

**BERGEN COUNTY UTILITIES AUTHORITY
MINUTES OF THE REGULAR MEETING
MAY 28, 2020**

**In the matter of the 494th Regular Meeting of
The Bergen County Utilities Authority**

1. The **proof of meeting notice** calling the May 28, 2020, meeting was read into the record by Michael Henwood, Board Secretary.

2. Roll Call:

COMMISSIONERS PRESENT:

Louis DeLisio, Vice Chairman (Telephonically)
Catherine T. Bentz, Commissioner (Telephonically)
Bruce Bonaventuro, Commissioner (Telephonically)
Thomas S. Kelley, Commissioner (Telephonically)
Daniel Gumble, Commissioner (Telephonically)
Peter C. Massa, Jr. Commissioner (Telephonically)
Diane T. Testa, Commissioner (Telephonically)
Jon Warms, Commissioner (Telephonically)

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

3. Motion that the Minutes covering the April 23, 2020 Work Session be approved was moved by Commissioner Kelley and Seconded by Commissioner Massa.
4. Chairman Phillips opened the meeting to the public and asked if anyone present wished to be heard.

5. FINANCE AND LEGAL COMMITTEE:

Resolution 20-1-033- Approve bills and the claims supported by vouchers totaling \$ 4,994,059.57 for the month of May and authorize the Acting Treasurer to issue the necessary checks therefor, and to charge the accounts indicated, all as more fully set forth on the Acting Treasurer's check list. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

6. CONSTRUCTION & ENGINEERING COMMITTEE:

Resolution 20-2-033 - Award Purchase Order No. 120198-20 - Perkin Elmer Health Sciences, Inc. - Purchase of Perkin Elmer Software. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

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Resolution 20-2-034 - Reject Bids and Re-Advertise for Contract 19-29 – Five (5) Dual Membrane Digester Cover Systems and Five (5) Digester Internal Draft Tube Mixing System.. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-2-035 - Award Contract 200 to Tomar Construction, LLC - Final Settling Tanks One (1) through Sixteen (16) Improvements. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-2-036 - Award Contract 20-05 to AirNova, Inc. - Stack Retest for Cogeneration Engine One (1) and VOC Testing for Cogeneration Engines. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-2-037 - Authorize acceptance of Qualifications of firms pursuant to N.J.S.A. 19:44A-20 et seq.. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-2-038 - Authorize contract with Precision Electric Motor Works, Inc. under North Jersey Wastewater Cooperative Pricing System Contract No. B200-11 to rebuild and repair of Pumps and Motors. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-2-039 - Authorize lease of copiers from Document Solutions, LLC, under State of New Jersey Contract SC-G2075 (PO40464) - Three (3) year period. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-2-040 - Award Professional Services Contract – Architectural Design Services for infrastructure improvements projects – RSC Architects, Inc. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-2-041- Authorize use of Reverse Auction for Procurement of Electric & Gas Supply pursuant to Local Unit Electronic Technology Pilot Program (R.L. 2001, c30). Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-2-042 - Authorize Amendment of Professional Services Contract – Edgewater WPCF Project Environmental Permitting Services – AKRF, Inc. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by

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

Resolution 20-2-043 - Authorize Amendment of Professional Services Contract – Land Surveying Engineer for the Edgewater Sewage Force Main Project – Neglia Engineering Associates. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-2-044 - Award Contract 19-30 Rebid to Varec Biogas –Two (2) Digester Gas Flare Assemblies. Motion to adopt the resolution was made by Commissioner Bonaventuro and Seconded by Commissioner Kelley. A roll call was taken and the resolution was adopted as reflected in these minutes.

7. PERSONNEL & ADMINISTRATIVE COMMITTEE:

Resolution 20-3-011 – Ratify designation of Michael Cammett as the Authorities Licensed C-4 Operator. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Bonaventuro. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 20-3-012 – Approve amendment to Professional Services Contract for COVID-19 Related Medical Services – Hackensack Occupational Medicine Associates, P.C. for the Providing of COVID-19 Related Services. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Bonaventuro. A roll call was taken and the resolution was adopted as reflected in these minutes.

8. STRATEGIC PLANNING COMMITTEE:

Resolution 20-6-004 – Authorize the Authority to enter into a memorandum of understanding (the “MOU”) with Columbia University and AECOM to participate in the University’s investigation and study of diversity and quantity of viruses and bacteria, including COVID-19, entering wastewater treatment plants. Motion to adopt the resolution was made by Commissioner Warms and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

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

10. Chairman Phillips announced the Regular Meeting would reconvene.

11. The Board Secretary then distributed proposed minutes of the May 28, 2020 Regular Meeting for review by the Commissioners.

12. Motion to approve the Minutes of the Regular Meeting May 28, 2020 as distributed by the Secretary, such minutes to include this motion approving the minutes, without the requirement of further review or approval at a subsequent Regular Meeting. Motion to adopt the Minutes of the Regular Meeting May 28, 2020 was made by Commissioner

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Gumble and Seconded by Commissioner Testa and Motion was carried. Commissioner Massa abstained

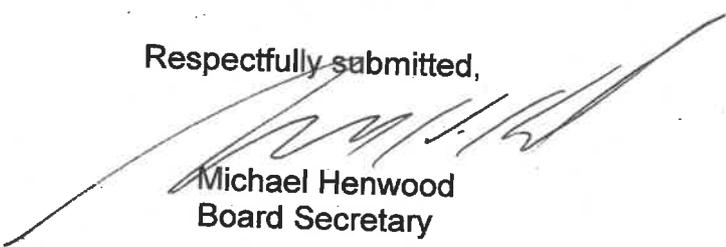
13. Upon motion duly made, seconded and unanimously carried, the meeting was adjourned.

Resolution #	20-1-033	20-2-033	20-2-034	20-2-035	20-2-036	20-2-037	20-2-038	20-2-039
Chairman Phillips	-	-	-	-	-	-	-	-
V. Chair. DeLisio	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Bentz	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Bonaventuro	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Gumble	Y	Y	Y	N	Y	Y	Y	Y
Comm. Kelley	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Massa, Jr.	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Testa	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Warms	Y	Y	Y	Y	Y	Y	Y	Y

Resolution #	20-2-040	20-2-041	20-2-042	20-2-043	20-2-044	20-3-011	20-3-012	20-6-004
Chairman Phillips	-	-	-	-	-	-	-	-
V. Chair. DeLisio	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Bentz	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Bonaventuro	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Gumble	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Kelley	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Massa, Jr.	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Testa	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Warms	Y	Y	Y	Y	Y	Y	Y	Y

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

Respectfully submitted,



Michael Henwood
 Board Secretary

Date: May 28, 2020

BERGEN COUNTY UTILITIES AUTHORITY RESOLUTION

WHEREAS, on two (2) prior occasions, upon advertisement and pursuant to specifications, the Bergen County Utilities Authority (the "Authority") solicited proposals to **Furnish and Deliver Perkin Elmer Software**, pursuant to and in accordance with **Request for Proposal No. 120198-20**; and

WHEREAS, no proposals were received by the Authority on either of the two (2) prior attempts to solicit proposals by the issuance of **Request for Proposal 120198-20** by the Authority seeking to obtain proposals to **Furnish and Deliver Perkin Elmer Software**, pursuant to and in accordance with **Request for Proposal 120198-20**; and

WHEREAS, as the Authority did not receive any proposals on either of the two (2) prior attempts to obtain proposals to **Furnish and Deliver Perkin Elmer Software**, pursuant to and in accordance with **Request for Proposal 120198-20**, the Authority entered into negotiations in order to form a contract to **Furnish and Deliver Perkin Elmer Software**, pursuant to and in accordance with **Request for Proposal 120198-20**, as authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, as part of these contract negotiations, the Authority received the following proposal to **Furnish and Deliver Perkin Elmer Software**, pursuant to and in accordance with **Request for Proposal 120198-20**:

Vendor	Total Proposal Price
Perkin Elmer Health Sciences, Inc. Shelton, CT	\$22,980.00

; and

WHEREAS, by Resolution 16-1-024 adopted March 24, 2016, the Board of Commissioners of the Authority increased the Authority's bid threshold under N.J.S.A. 40A:11-3 to the sum of \$40,000.00; and

