLP

CONTRACT NUMBER

19052302

REASON

AERATION TANK HEADER IMPROVEMENTS PROJECT

AMOUNT

\$162,819.00

CONTRACT LENGTH

TO COMPLETION

Matthew Carter
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Bergen County Utilities Authority (the "Authority") solicited bid proposals for **Liquid Sewage Sludge Transport – Tanker Truck (Three (3) Year Contract with Two (2) - One (1) Year Options)**, pursuant to and in accordance with **Contract No. 16-05B (Rebid)**; and

WHEREAS, by way of Resolution 16-2-070 adopted October 11, 2016, **Accurate Waste Removal Services, Inc. ("AWRS")** was determined by the Authority to be the lowest complying and responsible bidder for **Liquid Sewage Sludge Transport – Tanker Truck**, constituting **Contract No. 16-05B (Rebid)**, for a total unit cost of \$38.95 per 1,000 gallons for the **initial Three (3) Year Term**; and

WHEREAS, by way of Resolution 16-2-070 adopted October 11, 2016, the Chairman of the Board of Commissioners of the Authority was authorized to execute a contract with **AWRS** for **Liquid Sewage Sludge Transport – Tanker Truck**, constituting **Contract No. 16-05B (Rebid)** for a total unit cost of \$38.95 per 1,000 gallons for the **initial Three (3) Year Term** pursuant to the contract and specifications contained in the solicitation of bids; and

WHEREAS, Resolution 16-2-070, but not **Contract No. 16-05B (Rebid)** was subsequently amended by the Board of Commissioners of the Authority by Resolution 17-2-087 adopted December 21, 2017; and

WHEREAS, the awarding of **Contract No. 16-05B (Rebid)** by the Authority to **AWRS** was required for the efficient operation of the Authority; and

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

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

WHEREAS, on or about March 22, 2019, the Authority was informed by **United Site Services, Inc. ("USS")**, of which **AWRS** is a wholly owned subsidiary, that **USS** had recently purchased all of the capital stock of **Russell Reid Waste Hauling and Disposal Service Co., Inc. ("RR")**, which acquisition of **RR** by **USS** was approved by the New Jersey Department of Environmental Protection ("NJDEP") by Solid Waste Order dated November 29, 2018, which Solid Waste Order contained the decision of the NJDEP on a solid waste utility petition filed by **USS** seeking such approval, bearing Docket No. ST-2018-017; and

WHEREAS, **USS** has advised the Authority that its wholly owned subsidiary **AWRS** desires to transfer to **RR**, another wholly owned subsidiary of **USS**, all of **AWRS'** rights, title and interests in and to Authority **Contract No. 16-05B (Rebid)** and **RR** agrees to assume all obligations of **AWRS** under Authority **Contract No. 16-05B (Rebid)**, and both **AWRS** and **RR** have each independently confirmed the accuracy of the transaction as presented to the Authority by **USS**; and

WHEREAS, the terms of **Contract No. 16-05B (Rebid)** permit **AWRS** to assign **Contract No. 16-05B (Rebid)** only upon receiving the written consent of the Authority to any such assignment; and

WHEREAS, the Authority continues to require the providing of the services of **Liquid Sewage Sludge Transport – Tanker Truck** to the Authority pursuant to **Contract No. 16-05B (Rebid)**; and

WHEREAS, **RR** has advised the Authority that in accepting the assignment of **Contract No. 16-05B (Rebid)** from **AWRS**, **RR** is willing and agrees to assume and accept from **AWRS** all of **AWRS'** rights, title and interests in and to **Contract No. 16-05B (Rebid)** and **RR** is also willing and agrees to assume and accept from **AWRS** all of the obligations of **AWRS** to the Authority and others under **Contract No. 16-05B (Rebid)**; and

