

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

Northwest Bergen County Utilities Authority

PLEASE TAKE NOTICE the Northwest Bergen County Utilities Authority does hereby notify the public that the Work Session and the Regular Meeting scheduled for Wednesday, January 10, 2024 at 7:00 p.m. will be held at the Authority's offices located at 30 Wyckoff Avenue, Waldwick, New Jersey. Formal action will be taken. The agendas will be placed on the Authority website, nbcua.com, at least 48 hours prior to the meeting.

Northwest Bergen County
Utilities Authority

January 10, 2024

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

AGENDA REGULAR MEETING January 10, 2024

1. Meeting called to Order
2. Open Public Meetings Act Statement
3. Roll Call
4. Chairman's Remarks
5. Approval of Minutes
 - a. Regular Meeting – December 13, 2023
6. Public Comments (any subject)
7. Consideration for approval of list of Resolutions attached dated January 10, 2024
8. Report of Committees:
 - a. Finance Committee
 - b. Personnel Committee
 - c. Insurance Committee
 - d. Operating Committee
 - e. Strategic Plan Subcommittee
 - f. Buildings and Grounds Committee
9. Report of Treasurer
10. Report of General Counsel
11. Report of Consulting Engineer
12. Report of Executive Director
13. Report of Authority Engineer
14. Report of Superintendent
15. Old Business
16. New Business
17. Public Comments (on subjects 4 through 16)
18. Adjournment

January 10, 2024

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

**January 10, 2024
CONSENT AGENDA**

RESOLUTIONS

- 01-2024 Approval of Payment of Vouchers, Payroll, Tax Deposits and Pensions and Benefits
- 02-2024 Authorization of 2024 Service Charges
- 04-2024 Authorization to Renew a Shared Services Agreement with the Borough of Allendale
- 05-2024 Authorization to Renew a Shared Services Agreement with the Borough of Waldwick
- 06-2024 Qualification for Financial Services and Bond Counsel 2024
- 07-2024 Amend Chavond Barry Engineering 2023 Agreement Not To Exceed
- 08-2024 Qualification for Provision of Engineering and Planning Services
- 09-2024 Qualifications for Legal Services 2024
- 10-2024 T&M Force Main Repair Project

January 10, 2024

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 01-2024

Date: January 10, 2024

APPROVAL OF VOUCHERS, PAYROLL TRANSFERS, PAYROLL TAX DEPOSITS AND PENSIONS & BENEFITS TRANSFERS

WHEREAS, the Northwest Bergen County Utilities Authority has received vouchers in claim for payment of materials supplied and/or rendered; and

WHEREAS, the said vouchers have been reviewed and the amount indicated on each voucher has been determined to be due and owing; and

WHEREAS, the Northwest Bergen County Utilities Authority has made payroll transfers, payroll tax deposits and Pensions & Benefits transfers for the month of December 2023 and Health Benefits and Dental Benefits transfers for January 2024; and

WHEREAS, the Commissioners of the Authority have reviewed the vouchers, payroll transfers, payroll tax deposits, Pensions and Benefits, and Health and Dental Benefits transfers listed on the attached reports and have found them to be in order.

NOW, THEREFORE, BE IT RESOLVED,

RESOLVED, by the Commissioners of the Northwest Bergen County Utilities Authority, that all vouchers, payroll transfers, payroll tax deposits, Pensions & Benefits and Health and Dental Benefits transfers listed and reports attached hereto, dated January 10, 2024 be and they hereby are approved for payment from the proper accounts as follows:

ACCOUNT: Payroll Account
Net Payroll: \$199,843.75

ACCOUNT: Tax Deposit Account
Total: \$82,308.00

ACCOUNT: Health Benefits Contribution Employer
Total Transfer: \$140,141.25

ACCOUNT: Health Benefits Contribution Employee
Total: \$3,792.53

ACCOUNT: Dental Benefits
Total Transfer: \$3,435.16

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 01-2024

Date: January 10, 2024

APPROVAL OF VOUCHERS, PAYROLL TRANSFERS, PAYROLL TAX DEPOSITS AND PENSIONS & BENEFITS TRANSFERS

ACCOUNT: PERS and Contributory Insurance

Total Transfer: \$26,143.32

ACCOUNT: Operating Account

Total: \$467,385.90

ACCOUNT: General Improvement Account

Total: \$107,718.16

I hereby certify that this is a true copy of a resolution adopted by the Board of Commissioners of the Northwest Bergen County Utilities Authority on January 10, 2024.

