



BERGEN COUNTY UTILITIES AUTHORITY

Box 9, Foot of Mehrhof Road, Little Ferry, New Jersey 07643

Direct: (201) 807-5801
Fax: (201) 641-5356
Email: RLaux@bcua.org

ROBERT E. LAUX
Executive Director

RONALD PHILLIPS, Chairman
LOUIS J. DELISIO, Vice Chairman
BRUCE BONAVENTURO
DAVID BORZOTTA
MATTHEW CAPILLI

BRYAN DRUMGOOLE
DANIEL GUMBLE
DIANE T. TESTA
JON WARMS

Via Hand Delivery & Email

June 1, 2026

The Honorable James J. Tedesco III
Bergen County Executive
One Bergen County Plaza
Hackensack, New Jersey 07601

Dear County Executive Tedesco:

Pursuant to N.J.S.A. 40:14B-14(b) enclosed please find minutes and certification of the BCUA Secretary regarding the Regular Meeting of the Commissioners of The Bergen County Utilities Authority held on May 28, 2026 and action, consistent with the applicable provisions of the aforementioned legislation.

Very truly yours,


Robert E. Laux
Executive Director

REL/cg

Enclosure

Cc: All Commissioners
Thomas Duch, Esq., Bergen County Administrator/Counsel

**BERGEN COUNTY UTILITIES AUTHORITY
MINUTES OF THE REGULAR MEETING
MAY 28, 2026**

**In the matter of the 566th Regular Meeting of
The Bergen County Utilities Authority**

1. The **proof of meeting notice** calling the May 28, 2026, meeting was read into the record by Conor Gorman, Board Secretary.

2. Roll Call:

COMMISSIONERS PRESENT:

Ronald Phillips, Chairman
Louis J. DeLisio, Vice Chairman
David Borzotta, Commissioner
Bryan Drumgoole, Commissioner
Daniel Gumble, Commissioner
Diane Testa, Commissioner

ALSO PRESENT: Robert E. Laux, Executive Director

3. Motion that the Minutes covering the April 23, 2026 Work Session be approved was moved by Commissioner Gumble and Seconded by Commissioner DeLisio.

4. Vice Chairman DeLisio opened the meeting to the public and asked if anyone present wished to be heard. No one from the public wished to speak.

5. FINANCE AND LEGAL COMMITTEE:

Resolution 26-1-029 - Approve bills and the claims supported by vouchers totaling \$11,677,750.72 for the month of May and authorize the Treasurer/Chief Financial Officer to issue the necessary checks therefor, and to charge the accounts indicated, all as more fully set forth on the Treasurer/Chief Financial Officer's check list. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Borzotta. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 26-1-030 - Ratify and Approve Financial Actions directed by Christopher Balducci, Treasurer/Chief Financial Officer, during the month of April 2026. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Borzotta. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 26-1-031 - Authorize 2026 Shared Services Agreement with the Borough of Little Ferry for the Provision of Municipal Services. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Borzotta. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 26-1-032 - Authorize First One (1) Year Option Contract No. 23-1-038 to Wisdom Protective Services for Security Guard Services at Little Ferry Water Pollution Control Facility. Motion to adopt the resolution was made by Commissioner DeLisio and

Seconded by Commissioner Borzotta. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 26-1-033 - Approve Donations to the Little Ferry Hook & Ladder # 1; and the Little Ferry Hose Company #1. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Borzotta. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 26-1-034 - Application to the Local Finance Board Pursuant to NJSA 40a:5A-6. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Borzotta. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 26-1-035 - Declaring Official Intent to Reimburse Expenditures for Debt Obligations in Connection with issuance of Proposed 2026 Revenue Bonds. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Borzotta. A roll call was taken and the resolution was adopted as reflected in these minutes.

6. CONSTRUCTION & ENGINEERING COMMITTEE:

Resolution 26-2-051 - Authorization to Award Contract No. b454-8 for the Furnishing and Delivery of Instrumental Equipment and Parts under the North Jersey Wastewater Cooperative Pricing System(88-NJWWCPS) – Pumping Services, Inc. dba PSI. Motion to adopt the resolution was made by Commissioner Gumble and Seconded by Commissioner Drumgoole. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 26-2-052 - Authorize Blanket Purchase Order for Information Technology under New Jersey Cooperative Purchasing Alliance (NJCPA) Contract No BC-BID-24-38 – SHI International Corp. Motion to adopt the resolution was made by Commissioner Gumble and Seconded by Commissioner Drumgoole. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 26-2-053 - Authorize Professional Service Contract – Engineering Services for Combined Sewer Overflow Long Term Control Plan Support and Interceptor Modeling Services – Mott MacDonald, LLC. Motion to adopt the resolution was made by Commissioner Gumble and Seconded by Commissioner Drumgoole. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 26-2-054 - Authorize Professional Services Contract – Engineering Services for Rehabilitation of Mechanical Process Equipment and Sludge Handling System at the LFWCF – Macan Deve Engineers, DPC. Motion to adopt the resolution was made by Commissioner Gumble and Seconded by Commissioner Drumgoole. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 26-2-055 - Amending the Technical Review Committee and Ratifying Prior Procurement Actions for the Primary Settling Tank Stabilization Rehabilitation and Mechanical Project (Design-Build). Motion to adopt the resolution was made by

Commissioner Gumble and Seconded by Commissioner Drumgoole. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 26-2-056 - Authorize Professional Engineering Services for Kennison Nozzles Upgrade Project to Artheon. Motion to adopt the resolution was made by Commissioner Gumble and Seconded by Commissioner Drumgoole. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 26-2-057 - Authorization to Award Contract No. 25-10 Turbine Generator Maintenance, Inspection, and As-Needed Repair & Replacement Parts – Stewart & Stevenson Power Products LLC. Motion to adopt the resolution was made by Commissioner Gumble and Seconded by Commissioner Drumgoole. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 26-2-058 - Authorize Payments Pursuant to Contract No. C-203 Performance Agreement with Endurance Assurance Company, Surety. Motion to adopt the resolution was made by Commissioner Gumble and Seconded by Commissioner Drumgoole. A roll call was taken and the resolution was adopted as reflected in these minutes.

7. STRATEGIC PLANNING COMMITTEE

Resolution 26-6-004 - Authorize Application and Agreement with New Jersey Department of Environmental Protection for Recycling Enhancement Act County Grant Tax Fund to fund the Authority's Solid Waste Programs. Motion to adopt the resolution was made by Commissioner Gumble and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes

8. Chairman Phillips announced a short recess to allow time for the Board Secretary to prepare minutes of this Regular Meeting.
9. Chairman Phillips announced the Regular Meeting would reconvene.
10. The Board Secretary then distributed proposed minutes of the May 28, 2026 Regular Meeting for review by the Commissioners.
11. Motion to approve the Minutes of the Regular Meeting May 28, 2026 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 28, 2026 was made by Commissioner DeLisio and Seconded by Commissioner Gumble and Motion was carried.
12. Upon motion duly made, seconded and unanimously carried, the meeting was adjourned.

BERGEN COUNTY UTILITIES AUTHORITY
 Minutes of the Regular Meeting
 May 28, 2026

| Resolution # | 26-1-029 | 26-1-030 | 26-1-031 | 26-1-032 | 26-1-033 | 26-1-034 | 26-1-035 | 26-2-051 |
|-------------------|----------|----------|----------|----------|----------|----------|----------|----------|
| Chairman Phillips | Y | Y | Y | Y | Y | Y | Y | Y |
| V. Chair. DeLisio | Y | Y | Y | Y | Y | Y | Y | Y |
| Comm. Bonaventuro | - | - | - | - | - | - | - | - |
| Comm. Borzotta | Y | Y | Y | Y | Y | Y | Y | Y |
| Comm. Capilli | - | - | - | - | - | - | - | - |
| Comm. Drumgoole | Y | Y | Y | Y | Y | Y | Y | Y |
| Comm. Gumble | Y | Y | Y | Y | Y | Y | Y | Y |
| Comm. Testa | Y | Y | Y | Y | Y | Y | Y | Y |
| Comm. Warms | - | - | - | - | - | - | - | - |

| Resolution # | 26-2-052 | 26-2-053 | 26-2-054 | 26-2-055 | 26-2-056 | 26-2-057 | 26-2-058 |
|-------------------|----------|----------|----------|----------|----------|----------|----------|
| Chairman Phillips | Y | Y | Y | Y | Y | Y | Y |
| V. Chair. DeLisio | Y | Y | Y | Y | Y | Y | Y |
| Comm. Bonaventuro | - | - | - | - | - | - | - |
| Comm. Borzotta | Y | Y | Y | Y | Y | Y | Y |
| Comm. Capilli | - | - | - | - | - | - | - |
| Comm. Drumgoole | Y | Y | Y | Y | Y | Y | Y |
| Comm. Gumble | Y | Y | Y | Y | Y | Y | Y |
| Comm. Testa | Y | Y | Y | Y | Y | Y | Y |
| Comm. Warms | - | - | - | - | - | - | - |

| Resolution # | 26-6-004 |
|-------------------|----------|
| Chairman Phillips | Y |
| V. Chair. DeLisio | Y |
| Comm. Bonaventuro | - |
| Comm. Borzotta | Y |
| Comm. Capilli | - |
| Comm. Drumgoole | Y |
| Comm. Gumble | Y |
| Comm. Testa | Y |
| Comm. Warms | - |

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

Respectfully submitted,



Conor Gorman
 Board Secretary

Date: May 28, 2026

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

BE IT RESOLVED by the Commissioners of the Bergen County Utilities Authority that the Financial Actions directed by Christopher Balducci, Treasurer/Chief Financial Officer, during the month of April 2026 be and are hereby ratified and approved.

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of May, 2026.



Conor Gorman
Board Secretary

Dated: May 28, 2026

BERGEN COUNTY UTILITIES AUTHORITY RESOLUTION

WHEREAS, the Bergen County Utilities Authority ("Authority") is a county utilities authority, organized pursuant to N.J.S.A. 40:14B-1 et seq. and authorized to provide, inter alia, sewage collection and disposal services and the relief of waters in or bordering the State from pollution arising from causes within the district and the relief of waters in, bordering or entering the district from pollution or threatened pollution on behalf of its constituent members; and

WHEREAS, the Borough of Little Ferry ("Borough") is a municipal corporation of the State of New Jersey, organized pursuant to N.J.S.A. 40A:60-1 et seq., and authorized to provide essential municipal services to protect the public health, safety and welfare of its inhabitants; and

WHEREAS, the Borough is a constituent municipality in the Authority's sewer service district; and

WHEREAS, the Authority owns, operates and maintains a wastewater treatment plant located in the Borough; and

WHEREAS, the Authority's wastewater treatment plant and administrative facilities comprise approximately one-third (1/3) of the total land within the Borough; and

WHEREAS, in lieu of any other compensation or payment(s), the Authority agrees to pay to the Borough, for the 2026 calendar year only, the sum of **\$172,152.00** for the Borough providing to the Authority extraordinary services above and beyond the providing of standard or routine municipal services historically and presently provided by the Borough to the Authority; and

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

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

WHEREAS, the Authority and the Borough wish to enter into a shared services agreement, pursuant to which the Borough will provide to the Authority extraordinary municipal services for calendar year 2026; and

WHEREAS, the Authority has engaged in discussions with the Borough regarding the nature and extent of the Borough providing to the Authority extraordinary municipal services, and the Authority's payment of compensation for said services for the 2026 calendar year, and the Authority considers the formation of an agreement with the Borough providing for the same to be necessary and/or desirable for the Authority's continued efficient operations; and

WHEREAS, the Executive Director of the Authority has reviewed a proposed shared services agreement with the Borough and recommends that the Commissioners of the Authority accept the terms of the proposed agreement with the Borough on file at the Authority offices for the providing of extraordinary municipal services by the Borough to the Authority for calendar year 2026; and

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

WHEREAS, the Treasurer/Chief Financial Officer of the Authority has certified that funds are available for this purpose and this Certification is on file at the Authority.