WHEREAS, the Authority has determined that **RR** is competent, qualified and experienced to provide the services of **Liquid Sewage Sludge Transport – Tanker Truck** to the Authority pursuant to **Contract No. 16-05B (Rebid)**; and

WHEREAS, the Authority has determined that the providing of the services of **Liquid Sewage Sludge Transport – Tanker Truck** to the Authority under **Contract No. 16-05B (Rebid)** may continue by assignment of **Contract No. 16-05B (Rebid)** by **AWRS** to **RR** without the need to solicit bids in accordance with Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, the Authority has determined that the assignment of **Contract No. 16-05B (Rebid)** from **AWRS** to **RR** is necessary for the continued 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. Resolutions 16-2-070, 17-2-087 and 18-2-018 of the Board of Commissioners of the Authority shall be and are hereby incorporated into this Resolution as if fully set forth herein.
2. The Authority does hereby consent to the assignment of **Contract No. 16-05B (Rebid)** from **Accurate Waste Removal Services, Inc.** to **Russell Reid Waste Hauling and Disposal Service Co., Inc.**
3. The Chairman shall be and is hereby authorized to execute a contract with **Accurate Waste Removal Services, Inc.** and **Russell Reid Waste Hauling and Disposal Service Co., Inc.**, which contract shall memorialize the assignment of **Contract No. 16-05B (Rebid)** as is now authorized by, and pursuant to, the adoption of this Resolution.

4. All other terms of **Contract No. 16-05B (Rebid)**, including but not limited to the initial three (3) year term period of that contract and all financial terms set forth within that contract, shall remain in full force and effect without modification.

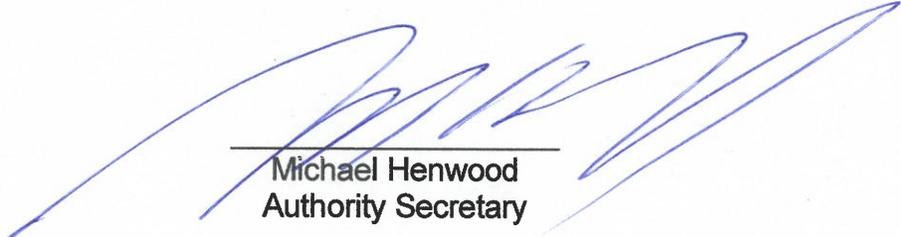
5. A notice of this contract award shall be published in the form prescribed by law.

6. The Authority's Acting Treasurer's Certification that the funds have been appropriated shall remain on file.

7. A copy of this Resolution, the contract executed pursuant to this Resolution and **Contract No. 16-05B (Rebid)**, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by **Accurate Waste Removal Services, Inc., Russell Reid Waste Hauling and Disposal Service Co., Inc.** and the Authority.

8. The formal action(s) of the Commissions 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 May 23, 2019.



Michael Henwood
Authority Secretary

Dated: May 23, 2019

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Bergen County Utilities Authority (the "Authority") solicited bid proposals to **Furnish and Deliver Sodium Hypochlorite**, pursuant to and in accordance with **Contract No. 19-10**; and

WHEREAS, the following bid proposals were received by the Authority on **May 6, 2019**, the date set forth in the Invitation to Bid for the receipt of bid proposals pursuant to and in accordance with **Contract No.19-10**:

<u>Vendor</u>	<u>Unit Price (per gallon)</u>	<u>Total Bid Price for Two (2) Years</u>
Univar USA, Inc. Morrisville, PA	\$0.81	\$891,000.00
JCI Jones Chemicals, Inc. Sarasota, FL	\$0.845	\$929,500.00
Kuehne Chemical Co., Inc South Kearny, NJ	\$0.97	\$1,067,000.00

; and

WHEREAS, the Authority's **Interim Qualified Purchasing Agent** and the Authority's **Director of Water Pollution Control** have each reviewed each of the above referenced bid proposals submitted to the Authority and have recommended that **Univar USA, Inc.** be awarded **Contract No. 19-10** 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 **Univar USA, Inc.** constitutes the lowest complying and responsible bidder for **Contract No.19-10**, 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 **Contract No. 19-10** 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. **Univar USA, Inc.** shall be and is hereby determined to be the lowest complying and responsible bidder to **Furnish and Deliver Sodium Hypochlorite**, constituting **Contract No.19-10** for a **Two (2) Year Period** for a unit price of \$0.81 per gallon and for a total amount not to exceed the sum of **\$891,000.00**.