FRANK KELAHER, CHAIRMAN

DOUGLAS M. BERN, ESQ.
ASSISTANT SECRETARY

RECORDED VOTE:

	Bonagura	Biale	Jordan	Lo Iacono	Ortega	Tombalakian	Virk	Kelaher	
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 02-2024

Date: January 10, 2024

2024 SERVICE CHARGES

WHEREAS, the Northwest Bergen County Utilities Authority was established pursuant to New Jersey Statute Chapter 36A Title 40, and presently is authorized to operate pursuant to N.J.S.A.40:14B-1 et. seq.; and

WHEREAS, the municipalities of Allendale, Ho-Ho-Kus, Midland Park, Ramsey, Waldwick and Wyckoff, on or about March 12, 1965, The Village of Ridgewood on or about July 5, 1972, the Township of Mahwah, on or about June 25, 1975, and the Borough of Franklin Lakes on or about February 8, 2006, entered into Service Contracts with the Northwest Bergen County Utilities Authority whereby the various rights and obligations of the parties concerning operation, establishment and calculation of rates, and method of payments were established; and

WHEREAS, on or about July 15, 1986, the Northwest Bergen County Utilities Authority adopted a Bond Resolution authorizing financing for the continued operation and maintenance of the district sewer system; and

WHEREAS, pursuant to said statutory authorization and Service Contracts, the Northwest Bergen County Utilities Authority adopted a budget for the fiscal year of January 1, 2024 to December 31, 2024, making provision for the payment of \$14,472,457, being the amount that the Authority estimates will be required (in addition to other funds on hand applicable for such purposes) to be paid by said municipalities during the current fiscal year January 1, 2024 to December 31, 2024, as and for security of payment of principal and interest on outstanding bonds or other obligations authorized by said statutes and service contracts, and for the cost of operation, depreciation, and repair of the district's sewer system including establishment and maintenance of working capital and reserves; and

WHEREAS, the above stated Statutes and Service Contracts provide that the Authority may prescribe the amounts to be charged for the discharge and disposal of sewage through the district sewer system pursuant to N.J.S.A.14:14B-22 and N.J.S.A.14:14B-23 and related statutes thereto; and

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 02-2024

Date: January 10, 2024

2024 SERVICE CHARGES

WHEREAS, by Resolution dated November 3, 1983, the Commissioners determined that, commencing January 4, 1984, and for a period of three years, User Service Charges be calculated based upon a formula which gave equal weight in determining User Service Charges to adjusted metered flow, water connections based on equivalent dwelling units, and water usage; and

WHEREAS, the said Resolution further provided that, effective January 1, 1987, User Service Charges be calculated according to a formula in which 60% of User Service Charges are based on adjusted metered flow, 20% are based on water connections and 20% are based on water usage (the 60-20-20 Formula).

NOW, THEREFORE, BE IT

RESOLVED, that the Authority does hereby calculate the amount of money each of the said municipalities shall be required to pay to the Authority during the 2024 year as follows:

Borough of Allendale	\$2,049,882
Borough of Ho-Ho-Kus	\$724,123
Borough of Franklin Lakes	\$158,807
Township of Mahwah	\$3,744,469
Borough of Midland Park	\$1,210,055
Borough of Ramsey	\$2,586,929
Village of Ridgewood	\$28,474
Borough of Waldwick	\$1,859,102
Township of Wyckoff	<u>\$2,110,616</u>
TOTAL:	\$14,472,457

and;

FURTHER RESOLVED, by the Commissioners of the Northwest Bergen County Utilities Authority, that the Secretary be and she hereby is authorized and directed to forward to each of the said municipalities a certified copy of this resolution so that they might make provision

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 02-2024

Date: January 10, 2024

2024 SERVICE CHARGES

for payment to the Authority of the amount certified to be due as set for the above, the total amount due from each municipality being payable in equal quarterly installments due and to be made on or before the 15th of February, May, August and November, all in the year 2024 and in accordance with the Service Agreements above mentioned.