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

1. The Chairman shall be and he is hereby authorized to execute a shared services agreement with the Borough of Little Ferry in final form acceptable to the Commissioners, as evidenced by the Chairman's signature thereon, for the providing of extraordinary municipal services by the Borough of Little Ferry to the Authority during calendar year 2026 for the total sum of **\$172,152.00** to be paid by the Authority to the Borough of Little Ferry.

2. A copy of this Resolution, and the shared services agreement entered into with the Borough of Little Ferry pursuant to this Resolution, shall be placed on file and made available for public inspection in the office of the Executive Director, upon execution by the Borough of Little Ferry and the Authority.

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

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

26-1-031

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 28, 2026.



Conor Gorman
Board Secretary

DATED: May 28, 2026

BERGEN COUNTY UTILITIES AUTHORITY
TREASURER'S CERTIFICATION OF FUNDS

RESOLUTION DATE: 5/28/26
RESOLUTION NUMBER: 26-1-031

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

LITTLE FERRY HOST COMM.
ALLOCATION CODE: 12417

VENDOR

BOROUGH OF LITTLE FERRY

CONTRACT NUMBER

N/A

REASON

PROVIDING EXTRAORDINARY MUNICIPAL
SERVICES TO THE AUTHORITY AS THE
HOST COMMUNITY

AMOUNT

\$172,152.00

CONTRACT LENGTH

N/A


CFO/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, the Authority, in furtherance of providing these essential governmental services, owns and operates significant assets requiring the Authority to solicit and award numerous contracts each year in furtherance of maintaining and improving these assets; and

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Bergen County Utilities Authority (the "Authority") solicited bid proposals for **Security Guard Services for a Three (3) Year Period with Two (2) One (1) year Option Periods**), pursuant to and in accordance with **Contract No. 23-1-038**; and

WHEREAS, by way of Resolution 23-1-038 adopted June 22nd 2023, **Simaren Corp. d/b/a Wisdom Protective Services** was determined to be the lowest complying and responsible bidder for **Security Services**, constituting **Contract No. 23-1-038** for a total contract price of \$1,113,661.28, for the **Initial Three (3) Year Period**; and for the initial option year for a total contract price of \$426,102.08; and

WHEREAS, by way of Resolution 23-1-038 adopted June, 22nd 2023 by the Board of Commissioners of the Authority, the Chairman of the Board of Commissioners of the Authority was authorized to execute a contract with **Simaren Corp. d/b/a Wisdom Protective Services** for **Security Guard Services**, constituting **Contract No. 23-1-038** for a total contract price of **\$1,113,661.28** for the **Initial Three (3) Year Period**; and

WHEREAS, pursuant to the terms of **Contract No. 23-1-038**, the Authority has the option to extend the contract for **Security Guard Services** with **Simaren Corp. d/b/a Wisdom Protective Services** for an additional **One (1) Year Period** for the total sum of **\$426,102.08**; and

WHEREAS, pursuant to N.J.S.A. 40A:11-15 the Authority finds **Simaren Corp. d/b/a Wisdom Protective Services** has performed **Contract No. 23-1-038** for **Security Services** in an effective and efficient manner; and

WHEREAS, exercising the first **One (1) Year Option** of **Contract No. 23-1-038** to **Simaren Corp. d/b/a Wisdom Protective Services** for **Security Guard Services** is necessary for the efficient operation of the Authority; and

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

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

1. The Executive Director shall be and he is hereby authorized to execute a contract with **Simaren Corp. d/b/a Wisdom Protective Services** for **Security Guard Services**, pursuant to and in accordance with **Contract No. 23-1-038**, which contract exercises the first **One (1) Year Option** by the Authority to extend **Contract No. 23-1-038** for an additional **One (1) Year Period** (commencing July 1, 2026 and expiring June 30, 2027) for the total sum of **\$426,102.08**.

2. All other terms of **Contract No. 23-1-038** shall remain in full force and effect without modification.

3. The Treasurer/Chief Financial Officer's Certification that funds are available shall be on file at the Authority and made a part hereof.

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

5. A copy of this Resolution and the contract executed pursuant to this Resolution, along with Contract No. 23-1-038, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by Wisdom Protective Services and the Authority.

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of May 28, 2026.



Conor Gorman
Secretary

Dated: May 28, 2026

BERGEN COUNTY UTILITIES AUTHORITY
TREASURER'S CERTIFICATION OF FUNDS

RESOLUTION DATE: 5/28/26
RESOLUTION NUMBER: 26-1-032

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

FUNDS AVAILABLE X

FUNDS ARE NOT AVAILABLE _____

BUDGET ACCOUNT PLANT SECURITY
ALLOCATION CODE: 12416

VENDOR SIMAREN CORP. D/B/A WISDOM
PROTECTIVE SERVICES

CONTRACT NUMBER 23-1-038

REASON FIRST ONE (1) YEAR OPTION BY THE
AUTHORITY FOR SECURITY GUARD
SERVICES

AMOUNT \$426,102.08

CONTRACT LENGTH JULY 1 2026 - JUNE 30, 2027



CFO/TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, the Bergen County Utilities Authority (the "Authority") wishes to make a donation to the **Little Ferry Hook & Ladder 1** and the **Little Ferry Hose Company #1** in recognition of their dedicated services; and

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

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

1. Individual donation payments in the amount of \$3,000.00 each shall be made and delivered by the Authority to the **Little Ferry Hook & Ladder 1** and the **Little Ferry Hose Company #1**, to support their respective services for the current year.

2. The formal actions 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-4(b).

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of May 28, 2026.



Conor Gorman
Board Secretary

Dated: May 28, 2026

BERGEN COUNTY UTILITIES AUTHORITY
TREASURER'S CERTIFICATION OF FUNDS

RESOLUTION DATE: 5/28/26
RESOLUTION NUMBER: 26-1-033

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

OTHER EXPENSES
ALLOCATION CODE: 12409

VENDOR

LITTLE FERRY HOOK & LADDER 1 AND THE
LITTLE FERRY HOSE COMPANY #1

CONTRACT NUMBER

N/A

REASON

SUPPORT OF LOCAL VOLUNTEER
SERVICES

AMOUNT

\$3,000.00 EACH

CONTRACT LENGTH

N/A


CFO/TREASURER

**RESOLUTION OF THE BERGEN COUNTY UTILITIES
AUTHORITY MAKING APPLICATION TO THE LOCAL
FINANCE BOARD PURSUANT TO N.J.S.A. 40A:5A-6.**

WHEREAS, the Bergen County Utilities Authority (the "Authority") desires to make application to the Local Finance Board for its review and findings in connection with a proposed resolution authorizing the issuance of certain bonds of the Authority for capital improvements for the benefit of the Authority; and

WHEREAS, the Authority believes that:

- (a) it is in the public interest to accomplish such purpose;
- (b) said purpose or improvements are for the health, welfare, convenience or betterment of the inhabitants of the local unit or units;
- (c) the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant;
- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the local unit or units and will not create an undue financial burden to be placed upon the local unit or units;

**NOW THEREFORE, BE IT RESOLVED BY THE BERGEN COUNTY UTILITIES
AUTHORITY** as follows:

Section 1. The application to the Local Finance Board is hereby approved, and the Authority's Bond Counsel and financial advisor, along with other representatives of the Authority, are hereby authorized to prepare such application and to represent the Authority in matters pertaining thereto.

Section 2. The Secretary of the Authority is hereby directed to prepare and file a copy of the proposed resolution with the Local Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings and recommendations as provided by the applicable New Jersey Statute.

Recorded Vote

AYE

NO

ABSTAIN

ABSENT

26-1-034

The foregoing is a true copy of a resolution adopted by the governing body of the Bergen County Utilities Authority on May 28, 2026.



Conor Gorman
Board Secretary

26-1-034

STATE OF NEW JERSEY
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF LOCAL GOVERNMENT SERVICES
LOCAL FINANCE BOARD
APPLICATION CERTIFICATION

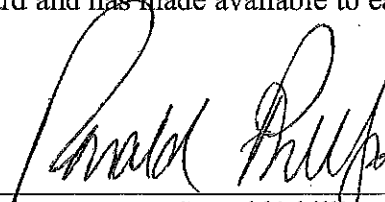
APPLICANT'S
NAME: BERGEN COUNTY UTILITIES AUTHORITY

I, RONALD PHILLIPS, CHAIRMAN OF THE BERGEN COUNTY UTILITIES
AUTHORITY HEREBY DECLARE:

That the documents submitted herewith and the statements contained herein are true to the
best of my knowledge and belief; and

That this application was considered and its submission to the Local Finance Board
approved by the governing body of the Authority on May 28, 2026; and

That the governing body of the Authority has notified each participating local unit of its
submission of this application to the Local Finance Board and has made available to each, a true
copy of this application.



Ronald Phillips, Chairman

ATTEST:



Secretary

Date: May 28, 2026

RESOLUTION OF THE BERGEN COUNTY UTILITIES AUTHORITY DECLARING ITS OFFICIAL INTENT TO REIMBURSE EXPENDITURES FOR PROJECT COSTS FROM THE PROCEEDS OF DEBT OBLIGATIONS IN CONNECTION WITH ITS ISSUANCE OF PROPOSED 2026 REVENUE BONDS

WHEREAS, the Bergen County Utilities Authority (the "Borrower") intends to acquire, construct, renovate and/or install the environmental infrastructure projects more fully described in **Exhibit A** attached hereto (the "Project");

WHEREAS, the Borrower intends to finance the Project with debt obligations of the Borrower, which are anticipated to be revenue bonds of the Borrower, and any notes issued in anticipation thereof (the "Project Debt Obligations") but may pay for certain costs of the Project (the "Project Costs") prior to the issuance of the Project Debt Obligations with funds of the Borrower that are not borrowed funds;

WHEREAS, the Borrower desires to preserve its right to treat an allocation of proceeds of the Project Debt Obligations to the reimbursement of Project Costs paid prior to the issuance of the Project Debt Obligations as an expenditure for such Project Costs to be reimbursed for purposes of Sections 103 and 141 through 150, inclusive, of the Internal Revenue Code of 1986 (the "Code").

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borrower as follows:

Section 1. The Borrower reasonably expects to reimburse its expenditure of Project Costs paid prior to the issuance of the Project Debt Obligations with proceeds of its Project Debt Obligations.

Section 2. This resolution is intended to be and hereby is a declaration of the Borrower's official intent to reimburse the expenditure of Project Costs paid prior to the issuance of the Project Debt Obligations with the proceeds of a borrowing to be incurred by the Borrower, in accordance with Treasury Regulations §150-2.

Section 3. The maximum principal amount of the Project Debt Obligations expected to be issued to finance the Project is \$45,000,000.

Section 4. The Project Costs to be reimbursed with the proceeds of the Project Debt Obligations will be "capital expenditures" in accordance with the meaning of Section 150 of the Code.