2. The Chairman shall be and is hereby authorized to execute a contract with **Univar USA, Inc. of 200 Dean Sievers Place, Morrisville, PA 19067-3700** to **Furnish and Deliver Sodium Hypochlorite**, constituting **Contract No.19-10** for a **Two (2) Year Period** for a unit price of \$0.81 per gallon and for a total amount not to exceed the sum of **\$891,000.00** without further approval of the Board of Commissioners of the Authority.

3. The bid security of all unsuccessful bidders for **Contract No. 19-10**, if any, shall be returned in accordance with N.J.S.A. 40A:11-1, et seq.

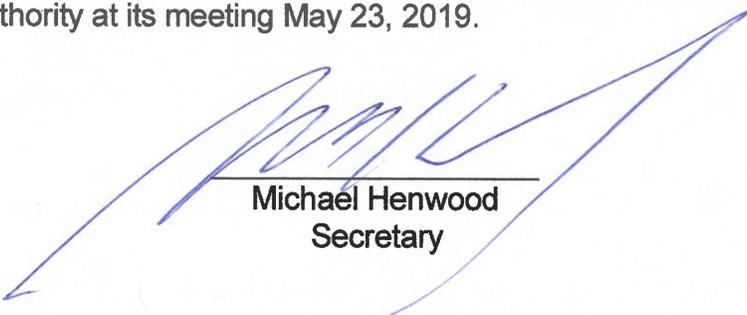
4. The Acting Treasurer's Certification that funds are available shall be maintained on file at the Authority and made a part hereof.

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

6. A copy of this Resolution and the contract executed pursuant to this Resolution, along with **Contract No. 19-10**, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by **Univar USA, 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 May 23, 2019.



Michael Henwood
Secretary

Dated: May 23, 2019

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 5/23/2019

RESOLUTION #: 19-2-044

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

FUNDS AVAILABLE

X

FUNDS ARE NOT AVAILABLE

BUDGET ACCOUNT

SODIUM HYPOCHLORITE
W-320-60350-000

VENDOR

UNIVAR USA, INC.

CONTRACT NUMBER

19-10

REASON

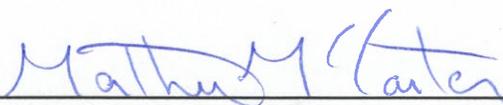
FURNISH & DELIVER SODIUM HYPOCHLORITE

AMOUNT

\$891,000.00

CONTRACT LENGTH

JUNE 1, 2019 - MAY 31, 2021


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, pursuant to N.J.S.A. 40A:11-13(d), the Authority is permitted to acquire goods and or services of a proprietary nature provided that the acquisition meets the definition set forth in the statute; and

WHEREAS, N.J.A.C. 5:34-9.1 of the Local Public Contracts Law Regulations sets forth the requirements that must be followed in order to acquire said goods and/or services of a proprietary nature; and

WHEREAS, it has been brought to the attention of the Board of Commissioners of the Authority that there is a need to invoke this statute for the acquisition of certain parts and services ("Required Parts") for the Authority's Flow Information Management System ("FIMS") which design calls for the use of a cellular-based remote telemetry unit at metering sites within the Authority's collection system to measure and record sewage flow data as well as the use of information management software; and

WHEREAS, Telog Company designed the FIMS that the Authority utilizes and Telog Company is the sole and exclusive manufacturer of the Required Parts specifically designed to fit in the FIMS which are needed to be acquired by the Authority; and