WHEREAS, the awarding of a contract pursuant to **Request for Proposal 120198-20** to **Furnish and Deliver Perkin Elmer Software** is below the Authority's bid threshold of \$40,000.00; and

WHEREAS, this contract is being awarded without public bidding as not exceeding the bidding threshold required by, and in compliance with, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.); and

WHEREAS, the awarding of a contract to **Furnish and Deliver Perkin Elmer Software**, pursuant to and in accordance with **Request for Proposal 120198-20**, is necessary for the efficient operation of the Authority; and

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

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

1. **Perkin Elmer Health Sciences, Inc.** shall be and is hereby determined to be the lowest complying and responsible vendor submitting a proposal to **Furnish and Deliver Perkin Elmer Software**, pursuant to and in accordance with **Request for Proposal 120198-20**, for a total sum of **\$22,980.00**.
2. The Chairman shall be and is hereby authorized to execute a contract with **Perkin Elmer Health Sciences, Inc.** of 70 Bridgeport Avenue, Shelton CT 06484 to **Furnish and Deliver Perkin Elmer Software**, pursuant to **Request for Proposal 120198-20**, for a total sum of **\$22,980.00** without further approval of the Commissioners of the Authority.
3. The Acting Treasurer's Certification that funds are available shall be maintained 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 **Request for Proposal 120198-20**, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by **Perkin Elmer Health Sciences, Inc.** 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, 2020.


Michael Henwood
Secretary

Dated: May 28, 2020

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BERGEN COUNTY UTILITIES AUTHORITY
TREASURER'S CERTIFICATION OF FUNDS

RESOLUTION DATE: 5/28/20
RESOLUTION NUMBER: 20-2-033

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 COMPLIANCE EQUIPMENT
15223000-532930

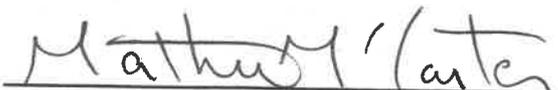
VENDOR PERKIN ELMER HEALTH SCIENCES, INC.

CONTRACT NUMBER N/A

REASON FURNISH AND DELIVER PERKIN ELMER
SOFTWARE

AMOUNT \$22,980.00

CONTRACT LENGTH N/A


ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Bergen County Utilities Authority (the "Authority") solicited bid proposals for **Digester Membrane Covers**, pursuant to and in accordance with **Contract No. 19-29**; and

WHEREAS, the following bid proposals were received by the Authority on **May 21, 2020** for **Contract No.19-29**:

Vendor	Total Bid Price
Evoqua Water Technologies, LLC Waukesha, WI	\$1,486,370.00
Olympus Technologies, Inc. Eugene, OR	\$1,960,000.00
WesTech Engineering, Inc. Rye Brook, NY	\$2,991,694.00
Ovivo USA, LLC Salt Lake City, UT	\$3,750,000.00

; and

WHEREAS, the Authority's **Interim Qualified Purchasing Agent** and the Authority's consulting engineer, **AECOM**, have reviewed the bid proposals provided by **Evoqua Water Technologies, LLC, Olympus Technologies, Inc., WesTech Engineering, Inc.** and **Ovivo USA, LLC** and have indicated that the bid proposal of **WesTech Engineering, Inc.** has been deemed incomplete, nonconforming and nonresponsive based upon the failure to submit fully completed and executed Consent of Surety and Disclosure of Ownership forms with the submitted bid, and have further indicated that the bid proposal of **Ovivo USA, LLC** has been incomplete, nonconforming and nonresponsive based upon the failure to submit a completed and executed Disclosure of Ownership form with the submitted bid, and have further indicated that the bid proposals of **Olympus Technologies, Inc.** and **Evoqua Water Technologies, LLC** have each been deemed incomplete, nonconforming and nonresponsive based upon the failure to a fully responsive bid by failing to bid on all necessary line items as required, and have concluded that each of the submitted bid proposals is deficient; and

WHEREAS, the Authority's **Interim Qualified Purchasing Agent** and the Authority's consulting engineer, **AECOM**, have recommended that the bid proposals provided by **Evoqua Water Technologies, LLC, Olympus Technologies, Inc., WesTech Engineering, Inc.** and **Ovivo USA, LLC** be rejected for the reasons aforementioned; and

WHEREAS, no acceptable or responsive bid proposals were received by the Authority as of **May 21, 2020**, which was the date set forth in the Invitation to Bid for the receipt of bid proposals pursuant to and in accordance with **Contract 19-29**; and

WHEREAS, the Contract Documents and Bid Specifications constituting **Contract No. 19-29** provide that the Authority, as the contracting unit, reserves the right to reject any and all bids, including but not limited to, all nonconforming, nonresponsive or conditional bids; and

WHEREAS, the Authority's consulting engineer, **AECOM**, based upon its review of the bid proposals has indicated that during its review it was discovered that the bid specifications should be substantially revised and the Authority's consulting engineer, **AECOM**, further indicated that all bids, in addition to the reasons set forth hereinabove, should therefore also be rejected so that the bid documents may be so revised to correct and provide for necessary critical characteristics for **Digester Membrane Covers**, pursuant to and in accordance with **Contract No. 19-29**, and so that **Contract No. 19-29** may then be re-advertised for bid proposals; and

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

WHEREAS, the Authority's **Interim Qualified Purchasing Agent** and the Authority's consulting engineer, **AECOM**, have recommended that all bid proposals received for **Contract No. 19-29** be rejected for the reasons aforementioned pursuant to and in accordance with N.J.S.A. 40A:11-13.2(d) so that the Authority may substantially revise the specifications for **Digester Membrane Covers**, and re-advertise for solicitation of bid proposals for **Contract No. 19-29**; and

WHEREAS, based upon the above, the Board of Commissioners of the Authority are desirous of re-advertising for the solicitation of bid proposals for **Contract No. 19-29** pursuant to N.J.S.A. 40A:11-4 et seq., as an award of **Contract No. 19-29** is necessary for the efficient operation of the Authority.

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

1. All bid proposals received for **Contract No. 19-29** shall be and are hereby rejected for the reasons set forth in this Resolution and pursuant to and in accordance with N.J.S.A. 40A:11-13.2(d).
2. The Authority's **Interim Qualified Purchasing Agent**, with the assistance of the Authority's consulting engineer, **AECOM**, shall be and is hereby authorized and directed to revise the bid documents to correct and provide for necessary critical characteristics for **Digester Membrane Covers**, pursuant to and in accordance with **Contract No. 19-29**.
3. The Executive Director, or his designee, shall be and is hereby authorized to re-advertise for the solicitation of bid proposals for **Digester Membrane Covers**, pursuant to and in accordance with **Contract No. 19-29**.
4. The bid security of unsuccessful bidders, if any, shall be returned in accordance with N.J.S.A. 40A:11-1, et seq.

20-2-034

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, 2020.



Michael Herwood
Secretary

Dated: May 28, 2020

BERGEN COUNTY UTILITIES AUTHORITY RESOLUTION

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Bergen County Utilities Authority (the "Authority") solicited bid proposals for **Final Settling Tank Improvements** pursuant to and in accordance with **Contract No. 200**; and

WHEREAS, the following seven (7) bid proposals were received by the Authority for **Contract No. 200** on **May 14, 2020**, the date set forth in the Invitation to Bid for the receipt of bid proposals pursuant to and in accordance with **Contract No. 200**:

Vendor	Total Amount Bid
Tomar Construction, LLC East Brunswick, NJ	\$5,990,000.00
Rapid Pump & Meter Service Co. Inc. Paterson, NJ	\$6,791,840.00
Coppola Services, Inc. Ringwood, NJ	\$7,083,890.00
Allied Construction Group Inc. Parlin, NJ	\$7,528,050.00
Spectraserv, Inc. Kearny, NJ	\$7,882,625.00
Stone Hill Contracting Co., Inc. Doylestown, PA	\$8,285,266.00
Railroad Construction Co., Inc. Paterson, NJ	\$9,548,000.00