Section 5. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Code. The proceeds of the Project Bonds used to reimburse the Borrower for Project Costs, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such

26-1-035

terms are defined in Treasury Regulations §1.148-1), of the Project Debt Obligations or another issue of debt obligations of the Borrower, other than amounts deposited into a “bona fide debt service fund” (as defined in Treasury Regulations §1.148-1).

Section 6. All reimbursement allocations will occur not later than 18 months after the later of (i) the date the expenditure from a source other than the Project Debt Obligations is paid, or (ii) the date the Project is “placed in service” (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than 3 years after the expenditure is paid.

Section 7. This resolution shall take effect immediately.

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 28, 2026.



Conor Gorman
Board Secretary

Dated: May 28, 2026

26-1-035

EXHIBIT A

PROJECTS

1. Digester Sludge Thickening Building Mechanical Improvements.
2. Gravity Thickener System Improvements.
3. Pump Station Improvements.
4. Improvements to the Screening Buildings.
5. Co Gen System Improvements.
6. Rehabilitation of Meter Chambers.
7. Blower Control and Mechanical Improvements including, but not limited to, Blowers 1, 2, 3, 4, And 5;
8. Chemical Receiving Containment Area and Outfall Site Improvements.
9. Fiberoptic and Security System Improvements.
10. Control Building, Scale House and Guard House Structural Upgrades.
11. SCADA Improvements and Installation Work.
12. Fire Safety Improvements.
13. Motor Control Center Improvements including, but not limited to, Batteries A and B for the Primary Settling Tanks and associated systems.

Including all work and expenses necessary and incidental, including financing costs, for all of the above items.

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 forty-seven (47) 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, the Authority has a need for the procurement of pumps, pumping equipment, related parts and accessories, and associated repair, reconditioning, rental, and installation services, necessary for the operation, maintenance, and repair of the Authority's water pollution control facilities and related infrastructure; and

WHEREAS, the Passaic Valley Sewerage Commission ("PVSC"), as lead agency of the North Jersey Wastewater Cooperative Pricing System, has awarded Cooperative Purchasing **Contract No. B454-8** for the furnishing and delivery of pumps, pumping equipment, parts, and related repair and installation services, which contract is available to cooperative purchasing participants and is currently in effect through July 31, 2026; and

WHEREAS, **Pumping Services, Inc. ("PSI")**, of 201 Lincoln Boulevard, Middlesex, New Jersey 08846, is the qualified contractor awarded Cooperative Purchasing **Contract No. B454-8**, and is authorized to furnish pumps, pumping equipment, parts, and related repair and installation services to cooperative purchasing participants pursuant to the terms and conditions of said contract; and

WHEREAS, the Authority has received from **Pumping Services, Inc.** three (3) price quotations, each priced in accordance with PVSC Cooperative Purchasing Contract

No. B454-8, for the reconditioning of a submersible trash pump, the furnishing of replacement sprocket and bearing assemblies, and the furnishing of jet aerators and a spare pump with related installation labor, together with one (1) invoice for submersible pump and variable frequency drive control panel rental previously furnished to the Authority, all as more particularly described in **Exhibit A** attached hereto and made a part hereof, in the aggregate amount of **\$136,199.24**; and

WHEREAS, the Authority further anticipates the need for additional as-needed pumps, pumping equipment, parts, and related repair, reconditioning, and installation services of similar character during the term of said contract; and

WHEREAS, pursuant to N.J.S.A. 40A:11-12(a) and N.J.S.A. 52:34-6.2, the Authority has determined that the procurement of pumps, pumping equipment, parts, and related repair and installation services through PVSC Cooperative Purchasing Contract No. B454-8 with **Pumping Services, Inc.** shall result in cost savings to the Authority and its ratepayers after all factors, including the established cooperative pricing, delivery, and administrative efficiency, have been considered; and

WHEREAS, it has been recommended by the Authority's Qualified Purchasing Agent that it would be advantageous to the Authority, and result in cost savings to the Authority and its ratepayers, to procure pumps, pumping equipment, parts, and related repair and installation services from **Pumping Services, Inc.** through PVSC Cooperative Purchasing Contract No. B454-8; and

WHEREAS, contracts awarded pursuant to a cooperative purchasing contract are in compliance with the "Fair and Open" process requirements of N.J.S.A. 19:44A-20.4 *et seq.*; and

WHEREAS, the procurement of pumps, pumping equipment, parts, and related repair and installation services is necessary for the efficient and continued operation of the Authority; and

WHEREAS, the Authority's Treasurer/Chief Financial Officer has certified that funds are available for this purpose.

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

1. The Executive Director or his designee shall be and is hereby authorized to execute a purchase order, or purchase orders as may be required, to procure the goods and services from **Pumping Services, Inc.** described in the proposals and invoice set forth in **Exhibit A**, in a total amount not to exceed **\$200,000.00**, comprising (i) the aggregate sum of **\$136,199.24** as set forth in **Exhibit A**, and (ii) an additional sum not to exceed **\$63,800.76** for additional as-needed goods and services of similar

character related to the subject matter of this Resolution, all at the prices established under PVSC Cooperative Purchasing **Contract No. B454-8**, and pursuant to all terms and conditions of said Contract.

2. The equipment rental previously furnished by **Pumping Services, Inc.** to the Authority, as set forth in Invoice No. 1157575 (Exhibit A) in the amount of **\$33,720.34**, is hereby ratified, confirmed, and approved, and payment thereof is hereby authorized.

3. Individual purchase orders issued pursuant to this Resolution shall be made only during the period in which PVSC Cooperative Purchasing Contract No. B454-8 is in effect, inclusive of any duly authorized renewal or extension thereof. In the event said Contract expires or is terminated prior to the completion of the procurement authorized herein, no further purchase orders shall be issued hereunder until and unless the Contract is renewed, reinstated, or further extended.

4. The Authority shall be responsible to ensure that the procurement pursuant to this Resolution complies with all applicable provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.*, including N.J.S.A. 40A:11-12(a), N.J.S.A. 52:34-6.2, and all other applicable provisions of the revised statutes of the State of New Jersey.

5. The Certification of the Authority's Treasurer/Chief Financial Officer that funds are available for this purpose shall be placed on file and made available for public inspection at the Authority and made a part hereof.

6. A copy of this Resolution, together with Exhibit A and a copy of PVSC Cooperative Purchasing Contract No. B454-8 award documentation, shall be placed on file and made available for public inspection in the Office of the Executive Director.

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of May 28, 2026.



Conor Gorman
Board Secretary

Dated: May 28, 2026

EXHIBIT A**PUMPING SERVICES, INC.***North Jersey Wastewater Cooperative Pricing System Contract No. B454-8***Schedule of Quotations and Ratified Rental Invoice**

| Item | Document | Description | Amount |
|--|--|---|---------------------|
| (a) | Quote No. SQ47846 | Shop reconditioning of one (1) 6" submersible trash pump (Flygt Model 3127), including new seals, bearings, O-rings, impeller, insert ring, and machined shaft, with associated shop labor (dated April 21, 2026) | \$8,436.75 |
| (b) | Quote No. ST026762_R1 | Furnishing of replacement sprocket assemblies and static sleeve bearing assemblies (dated April 29, 2026) | \$24,749.00 |
| (c) | Quote No. SQ47087 (Revised) | Furnishing of three (3) new jet aerators and one (1) spare submersible trash pump, with related flange kits, monitoring relays, and shop labor for installation (dated May 13, 2026) | \$69,293.15 |
| (d) | Invoice No. 1157575 | Rental of one (1) Flygt 3531 submersible pump (335 hp) and one (1) variable frequency drive (VFD) control panel, previously furnished to the Authority — ratified (dated April 22, 2026) | \$33,720.34 |
| Aggregate Total (Quotations and Ratified Invoice) | | | \$136,199.24 |

Note: Invoice No. 1157575 reflects equipment rental previously furnished to the Authority for the period March 25, 2026 through April 22, 2026, the payment of which is ratified, confirmed, and approved pursuant to this Resolution.

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 forty-seven (47) 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, the Authority is a member of the New Jersey Cooperative Purchasing Alliance, **CK04-Bergen (the "NJCPA")**, administered by the County of Bergen, allowing the Authority to participate in the NJCPA 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 has an ongoing and as-needed need for the procurement of **Computer Equipment and Peripherals** and related information technology goods and services, including but not limited to computers, servers, data storage, monitors, networking switches, routers and appliances, software and licensing, cybersecurity tools and appliances, security surveillance and access control hardware and licensing, telecommunications and unified communications equipment, SCADA systems and solutions, uninterruptible power supplies, printers and supplies, cables and accessories, and associated professional, configuration, and technical services, necessary for the operation, maintenance, and security of the Authority's information technology systems, water pollution control facilities, and related infrastructure; and

WHEREAS, the NJCPA previously awarded **Contract No. BC-BID-24-38** to **SHI International Corp.** of 290 Davidson Avenue, Somerset, New Jersey 08873, for the purchase of **Computer Equipment and Peripherals**; and

WHEREAS, NJCPA **Contract No. BC-BID-24-38** is currently in effect, having commenced on June 6, 2024 and expiring on June 5, 2026, subject to one (1) twelve (12) month renewal option, and the purchases authorized herein shall be made only during the term of said Contract; and

WHEREAS, pursuant to N.J.S.A. 40A:11-12(a) and N.J.S.A. 52:34-6.2, the Authority has determined that the procurement of **Computer Equipment and Peripherals** and related information technology goods and services through NJCPA **Contract No. BC-BID-24-38** with **SHI International Corp.** shall result in cost savings to the Authority and its ratepayers after all factors, including the established cost-plus-markup pricing, delivery, and administrative efficiency, have been considered; and

WHEREAS, it has been recommended by the Authority's Qualified Purchasing Agent that it would be advantageous to the Authority, and result in cost savings to the Authority and its ratepayers, to procure **Computer Equipment and Peripherals** and related information technology goods and services on an as-needed basis from **SHI International Corp.** through the NJCPA; and

WHEREAS, NJCPA **Contract BC-BID-24-38** meets the "Fair and Open" process requirements of N.J.S.A. 19:44A-20.4 *et seq.*; and

WHEREAS, the Authority desires to establish a blanket purchase order with **SHI International Corp.** for the period commencing **June 1, 2026** and expiring **December 31, 2026**, to be utilized on an as-needed basis by the Authority's operating departments, in a total amount not to exceed **\$250,000.00**; and

WHEREAS, the procurement of **Computer Equipment and Peripherals** and related information technology goods and services on an as-needed basis is necessary for the efficient and continued operation of the Authority; and

WHEREAS, the Authority's Treasurer/Chief Financial Officer 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 blanket purchase order, and such individual purchase orders as may be required thereunder, to procure **Computer Equipment and Peripherals** and related information technology goods and

services on an as-needed basis from **SHI International Corp.**, of 290 Davidson Avenue, Somerset, New Jersey 08873, for the period commencing **June 1, 2026** and expiring **December 31, 2026**, in a total amount not to exceed **\$250,000.00**, at the prices, discounts, and cost-plus-markup rates established under NJCPA **Contract No. BC-BID-24-38**, and pursuant to all terms and conditions of said Contract.

2. Individual purchase orders issued pursuant to this Resolution shall be made only during the period in which NJCPA **Contract No. BC-BID-24-38** is in effect, inclusive of any duly authorized renewal or extension thereof. In the event said Contract expires or is terminated prior to December 31, 2026, no further purchase orders shall be issued hereunder until and unless the Contract is renewed, reinstated, or further extended.

3. The Authority shall be responsible to ensure that the procurement of goods and services pursuant to this Resolution complies with all applicable provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.*, including N.J.S.A. 40A:11-12(a), N.J.S.A. 52:34-6.2, and all other applicable provisions of the revised statutes of the State of New Jersey.