WHEREAS, based upon the above, the Authority must acquire the specific Required Parts that are essential for the operation of the Authority's FIMS and which Required Parts are solely and exclusively manufactured by Telog Company and a "brand name or equivalent" bid is not feasible for the acquisition of the Required Parts, along with the associated computer software system; and

WHEREAS, based upon the above, the Required Parts are "proprietary" under N.J.S.A. 40A:11-2(39); and

WHEREAS, acquisition of the Required Parts by the Authority is necessary for the efficient operation of the Authority; and

WHEREAS, based upon the above, by Resolution 19-2-020 adopted March 28, 2019, the Board of Commissioners of the Authority authorized the Authority's Interim

Qualified Purchasing Agent to prepare bid specifications for the acquisition of the Required Parts, and for acquisition of the associated computer software system to the extent public bidding is required for same, for the Authority's FIMS using proprietary language pursuant to N.J.S.A. 40A:11-13(d) and N.J.A.C. 5:34-9.1; and

WHEREAS, pursuant to and consistent with Resolution 19-2-020 adopted March 28, 2019, the Authority, upon advertisement and pursuant to specifications, solicited bid proposals to **Furnish and Deliver Telog LTE Wireless Modems and Parts**, pursuant to and in accordance with **Contract No. 19-12**; and

WHEREAS, the following sole bid proposal was received by the Authority on **May 9, 2019** for **Contract No.19-12**:

Vendor	Total Amount Bid (One (1) Year)
Telog Instruments, Inc. Victor, NY	\$113,854.50

WHEREAS, the Authority's **Interim Qualified Purchasing Agent and Director of Water Pollution Control** have reviewed the sole bid proposal and have recommended that **Telog Instruments, Inc.** be awarded **Contract No. 19-12** in accordance with N.J.S.A. 40:11-1 et seq., as the lowest complying and responsible bidder; and

WHEREAS, on the basis of the foregoing, the Authority has determined that **Telog Instruments, Inc.** constitutes the lowest complying and responsible bidder for **Contract No. 19-12**, in accordance with N.J.S.A. 40A:11-1 et seq.; and

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

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

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

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

1. **Telog Instruments, Inc.** shall be and is hereby determined to be the lowest complying and responsible bidder to **Furnish and Deliver Telog LTE Wireless Modems and Parts**, constituting **Contract No. 19-12**, for a **One (1) Year Period**, for a total sum of **\$113,854.50**.

2. The Chairman shall be and is hereby authorized to execute a contract with **Telog Instruments, Inc.** of 830 Canning Pkwy, Victor, NY 14564 to **Furnish and Deliver Telog LTE Wireless Modems and Parts**, constituting **Contract No.19-12**, for a **One (1) Year Period**, for a total sum of **\$113,854.50**.

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 Resolution 19-2-020, this Resolution and the contract executed pursuant to this Resolution, along with **Contract No. 19-12**, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by **Telog Instruments, Inc.** and the Authority.

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of May 23, 2019.



Michael Henwood, Secretary

Dated: May 23, 2019

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 5/23/2019

RESOLUTION #: 19-2-045

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

FUNDS AVAILABLE X

FUNDS ARE NOT AVAILABLE _____

BUDGET ACCOUNT CAPITAL - MISCELLANEOUS EQUIPMENT
W-200-80800-000

VENDOR TELOG INSTRUMENTS, INC.