; and

WHEREAS, the Authority's **Director of Engineering** and the Authority's consulting engineer, **Alaimo Group**, have reviewed the bid proposals and have recommended that **Tomar Construction, LLC** be awarded **Contract No. 200** in accordance with N.J.S.A. 40:11-1 et seq., as the lowest complying and responsible bidder; and

WHEREAS, on the basis of the foregoing, the Authority has determined that **Tomar Construction, LLC** constitutes the lowest complying and responsible bidder for **Contract No. 200**, in accordance with N.J.S.A. 40A:11-1 et seq.; and

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

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

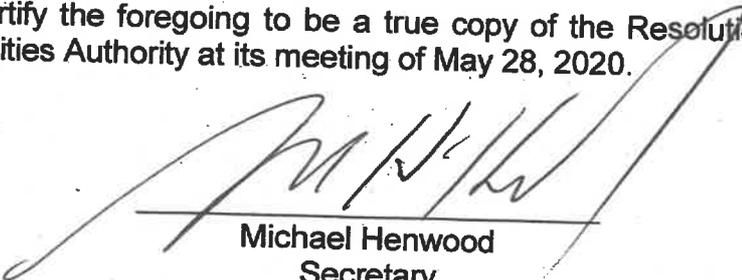
20-2-035

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

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

1. **Tomar Construction, LLC** shall be and is hereby determined to be the lowest complying and responsible bidder for **Final Settling Tank Improvements**, constituting **Contract No. 200** for an amount not to exceed the total sum of **\$5,990,000.00**.
2. The Chairman shall be and is hereby authorized to execute a contract with **Tomar Construction, LLC** of 18 Connerty Court, East Brunswick, NJ 08816 for **Final Settling Tank Improvements**, constituting **Contract No. 200** for an amount not to exceed the total sum of **\$5,990,000.00**.
3. The bid security of all unsuccessful bidders, if any, shall be returned in accordance with N.J.S.A. 40A:11-1 et seq.
4. The Acting Treasurer's Certification that funds are available shall be maintained on file at the Authority and made a part hereof.
5. A notice of this contract award shall be published in the form prescribed by law.
6. A copy of this Resolution and the agreement executed pursuant to this Resolution, along with **Contract No. 200**, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by **Tomar Construction, LLC** and the Authority.
7. The formal action(s) of the Commissioners of the Bergen County Utilities Authority embodied herein are expressly contingent upon and subject to the provisions of N.J.S.A. 40:14B-14b.

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of May 28, 2020.


Michael Henwood
Secretary

Dated: May 28, 2020

BERGEN COUNTY UTILITIES AUTHORITY
TREASURER'S CERTIFICATION OF FUNDS

RESOLUTION DATE: 5/28/20
RESOLUTION NUMBER: 20-2-035

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

FUNDS AVAILABLE

x

FUNDS ARE NOT AVAILABLE

BUDGET ACCOUNT

IBANK LOAN 19IBANK3

VENDOR

TOMAR CONSTRUCTION, LLC

CONTRACT NUMBER

200

REASON

FINAL SETTLING TANK IMPROVEMENTS

AMOUNT

\$5,990,000.00

CONTRACT LENGTH

TO CONSTRUCTION COMPLETION


ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Bergen County Utilities Authority (the "Authority") solicited bid proposals for **Stack Retest for Cogeneration Engine 1 and VOC Testing for Cogeneration Engines** for a **One (1) Year Period** pursuant to and in accordance with **Contract No. 20-05**; and

WHEREAS, the following bid proposals were received by the Authority on **May 19, 2020** for **Contract No. 20-05**:

Vendor	Total Amount Bid for One (1) Year Contract
AirNova, Inc. Pennsauken, NJ	\$25,950.00
Montrose Air Quality Services, LLC Easton, PA	\$27,450.00
Environmental Source Samplers, Inc. Wilmington, NC	\$36,130.00
TRC Environmental Corporation Windsor, CT	\$37,000.00

WHEREAS, the Authority's **Interim Qualified Purchasing Agent and Director of Engineering** have reviewed the bid proposals and have recommended that **AirNova, Inc.** be awarded **Contract No. 20-05** in accordance with N.J.S.A. 40:11-1 et seq., as the lowest complying and responsible bidder; and

WHEREAS, on the basis of the foregoing, the Authority has determined that **AirNova, Inc.** constitutes the lowest complying and responsible bidder for **Contract No. 20-05**, in accordance with N.J.S.A. 40A:11-1 et seq.; and

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

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

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

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

- AirNova, Inc.** shall be and is hereby determined to be the lowest complying and responsible bidder for **Stack Retest for Cogeneration Engine 1 and VOC Testing for Cogeneration Engines**, constituting **Contract No. 20-05** for a **One (1) Year Period**, for an

20-2-036

amount not to exceed the total sum of **\$25,950.00** without further approval of the Commissioners of the Authority.

2. The Chairman shall be and is hereby authorized to execute a contract with **AirNova, Inc.** of 5845 Clayton Avenue, Pennsauken, NJ 08109 for **Stack Retest for Cogeneration Engine 1 and VOC Testing for Cogeneration Engines**, constituting **Contract No. 20-05** for a **One (1) Year Period**, for an amount not to exceed the total sum of **\$25,950.00** without further approval of the Commissioners of the Authority.

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

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

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

6. A copy of this Resolution and the contract executed pursuant to this Resolution, along with **Contract No. 20-05**, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by **AirNova, Inc.** and the Authority.

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of May 28, 2020.


Michael Herwood
Secretary

Dated: **May 28, 2020**

BERGEN COUNTY UTILITIES AUTHORITY
TREASURER'S CERTIFICATION OF FUNDS

RESOLUTION DATE: 5/28/20
RESOLUTION NUMBER: 20-2-036

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

COGENERATION
15224000-532470

VENDOR

AIRNOVA, INC.

CONTRACT NUMBER

20-05

REASON

STACK RETEST FOR COGENERATION ENGINE
1 AND VOC TESTING FOR COGENERATION
ENGINES

AMOUNT

\$25,950.00

CONTRACT LENGTH

ONE YEAR

Matthew M Carter
ACTING TREASURER

20-2-037

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, the Bergen County Utilities Authority (the "Authority") has followed the fair and open process pursuant to N.J.S.A. 19:44A-20 et seq. for receiving Requests for Qualifications; and

WHEREAS, on or about **April 30, 2020** the Authority issued a Request For Qualifications for **Architectural Design Services** in accordance with the requirements of N.J.S.A. 19:44A-20, et seq.; and

WHEREAS, the Authority received and opened Qualifications for the above listed positions on **May 20, 2020**; and

WHEREAS, pursuant to the Request For Qualifications, the Authority's Review Team conducted a review of the responses received and recommends that the firms listed below be deemed qualified for the following positions; and

WHEREAS, the Authority's Construction and Engineering Committee recommends that the firms listed below be deemed qualified for the following position.

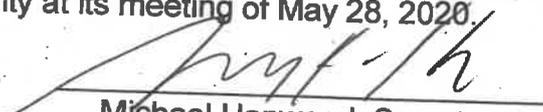
NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the Bergen County Utilities Authority that the following firms be and are hereby qualified to render services on behalf of the Authority for the year of 2020:

Architectural Services

Paulus, Sokolowski and Sartor, LLC
The Alaimo Group, Inc./Tri-State Architects, P.C.
RSC Architects, P.A.
Arcari and Iovino Architect, P.C.
The Musial Group PA
EI Associates, Architects & Engineers, PA
DMR Architects, P.C.

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of May 28, 2020.