I hereby certify that this is a true copy of a resolution adopted by the Board of Commissioners of the Northwest Bergen County Utilities Authority on January 10, 2024.

FRANK KELAHER, CHAIRMAN

DOUGLAS M. BERN, ESQ.

ASSISTANT SECRETARY

DATE:

RECORDED VOTE:

	Bonagura	Biale	Jordan	Lo Iacono	Ortega	Tombalakian	Virk	KelaHER	
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 04-2024

Date: January 10, 2024

**AUTHORIZATION TO RENEW A SHARED SERVICES AGREEMENT WITH THE
BOROUGH OF ALLENDALE**

WHEREAS, the State of New Jersey encourages local units to enter into agreements for the joint provision of municipal services; and

WHEREAS, the State of New Jersey authorizes entering into such agreements for shared services pursuant to NJSA 40A:65-1 et. seq.; and

WHEREAS, the Northwest Bergen County Utilities Authority (the “Authority”) and the Borough of Allendale (the “Borough”) had entered into a Shared Services Agreement for a one (1) year duration with a termination date of December 31, 2024 for the Authority to 1) act as the New Jersey Licensed Sewer Operator for the Borough 2) respond to sanitary sewer collection emergencies 24 hours a day, 7 days a week 3) coordinate all third party repairs of the collections system 4) coordinate, participate and correspond to any and all NJDEP inspections and actions regarding the sanitary sewer collection system 5) coordinate with the Borough any NJDEP hotline calls and correspondence regarding the sanitary collection system 6) upon request, coordinate and conduct a manhole inspection program and 7) upon request, can conduct New Jersey State Certified Backflow Preventer tests; and

WHEREAS, the Borough has adopted its Resolution No. 24-48 authorizing entering into a new shared services agreement with the Authority to receive the same services as previously provided; and

WHEREAS, the Authority desires to enter into this agreement with the Borough for a duration of one (1) year subject to the terms and conditions set forth in said agreement.

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

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 04-2024

Date: January 10, 2024

**AUTHORIZATION TO RENEW A SHARED SERVICES AGREEMENT WITH THE
BOROUGH OF ALLENDALE**

1. The Authority agrees to enter into a Shared Services Agreement with the Borough of Allendale for a duration of one (1) year to provide the services described in Paragraph 3 above; and
2. The Chairman, Vice-Chairman, or Executive Director of the Authority be and is hereby authorized on behalf of the Authority to execute the Shared Services Agreement with the Borough of Allendale annexed hereto and made a part thereof.

IT IS HEREBY CERTIFIED that this is a true copy of a Resolution adopted by the Commissioners of the Authority on **January 10, 2024**.

FRANK KELAHER, CHAIRMAN

DOUGLAS M. BERN, ESQ.

ASSISTANT SECRETARY

DATE:

RECORDED VOTE:

	Bonagura	Biale	Jordan	Lo Iacono	Ortega	Tombalakian	Virk	KelaHER	
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 05-2024

Date: January 10, 2024

**AUTHORIZATION TO RENEW A SHARED SERVICES AGREEMENT WITH THE
BOROUGH OF WALDWICK**

WHEREAS, the State of New Jersey encourages local units to enter into agreements for the joint provision of municipal services; and

WHEREAS, the State of New Jersey authorizes entering into such agreements for shared services pursuant to NJSA 40A:65-1 et. seq.; and

WHEREAS, the Northwest Bergen County Utilities Authority (the “Authority”) and the Borough of Waldwick (the “Borough”) had entered into a Shared Services Agreement on January 1, 2024 with a termination date of December 31, 2025 for the Authority to 1) provide monitoring of the Borough’s three (3) waste water pump stations once per week on the Wednesday of each week 2) perform repairs, corrective actions as directed by the borough 3) Clean each of the pumping stations twice annually at no additional cost and 4) Support Waldwick catch basin cleaning activities when requested; and