CONTRACT NUMBER 19-12

REASON FURNISH & DELIVER TELOG LTE
WIRELESS MODEMS AND PARTS

AMOUNT \$113,854.50

CONTRACT LENGTH JUNE 1, 2019 - MAY 31, 2020

Matthew Carter
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

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

WHEREAS, the operation and maintenance of an effective and efficient water pollution control system 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 sewage force main, and treat the wastewater at 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 Authority ultimately entered into an Administrative Consent Order (the "2015 ACO") with the NJDEP 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; and

WHEREAS, subsequent to the commencement of the Edgewater WPCF Project, the Authority was approached by, for the purchase of treated effluent by NBLG from the Authority's Little Ferry WPCF; and

WHEREAS, North Bergen Liberty Generating, LLC, a Delaware limited liability company having its principal offices at 633 West 5th Street, Suite 1000, Los Angeles, California 90071 ("NBLG"), is proposing the construction of a 1,200 megawatt, natural gas-fired electric generating facility to be located in North Bergen, New Jersey (the "NBLG Facility") along with the installation of underground electric power transmission lines (the "Transmission Lines") extending from the NBLG Facility to Edgewater, New Jersey and continuing under the Hudson River; and

WHEREAS, subsequent to the commencement of the Edgewater WPCF Project, the Authority was approached by NBLG for the purchase of treated effluent by NBLG from the Authority, to be delivered by a pipeline extending from the Authority's Little Ferry WPCF to the NBLG Facility (the "Effluent Pipeline") for reuse as a coolant for the NBLG Facility; and

WHEREAS, in furtherance of the Edgewater WPCF Project, the Authority has engaged professionals, and has continued to fund various activities by those professionals, in order to complete the necessary due diligence and gather the

necessary data required by the Authority to complete the Edgewater WPCF Project pursuant to and consistent with the terms of the 2015 ACO; and

WHEREAS, the proposed routes of the Effluent Pipeline and the Transmission Lines traverse and overlap the same properties in the same general location as the proposed alignment of the sanitary sewer force main to be constructed by the Authority as part of the Edgewater WPCF Project, extending from the Authority's Edgewater WPCF to the Overpeck Trunk Sewer in Ridgefield, New Jersey; and

WHEREAS, as a result of the close proximity of the proposed routes of the Authority's sanitary sewer force main and the Effluent Pipeline and Transmission Lines, the professionals engaged by the Authority for the Edgewater WPCF Project advised the Authority that certain due diligence work being undertaken and obtained by NBLG relating to the proposed routes for the Effluent Pipeline and Transmission Lines is essentially the same due diligence work required for the Authority's sanitary sewer force main and can be utilized by the Authority in furtherance of its continuing due diligence investigation for the Edgewater WPCF Project at a savings in cost; and

WHEREAS, the Authority, as authorized by the Board of Commissioners pursuant to Resolution 18-2-071 adopted November 19, 2018, entered into the Work Project Sharing Agreement with NBLG dated December 17, 2018, providing for NBLG and the Authority sharing in, and contributing to the payment of, expenses incurred in connection with services provided by those professionals engaged by NBLG and/or the Authority to provide services for and on behalf of NBLG and/or the Authority in connection with the Edgewater WPCF Project and/or the proposed route for the Effluent Pipeline and Transmission Lines, which expenses relate to services provided by engineering consultants including, but not limited to, POWER Engineers, AKRF Environmental and Planning Consultants, GZA, Neglia Engineering Associates and Alaimo Group; and

WHEREAS, the Board of Commissioners of the Authority, by Resolution 19-2-027 adopted March 28, 2019, authorized and directed the Executive Director of the Authority to execute purchase orders presented to the Authority by NBLG pursuant to the Work Product Sharing Agreement dated December 17, 2018 entered into by the Authority with NBLG in connection with the Edgewater WPCF Project as authorized by Resolution 18-2-071, for an amount not to exceed the total sum of \$300,000.00 without further approval of the Commissioners of the Authority; and

WHEREAS, NBLG has now submitted the following vouchers to the Authority for payment pursuant to the Work Product Sharing Agreement:

- Voucher dated April 24, 2019 for services provided by GZA GeoEnvironmental Inc., requesting payment in the amount of \$51,976.83;

- Voucher dated April 24, 2019 for services provided by GZA GeoEnvironmental Inc., requesting payment in the amount of \$1,123.25;
- Voucher dated May 15, 2019 for services provided by POWER Engineers, requesting payment in the amount of \$30,835.00; and
- Voucher dated May 15, 2019 for services provided by AKRF, requesting payment in the amount of \$7,866.99.