Michael Henwood, Secretary

Dated: May 28, 2020

20-2-037

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

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

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

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

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

WHEREAS, the Authority is a member of the North Jersey Wastewater Cooperative Pricing System (the "NJWCPS"); allowing the Authority to participate in the NJWCPS to purchase goods and contract for services, making the procurement process more efficient and providing cost savings to the Authority and its ratepayers; and

WHEREAS, the Authority currently has the need to **Rebuild and Repair Pumps** in order to ensure the necessary and efficient operations of the Authority; and

WHEREAS, the NJWCPS previously designated NJWCPS Contract No. B200-11 as a Cooperative Pricing System contract with the lead agency being Passaic Valley Sewerage Commission; and

WHEREAS, Precision Electric Motor Works, Inc. of 14 Sebago Street, Clifton, New Jersey, 07013, was previously awarded NJWCPS Contract No. B200-11 for Various Manufacturer Pumps and Motors-Repair and Replacement and Installation; and

WHEREAS, the Authority, as a member of the NJWCPS, is able to participate therein and engage Precision Electric Motor Works, Inc. to **Rebuild and Repair Pumps** under

20-2-038

NJWCPS Contract No. B200-11, for the total sum of **\$53,835.00** as set forth and contained in the written proposal dated March 26, 2020 submitted to the Authority by **Precision Electric Motor Works, Inc.** under NJWCPS Contract No. B200-11; and

WHEREAS, the Authority's Director of Water Pollution Control has reviewed the quotes provided to the Authority by **Precision Electric Motor Works, Inc.** and has recommended that it would be advantageous to the Authority, and result in a cost savings to the Authority and its ratepayers, for the Authority to engage **Precision Electric Motor Works, Inc.** through NJWCPS Contract No. B200-11 to provide the necessary services to **Rebuild and Repair Pumps** for an amount not to exceed the total sum of **\$53,835.00**, as set forth and contained in the written proposal dated March 26, 2020 submitted to the Authority by **Precision Electric Motor Works, Inc.** and in accordance with the terms of NJWCPS Contract No. B200-11; and

WHEREAS, NJWCPS Contract No. B200-11 meets the fair and open process requirements of N.J.S.A. 19:44A-20.4 et seq.; and

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

WHEREAS, the award of this contract is necessary for the efficient operation of the Authority.

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

1. The Executive Director, or his designee, shall be and is hereby authorized to execute a purchase order, or purchase orders as may be required, to **Rebuild and Repair Pumps** for an amount not to exceed the total sum of **\$53,835.00**, as set forth and contained in the written proposal dated March 26, 2020 submitted to the Authority by **Precision Electric Motor Works, Inc.** and in accordance with the terms of NJWCPS Contract No. B200-11.

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

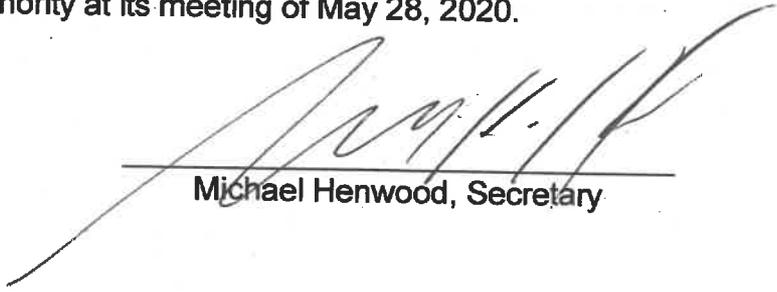
3. A copy of this Resolution, a copy of the Certificate of Membership issued by the NJWCPS to the Authority and a copy of any contract(s) entered into by the Authority pursuant to this Resolution shall be placed on file and made available for public inspection in the office of the Executive Director.

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

20-2-038

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

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, 2020.



Michael Henwood, Secretary

Dated: May 28, 2020

BERGEN COUNTY UTILITIES AUTHORITY
TREASURER'S CERTIFICATION OF FUNDS

RESOLUTION DATE: 5/28/20
RESOLUTION NUMBER: 20-2-038

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

FUNDS AVAILABLE x

FUNDS ARE NOT AVAILABLE

BUDGET ACCOUNT PUMPS
15224000-532413

VENDOR PRECISION ELECTRIC MOTOR WORKS, INC.

CONTRACT NUMBER NORTH JERSEY WASTEWATER
COOPERATIVE PRICING SYSTEM
NJCPCS B200-11

REASON REBUILD AND REPAIR PUMPS

AMOUNT \$53,835.00

CONTRACT LENGTH N/A



ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

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

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

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

WHEREAS, the Local Public Contracts Law, at N.J.S.A. 40A:11-12, provides that contracting units may purchase goods and/or services pursuant to contracts authorized by the State of New Jersey without the necessity of public bidding therefore; and

WHEREAS, Document Solutions, LLC of 151 Sumner Avenue, Kenilworth, NJ 07033 has been awarded New Jersey State Contract SC-G2075 (PO40464) Copiers and Multi-Function Devices; and

WHEREAS, Document Solutions, LLC submitted to the Authority a written proposal dated May 14, 2020 to **Furnish, Deliver and Install Eleven (11) Copiers** for a **Three (3) Year Period** to the Authority under New Jersey State Contract SC-G2075 (PO40464) for the monthly payment amount of **\$1,198.39** and the total payment sum of **\$43,142.04** over the thirty-six (36) month lease term as set forth and contained in the written proposal dated May 14, 2020 submitted to the Authority by **Document Solutions, LLC**; and

WHEREAS, the Authority may procure the **Furnish, Deliver and Install Eleven (11) Copiers** for a **Three (3) Year Period** through New Jersey State Contract SC-G2075 (PO40464) for the monthly payment amount of **\$1,198.39** and the total payment sum of **\$43,142.04** over the thirty-six (36) month lease term as set forth and contained in the written proposal dated May 14, 2020 submitted to the Authority by **Document Solutions, LLC**; and

WHEREAS, contracts awarded pursuant to authorization from the State of New Jersey are in compliance with the fair and open process pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

20-2-039

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

WHEREAS, the award of this contract is necessary for the efficient operation of the Authority.

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

1. The Executive Director or his designee shall be and is hereby authorized to execute a purchase order, or purchase orders as may be required, for **Document Solutions, LLC** of 151 Sumner Avenue, Kenilworth, NJ 07033 to **Furnish, Deliver and Install Eleven (11) Copiers** for a **Three (3) Year Period** to the Authority for the monthly payment amount of **\$1,198.39** and the total payment sum of **\$43,142.04** over the thirty-six (36) month lease term as per the written proposal dated May 14, 2020 submitted to the Authority by **Document Solutions, LLC**, and in accordance with the terms of New Jersey State Contract SC-G2075 (PO40464).

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

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of May 28, 2020.


Michael Henwood, Secretary

Dated: May 28, 2020

BERGEN COUNTY UTILITIES AUTHORITY
TREASURER'S CERTIFICATION OF FUNDS

RESOLUTION DATE: 5/28/20
RESOLUTION NUMBER: 20-2-039

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 ADMIN EQUIPMENT & SERVICE
15116000-531030
25116000-531030

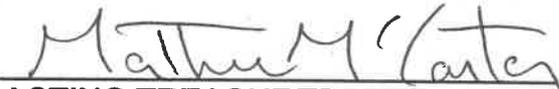
VENDOR DOCUMENT SOLUTIONS, LLC

CONTRACT NUMBER NEW JERSEY STATE CONTRACT
SC-G2075

REASON FURNISH, DELIVER AND INSTALL ELEVEN
(11) COPIERS

AMOUNT \$43,142.04

CONTRACT LENGTH THREE YEARS


ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

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

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

WHEREAS, there exists the need to engage the services of an architectural firm authorized to provide professional architectural services in the State of New Jersey to provide **Architectural Design Services** to the Authority for the design, oversight and management of various infrastructure improvement projects; and

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

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

WHEREAS, **RSC Architects, P.A.** submitted a Statement of Qualifications to the Authority and the Board of Commissioners of the Authority determined that **RSC Architects, P.A.** is competent, qualified and experienced to provide **Architectural Design Services** to the Authority; and

WHEREAS, based on **RSC Architects, P.A.** Statement of Qualifications, the Authority issued a Request for Proposal ("RFP"), requesting the submission of a proposal for the providing of **Architectural Design Services** to the Authority; and

WHEREAS, the RFP specified that the **Architect** providing the **Architectural Design Services** shall be required to indemnify the Authority and provide insurance required by the Authority; and

WHEREAS, the RFP specified that the proposal include a schedule of hourly billing rates; and

WHEREAS, the RFP specified that payment for services rendered shall be computed based on an hourly billing rate, plus reimbursables; and

20-2-040

WHEREAS, RSC Architects, P.A. has submitted a written proposal dated May 20, 2020 to provide **Architectural Design Services** to the Authority, on a time and material basis, not to exceed the total sum of \$37,200.00, which proposal has been reviewed and approved by the Authority's Director of Strategic Planning and Projects; and

WHEREAS, the proposal included attachments including hourly billing rates, Certificate of Liability Insurance naming the Authority as an additional insured, New Jersey Business Registration Certificate, Ownership Disclosure Statement, Affirmative Action Compliance Notice, Certificate of Employee Information Report, Exhibit A, Mandatory Equal Employment Opportunity Language, Iran Disclosure Form, W-9 Form and Certificate of Authorization; and

WHEREAS, the Authority has determined, based upon the foregoing, that it is necessary for its efficient operation to retain the services of **RSC Architects, P.A.** to provide **Architectural Design Services** to the Authority; and

WHEREAS, the Authority desires to appoint and retain **RSC Architects, P.A.** to provide **Architectural Design Services** to the Authority for the duration of the assigned projects, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

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

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

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

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

1. **RSC Architects, P.A.** shall be and is hereby appointed to provide **Architectural Design Services** to the Authority for design, oversight and management of various infrastructure improvements for the duration of the assigned projects, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively.