4. The Certification of the Authority's Treasurer/Chief Financial Officer that funds are available for this purpose shall be placed on file and made available for public inspection at the Authority and made a part hereof.

5. A copy of this Resolution, a copy of the NJCPA Contract No. BC-BID-24-38 award documentation evidencing **SHI International Corp.'s** award, and copies of the blanket purchase order and any individual purchase orders issued pursuant hereto shall be placed on file and made available for public inspection in the Office of the Executive Director.

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 28, 2026.



Conor Gorman
Board Secretary

Dated: May 28, 2026

26-2-052

**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, the Authority, desirous of protecting its assets, has determined that it requires the services of an engineering firm authorized to provide professional engineering services in the State of New Jersey to serve as **Consulting Engineer** to the Authority for the **Combined Sewer Overflow Long Term Control Plan Support and Interceptor Modeling Services**, which services include providing general support as requested by the Authority, attending meetings and participating in discussions with the Authority and/or the New Jersey Department of Environmental Protection ("NJDEP") concerning issues pertaining to Combined Sewer Management requirements associated with the Authority's New Jersey Pollutant Discharge Elimination Permit System ("NJPDES") permit and negotiation with the NJDEP on behalf of the Authority concerning the aforementioned issues pertaining to the Authority's NJPDES permit, providing services in areas associated with modeling, permit management and planning and performing other ancillary services as requested by the Authority; and

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

WHEREAS, these services were solicited through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq. as **Mott MacDonald, LLC ("Mott")** responded

to the Authority's publicly advertised "Request for Qualifications" and was qualified as competent to provide consulting engineering services by **Resolution 26-2-002** adopted **January 22, 2026** by the Board of Commissioners of the Authority; and

WHEREAS, based on **Mott's** Statement of Qualifications and prior history, the Authority issued a Request for Proposal providing a scope of work to be performed for the **Combined Sewer Overflow Long Term Control Plan Support and Interceptor Modeling Services**; and

WHEREAS, **Mott** has submitted to the Authority a written proposal dated May 20, 2026 (the "Proposal") to serve as **Consulting Engineer** to the Authority for the **Combined Sewer Overflow Long Term Control Plan Support and Interceptor Modeling Services** for an amount not to exceed the total sum of \$100,000.00 as is more fully set forth and contained in said written Proposal, which written Proposal has been reviewed and determined to be fair and reasonable by the Authority's Director of Engineering; and

WHEREAS, the written proposal submitted by **Mott** to the Authority included certain attachments, including hourly billing rates; and

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

WHEREAS, the Authority has determined, based upon the foregoing, that it is necessary for the efficient operation of the Authority to retain the services of **Mott** to serve as **Consulting Engineer** to the Authority for the **Combined Sewer Overflow Long Term Control Plan Support and Interceptor Modeling Services**; and

WHEREAS, the Authority desires to appoint and retain **Mott** to serve as **Consulting Engineer** to the Authority for the **Combined Sewer Overflow Long Term Control Plan Support and Interceptor Modeling Services** for an amount not to exceed the total sum of \$100,000.00 without further action by the Board of Commissioners of the Authority; and

WHEREAS, N.J.S.A. 40A:11-1, *et seq.* provides that a contract for professional 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

26-2-053

WHEREAS, the Authority's Treasurer/Chief Financial Officer has certified that funds are available for this purpose.

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

1. That **Mott** shall be and is hereby appointed to serve as **Consulting Engineer** to the Authority for the **Combined Sewer Overflow Long Term Control Plan Support and Interceptor Modeling Services**.
2. The total amount authorized to be paid pursuant to the contract herein awarded shall not exceed the total sum of **\$100,000.00** without further action by the Board of Commissioners of the Authority.
3. 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 **Mott** memorializing the scope of services to be provided by **Mott** serving as **Consulting Engineer** to the Authority for the **Combined Sewer Overflow Long Term Control Plan Support and Interceptor Modeling 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.
4. A copy of this Resolution and the contract retaining **Mott** as **Consulting Engineer** pursuant to this Resolution shall be placed on file and made available for public inspection in the Office of the Executive Director, upon execution by **Mott** and the Authority.
5. The Treasurer/Chief Financial Officer's certification that funds are available shall be maintained on file 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 28, 2026.



Conor Gorman
Secretary

Dated: May 28, 2026

BERGEN COUNTY UTILITIES AUTHORITY
TREASURER'S CERTIFICATION OF FUNDS

RESOLUTION DATE: 5/28/26
RESOLUTION NUMBER: 26-2-053

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
15221000 532060

VENDOR MOTT MACDONALD, LLC

CONTRACT NUMBER 26-2-053

REASON CONSULTING ENGINEER FOR THE
COMBINED SEWER OVERFLOW LONG
TERM CONTROL PLAN SUPPORT &
INTERCEPTOR MODELING SERVICES

AMOUNT \$100,000.00

CONTRACT LENGTH TO COMPLETION



CFO/TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

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

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

WHEREAS, in furtherance of providing these essential services, the Board of Commissioners of the Authority, by **Resolution 24-2-023** adopted March 28, 2024, appointed **Macan Deve, DPC** to serve as **Special Consulting Engineer** to the Authority for the **Rehabilitation/Replacement of Mechanical Process Equipment and Sludge Handling System at the Little Ferry WPCF**; 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 **Macan Deve, DPC** submitted a Statement of Qualifications and the Commissioners of the Authority determined that **Macan Deve, DPC** is competent, qualified and experienced to serve as **Special Consulting Engineer** to the Authority for the **Rehabilitation/Replacement of Mechanical Process Equipment and Sludge Handling System at the Little Ferry WPCF**; and

WHEREAS, **Resolution 24-2-023** authorized the Chairman of the Board of Commissioners of the Authority to execute a contract by and between the Authority and **Macan Deve, DPC** (the "**Contract**") memorializing the services to be provided by **Macan Deve, DPC** serving as **Special Consulting Engineer** to the Authority for the **Rehabilitation/Replacement of Mechanical Process Equipment and Sludge Handling System at the Little Ferry WPCF** and providing the budget for compensation to be paid by the Authority to **Macan Deve, DPC** for the providing of those services, pursuant to which payment was not to exceed the total sum of **\$62,124.00** 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 **Macan Deve, DPC** on April 19, 2024; and

WHEREAS, **Macan Deve, DPC**, operating under the **Contract**, continued to provide significant necessary and valuable services serving as **Special Consulting Engineer** to

the Authority for the **Rehabilitation/Replacement of Mechanical Process Equipment and Sludge Handling System at the Little Ferry WPCF** and, by written correspondence dated October 18, 2024 (the "**October 2024 Proposal**"), **Macan Deve, DPC** advised the Authority that as of that date **Macan Deve, DPC** had nearly exhausted the initial Contract compensation budget of **\$62,124.00** to be paid by the Authority to **Macan Deve, DPC** for services performed pursuant to the **Contract** and provided to the Authority an amended scope of services to complete the additional work as was identified by the Authority and requested that the Authority increase the **Contract** compensation budget by the amount of **\$84,084.00** which was necessary to fund the completion of the identified additional services, as is set forth in further detail within the **October 2024 Proposal**, resulting in an amended **Contract** compensation budget in an amount not to exceed the total sum of **\$146,208.00**, without further action by the Board of Commissioners; and

WHEREAS, following receipt of the **October 2024 Proposal** submitted to the Authority by **Macan Deve, DPC** the Board of Commissioners of the Authority, by **Resolution 24-2-073** adopted October 24, 2024, authorized the Chairman of the Board of Commissioners of the Authority to modify the **Contract** to provide that the compensation to be paid by the Authority pursuant thereto shall be increased in the amount of **\$84,084.00**, resulting in an amended compensation budget under the **Contract** in an amount not to exceed the total sum of **\$146,208.00** without further approval of the Board of Commissioners of the Authority; and

WHEREAS, following the adoption of **Resolution 24-2-073, Macan Deve, DPC**, operating under the **Contract**, continued to provide significant necessary and valuable services serving as **Special Consulting Engineer** to the Authority for the **Rehabilitation/Replacement of Mechanical Process Equipment and Sludge Handling System at the Little Ferry WPCF** and, by written correspondence dated January 17, 2025 (the "**January 2025 Proposal**"), **Macan Deve, DPC** advised the Authority that as of that date **Macan Deve, DPC** had nearly exhausted the amended **Contract** compensation budget of **\$146,208.00** to be paid by the Authority to **Macan Deve, DPC** for services performed pursuant to the **Contract** and provided to the Authority an amended scope of services to complete the additional work as was identified by the Authority and requested that the Authority increase the **Contract** compensation budget by the amount of **\$56,700.00** which was necessary to fund the completion of the identified additional services, as is set forth in further detail within the **January 2025 Proposal**, resulting in an amended **Contract** compensation budget in an amount not to exceed the total sum of **\$202,908.00**, without further action by the Board of Commissioners; and

WHEREAS, following receipt of the **January 2025 Proposal** submitted to the Authority by **Macan Deve, DPC** the Board of Commissioners of the Authority, by **Resolution 25-2-007** adopted January 23, 2025, authorized the Chairman of the Board of Commissioners of the Authority to modify the **Contract** to provide that the compensation to be paid by the Authority pursuant thereto shall be increased in the amount of **\$56,700.00**, resulting in an amended compensation budget under the **Contract** in an amount not to exceed the total sum of **\$202,908.00** without further approval of the Board of

Commissioners of the Authority; and

WHEREAS, following the adoption of **Resolution 25-2-007, Macan Deve, DPC**, operating under the **Contract**, continued to provide significant necessary and valuable services serving as **Special Consulting Engineer** to the Authority for the **Rehabilitation/Replacement of Mechanical Process Equipment and Sludge Handling System at the Little Ferry WPCF** and, by written correspondence dated February 18, 2025 (the "**February 2025 Proposal**"), **Macan Deve, DPC** provided to the Authority an amended scope of services to complete the additional work as Task 1 and Task 2 as was identified by the Authority to be completed for the **Rehabilitation/Replacement of Mechanical Process Equipment and Sludge Handling System at the Little Ferry WPCF** and requested that the Authority increase the compensation budget provided for by the **Contract** by the total sum of **\$63,910.00** which was necessary to fund the completion of certain additional services as identified as Task 1 and Task 2 in the **February 2025 Proposal** submitted by **Macan Deve, DPC** to the Authority, resulting in an amended **Contract** compensation budget of an amount not to exceed the total sum of **\$266,818.00**, without further action by the Board of Commissioners; and

WHEREAS, following receipt of the **February 2025 Proposal** submitted to the Authority by **Macan Deve, DPC**, the Board of Commissioners of the Authority, by **Resolution 25-2-021** adopted February 27, 2025, authorized the Chairman of the Board of Commissioners of the Authority to modify the **Contract** to include those additional services identified under Task 1 and Task 2 in the **February 2025 Proposal** submitted by **Macan Deve, DPC** to the Authority and to provide that the compensation to be paid by the Authority pursuant thereto shall be increased in the amount of **\$63,910.00**, resulting in an amended compensation budget under the **Contract** in an amount not to exceed the total sum of **\$266,818.00** without further approval of the Board of Commissioners of the Authority; and

WHEREAS, following the adoption of **Resolution 25-2-021, Macan Deve, DPC**, operating under the **Contract**, continued to provide significant necessary and valuable services serving as **Special Consulting Engineer** to the Authority for the **Rehabilitation/Replacement of Mechanical Process Equipment and Sludge Handling System at the Little Ferry WPCF** and, by written correspondence dated May 9, 2025 (the "**May 2025 Proposal**"), **Macan Deve, DPC** identified additional services required to be performed by **Macan Deve, DPC** in order to complete the additional work identified by the Authority as necessary to be completed for the **Rehabilitation/Replacement of Mechanical Process Equipment and Sludge Handling System at the Little Ferry WPCF** and requested that the Authority increase the compensation budget provided for by the **Contract** by the total sum of **\$164,100.00** which increase was necessary to fund the continuing performance and completion of those services previously identified as being within the scope of work to be completed by **Macan Deve, DPC** under the **Contract** and the completion of the additional newly identified services as requested by the Authority as

said additional services are identified as in the **May 2025 Proposal** submitted by **Macan Deve, DPC** to the Authority, resulting in an amended Contract compensation budget of an amount not to exceed the total sum of **\$430,918.00** without further action by the Board of Commissioners; and; and

WHEREAS, following receipt of the **May 2025 Proposal** submitted to the Authority by **Macan Deve, DPC**, the Board of Commissioners of the Authority, by **Resolution 25-2-044** adopted May 22, 2025, authorized the Chairman of the Board of Commissioners of the Authority to modify the Contract to shall include those additional services identified in the **May 2025 Proposal** submitted by **Macan Deve, DPC** to the Authority and the compensation to be paid by the Authority pursuant thereto shall be increased in the amount of **\$164,100.00** and the total amount of compensation to now be paid by the Authority to **Macan Deve, DPC** pursuant to the amended **Contract** shall not exceed the total sum of **\$430,918.00** without further approval of the Board of Commissioners of the Authority.