; and

WHEREAS, NBLG, as supported by the vouchers submitted to the Authority, is now requesting payment in the amount of \$91,802.07, which sum represents the Authority's proportionate share of expenses incurred under the Work Product Sharing Agreement entered into by and between the Authority and NBLG; and

WHEREAS, the Authority's Director of Engineering has reviewed each of the above referenced vouchers, and all backup billing materials submitted to the Authority by NBLG herewith, and he has concluded and recommended that the Authority should now make payment to NBLG in the amount of \$91,802.07; 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 Authority as follows:

1. The Authority's Acting Director shall be and hereby is authorized and directed to make payment to NBLG in the amount of \$91,802.07 pursuant to the Work Product Sharing Agreement entered into by and between the Authority and NBLG as authorized by Resolution 18-2-071 and as is further authorized and permitted by Resolution 19-2-027.

2. A copy of this Resolution shall be placed on file and made available for public inspection in the Office of the Executive Director.

3. A notice of the adoption of this Resolution shall be published in the form prescribed by law.

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

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).

19-2-046

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of May 23, 2019.



Michael Henwood
Secretary

Dated: May 23, 2019

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, one (1) 1990 GMC 3500 Vandura TV Truck and one (1) 1988 Bobcat 743 Skid Steer Loader 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"**, a copy of which is annexed 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: www.govdeals.com

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.

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 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 May 23, 2019.



Michael Henwood
Secretary

Dated: May 23, 2019

Schedule A

1. **Auction 1:** Equipment:
No. 4271: 1990 GMC 3500 Vandura TV Truck (# 52)
Vin # 2GDHG31K9L4522080

2. **Auction 2:** Equipment:
No. 905: 1988 Bobcat 743 Skid Steer Loader (# 70)
Vin # 501941021

Bid Start: To Be Determined upon Advertisement
Bid Stop:

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, Superstorm Sandy, a late-season post-tropical cyclone, swept through the Caribbean and up the East Coast of the United States in late October 2012, making landfall in New Jersey as a tropical "superstorm" with storm related effects commencing on Monday, October 29, 2012; and

WHEREAS, Superstorm Sandy caused tens of billions of dollars in property damage and \$10,000,000,000.00 to \$30,000,000,000.00 more in lost business, making it the second costliest natural disaster in United States history behind Hurricane Katrina; and

WHEREAS, within twenty-four (24) hours of the storm making landfall, water from the Hackensack River and overflowing lagoon came into Authority's Little Ferry Water Pollution Control Facility (the "Little Ferry WPCF"), flooding more than fifteen (15) structures; and

WHEREAS, the Bergen County Utilities Authority (the "Authority") sustained extensive damages to multiple Wastewater treatment processes and process equipment and incurred significant related costs as a result of Superstorm Sandy; and

WHEREAS, in addition to the costs of physical damage to the Authority's facilities, the loss of service costs to the Authority was estimated to be \$1,000,000.00 per hour; and

WHEREAS, the Authority immediately commenced efforts to apply for the Federal Emergency Management Agency ("FEMA") Recovery and Mitigation Programs administered from the Presidentially declared disaster, "New Jersey-Hurricane Sandy FEMA-4086-DR"; and

WHEREAS, a number of federal aid programs were found to be relevant to the Authority pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as implemented by Title 44 Code of Federal Regulations, which include various public grant programs addressing hazard mitigation and resilience efforts; and

WHEREAS, the efforts of the Authority extending over a nearly six (6) year period, has resulted in the Authority being awarded grant funding for all the initial mitigation projects outlined in the original hazard mitigation plan that was submitted to FEMA in January 2014; and