2. The Chairman or Executive Director 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 **RSC Architects, P.A.** memorializing the scope of services to be performed by **RSC Architects, P.A.** and hourly billing rates to be paid by the Authority for such services as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

20-2-040

3. A copy of this resolution, and the contract retaining **RSC Architects, P.A.** to provide **Architectural Design Services** to the Authority as approved and authorized by this Resolution, shall be placed on file and made available for public inspection in the office of the Executive Director, upon execution by **RSC Architects, P.A.** and the Authority.

4. The total amount authorized to be paid by the Authority to **RSC Architects, P.A.** for the providing of **Architectural Design Services** to the Authority pursuant to the contract approved and authorized by this Resolution shall not exceed the total sum of **\$37,200.00** without further action by the Board of Commissioners of the Authority.

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

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

7. The formal action(s) of the Commissioners of the 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, 2020.



Michael Henwood
Board Secretary

Dated: May 28, 2020

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, there exists the need to **Perform a Reverse Auction for Electric & Gas Supply** in order to ensure the necessary and efficient operations of the Bergen County Utilities Authority (the "Authority"); and

WHEREAS, the Local Unit Electronic Technology Pilot Program and Study Act (P.L. 2001, c. 30) (the "Act") provides an exception to New Jersey's Public Bid Law allowing the Authority to forego traditional RFQs when purchasing electricity and/or gas and to purchase electricity and/or gas through an online reverse auction process in order to reduce cost; and

WHEREAS, the E-Procurement Pilot Program of the State of New Jersey Department of Community Affairs (the "DCA") pursuant to the Act allows local units to purchase commodities and services, including energy supply, through online bidding and reverse auction programs approved by the DCA; and

WHEREAS, any online organization participating in the online pilot program and on the approved list of companies found on the DCA website may be used; and

WHEREAS, a reverse auction platform provides the hyper-competitive bidding environment which compliments the RFP process that brings in the interested suppliers; and

WHEREAS, the current Electric Supply agreement expires on the meter read dates in July 2020, and it is necessary for the efficient operation of the Authority to have an agreement in place prior to that time; and

WHEREAS, the current Gas Supply agreement expires on the meter read dates in December 2020, and it is necessary for the efficient operation of the Authority to have an agreement in place prior to that time; and

WHEREAS, Premier Energy Group, L.L.C. has been approved by the DCA as a vendor to offer its reverse auction platform to New Jersey local contracting units for the purchase of energy supply; and

WHEREAS, the high level of competition associated with the reverse auction, combined with Premier Energy Group, L.L.C.'s electric/gas procurement experience and in-depth knowledge of the retail electric market in New Jersey, provides an opportunity for the Authority to lock-in a competitive rate and have price and budget certainty into the future; and

WHEREAS, the usage based fee to be paid to **Premier Energy Group, L.L.C.** shall be paid by the selected energy provider, not the Authority; and

WHEREAS, **Premier Energy Group, L.L.C.** provided the Authority with a written proposal dated May 1, 2020 to **Perform a Reverse Auction for Electric and Gas Supply** utilizing the DCA's E-Procurement Pilot Program, in the amount of **\$0.0025/kWh** for electric and **\$0.10/dth** for gas as a usage based fee for a twenty-four (24) month agreement term at the Little Ferry site, Edgewater site and Pumping Stations; and

WHEREAS, the services to **Perform a Reverse Auction for Electric and Gas Supply** may be procured through the DCA's E-Procurement Pilot Program (authorized under P.L. 2001, c. 30) for a total amount of **\$0.0025/kWh** for electric and **\$0.10.dth** for gas as a usage based fee for a twenty-four (24) month agreement term at the Little Ferry site, Edgewater site and Pumping Stations as proposed by **Premier Energy Group, L.L.C.**; and

WHEREAS, the award of this service and conducting of the auction pursuant to the Act is necessary for the cost savings and the efficient operation of the Authority.

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

1. The staff is authorized to participate in and **Premier Energy Group, L.L.C.** is authorized to **Perform a Reverse Auction for Electric and Gas Supply** utilizing the DCA's E-Procurement Pilot Program for a total amount of **\$0.0025/kWh** for electric and **\$0.10/dth** for gas as a usage based fee for a twenty-four (24) month agreement term at the Little Ferry site, Edgewater site and Pumping Stations as per the written proposal of **Premier Energy Group, L.L.C.** dated May 1, 2020, and in accordance with the terms of the DCA's E-Procurement Pilot Program pursuant to the Act for the purpose of purchasing electricity and gas from third party suppliers for use by the Authority.
2. The Executive Director, or his designee, shall be and is hereby authorized to execute the necessary Energy Sales Agreement(s) providing the auctions result in an acceptable savings in energy costs to the Authority.
3. A notice of the auction results shall be published as required by law.
4. A copy of this Resolution and the agreement executed pursuant to this Resolution shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by **Premier Energy Group, L.L.C.** and the Authority.
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).

20-2-041

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, 2020.



Michael Henwood
Secretary

Dated: May 28, 2020

**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 19-2-082 adopted October 24, 2019, appointed **AKRF, Inc.** to serve as the Authority's **Environmental Permitting Consultant** to perform for the Authority the **Edgewater WPCF Project Environmental Permitting Services**; 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 **AKRF, Inc.** submitted a Statement of Qualifications and the Commissioners of the Authority determined that **AKRF, Inc.** is competent, qualified and experienced to serve as the Authority's **Environmental Permitting Consultant**; and

WHEREAS, Resolution 19-2-082 Authorized the Chairman of the Board of Commissioners of the Authority to execute a contract by and between the Authority and **AKRF, Inc.** (the "Contract") memorializing the scope of the **Edgewater WPCF Project Environmental Permitting Services** to be provided by **AKRF, Inc.** to the Authority, and performing such services serving as the Authority's **Environmental Permitting Consultant**, pursuant to which payment by the Authority to **AKRF, Inc.** is not to exceed the total sum of \$289,850.00 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 **AKRF, Inc.** on October 24, 2019; and

WHEREAS, subsequent to the execution of the Contract, the Authority determined that it was necessary to increase the scope of the **Edgewater WPCF Project Environmental Permitting Services** to be performed by **AKRF, Inc.** pursuant to the Contract and the Authority requested that **AKRF, Inc.** provide a written proposal to perform this increased scope of work, including the additional delineation of soil quality in areas where the Authority determined such additional services were required to be performed as part of the **Edgewater WPCF Project Environmental Permitting Services**; and

WHEREAS, **AKRF, Inc.**, by written correspondence dated April 15, 2020, advised the Authority that **AKRF, Inc.** is ready and available to provide these additional scope of services as requested by the Authority in order for **AKRF, Inc.** to perform and complete the

20-2-042

Edgewater WPCF Project Environmental Permitting Services and requested that the Authority increase the compensation budget provided for by the Contract by the total sum of \$20,670.00 in order for **AKRF, Inc.** to perform the additional scope of services as was requested by the Authority, resulting in an amended Contract compensation budget of an amount not to exceed the total sum of \$310,520.00; and