WHEREAS, the Borough has adopted Resolution No. 2023-339 authorizing entering into a new shared services agreement with the Authority to receive the same services as previously provided; and

WHEREAS, the Authority desires to enter into this agreement with the Borough for a duration of two (2) years subject to the terms and conditions set forth in said agreement.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Northwest Bergen County Utilities Authority the following:

1. The Authority agrees to enter into a Shared Services Agreement with the Borough of Waldwick for a duration of two (2) years to provide the services described in Paragraph 3 above; and
2. The Chairman, Vice-Chairman, or Executive Director of the Authority be and is hereby authorized on behalf of the Authority to execute the Shared Services Agreement with the Borough of Waldwick annexed hereto and made a part thereof.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 05-2024

Date: January 10, 2024

**AUTHORIZATION TO RENEW A SHARED SERVICES AGREEMENT WITH THE
BOROUGH OF WALDWICK**

I hereby certify that this is a true copy of a resolution adopted by the Board of Commissioners of the Northwest Bergen County Utilities Authority on January 10, 2024.

FRANK KELAHER, CHAIRMAN

DOUGLAS M. BERN, ESQ.

ASSISTANT SECRETARY

DATE:

RECORDED VOTE:

	Bonagura	Biale	Jordan	Lo Iacono	Ortega	Tombalakian	Virk	Kelaheer	
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

NO. 06-2024

Date: January 10, 2024

QUALIFICATION OF INDIVIDUALS/FIRMS FOR PROVISION OF FINANCIAL SERVICES AND BOND COUSEL

WHEREAS, the Northwest Bergen County Utilities Authority (the “Authority”) has adopted the fair and open process pursuant to N.J.S.A. 19:44A-20.4 with respect to the retention of the following professional: Financial Services and Bond Counsel

WHEREAS, the Authority issued a Request for Qualifications for such position and notice thereof was published on December 11, 2023; and

WHEREAS, the Authority received responses to the Request for Qualifications for the aforementioned position by the deadline date of January 5, 2024 from the following Individuals/Firms:

Audit and Accounting

Wielkocz, & Company, LLC – Pompton Lakes, NJ

Financial Advisor

Acacia Financial Group, Inc. – Mount Laurel, NJ
Phoenix Advisors, LLC- Fieldsboro, NJ

Bond Counsel

Gibbons P.C.- Newark, NJ
Waters, McPherson, McNeill, P.C.- Secaucus, NJ
Malamut and Associates, LLC- Cherry Hill, NJ

and

WHEREAS, the Authority convened to evaluate the Request for Qualifications; and

WHEREAS, the Authority structured a competitive procurement process that sought to assure that each person and/or firm was provided an equal opportunity to submit a Qualification Statement in response to the Statements for Request for Qualifications; and

WHEREAS, the Authority intended to qualify persons and/or firms that: (i) possessed the professional, financial and administrative capabilities to provide the proposed financial services and bond counsel, and (ii) would agree to work under the compensation, terms and conditions determined by the Authority to provide the greatest benefit to the ratepayers of the Authority’s service area; and

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

NO. 06-2024

Date: January 10, 2024

QUALIFICATION OF INDIVIDUALS/FIRMS FOR PROVISION OF FINANCIAL SERVICES AND BOND COUSEL

WHEREAS, the Authority’s objective was to select organizations or individuals that would provide high quality and cost effective services to the citizens served by the Authority; and

WHEREAS, the Authority applied its selection criteria and evaluated the proposals based upon the most advantageous submission, with the following factors being considered: (i) knowledge of utility authorities and the subject matter addressed under the contract; (ii) experience with providing auditing services to independent utility authorities in New Jersey; (iii) availability to accommodate the required meetings of the Authority; (iv) hourly billing rates for staff; and (v) other factors demonstrated to be in the best interest of the Authority.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Northwest Bergen County Utilities Authority the following:

1. The Authority hereby designates the following individuals/firms as Qualified to provide Auditing Services to the Authority:

Audit and Accounting

Wielkotz, & Company, LLC – Pompton Lakes, NJ

Financial Advisor

Acacia Financial Group, Inc. – Mount Laurel, NJ
Phoenix Advisors, LLC- Fieldsboro, NJ