WHEREAS, the Authority has now been awarded \$36,200,000.00 of FEMA grant funding, with an additional obligation of approximately \$3,100,000.00 verbally approved

19-2-048

to the Authority, in addition to approximately \$25,000,000 HUD CDBG-DR Grant funding awarded by the New Jersey Energy Resilience Bank Program, with this grant funding being awarded to the Authority to provide funding for the Superstorm Sandy recovery efforts and Energy Resilience projects at the Little Ferry WPCF and related infrastructure repairs; and

WHEREAS, the Authority desires to protect its power assets from flooding and to avoid cascading impacts to the entire plant located in the Borough of Little Ferry that could be caused by flooding of the substations during a power outage; and

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

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

WHEREAS, the Authority has now been awarded the aforesaid grant funding, making it imperative that the Authority be prepared to move forward with those projects being funded without delay; and

WHEREAS, the Authority is now seeking to retain a Consulting Firm to provide Wastewater Program Management Services for all recovery and resilience projects and to oversee, track and prepare reports on its behalf for FEMA, and the New Jersey Office of Emergency Management, and the New Jersey Economic Development Authority (CDBG-DR) on all facets of the execution of the design and construction of the projects that are the subject of these grants; and

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

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

WHEREAS, the Authority's Executive Director has determined that it is in the Authority's best interests to utilize the competitive contracting process for the procurement of consulting services to provide the Wastewater Program Management

19-2-048

19-2-048

Services for Superstorm Sandy recovery efforts at the Little Ferry WPCF and related infrastructure repairs, pursuant to and in accordance with N.J.S.A. 40A:11-4.1; and

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

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

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

1. Pursuant to and in accordance with N.J.S.A. 40A:11-4.1 et seq., the Authority shall be and is hereby authorized to utilize the competitive contracting process to procure professional consulting services to provide Wastewater Program Management Services for Superstorm Sandy recovery efforts at the Little Ferry WPCF and related infrastructure repairs, pursuant to and in accordance with N.J.S.A. 40A:11-4.1.

2. Pursuant to and in accordance with N.J.S.A. 40A:11-4.3, the aforesaid competitive contracting process shall be administered by the Authority's Interim Qualified Purchasing Agent and/or an administrator designated by the Authority, in consultation with the Authority's General Legal Counsel.

3. Pursuant to and in accordance with N.J.S.A. 40A:11-4.4(a), the Authority's Interim Qualified Purchasing Agent and/or an administrator designated by the Authority, in consultation with the Authority's General Legal Counsel, shall prepare or have prepared a Request for Proposals, which shall include: all requirements necessary for potential vendors to submit a proposal; and a methodology by which the Authority will evaluate and rank proposals received from vendors.

4. Pursuant to and in accordance with N.J.S.A. 40A:11-4.5(a), a notice of availability of the Request for Proposals shall be published in the Authority's official newspaper at least twenty (20) days prior to the date established for the submission of proposals.

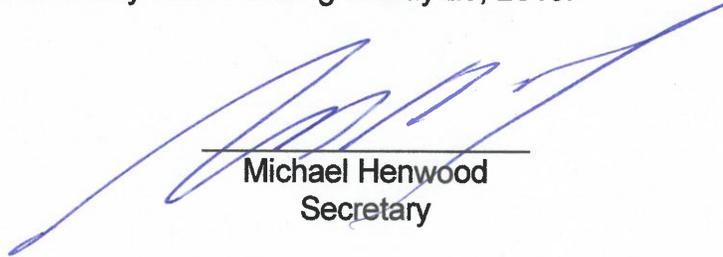
5. A copy of this resolution shall be placed on file and made available for public inspection in the office of the Executive Director, upon execution by the Authority.

19-2-048

19-2-048

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 May 23, 2019.



Michael Henwood
Secretary

Dated: May 23, 2019