WHEREAS, the Executive Director of the Authority has determined that **AKRF, Inc.** has performed all services under the Contract in an effective and efficient manner and has further determined that **AKRF, Inc.** has provided the **Edgewater WPCF Project Environmental Permitting Services** serving as **Environmental Permitting Consultant** to the Authority in an effective and efficient manner and has further determined that the work to be performed by **AKRF, Inc.** under the Contract as set forth in the written correspondence dated April 15, 2020 is essential to the proper and effective operation of the Authority; and

WHEREAS, the Executive Director of the Authority has reviewed the April 15, 2020 written correspondence of **AKRF, Inc.**, including the request of **AKRF, Inc.** to increase the compensation budget for the total compensation to be paid by the Authority to **AKRF, Inc.** under the Contract, and based upon that review and the above determinations, he has concluded and recommended that the Authority should amend the Contract to provide for the additional scope of services identified by the Authority and requested by the Authority to be performed by **AKRF, Inc.** as part of the **Edgewater WPCF Project Environmental Permitting Services** and further amended by increasing the budget for compensation to be paid by the Authority to **AKRF, Inc.** pursuant to the Contract in the total sum of \$20,670.00, resulting in an amended compensation budget under the Contract in an amount not to exceed the total sum of \$310,520.00 without further approval of 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 Acting Treasurer has certified that funds are available for the modification of the Contract pursuant to this Resolution.

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

1. The Contract entered into by and between the Authority and **AKRF, Inc.** shall be and is hereby modified by the Authority and the Contract shall be modified to provide that the additional scope of services identified and requested by the Authority to be performed by **AKRF, Inc.** pursuant thereto shall include those services as are identified in the April 15, 2020 written correspondence submitted by **AKRF, Inc.** to the Authority and the Contract shall be further modified to provide that the compensation to be paid by the Authority pursuant thereto shall be increased in the amount of \$20,670.00 and the total amount of compensation to now

20-2-042

be paid by the Authority to **AKRF, Inc.** pursuant to the modified Contract shall not exceed the total sum of \$310,520.00 without further approval of the Board of Commissioners of the Authority.

2. The Chairman of the Authority shall be and is hereby authorized to execute a contract by and between the Authority and **AKRF, Inc.** modifying the Contract as approved and authorized by this Resolution, in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

3. A copy of this Resolution and the contract modifying the Contract pursuant to this Resolution, shall be placed on file and made available for public inspection in the Office of the Executive Director, upon execution by **AKRF, Inc.** and the Authority.

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

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

6. The formal action(s) of the Commissioners of 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, 2020.



Michael Henwood
Secretary

DATED: May 28, 2020

**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 19-2-095 adopted December 19, 2019, appointed **Neglia Engineering Associates** to serve as the Authority's **Land Surveying Engineer** for the **Edgewater Sewage Force Main Project**; 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 **Neglia Engineering Associates** submitted a Statement of Qualifications and the Commissioners of the Authority determined that **Neglia Engineering Associates** is competent, qualified and experienced to serve as the Authority's **Land Surveying Engineer** for the **Edgewater Sewage Force Main Project**; and

WHEREAS, Resolution 19-2-095 Authorized the Chairman of the Board of Commissioners of the Authority to execute a contract by and between the Authority and **Neglia Engineering Associates** (the "Contract") memorializing the scope of the land surveying services to be performed by **Neglia Engineering Associates** for the Authority serving as the Authority's **Land Surveying Engineer** for the **Edgewater Sewage Force Main Project**, pursuant to which payment by the Authority to **Neglia Engineering Associates** is not to exceed the total sum of \$85,000.00 without further approval of the Board of Commissioners of the Authority; and

WHEREAS, the Contract was executed by and on behalf of the Authority and **Neglia Engineering Associates** on January 1, 2020; and

WHEREAS, subsequent to the execution of the Contract, the Authority determined that it was necessary to increase the scope of the land surveying services to be performed by **Neglia Engineering Associates** pursuant to the Contract and the Authority requested that **Neglia Engineering Associates** provide a written proposal to perform this increased scope of work which the Authority determined was required to be performed as part of the **Edgewater Sewage Force Main Project**; and

WHEREAS, **Neglia Engineering Associates**, by written correspondence dated May 14, 2020, advised the Authority that **Neglia Engineering Associates** is ready and available to provide this additional scope of land surveying services as requested by the Authority in

20-2-043

order to complete the **Edgewater Sewage Force Main Project** and requested that the Authority increase the compensation budget provided for by the Contract by the total sum of \$95,000.00 in order for **Neglia Engineering Associates** to perform the additional scope of land surveying services as was requested by the Authority to be completed as part of the **Edgewater Sewage Force Main Project**, resulting in an amended Contract compensation budget of an amount not to exceed the total sum of \$180,000.00; and

WHEREAS, the Executive Director of the Authority has determined that **Neglia Engineering Associates** has performed all services under the Contract in an effective and efficient manner and has further determined that **Neglia Engineering Associates** has provided the land surveying services as the Authority's **Land Surveying Engineer** for the **Edgewater Sewage Force Main Project** in an effective and efficient manner and has further determined that the work to be performed by **Neglia Engineering Associates** under the Contract as set forth in the written correspondence dated May 14, 2020 is essential to the proper and effective operation of the Authority; and

WHEREAS, the Executive Director of the Authority has reviewed the May 14, 2020 written correspondence of **Neglia Engineering Associates**, including the request of **Neglia Engineering Associates** to increase the compensation budget for the total compensation to be paid by the Authority to **Neglia Engineering Associates** under the Contract, and based upon that review and the above determinations, he has concluded and recommended that the Authority should amend the Contract to provide for the additional scope of land surveying services identified and requested by the Authority to be performed by **Neglia Engineering Associates** serving as **Land Surveying Engineer** for the **Edgewater Sewage Force Main Project** and further amended by increasing the budget for compensation to be paid by the Authority to **Neglia Engineering Associates** pursuant to the Contract in the total sum of \$95,000.00, resulting in an amended compensation budget under the Contract in an amount not to exceed the total sum of \$180,000.00 without further approval of the Board of Commissioners of the Authority; and

WHEREAS, N.J.S.A. 40A:11-1, et seq. provides that a contract for professional land surveying 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 Acting Treasurer has certified that funds are available for the modification of the Contract pursuant to this Resolution.

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

1. The Contract entered into by and between the Authority and **Neglia Engineering Associates** shall be and is hereby modified by the Authority and the Contract shall be modified to provide that the additional scope of services identified and requested by the Authority to be performed by **Neglia Engineering Associates** pursuant thereto shall

20-2-043

include those services as are identified in the May 14, 2020 written correspondence submitted by **Neglia Engineering Associates** to the Authority and the Contract shall be further modified to provide that the compensation to be paid by the Authority pursuant thereto shall be increased in the amount of \$95,000.00 and the total amount of compensation to now be paid by the Authority to **Neglia Engineering Associates** pursuant to the modified Contract shall not exceed the total sum of \$180,000.00 without further approval of the Board of Commissioners of the Authority.

2. The Chairman of the Authority shall be and is hereby authorized to execute a contract by and between the Authority and **Neglia Engineering Associates** modifying the Contract as approved and authorized by this Resolution, in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

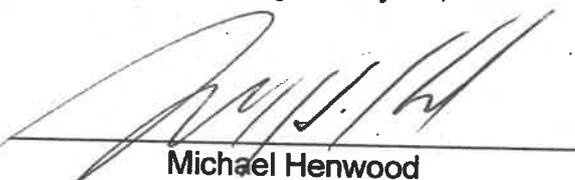
3. A copy of this Resolution and the contract modifying the Contract pursuant to this Resolution, shall be placed on file and made available for public inspection in the Office of the Executive Director, upon execution by **Neglia Engineering Associates** and the Authority.