WHEREAS, following the adoption of **Resolution 25-2-044, Macan Deve, DPC**, operating under the Contract, continued to provide significant necessary and valuable services serving as Special Consulting Engineer to the Authority for the **Rehabilitation/Replacement of Mechanical Process Equipment and Sludge Handling System at the Little Ferry WPCF** and, by written correspondence dated August 27, 2025 (the "**August 2025 Proposal**"), **Macan Deve, DPC** provided to the Authority an amended scope of services to complete the additional work identified by the Authority as necessary to be completed for the **Rehabilitation/Replacement of Mechanical Process Equipment and Sludge Handling System at the Little Ferry WPCF**, specifically requesting additional funding in the amount of **\$337,093.00** for Tasks 4.1, 4.2, and 4.3 related to the **Gravity Thickener Complex Rehabilitation**, including the installation of pre-purchased gravity thickener equipment and the rehabilitation of **Gravity Thickener Tanks Nos. 3 and 4**, as is set forth in further detail within the **August 2025 Proposal**, including Attachments 1 and 2 thereto; and

WHEREAS, following receipt of the **August 2025 Proposal** submitted to the Authority by **Macan Deve, DPC**, the Board of Commissioners of the Authority, by **Resolution 25-2-078** adopted October 23, 2025, authorized the Chairman of the Board of Commissioners of the Authority to modify the **Contract** to shall include those additional services identified in the **August 2025 Proposal** submitted by **Macan Deve, DPC** to the Authority and the compensation to be paid by the Authority pursuant thereto shall be increased in the amount of **\$140,215.00** and the total amount of compensation to now be paid by the Authority to **Macan Deve, DPC** pursuant to the amended **Contract** shall not exceed the total sum of **\$571,133.00** without further approval of the Board of Commissioners of the Authority.

WHEREAS, following the adoption of **Resolution 25-2-078 Macan Deve, DPC**, operating under the **Contract**, continued to provide significant necessary and valuable

services serving as Special Consulting Engineer to the Authority for the **Rehabilitation/Replacement of Mechanical Process Equipment and Sludge Handling System at the Little Ferry WPCF** and, by written correspondence dated April 17, 2026 (the "**April 2026 Proposal**"), **Macan Deve, DPC** provided to the Authority an amended scope of services to complete the additional work identified by the Authority as necessary to be completed for the **Rehabilitation/Replacement of Mechanical Process Equipment and Sludge Handling System at the Little Ferry WPCF**, specifically requesting additional funding in the amount of **\$101,531.00** for Tasks 4.1, 4.2, related to the **Gravity Thickener Complex Rehabilitation** as is set forth in further detail within the **April 2026 Proposal**, including attachment 1; and

WHEREAS, upon review of the **April 2026 Proposal**, the Authority has determined to proceed with Tasks 4.1 (Construction Bid Documents) at a cost of **\$89,675.00** and Task 4.2 (Procurement Support) at a cost of **\$11,856.00**, resulting in a net increase of **\$101,531.00**;

WHEREAS, this net increase of **\$101,531.00** is necessary to fund the completion of the identified additional services for Tasks 4.1 and 4.2, resulting in an amended Contract compensation budget in an amount not to exceed the total sum of **\$672,664.00** without further action by the Board of Commissioners; and

WHEREAS, following receipt of the **April Proposal** submitted to the Authority by **Macan Deve, DPC**, the Board of Commissioners of the Authority, by **Resolution 26-2-044** adopted April 23, 2026, authorized the Chairman of the Board of Commissioners of the Authority to modify the **Contract** shall include those additional services identified in the **April 2026 Proposal** submitted by **Macan Deve, DPC** to the Authority and the compensation to be paid by the Authority pursuant thereto shall be increased in the amount of **\$101,531** and the total amount of compensation to now be paid by the Authority to **Macan Deve, DPC** pursuant to the amended **Contract** shall not exceed the total sum of **\$672,664** without further approval of the Board of Commissioners of the Authority.

WHEREAS, following the adoption of **Resolution 26-2-044 Macan Deve, DPC**, operating under the **Contract**, continued to provide significant necessary and valuable services serving as Special Consulting Engineer to the Authority for the **Rehabilitation/Replacement of Mechanical Process Equipment and Sludge Handling System at the Little Ferry WPCF** and, by written correspondence dated May 26, 2026 (the "**May 2026 Proposal**"), **Macan Deve, DPC** provided to the Authority an amended scope of services to complete the additional work identified by the Authority as necessary to be completed for the **Rehabilitation/Replacement of Mechanical Process Equipment and Sludge Handling System at the Little Ferry WPCF**, specifically requesting additional funding in the amount of **\$35,896.00** for the expansion of Task 4.1 related to the **Gravity Thickener Complex Rehabilitation** as is set forth in further detail within the **May 2026 Proposal**, including attachment 1 and attachment 2; and

WHEREAS, upon review of the **May 2026 Proposal**, the Authority has determined to proceed with the expansion of Task 4.1 (Construction Bid Documents) for a net increase of \$35,896.00; and

WHEREAS, this net increase of **\$35,896.00** is necessary to fund the completion of the identified additional services for Tasks 4.1, resulting in an amended **Contract** compensation budget in an amount not to exceed the total sum of **\$708,560.00** without further action by the Board of Commissioners; and

WHEREAS, the Authority's Director of Engineering Dominic DiSalvo has determined that **Macan Deve, DPC** has performed all services under the **Contract** in an effective and efficient manner and further determined that the remaining work to be performed by **Macan Deve, DPC** 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 Director of Engineering Dominic DiSalvo has reviewed the **May 2026 Proposal** submitted by **Macan Deve, DPC** to the Authority, including the request of **Macan Deve, DPC** to increase the compensation budget for the total compensation to be paid by the Authority to **Macan Deve, DPC** 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 including the additional scope of services identified therein as necessary to be performed by **Macan Deve, DPC** under the **Contract** for Tasks 4.1 and by increasing the budget for compensation to be paid by the Authority to **Macan Deve, DPC** pursuant to the **Contract** in the total sum of **\$35,896.00** resulting in an amended compensation budget under the **Contract** in an amount not to exceed the total sum of **\$708,560.00** without further approval of the Board of Commissioners of the Authority; and

WHEREAS, the Authority's Treasurer/Chief Financial Officer 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 **Macan Deve, DPC** shall be and is hereby amended by the Authority and the **Contract** shall be amended to provide that the scope of work to be completed by **Macan Deve, DPC** pursuant thereto shall include those additional services identified in the **May 2026 Proposal** submitted by **Macan Deve, DPC** to the Authority and the compensation to be paid by the Authority pursuant thereto shall be increased in the amount of **\$35,896.00** and the total amount of compensation to now be paid by the Authority to **Macan Deve, DPC** pursuant to the amended **Contract** shall not exceed

the total sum of **\$708,560.00** without further approval of the Board of Commissioners of the Authority.

2. The Chairman of the Authority shall be and is hereby authorized to execute a contract by and among the Authority and **Macan Deve, DPC** amending the **Contract** as approved and authorized by this Resolution, in the form acceptable to the Chairman, and satisfactory to the Authority as evidenced by the Chairman's signature thereon.

3. A copy of this Resolution, and the contract amending the **Contract** with **Macan Deve, DPC** 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 **Macan Deve, DPC** and the Authority.

4. The Treasurer/Chief Financial Officer's Certification that funds are available shall be maintained on file at the Authority.

5. A notice of this amendment 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 May 28, 2026



Conor Gorman
Board Secretary

Dated: May 28, 2026

BERGEN COUNTY UTILITIES AUTHORITY
TREASURER'S CERTIFICATION OF FUNDS

RESOLUTION DATE: 5/28/26
RESOLUTION NUMBER: 26-2-054

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 ENGINEERING
15221000 532060

VENDOR MACAN DEVE, DPC

CONTRACT NUMBER 24-2-023

REASON INCREASE IN THE PROFESSIONAL SERVICE
NEEDS OF THE AUTHORITY AS SPECIAL
CONSULTING ENGINEER FOR THE
REHABILITATION/REPLACEMENT OF
MECHANICAL PROCESS EQUIPMENT &
SLUDGE HANDLING SYSTEM AT THE LITTLE
FERRY WPCF

AMOUNT \$35,896.00

CONTRACT LENGTH TO COMPLETION



CFO/TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, in 1947, the Bergen County Utilities Authority (the "Authority"), known at 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 within the County of Bergen; and

WHEREAS, N.J.S.A. 40A:11-53 et seq. (the "Act") and N.J.A.C. 5:34-10 et seq. (the "Regulations") authorize the use of design-build contracting ("Design-Build Project Delivery") as an alternate method of procurement; and

WHEREAS, by Resolution 24-2-027 adopted April 25, 2024, the Board of Commissioners of the Authority authorized the use of Design-Build Project Delivery for the **Primary Settling Tank Stabilization Rehabilitation and Mechanical Project** (the "Project"); and

WHEREAS, by Resolution 24-2-049 adopted July 25, 2024, the Board of Commissioners authorized the commencement of the design-build process under the Act and the Regulations, adopted procedures for the solicitation and award of the design-build contract for the Project (the "Procedures", attached as Attachment "A" to Resolution 24-2-049), authorized the issuance of a Request for Qualifications ("RFQ") and a Request for Proposals ("RFP"), and designated a Technical Review Committee (the "TRC"), the membership of which was set forth in Attachment "A" to Resolution 24-2-049, with the Authority expressly reserving in such Attachment the right in its discretion to add additional members to the TRC; and

WHEREAS, Resolution 24-2-049 designated the following members of the TRC: Bashar Assadi, Director of Engineering, Civil, Lead Design Professional, Dominic DiSalvo, Director of Engineering, Process and Plant and Gerald T. Reiner, Jr., then the Authority's Qualified Purchasing Agent ("QPA"), who was designated as the Design-Build Selection Coordinator pursuant to N.J.A.C. 5:34-10.5(a); and