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

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

6. The formal action(s) of the Commissioners of 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, 2020.



Michael Henwood
Secretary

DATED: May 28, 2020

BERGEN COUNTY UTILITIES AUTHORITY
TREASURER'S CERTIFICATION OF FUNDS

RESOLUTION DATE: 5/28/20
RESOLUTION NUMBER: 20-2-043

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

FUNDS AVAILABLE x

FUNDS ARE NOT AVAILABLE

BUDGET ACCOUNT IBANK LOAN

VENDOR NEGLIA ENGINEERING ASSOCIATES

CONTRACT NUMBER 19-2-095

REASON ADDITION TO SCOPE FOR EDGEWATER
SEWAGE FORCE MAIN PROJECT

AMOUNT \$95,000.00

CONTRACT LENGTH TO CONSTRUCTION COMPLETION


ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

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

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

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

; and

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

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

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

20-2-044

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

; and

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

WHEREAS, on the basis of the foregoing, the Authority has determined that Varec Biogas, Inc. constitutes the lowest complying and responsible bidder for Contract No. 19-30 (Rebid), in accordance with N.J.S.A. 40A:11-1 et seq.; and

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

WHEREAS, the award of Contract No. 19-30 (Rebid) is necessary for the efficient operation of the Authority; and

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

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

1. Varec Biogas, Inc. shall be and is hereby determined to be the lowest complying and responsible vendor for Two (2) Digester Gas Flare Assemblies, constituting Contract No. 19-30 (Rebid), for a total sum of \$1,298,400.00.

2. The Chairman shall be and is hereby authorized to execute a contract with Varec Biogas, Inc. of 15061 Springdale Street, Ste. 210, Huntington Beach, CA 92649 Two (2) Digester Gas Flare Assemblies, constituting Contract No. 19-30 (Rebid), for a total sum of \$1,298,400.00 without further approval of the Commissioners of the Authority, which authorization shall be and hereby is declared to be subject to the Authority being provided with the required approval of the New Jersey Economic Development Authority and further subject to the required approval of the New Jersey Department of Environmental Protection.

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

20-2-044

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. 19-30 (Rebid)**, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by **Varec Biogas, Inc.** 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, 2020.



Michael Henwood
Secretary

Dated: May 28, 2020

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, the Bergen County Utilities Authority (the "Authority") is a county utilities authority organized and existing pursuant to the Municipal and County Utilities Authority Law, N.J.S.A. 40:14B-1 et seq., to provide the necessary governmental services enumerated in N.J.S.A. 40:14B-2 in the County of Bergen, including but not limited to the collection, treatment and disposal of storm water and waste water; and

WHEREAS, pursuant to N.J.S.A. 40:14B-18, the Authority has the power to, among other things, appoint and employ such agents and employees as it may require and determine necessary for its efficient operations, and to determine their duties and compensation; and

WHEREAS, the Authority is required to designate a licensed operator (C-4) for its wastewater treatment facilities ; and

WHEREAS, Michael Cammett, an employee of the Authority, possesses the necessary license (C-4) and may serve as a licensed operator (C-4) in charge of the Authority's wastewater facilities; and

WHEREAS, the Commissioners of the Authority deem it appropriate that Michael Cammett be appointed and designated to serve the Authority as the licensed operator (C-4) in charge of the Authority's wastewater facilities; and

WHEREAS, the Authority concludes that the appointment and designation as contemplated herein shall be and is hereby determined to be necessary for the efficient operations of the Authority;

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

1. Michael Cammett shall be and by the adoption of the Resolution hereby is appointed and designated as of January 14, 2019 to serve the Authority as the licensed operator (C-4) in charge of the Authority's wastewater facilities ; and.

2. Any and all resolutions, appointments, engagements and/or agreements inconsistent herewith shall, to the extent of their inconsistency, be and the same are hereby superseded, and this resolution shall serve as authorization to implement the terms hereof.

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

20-3-011

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of May 28, 2020.



Michael Herwood
Secretary

Dated: May 28, 2020

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

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

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

WHEREAS, the 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 fifty-two (52) municipalities in the County of Bergen serving approximately 575,000 people; and

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

WHEREAS, Philp D. Murphy, the Governor of the State of New Jersey, in light of the rapidly rising incidence of COVID-19 and in order to further protect the health, safety and welfare of the people of the State of New Jersey from the continuing rapid spread of COVID-19, issued Executive Order 107 on March 21, 2020, now commonly referred to as the "Stay at Home Order", ordering and directing, among other things, certain limitations on travel and the conducting of business operations, declaring therein that "[i]t shall be the duty of every person or entity in this State or doing business in this State and of the members of the governing body and every official, employee, or agent of every political subdivision in this State and of each member of all other governmental bodies, agencies, and authorities in this State of any nature whatsoever, to cooperate fully in all matters concerning [Executive Order 107]"; and

WHEREAS, COVID-19 created conditions which meet the definition of an emergency under N.J.S.A. 40A:11-6(a) and N.J.A.C. 5:34-6.1, requiring that needs be met immediately to protect the public health, safety and welfare; and

WHEREAS, because of said conditions, the Board of Commissioners of the Authority, in order for the Authority to provide for the continuous delivery of essential governmental services and in order to take action consistent with Executive Order 103 and Executive Order 107, adopted Resolution 20-1-026 on March 26, 2020, declaring a state of emergency at the Authority as of March 21, 2020 in order to protect and maintain the health, safety, and welfare of the Authority's employees and Bergen County residents and visitors; and

WHEREAS, in order for the Authority to continue its efforts to protect and maintain the health, safety and welfare of the Authority's employees and, by extension, Bergen County residents and visitors to the Authority's facilities from COVID-19, it became necessary for the Authority to engage a medical services provider to provide **COVID-19 Related Medical Services** on an emergent basis to the Authority and its employees and dependents related to the COVID-19 pandemic; and

WHEREAS, the Executive Director executed and provided to the Board of Commissioners of the Authority a Certification of Emergency dated April 22, 2020, certifying that the potential spread of COVID-19 at the Authority's facilities presented an immediate health and safety concern and, based upon these conditions, the Executive Director recommended that a qualified entity be immediately engaged to provide the above identified COVID-19 related medical services to the Authority and its employees and dependents; and

WHEREAS, by Resolution 20-3-010 adopted April 23, 2020, the Board of Commissioners of the Authority authorized execution of a contract with **Hackensack Occupational Medicine Associates, P.C.** (incorrectly identified in Resolution 20-3-010 as Hackensack University Medical Center) (the "Contract") to provide **COVID-19 Related Medical Services** on an emergent basis to the Authority and its employees and dependents during the period commencing on or about March 21, 2020 and continuing until completion on a date to be determined for the rates as identified in the written proposal submitted to the Authority dated April 22, 2020 and for an amount not to exceed the total sum of **\$27,500.00**; and

WHEREAS, the Authority was authorized by N.J.S.A. 40A:11-6 to award the Contract without competitive bidding as COVID-19 presented an emergency affecting the public health, safety or welfare requiring the immediate delivery of goods or the performance of services, which emergency is continuing as of this date; and

WHEREAS, subsequent to the awarding of the Contract, the Authority determined that it was necessary, and there existed the need, for the Authority to expand the scope of services to be provided by **Hackensack Occupational Medicine Associates, P.C.** pursuant to the Contract to include testing the Authority's employees for the COVID-19 virus on site at the Authority's facilities in the Borough of Little Ferry, New Jersey; and

20-3-012

WHEREAS, Hackensack Occupational Medicine Associates, P.C. presented to the Authority a written proposal dated May 20, 2020 to provide COVID-19 testing to the Authority's employees and requested that the Authority increase the compensation budget provided for by the Contract by the total sum of **\$27,500.00** in order to provide funding for the providing of those services pursuant to the fee schedule set forth in the written proposal dated May 20, 2020, resulting in an amended Contract compensation budget of an amount not to exceed the total sum of **\$55,000.00**; and

WHEREAS, the Executive Director of the Authority has determined that **Hackensack Occupational Medicine Associates, P.C.** has performed all **COVID-19 Related Medical Services** under the Contract in an effective and efficient manner and has further determined that the additional COVID-19 testing services to be performed by **Hackensack Occupational Medicine Associates, P.C.** under the Contract as set forth in the written proposal dated May 20, 2020 is essential to the proper and effective operation of the Authority and critical to the health, welfare and safety of the ratepayers and employees of the Authority; and

WHEREAS, the Executive Director of the Authority has reviewed the May 20, 2020 written proposal of **Hackensack Occupational Medicine Associates, P.C.**, including the request of **Hackensack Occupational Medicine Associates, P.C.** to increase the compensation budget for the total compensation to be paid by the Authority to **Hackensack Occupational Medicine Associates, P.C.** under the Contract, and based upon that review and the above determinations, he has concluded and recommended that the Authority should amend the Contract to provide for these additional **COVID-19 Related Medical Services** related to the impact of COVID-19 on the operations of the Authority to be performed by **Hackensack Occupational Medicine Associates, P.C.** and further amended by increasing the budget for compensation to be paid by the Authority to **Hackensack Occupational Medicine Associates, P.C.** pursuant to the Contract in the total sum of **\$27,500.00**, resulting in an amended compensation budget under the Contract in an amount not to exceed the total sum of **\$55,000.00** without further approval of the Board of Commissioners of the Authority; and

WHEREAS, the Executive Director has determined that the COVID-19 testing services to be performed pursuant to the Contract as part of the **COVID-19 Related Medical Services** are emergently required and necessary to commence immediately to ensure the health of the Authority's employees and, by extension, to insure the public's health and welfare as set forth in the Certification of Emergency referenced above and annexed hereto; and

WHEREAS, emergency contracts are exempted from compliance with the fair and open process under N.J.S.A. 19:44A-20.4 et seq.; and

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

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

1. The Authority hereby authorizes, confirms, ratifies and approves the declaration of emergency by the Authority's Executive Director, by the Certification of Emergency dated April 22, 2020, resulting in the performance of **COVID-19 Related Medical Services** for the Authority and the Authority's employees and dependents to preserve the health of the Authority's employees and, by extension, the public health, safety and welfare.

2. The Authority hereby accepts the Certification of Emergency of the Executive Director dated April 22, 2020, and same is to be placed on file in the office of the Executive Director and available for public inspection.

3. Resolution 20-3-010 adopted April 23, 2020 shall be and is hereby corrected as follows: All references therein to "**Hackensack University Medical Center**" shall be replaced with the appropriate contracting party "**Hackensack Occupational Medicine Associates, P.C.**".

4. The Contract entered into by and between the Authority and **Hackensack Occupational Medicine Associates, P.C.** shall be and is hereby modified by the Authority and the Contract shall be modified to provide that the **COVID-19 Related Medical Services** to be performed by **Hackensack Occupational Medicine Associates, P.C.** pursuant thereto shall include COVID-19 testing as such services are identified in the May 20, 2020 written proposal submitted by **Hackensack Occupational Medicine Associates, P.C.** to the Authority and the Contract shall be further modified to provide that the compensation to be paid by the Authority pursuant thereto shall be increased in the amount of **\$27,500.00** and the total amount of compensation to now be paid by the Authority to **Hackensack Occupational Medicine Associates, P.C.** pursuant to the modified Contract shall not exceed the total sum of **\$55,000.00** without further approval of the Board of Commissioners of the Authority.

5. The Chairman of the Authority shall be and is hereby authorized to execute a contract by and between the Authority and **Hackensack Occupational Medicine Associates, P.C.** modifying the Contract as approved and authorized by this Resolution, in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

6. A copy of this Resolution and the contract modifying the Contract pursuant to this Resolution, shall be placed on file and made available for public inspection in the Office of the Executive Director, upon execution by **Hackensack Occupational Medicine Associates, P.C.** and the Authority.

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

20-3-012

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

I hereby certify the forgoing to be a true copy of the resolution adopted by the Bergen County Utilities Authority at its meeting of May 28, 2020.



Michael Henwood
Secretary

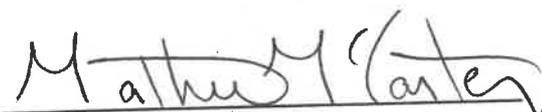
Dated: May 28, 2020

BERGEN COUNTY UTILITIES AUTHORITY
TREASURER'S CERTIFICATION OF FUNDS

RESOLUTION DATE: 5/28/20
RESOLUTION NUMBER: 20-3-012

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

FUNDS AVAILABLE	IN THE OPERATING BUDGET AND ALSO AS MAY APPLY PURSUANT TO N.J.S.A. 40A:4-46 et seq.
FUNDS ARE NOT AVAILABLE	
BUDGET ACCOUNT	COVID19 HEALTHCARE PROFESSIONALS 15500080-599024
VENDOR	HACKENSACK OCCUPATIONAL MEDICINE ASSOCIATES, P.C.
CONTRACT NUMBER	20-3-010
REASON	ADDITION OF COVID-19 TESTING TO COVID-19 RELATED MEDICAL SERVICES CONTRACT
AMOUNT	\$27,500.00
CONTRACT LENGTH	APRIL 1, 2020 TO FEBRUARY 28, 2021


ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

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

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

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

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

WHEREAS, COVID-19 created conditions which meet the definition of an emergency under N.J.S.A. 40A:11-6(a) and N.J.A.C. 5:34-6.1, requiring that needs be met immediately to protect the public health, safety and welfare; and

WHEREAS, because of said conditions, the Board of Commissioners of the Authority, in order for the Authority to provide for the continuous delivery of essential governmental services and in order to take action consistent with Executive Order 103 and Executive Order 107, adopted Resolution 20-1-026 on March 26, 2020, declaring a state of emergency at the Authority as of March 21, 2020 in order to protect and maintain the health, safety, and welfare of the Authority's employees and Bergen County residents and visitors; and

WHEREAS, COVID-19 has been detected in fecal samples and wastewater collected from infected communities; and

20-6-004

WHEREAS, commencing in early March 2020, the Authority has been pre-chlorinating the wastewater influent to the Authority's treatment facilities in order to minimize potential viable COVID-19 entering the Authority's facilities; and

WHEREAS, the scientific community in the United States, Europe and Asia are continuing to evaluate and study the presence of COVID-19 in wastewater and measuring the levels of COVID-19 in wastewater in order to determine possible approaches to detect and track COVID-19 in wastewater collection systems; and

WHEREAS, Dr. Kartik Chandran of Columbia University has been awarded a one (1) year research grant from the National Science Foundation (with the grant term commencing May 1, 2020) to investigate the diversity and quantity of viruses and bacteria, including COVID-19, entering wastewater treatment plants and determine their fate through the wastewater treatment process (the "Columbia Study"); and

WHEREAS, the Authority was recently contacted by AECOM Technical Services, Inc. ("AECOM"), which is facilitating the Columbia Study, requesting the Authority to enter into a memorandum of understanding (the "MOU") with AECOM and Columbia University so that the Authority is able to participate in the Columbia Study; and

WHEREAS, the Authority recognizes that the Columbia Study is important scientific research that will greatly enhance the understanding of, among other things, how wastewater treatment processes impact viruses, including COVID-19 which is continuing to threaten not only the area served by the Authority, but the entire world; and

WHEREAS, the Authority has determined that the Columbia Study presents the Authority with an opportunity to be on the forefront of a novel approach to developing data, and the Authority is in a unique position to provide the wastewater necessary for the development of this data, which is necessary to augment the understanding of COVID-19 and other viruses in wastewater, how wastewater levels may indicate impacts on the involved communities and how wastewater treatment affects viruses and bacteria; and

WHEREAS, the Authority's involvement as a participant in the Columbia Study is set forth and contained in the MOU which is to be entered into by and between the Authority, AECOM and Columbia University, a true and correct copy of which is on file at the Authority's offices, and is at no cost to the Authority or its ratepayers; and

WHEREAS, it is necessary and appropriate for the Authority to take action against this public health hazard by entering into the MOU and participating in the Columbia Study; and

WHEREAS, the Executive Director of the Authority has reviewed the MOU which is on file at the Authority's offices and recommends that the Commissioners of the Authority accept the terms of the MOU.

20-6-004

20-6-004

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

1. The Executive Director shall be and is hereby authorized to execute the MOU with Columbia University and AECOM so that the Authority may participate in the Columbia Study.

2. A copy of this Resolution and the MOU entered into with Columbia University and AECOM 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 Columbia University, AECOM and the Authority.

3. A notice of this agreement shall be published in the form prescribed by law if required.

4. 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, 2020.



Michael Henwood, Secretary

Dated: May 28, 2020

20-6-004