WHEREAS, by Resolution 24-3-010 adopted September 26, 2024, the Board of Commissioners appointed Michael Bellucci (QPA Certification No. Q-1736) to serve as the Authority's QPA, effective in accordance with N.J.S.A. 40:14B-14(b), thereby superseding Mr. Reiner's designation as the Authority's QPA; and

WHEREAS, by Resolution 24-2-076 adopted October 24, 2024, the Board of Commissioners, having determined pursuant to N.J.A.C. 5:34-10.9(m) and 5:34-10.10(b) that the initial RFQ produced only two (2) eligible submissions and that adequate competition required additional submissions, authorized the readvertisement and reopening of the RFQ for the Project, subject to the receipt of approvals from the New Jersey Infrastructure Bank, the New Jersey Department of Environmental Protection, and the New Jersey Office of the State Comptroller; and

WHEREAS, by Resolution 24-3-014 adopted November 26, 2024, the Board of Commissioners appointed Erick Martinez (QPA Certification No. Q-2355) to serve as the Authority's Purchasing Manager and as the Authority's QPA, effective in accordance with N.J.S.A. 40:14B-14(b), thereby superseding Mr. Bellucci's designation as the Authority's QPA; and

WHEREAS, in connection with the RFQ stage of the procurement for the Project, and pursuant to the discretion expressly reserved by the Authority in Attachment "A" to Resolution 24-2-049 and as permitted by N.J.A.C. 5:34-10.5(a), Michael Cammett, Director of Water Pollution Control, was added to the TRC to participate in the substantive evaluation and scoring of statements of qualifications received in response to the RFQ for the Project, while Erick Martinez, as the Authority's QPA of record, performed the administrative functions of the Selection Coordinator under N.J.A.C. 5:34-10.5(a), including coordinating the receipt of the Qualification Proposals and advising the TRC on procedural matters, conflicts of interest, and the scoring methodology, but did not himself score the Qualification Proposals; and

WHEREAS, on December 13, 2024, in response to the reopened RFQ, the Authority received five (5) Qualification Proposals, which the TRC, as so constituted for the RFQ stage, reviewed and evaluated in accordance with the Procedures, the Act, and the Regulations, and prepared and submitted to the Board of Commissioners its report and recommendations; and

WHEREAS, by Resolution 25-2-002 adopted January 23, 2025, the Board of Commissioners accepted the recommendations of the TRC, deemed five (5) respondents to be qualified to receive the RFP for the Project, and authorized the issuance of the RFP to those qualified respondents; and

WHEREAS, following receipt of the requisite approvals from the New Jersey Office of the State Comptroller and the New Jersey Department of Environmental Protection, and consistent with the conditions imposed by Resolution 24-2-076, the Authority issued the RFP to the five (5) qualified respondents, established a deadline for submission of statements of proposal of May 27, 2026, and undertook such further administrative acts in furtherance of the procurement as the Act, the Regulations, the

Procedures, and the RFP require, including the acts identified in Attachment "B" hereto; and

WHEREAS, by Resolution 25-2-065 adopted September 25, 2025, the Board of Commissioners retained Macan Deve Engineers, DPC ("Macan Deve") to provide Design-Build Oversight and Construction Administration Services for the mechanical and electrical components of the Project pursuant to N.J.S.A. 40A:11-2(6), it being understood that Macan Deve, including William Pfrang, P.E., serves the Authority as design professional and as TRC advisor under N.J.A.C. 5:34-10.4 and 5:34-10.5(c), and not as a design-builder or bidder, and that Macan Deve's engagement under Resolution 25-2-065 does not implicate the conflict-of-interest provisions of N.J.A.C. 5:34-10.5(f) and (g) or N.J.A.C. 5:34-10.14; and

WHEREAS, on May 27, 2026, the Authority received sealed statements of proposal in response to the RFP, which proposals shall remain sealed and unopened until the TRC, as reconstituted by this Resolution, convenes following adoption hereof to commence the evaluation process required by N.J.A.C. 5:34-10.9, including the conflict-of-interest screening required by N.J.A.C. 5:34-10.5(g) upon ascertaining the identities of the bidders; and

WHEREAS, N.J.A.C. 5:34-10.2 defines the TRC as a selection committee composed of at least a qualified purchasing agent designated as the contracting unit's purchasing agent, the contracting unit's authorized design professional or design official, and the contracting unit's project manager if this individual is separate from the other aforementioned members, and N.J.A.C. 5:34-10.5(a) further provides that the QPA shall administer the selection process and serve as Selection Coordinator for the TRC, such that the QPA's membership on the TRC and service as Selection Coordinator are statutorily fused roles; and

WHEREAS, N.J.A.C. 5:34-10.5(b) requires that each member of the TRC be responsible for evaluating and scoring the statements of qualifications and proposals submitted by bidders in response to an RFQ and RFP; and

WHEREAS, the membership of the TRC set forth in Attachment "A" to Resolution 24-2-049 has not heretofore been formally updated to reflect (i) the successions in the office of the Authority's QPA effected by Resolutions 24-3-010 and 24-3-014, or (ii) the addition of Mr. Cammett to the TRC for the RFQ stage of the procurement; and

WHEREAS, the Board of Commissioners desires to (i) amend Attachment "A" to Resolution 24-2-049 to reflect the current composition of the TRC; (ii) ratify, confirm, approve, and adopt as the actions of the Board, nunc pro tunc to the dates such actions were taken, all acts heretofore undertaken in furtherance of the procurement for the Project, including the composition of the TRC during the RFQ stage and the allocation of evaluation and administrative duties among the TRC members during that stage as described above and as set forth in Attachment "B" hereto; and (iii) confirm that, with respect to the RFP stage of the procurement, Erick Martinez, as the Authority's QPA of record, shall serve as the QPA member of the TRC pursuant to N.J.A.C. 5:34-10.2 and

5:34-10.5(a), shall continue to serve as Design-Build Selection Coordinator, and shall participate as a voting member of the TRC evaluating and scoring statements of proposal in accordance with N.J.A.C. 5:34-10.5(b).

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

1. The recitals set forth above are incorporated herein as if fully restated and are made a part of this Resolution.
2. Pursuant to N.J.A.C. 5:34-10.5(a), and as an amendment to Attachment "A" to Resolution 24-2-049 adopted July 25, 2024, the Technical Review Committee for the **Primary Settling Tank Stabilization Rehabilitation and Mechanical Project** shall consist of: (i) Erick Martinez, Qualified Purchasing Agent (Certification No. Q-2355), as the QPA member of the TRC and as Design-Build Selection Coordinator; (ii) Bashar Assadi, Director of Engineering, Civil, as Lead Design Professional; (iii) Dominic DiSalvo, Director of Engineering, Process and Plant; and (iv) Michael Cammett, Director of Water Pollution Control, added to the TRC as an additional member in the Authority's discretion pursuant to N.J.A.C. 5:34-10.5(a) and the reservation of discretion in Resolution 24-2-049. The TRC shall continue to be aided by the following advisors pursuant to N.J.A.C. 5:34-10.5(c): William Pfrang, P.E., of Macan Deve Engineers, DPC, as Design Professional, Mechanical Systems; and a representative of GZA GeoEnvironmental, Inc., as Design Professional, Structural Support. The TRC may use such additional advisors, including the Authority's General Legal Counsel, as it deems necessary, and the Authority reserves the right in its discretion to add additional members to the TRC. The amended Attachment "A", attached to this Resolution and incorporated herein, supersedes the prior Attachment "A" to Resolution 24-2-049 to the extent of any inconsistency with respect to TRC membership.
3. All other terms and provisions of Resolution 24-2-049, including the Procedures set forth in the original Attachment "A" thereto (other than the membership of the TRC), Resolution 24-2-076, and Resolution 25-2-002, are hereby reaffirmed and shall remain in full force and effect.
4. All acts heretofore taken in furtherance of the procurement of a design-build contract for the Project, including without limitation the composition of the TRC during the RFQ stage and the allocation of evaluation and administrative duties among the TRC members during the RFQ stage as described in the recitals hereof, and the acts identified in Attachment "B" hereto, are hereby ratified, confirmed, approved, and adopted as the acts of the Bergen County Utilities Authority, nunc pro tunc to the dates such acts were taken.

5. With respect to the RFP stage of the procurement for the Project, Erick Martinez, as the Authority's QPA of record and as the QPA member of the TRC pursuant to N.J.A.C. 5:34-10.2 and 5:34-10.5(a), shall participate as a voting member of the TRC evaluating and scoring statements of proposal in accordance with N.J.A.C. 5:34-10.5(b), and shall continue to perform the administrative functions of the Selection Coordinator, including the assignment of price points pursuant to N.J.A.C. 5:34-10.9(j) and the preparation of the report to the Board of Commissioners. Each other member of the TRC shall likewise evaluate and score the statements of proposal in accordance with N.J.A.C. 5:34-10.5(b).
6. The Board of Commissioners confirms that the engagement of Macan Deve Engineers, DPC under Resolution 25-2-065 adopted September 25, 2025 for Design-Build Oversight and Construction Administration Services for the mechanical and electrical components of the Project is consistent with, and does not conflict with, the role of William Pfrang, P.E. as an advisor to the TRC pursuant to N.J.A.C. 5:34-10.4 and 5:34-10.5(c), in that Macan Deve serves the Authority as design professional and not as a design-builder or bidder for purposes of N.J.A.C. 5:34-10.5(f), 5:34-10.5(g), and 5:34-10.14.
7. Following adoption of this Resolution, the TRC, as constituted by Paragraph 2 hereof, shall convene to commence evaluation of the sealed statements of proposal received on May 27, 2026 in accordance with N.J.A.C. 5:34-10.9. Upon the ascertainment of the identities of the bidders, each member of the TRC and each advisor to the TRC shall disclose any actual or potential conflict of interest, and the TRC shall conduct the conflict-of-interest screening required by N.J.A.C. 5:34-10.5(g) and N.J.A.C. 5:34-10.14 prior to the commencement of substantive evaluation.
8. 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.
9. 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 28, 2026.



Conor Gorman
Board Secretary

Dated: May 28, 2026

ATTACHMENT "B" TO RESOLUTION NO. 26-2-055

BERGEN COUNTY UTILITIES AUTHORITY

ACTS RATIFIED AND CONFIRMED

(Adopted: May 28, 2026)

The following acts undertaken in furtherance of the procurement of a design-build contract for the Primary Settling Tank Stabilization Rehabilitation and Mechanical Project are hereby ratified, confirmed, approved, and adopted as the acts of the Bergen County Utilities Authority, nunc pro tunc to the dates such acts were taken:

1. The addition of Michael Cammett, Director of Water Pollution Control, to the TRC for the RFQ stage of the procurement, pursuant to the Authority's reservation of discretion in Resolution 24-2-049 and N.J.A.C. 5:34-10.5(a).
2. The allocation of evaluation and administrative duties among the members of the TRC during the RFQ stage, including the substantive evaluation and scoring of statements of qualifications by Messrs. Assadi, DiSalvo, and Cammett, and the performance by Erick Martinez, as the Authority's QPA of record, of the administrative functions of the Selection Coordinator under N.J.A.C. 5:34-10.5(a) (including coordinating the receipt of the Qualification Proposals and advising the TRC on procedural matters, conflicts of interest, and the scoring methodology) without himself scoring the Qualification Proposals.
3. The readvertisement and reopening of the Request for Qualifications for the Project on and after October 24, 2024 pursuant to Resolution 24-2-076, and all administrative acts incident thereto.
4. The receipt of five (5) Qualification Proposals on December 13, 2024.
5. The review and evaluation of the five (5) Qualification Proposals by the TRC as so constituted, and the preparation and submission of the TRC's report to the Board of Commissioners, the recommendations of which were accepted by the Board pursuant to Resolution 25-2-002 adopted January 23, 2025.
6. The procurement and receipt of approvals from the New Jersey Office of the State Comptroller and the New Jersey Department of Environmental Protection with respect to the issuance of the Request for Proposals for the Project, as conditioned by Resolution 24-2-076.
7. The preparation, finalization, and issuance of the Request for Proposals to the five (5) qualified respondents, together with any addenda, clarifications,

ADVISORS TO THE TECHNICAL REVIEW COMMITTEE (per N.J.A.C. 5:34-10.5(c)):

1. William Pfrang, P.E., Macan Deve Engineers, DPC — Design Professional, Mechanical Systems
2. A representative of GZA GeoEnvironmental, Inc. — Design Professional, Structural Support
3. The Authority's General Legal Counsel — as advisor pursuant to N.J.A.C. 5:34-10.5(a)

The Authority's Qualified Purchasing Agent shall administer the two-phase selection process and serve as Selection Coordinator for the TRC. The Selection Coordinator is tasked with, among other things, scheduling of meetings, preparing agendas, recording scores, verifying submittal information, preparing minutes of selection committee meetings, assigning price points pursuant to N.J.A.C. 5:34-10.9(j), and other similar administrative duties. Each member of the TRC shall, in accordance with N.J.A.C. 5:34-10.5(b), be responsible for evaluating and scoring the statements of proposal submitted by bidders. The TRC shall use such advisors, including the Authority's General Legal Counsel, as it deems necessary to give evaluation opinions. The Authority reserves the right in its discretion to add additional members to the TRC.

**ATTACHMENT "A" TO RESOLUTION NO. 26-2-055
(amending Attachment "A" to Resolution 24-2-049 adopted July 25, 2024 with
respect to TRC membership)**

**BERGEN COUNTY UTILITIES AUTHORITY
TECHNICAL REVIEW COMMITTEE — AMENDED COMPOSITION
PROCEDURES FOR THE SOLICITATION AND AWARD OF A CONTRACT
FOR DESIGN-BUILD SERVICES FOR THE REHABILITATION OF BATTERY "A"
PRIMARY SETTLING TANKS AND PIPE GALLERY A-2 AT THE LITTLE FERRY
WPCF**

(in accordance with the Design-Build Construction Services Procurement Act, N.J.S.A. 40A:11-53 et seq. and the implementing regulations, N.J.A.C. 5:34-10 et seq.)

Adopted: May 28, 2026

The Procedures adopted by Attachment "A" to Resolution 24-2-049 remain in full force and effect, except that the membership of the Technical Review Committee (the "TRC") is hereby amended and restated as follows, effective upon adoption of this Resolution:

TECHNICAL REVIEW COMMITTEE MEMBERS:

1. Erick Martinez, Qualified Purchasing Agent (Certification No. Q-2355) — QPA member of the TRC and Design-Build Selection Coordinator pursuant to N.J.A.C. 5:34-10.2 and 5:34-10.5(a)
2. Bashar Assadi, Director of Engineering, Civil — Lead Design Professional
3. Dominic DiSalvo, Director of Engineering, Process and Plant
4. Michael Cammett, Director of Water Pollution Control — additional member added to the TRC in the Authority's discretion pursuant to N.J.A.C. 5:34-10.5(a) and the reservation of discretion in Resolution 24-2-049

communications with qualified respondents, pre-proposal conferences, and site visits incident thereto.

8. The establishment of May 27, 2026 as the deadline for submission of statements of proposal in response to the Request for Proposals.
9. The receipt and safekeeping of sealed statements of proposal on May 27, 2026.
10. All other administrative, procurement, and selection acts undertaken by the TRC, by the Authority's Qualified Purchasing Agent (whether Gerald T. Reiner, Jr., Michael Bellucci, or Erick Martinez, as such office was held from time to time), by the Design-Build Selection Coordinator, by the Authority's General Legal Counsel, and by the Authority's Executive Director and staff in furtherance of the procurement for the Project from July 25, 2024 to and including the date of adoption of this Resolution.

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, in 1947, the Bergen County Utilities Authority (the "Authority"), known at 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, the Authority utilizes Kennison Nozzle Flow Meters (the "Flow Meters") for the measuring of sewerage flows at eleven (11) metering stations within the Authority's collection system, specifically Meter #004, #005, #006, #007, #008, #010, #016, #018, #019, #061 and #063 (collectively, the "Metering Stations"); and

WHEREAS, it is important for the Authority to maintain the operational integrity of its wastewater collection system, which includes the Flow Meters at the Metering Stations which are critical to ensuring accurate flow measurement and overall system performance; and

WHEREAS, the Authority has determined that it requires the services of an engineering firm authorized to provide professional engineering services in the State of New Jersey to provide ENGINEERING SERVICES FOR FINAL DESIGN FOR KENNISON NOZZLES UPGRADES PROJECT for the Authority for the purposes of preparing of plans and specifications to be used by the BCUA in obtaining bids from qualified construction contractors to perform the replacement of the Kennison Nozzle Flow Meters at the eleven metering locations; ; and

WHEREAS, said engineering services necessary for providing the FINAL DESIGN FOR KENNISON NOZZLES UPGRADES PROJECT are recognized as "professional services" as same shall be rendered by person(s) authorized by law to practice a recognized profession, whose practice is regulated by law, and the performance of which services requires knowledge of an advanced type of learning acquired by a prolonged formal course

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

WHEREAS, these services were solicited through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq. as **CME Associates ("CME")**, now d/b/a **ARTHEON**, responded to the Authority's publicly advertised "Request for Qualifications" and was qualified as competent to provide consulting engineering services by Resolution No. 26-2-002 adopted January 22, 2026 by the Board of Commissioners of the Authority; and

WHEREAS, based on **CME's** (now d/b/a **ARTHEON**), Statement of Qualifications and prior history, the Authority issued a Request for Proposal providing a scope of work to be performed for to complete the **FINAL DESIGN FOR THE KENNISON NOZZLES UPGRADE PROJECT**; and

WHEREAS, **ARTHEON** has submitted to the Authority a written proposal dated May 21, 2026 (the "May Proposal") to provide **FINAL DESIGN SERVICES FOR THE KENNISON NOZZLES UPGRADE PROJECT** for an amount not to exceed the total sum of \$120,000.00 as is more fully set forth and contained in the May Proposal which has been reviewed and determined to be fair and reasonable by the Authority's Director of Engineering - Civil; and

WHEREAS, the written proposal submitted by **CME (now d/b/a ARTHEON)** to the Authority included certain attachments, including hourly billing rates; and

WHEREAS, **CME (now d/b/a ARTHEON)** previously provided to the Authority a Certificate of Liability Insurance naming the Authority as additional insured, New Jersey Business Registration Certificate, Ownership Disclosure Statement, Affirmative Action Compliance Notice and Certificate of Employee Information Report; and

WHEREAS; the Authority has determined, based upon the foregoing, that it is necessary for the efficient operation of the Authority to retain the services of **CME (now d/b/a ARTHEON)** to serve as **Consulting Engineer** to the Authority provide **FINAL DESIGN SERVICES FOR THE KENNISON NOZZLES UPGRADE PROJECT**; and

WHEREAS, the Authority desires to retain the services of **ARTHEON (formerly CME)** to serve as **Consulting Engineer** to the Authority for **Final Design Services for the Kennison Nozzle Upgrade Project** for an amount not to exceed the total sum of \$120,000.00 without further action by the Board of Commissioners of the Authority; and

WHEREAS, N.J.S.A. 40A:11-1, et seq. provides that a contract for professional 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 Authority's Treasurer/Chief Financial Officer has certified that funds are available for this purpose.

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

1. That **ARTHEON (formerly CME Associates)** shall be and is hereby appointed to serve as **Consulting Engineer** to the Authority for the **FINAL DESIGN FOR THE KENNISON NOZZLE UPGRADE PROJECT** for an amount not to exceed the total sum of \$120,000.00 without further action by the 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 **ARTHEON (formerly CME Associates)** memorializing the scope of services to be provided by **ARTHEON (formerly CME Associates)** serving as **Consulting Engineer** to the Authority for the **FINAL DESIGN FOR THE KENNISON NOZZLE UPGRADE PROJECT** 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 **ARTHEON (formerly CME Associates)** as **Consulting Engineer** 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 **ARTHEON (formerly CME Associates)** and the Authority.

4. The total amount authorized to be paid pursuant to the contract herein awarded shall not exceed the total sum of **\$120,000.00** without further action by the Board of Commissioners of the Authority.

5. The Treasurer/Chief Financial Officer's certification that funds are available shall be maintained on file 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 28, 2026.

26-2-056



Conor Gorman
Board Secretary

Dated: May 28, 2026

BERGEN COUNTY UTILITIES AUTHORITY
TREASURER'S CERTIFICATION OF FUNDS

RESOLUTION DATE: 5/28/26
RESOLUTION NUMBER: 26-2-056

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
15221000 532060


VENDOR ARTHEON (FORMERLY CME ASSOCIATES)

CONTRACT NUMBER 26-2-056

REASON CONSULTING ENGINEER FOR THE FINAL
DESIGN OF THE KENNISON NOZZLE
UPGRADE PROJECT

AMOUNT \$120,000.00

CONTRACT LENGTH TO COMPLETION


CFO/TREASURER

BERGEN COUNTY UTILITIES AUTHORITY RESOLUTION

WHEREAS, in 1947, the Bergen County Utilities Authority (the "Authority"), known at 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 forty-seven (47) municipalities in the County of Bergen serving approximately 575,000 people; and

WHEREAS, the Authority currently has the need for **Turbine Generator Maintenance, Inspection, and As-Need Repair & Replacement Parts Services** for the Authority's Siemens/Rolls Royce 501 KB Engines (Serial #ASP-652, Serial #ASP-654, and Serial #ASP-583); and

WHEREAS, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.*, the Authority publicly advertised, on two (2) separate occasions, for the receipt of sealed bids for BCUA Contract No. 25-10, **Turbine Generator Maintenance, Inspection, and As-Need Repair & Replacement Parts Services**; and

WHEREAS, both public solicitations for BCUA Contract No. 25-10 failed to result in a valid award, with the second (2nd) solicitation resulting in the rejection of the sole bid received as non-responsive; and

WHEREAS, by Resolution No. 26-2-020, adopted at the February 26, 2026 meeting, the Authority (i) rescinded Resolution No. 26-2-005 awarding BCUA Contract No. 25-10 (REBID) to **Stewart & Stevenson Power Products, LLC**, (ii) rejected the bid of **Stewart & Stevenson Power Products, LLC** as non-responsive, and (iii) authorized the Authority to negotiate a contract for the required services in strict accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.*, and specifically pursuant to N.J.S.A. 40A:11-4.1 and N.J.S.A. 40A:11-13.2, as two (2) attempts at public bidding had failed to result in a valid award; and

WHEREAS, pursuant to N.J.S.A. 40A:11-4.1 and N.J.S.A. 40A:11-13.2, where two (2) attempts at public bidding have failed to result in a valid award, the contracting unit

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may negotiate a contract for the required services in strict accordance with the Local Public Contracts Law; and

WHEREAS, in accordance with the foregoing authorization, the Authority solicited and negotiated proposals for the required services and received proposals from two (2) vendors, **Stewart & Stevenson Power Products, LLC** and **StandardAero**; and

WHEREAS, **Stewart & Stevenson Power Products, LLC** of 180 Route 17 South, Lodi, NJ 07644, submitted a negotiated proposal in the total amount of **\$741,500.00** for the initial two (2) year term, with two (2) one-year renewal options at the sole discretion of the Authority; and

WHEREAS, **StandardAero** submitted a negotiated proposal in the total amount of **\$1,055,282.00** for the initial two (2) year term, which is significantly higher than the proposal submitted by **Stewart & Stevenson Power Products, LLC**; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5(3), a contract negotiated following two (2) unsuccessful solicitations for public bids may not be awarded at a negotiated price that exceeds the lowest bid price rejected in connection with the prior solicitation; and

WHEREAS, the negotiated proposal submitted by **Stewart & Stevenson Power Products, LLC** in the total amount of **\$741,500.00** for the initial two (2) year term does not exceed the **\$741,500.00** bid received and rejected in connection with the REBID solicitation for BCUA Contract No. 25-10, and therefore is consistent with the limitation set forth in N.J.S.A. 40A:11-5(3); whereas the negotiated proposal submitted by **StandardAero** in the total amount of **\$1,055,282.00** exceeds said rejected bid amount and accordingly could not be awarded consistent with the Local Public Contracts Law; and

WHEREAS, the proposal submitted by **Stewart & Stevenson Power Products, LLC** represents the lowest responsible negotiated proposal and is the most advantageous to the Authority, price and other factors considered; and

WHEREAS, the Authority's Qualified Purchasing Agent has reviewed the negotiated proposals and recommends that BCUA Contract No. 25-10 be awarded to **Stewart & Stevenson Power Products, LLC** in the total amount of **\$741,500.00** for the initial two (2) year term; and

WHEREAS, the Authority's Treasurer/Chief Financial Officer has certified that funds are available for this purpose; and

WHEREAS, the procurement of these services is necessary for the efficient and continued operation of the Authority.

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

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1. The Authority is hereby authorized to award a negotiated contract for BCUA Contract No. 25-10, **Turbine Generator Maintenance, Inspection, and As-Need Repair & Replacement Parts Services**, to **Stewart & Stevenson Power Products, LLC** of 180 Route 17 South, Lodi, NJ 07644, in the total amount of **\$741,500.00** for the initial two (2) year term commencing June 1, 2026 and expiring May 31, 2028, with two (2) one-year renewal options at the sole discretion of the Authority, in strict accordance with the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.*, and specifically pursuant to N.J.S.A. 40A:11-4.1 and N.J.S.A. 40A:11-13.2, as this represents a negotiated award following two (2) failed public solicitations for this contract.
2. The Chairman or his designee shall be and is hereby authorized to execute any contract, agreement, purchase order(s), or other documents as may be required to effectuate the negotiated award to **Stewart & Stevenson Power Products, LLC**.
3. The Authority shall be responsible to ensure that goods and/or services procured 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.
4. 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.
5. The Certification of the Authority's Treasurer/Chief Financial Officer that funds are available for this purpose shall be maintained on file at the Authority and made a part hereof.
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 28, 2026.



Conor Gorman
Board Secretary

Dated: May 28, 2026

26-2-057

BERGEN COUNTY UTILITIES AUTHORITY
TREASURER'S CERTIFICATION OF FUNDS

RESOLUTION DATE: 5/28/26
RESOLUTION NUMBER: 26-2-057

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

FUNDS AVAILABLE x

FUNDS ARE NOT AVAILABLE

BUDGET ACCOUNT CAPITAL OUTLAY
15441000 560100

VENDOR STEWART & STEVENSON POWER
PRODUCTS, LLC

CONTRACT NUMBER 25-10

REASON TURBINE GENERATOR MAINTENANCE,
INSPECTION & AS NEED REPAIR &
REPLACEMENT PARTS SERVICES

AMOUNT \$741,500.00

CONTRACT LENGTH JUNE 1, 2026 - MAY 31, 2028



CFO/TREASURER

BERGEN COUNTY UTILITIES AUTHORITY RESOLUTION

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

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

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

WHEREAS, on October 27, 2022, the Authority adopted **Resolution No. 22-2-086**, awarding a contract to **Tomar Construction, LLC ("Tomar")**, the lowest responsible and compliant bidder, for the **Sludge Digester Improvements Project (the "Project")** under **Contract No. C-203 (the "Contract")**, for a total amount not to exceed **\$40,812,220.00**; and

WHEREAS, as a result of **Tomar's** failure to properly, diligently and timely perform its obligations under the **Contract**, the Authority issued a default notice dated April 22, 2025;

WHEREAS, on May 19, 2025, a meeting was conducted in good faith between representatives and counsel for both the Authority and **Tomar**, as well as a representative of the **Surety**, to discuss **Tomar's** performance of its contractual obligations, including providing **Tomar** with an opportunity to show cause and why it should not be considered in breach of contract; and

WHEREAS, following the May 19, 2025 meeting, **Tomar** failed to address its defaults, its ability to properly fulfill its obligations under the **Contract** and to complete the **Project** in a timely manner; and

WHEREAS, a result of **Tomar's** failure to cure its defaults, the Authority issued a Pre-Termination Notice on July 31, 2025 setting forth, in detail, **Tomar's** continuing failure to perform under the **Contract** and by failing to provide adequate assurances of its ability to do so the same; and

WHEREAS, subsequent to the issuance of the Pre-Termination Notice dated July 31, 2025, the Authority and **Tomar** entered into negotiations for a **Forbearance Agreement**, which included modifications to the **Contract** as requested by **Tomar**; and

WHEREAS, **AECOM**, the Authority's consultant on the **Project**, has issued a letter report dated December 1, 2025, calculating liquidated damages attributable to **Tomar** under the contract to be **\$4,910,000** (the "Liquidated Damages"); and

WHEREAS, **Tomar** has failed to respond to the terms and conditions for the forbearance, including but not limited to the determination of the Liquidated Damages and the payment thereof and has failed to agree to a **Forbearance Agreement**; and

WHEREAS, the Authority has determined that **Tomar** is incapable of completing the **Project**, incapable of fulfilling its obligations under the **Contract** and further that **Tomar** has failed to cure the defaults enumerated and set forth in the **Pre-Termination Notice** and has failed to accept the proposed **Forbearance Agreement**; and

WHEREAS, the Authority has informed the **Surety, Endurance Assurance Corporation/Sompo International Insurance** (hereinafter "Surety or Sompo") of its decision to terminate **Contract No. C-203**; and

WHEREAS, the **Surety** has advised the Authority that it desires to enter into a performance agreement with the Authority pursuant to which (i) the **Surety** will be responsible for completion of the **Project**; and (ii) afford the **Surety** an opportunity to mitigate damages; and

WHEREAS, the Authority's primary objective is to complete the **Project**; and

WHEREAS, the Authority believed that a performance agreement with the **Surety** would be the most expedient method of achieving its primary objective, that is completion of the **Project**; and

WHEREAS, by **Resolution 26-2-007**, the Commissioners approved the execution and delivery of a performance agreement with the **Surety**; and

WHEREAS, on March 26, 2026, the Authority and the **Surety, Endurance Assurance Corporation**, executed and delivered a **Performance Agreement** (the "Performance Agreement"); and

WHEREAS, the **Performance Agreement** provides that the **Surety's** Authorized representative is **J.S. Held & Associates** ("JS Held"); and

WHEREAS, by letter dated May 13, 2026 and subsequent email, counsel for the **Surety**, McElroy Deutsch, has advised the Authority that all payments pursuant to requisitions/purchase orders submitted by **Tomar Construction Services Inc.** should be paid to **JS Held** to an account entitled "**JSH Tomar Construction F.F.**".

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

1. Effective as of May 13, 2026, all payments to be made pursuant to **Contract C-203** pursuant to any requisitions/purchase orders previously submitted or to be submitted by **Tomar Construction Services Inc.**, shall be made to **JS Held** to the account entitled "**JSH Tomar Construction F.F.**" as specified and directed in the McElroy Deutsch letter dated May 13, 2026.
2. This Resolution is adopted with the express understanding that, in following the direction of the **Surety** with respect to payments to be made pursuant to **Contract C-203**, the **Surety** will indemnify and hold the Authority harmless from any claims made or liability to **Tomar Construction Services Inc.** or any of its subcontractors.
3. The Executive Director and General Legal Counsel are authorized and directed to take whatever further steps are necessary to effectuate the intent of this Resolution.

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 28, 2026.



Conor Gorman
Board Secretary

Dated: May 28, 2026

BERGEN COUNTY UTILITIES AUTHORITY
TREASURER'S CERTIFICATION OF FUNDS

RESOLUTION DATE: 5/28/26
RESOLUTION NUMBER: 26-2-058

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

PROJECT: NJ-IBANK S340386-23
I002300435-B-4BLD

VENDOR

J.S. HELD & ASSOCIATES

CONTRACT NUMBER

C-203A

REASON

TRANSFER OF CONTRACT FROM TOMAR
CONSTRUCTION AS PER PERFORMANCE
AGREEMENT

AMOUNT

\$24,794,183.95

CONTRACT LENGTH

TO COMPLETION


CFO/TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, P.L. 2007, c. 311 et seq. provides for the awarding of Recycling Enhancement Tax entitlements by the Department of Environmental Protection to designate solid waste management districts to assist them in the preparation, revision and implementation of comprehensive solid waste management recycling plans; and

WHEREAS, The Bergen County Utilities Authority (the "Authority"), as planning and implementing agency for the Bergen County Solid Waste Management District, has made application for such financial assistance; and

WHEREAS, the application made by the Authority on behalf of the Bergen County Solid Waste Management District to the Commissioner of the New Jersey Department of Environmental Protection is for a **2025 Recycling Enhancement Act (REA) County Grant Program** in the amount of **\$801,900**; and

WHEREAS, upon approval of the foregoing application, the Authority proposes to utilize the funds derived from the **2025 Recycling Enhancement Act (REA) County Grant Program** to fund the Authority's Recycling Programs (the "Programs"); and

WHEREAS, the Authority, as planning and implementing agency for the Bergen County Solid Waste Management District, deems it in the best interest of the Authority's constituent municipalities and rate payers, to apply for the **2025 Recycling Enhancement Act (REA) County Grant Program** to fund its share of the costs of the Programs; and

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

1. The Authority's Executive Director and/or Director of Solid Waste shall be and is hereby authorized to execute an agreement by and between the Authority and the New Jersey Department of Environmental Protection for **the 2025 Recycling Enhancement Act (REA) County Grant Program** in the amount of **\$801,900.00** for the express purpose of funding solid waste services, to wit, the Programs;

2. The Authority's Executive Director, Director of Solid Waste and/or Administration and Solid Waste Program Planning Manager and any successors to these titles shall be and is hereby authorized to execute amendments to the agreement by and between the Authority and the New Jersey Department of Environmental Protection for **the 2025 Recycling Enhancement Act (REA) County Grant Program**;

26-6-004

3. The Authority does hereby hold the State of New Jersey, and its departments and agencies harmless from any damages, losses and claims which may arise directly or indirectly from the execution of the tax grant;

4. The Authority hereby accepts the terms and conditions set forth in the Recycling Enhancement Act and the guidelines promulgated under it;

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of May 28, 2026



Conor Gorman
Board Secretary

Dated: May 28, 2026