Bond Counsel

Gibbons P.C.- Newark, NJ
Waters, McPherson, McNeill, P.C.- Secaucus, NJ
Malamut and Associates, LLC- Cherry Hill, NJ

and

2. This Resolution shall take effect immediately upon adoption.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

NO. 06-2024

Date: January 10, 2024

QUALIFICATION OF INDIVIDUALS/FIRMS FOR PROVISION OF FINANCIAL SERVICES AND BOND COUSEL

I hereby certify that this is a true copy of a resolution adopted by the Board of Commissioners of the Northwest Bergen County Utilities Authority on January 10, 2024.

FRANK KELAHER, CHAIRMAN

DOUGLAS M. BERN, ESQ.

ASSISTANT SECRETARY

RECORDED VOTE:

	Bonagura	Biale	Jordan	Lo Iacono	Ortega	Tombalakian	Virk	Kelaheer	
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 07-2024

Date: January 10, 2024

AUTHORIZATION TO AMEND THE NOT TO EXCEED COST OF THE PROFESSIONAL SERVICES AGREEMENT WITH CHAVOND BARRY ENGINEERING CORP FOR 2023 CONSULTING ENGINEERING SERVICES FOR GENERAL INCINERATOR ADVICE

WHEREAS, by Resolution No. 11-2023, the Northwest Bergen County Utilities Authority (the “Authority”) identified a number of firms as qualified to perform engineering services required by the Authority pursuant to a Request for Qualifications for such position, which notice thereof was published on January 9, 2023; and

WHEREAS, by Resolution No. 16-2023 (the “Original Resolution”) dated February 22, 2023, the Authority retained Chavond Barry Engineering Corp. (the “Engineering Firm”) to provide 2023 consulting engineering services for general incinerator advice and the Authority and Engineering Firm entered into a professional services agreement for same (the “Agreement”); and

WHEREAS, by Resolution 80-2023 the Authority established the engineering firm’s not-to-exceed to be 273,700; and

WHEREAS, the Engineering Firm has reached the not-to-exceed on their general consulting fees; and

WHEREAS, The Authority’s IDI Incinerator is in need of repairs; and

WHEREAS, The Authority recommends the not-to-exceed be increased to enable the engineering firm to write repair specifications and conduct construction administration for the IDI Repairs; and

WHEREAS, the cost of additional consulting fees are estimated to be \$30,000 and therefore the Authority wishes to amend the not-to-exceed compensation to the Engineering firm to \$303,500; and

WHEREAS, the Authority’s Certifying Finance Officer has certified that funds are available to increase the budget for the Engineering Firm.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Northwest Bergen County Utilities Authority the following:

1. The Original Resolution and the Professional Services Agreement with Chavond Barry Engineering Corp. be amended to increase the not to exceed amount to \$303,500 for 2023 consulting engineering services for general incinerator advice.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify to the Board of Commissioners of the Northwest Bergen County Utilities Authority that sufficient funds are available for payment of the following:

CONTRACT: N/A

VENDOR: Chavond Barry

AMOUNT: \$30,000.00

ACCOUNT NO.: 5000/6370

Date: January 10, 2024

Robert Laux, Certifying Finance Officer

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 08-2024

Date: January 10, 2024

QUALIFICATIONS OF INDIVIDUALS/FIRMS FOR PROVISION OF
ENGINEERING AND PLANNING SERVICES

WHEREAS, the Northwest Bergen County Utilities Authority (the “Authority”) has adopted the fair and open process pursuant to N.J.S.A. 19:44A-20.4 with respect to the retention of the following professional:

CONSULTING ENGINEERING AND PLANNING SERVICES

WHEREAS, the Authority issued a Request for Qualifications for such position and notice thereof was published on December 11, 2024; and

WHEREAS, the Authority received responses to the Request for Qualifications for the aforementioned position by the deadline date of January 5, 2024 from the following Individuals/Firms:

- CME Associates – Parlin, NJ
- CP Engineers LLC – Sparta, NJ
- Chavond Barry Engineering Corp. – Blawenburg, NJ
- Suburban Consulting Engineers, Inc. – Flanders, NJ
- Engineered Solutions Corporation – Wayne, NJ
- Neglia Engineering Associates – Lyndhurst, NJ
- T&M Associates – Middletown, NJ
- GZA Environmental, Inc – Fairfield, NJ
- Colliers Engineering & Design – Red Bank, NJ
- Tighe & Bond – Westfield, MA
- French & Parrello Associates, Pa- Wall Township, NJ
- LAN Associates, Engineering, Planning, Architecture, Surveying, Inc - Midland Park, NJ
- RSC Architects- Hackensack NJ
- DMR Architects- Hasbrouck Heights, NJ

WHEREAS, the Authority convened to evaluate the Request for Qualifications; and

WHEREAS, the Authority structured a competitive procurement process that sought to assure that each person and/or firm was provided an equal opportunity to submit a Qualification Statement in response to the Statements for Request for Qualifications; and

WHEREAS, the Authority intended to qualify persons and/or firms that: (i) possessed the professional, financial and administrative capabilities to provide the proposed engineering and planning services, and (ii) would agree to work under the compensation, terms and conditions determined by the Authority to provide the greatest benefit to the ratepayers of the Authority’s service area; and

WHEREAS, the Authority’s objective was to select an organization or individual that would provide high quality and cost effective services to the citizens served by the Authority; and

WHEREAS, the Authority applied its selection criteria and evaluated the proposals based upon the most advantageous submission, with the following factors being considered: (i) experience and reputation in the field; (ii) knowledge of the Authority and the subject matter addressed under the contract,

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 08-2024

Date: January 10, 2024

QUALIFICATIONS OF INDIVIDUALS/FIRMS FOR PROVISION OF
ENGINEERING AND PLANNING SERVICES

(iii) availability to accommodate the required meetings of the Authority; and (iv) other factors demonstrated to be in the best interest of the Authority.

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the Northwest Bergen County Utilities Authority the following:

1. The Authority hereby designates the following individuals/firms as qualified to provide Consulting Engineering services to the Authority:
 - CME Associates – Parlin, NJ
 - CP Engineers LLC – Sparta, NJ
 - Chavond Barry Engineering Corp. – Blawenburg, NJ
 - Suburban Consulting Engineers, Inc. – Flanders, NJ
 - Engineered Solutions Corporation – Wayne, NJ
 - Neglia Engineering Associates – Lyndhurst, NJ
 - T&M Associates – Middletown, NJ
 - GZA Enviromental, Inc – Fairfield, NJ
 - Colliers Engineering & Design – Red Bank, NJ
 - Tighe & Bond – Westfield, MA
 - LAN Associates, Engineering, Planning, Architecture, Surveying, Inc - Midland Park, NJ
 - RSC Architects- Hackensack NJ
 - DMR Architects- Hasbrouck Heights, NJ
2. This Resolution shall take effect immediately upon adoption.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 08-2024

Date: January 10, 2024

QUALIFICATIONS OF INDIVIDUALS/FIRMS FOR PROVISION OF
ENGINEERING AND PLANNING SERVICES

I hereby certify that this is a true copy of a resolution adopted by the Board of Commissioners of the Northwest Bergen County Utilities Authority on January 10, 2024.

FRANK KELAHER, CHAIRMAN

DOUGLAS M. BERN, ESQ.
ASSISTANT SECRETARY

RECORDED VOTE:

	Bonagura	Biale	Jordan	Lo Iacono	Ortega	Tombalakian	Virk	KelaHER	
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

NO. 09-2024

Date: January 10, 2024

QUALIFICATION OF INDIVIDUALS/FIRMS FOR PROVISION OF LEGAL SERVICES

WHEREAS, the Northwest Bergen County Utilities Authority (the “Authority”) has adopted the fair and open process pursuant to N.J.S.A. 19:44A-20.4 with respect to the retention of the following professional:

LEGAL SERVICES 2024

WHEREAS, the Authority issued a Request for Qualifications for such position and notice thereof was published on December 11, 2023; and

WHEREAS, the Authority received responses to the Request for Qualifications for the aforementioned position by the deadline date of January 5, 2024 from the following Individuals/Firms:

- Eric M. Bernstein & Associates - Warren, NJ
- Bern & Associates, LLC – Englewood, NJ
- Waters, McPherson, McNeill, P.C. - Secaucus, NJ
- Cleary Giacobbe Alfieri Jacobs, LLC – Oakland, NJ
- Florio Kenny Raval - Lyndhurst, NJ
- Price, Meese, Shulman & D’Arminio - Woodcliff Lake, NJ
- Malamut and Associates - Cherry Hill, NJ

and;

WHEREAS, the Authority convened to evaluate the Request for Qualifications; and

WHEREAS, the Authority structured a competitive procurement process that sought to assure that each person and/or firm was provided an equal opportunity to submit a Qualification Statement in response to the Statements for Request for Qualifications; and

WHEREAS, the Authority intended to qualify persons and/or firms that: (i) possessed the professional, financial and administrative capabilities to provide the proposed legal services, and (ii) would agree to work under the compensation, terms and conditions determined by the Authority to provide the greatest benefit to the ratepayers of the Authority’s service area; and

WHEREAS, pursuant to Section 5 of the Authority’s Request for Qualifications, the Authority’s objective was to select organizations or individuals that would provide high quality and cost effective services to the citizens served by the Authority; and

WHEREAS, pursuant to Section 5 of the Authority’s Request for Qualifications, the Authority applied its selection criteria and evaluated the proposals based upon the most advantageous submission, with the following factors being considered: (i) experience and reputation in the field; (ii) knowledge of the Authority and the subject matter addressed under the contract, (iii) availability to accommodate the required meetings of the Authority; and (iv) other factors demonstrated to be in the best interest of the Authority; and

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

NO. 09-2024

Date: January 10, 2024

QUALIFICATION OF INDIVIDUALS/FIRMS FOR PROVISION OF LEGAL SERVICES

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the Northwest Bergen County Utilities Authority the following:

1. The Authority hereby designates the following individuals/firms as qualified to provide Legal Services to the Authority:

- Eric M. Bernstein & Associates - Warren, NJ
- Bern & Associates, LLC – Englewood, NJ
- Waters, McPherson, McNeill, P.C. - Secaucus, NJ
- Cleary Giacobbe Alfieri Jacobs, LLC – Oakland, NJ
- Florio Kenny Raval - Lyndhurst, NJ
- Price, Meese, Shulman & D’Arminio - Woodcliff Lake, NJ
- Malamut and Associates - Cherry Hill, NJ

and;

2. This Resolution shall take effect immediately upon adoption.

I hereby certify that this is a true copy of a resolution adopted by the Board of Commissioners of the Northwest Bergen County Utilities Authority on January 10, 2024.

FRANK KELAHER, CHAIRMAN

Douglas M. Bern, Esq.
Assistant Secretary

RECORDED VOTE:

	Bonagura	Biale	Jordan	Lo Iacono	Ortega	Tombalakian	Virk	Kelahrer	
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 10-2024

Date: January 10, 2024

RESOLUTION TO ENGAGE THE SERVICES OF T&M ASSOCIATES TO PROVIDE THE ENGINEERING PROFESSIONAL SERVICES REQUIRED FOR THE PLANNING & DESIGN, FUNDING & BIDDING ASSISTANCE OF THE FORCE MAIN REPAIR PROJECT (Project #1163)

WHEREAS, the Northwest Bergen County Utilities Authority (hereinafter the "Authority") requires the services of an engineer to undertake and complete necessary and essential professional engineering services in connection with the planning and design as well as funding & bidding assistance for the Force Main Repair Project, Project #1163 (hereinafter referred to as the "Project"); and

WHEREAS, the Authority intends for this Project to be funded with loan assistance from the New Jersey Environmental Infrastructure Financing Program pursuant to N.J.A.C. 7:22-3.1 *et seq.*, and the New Jersey Environmental Infrastructure Trust Loan pursuant to N.J.A.C. 7:22-4.1 *et seq.* and all applicable interim and final rules and regulations published in the New Jersey Register through June 2005; and

WHEREAS, T&M Associates, the Authority's current Consulting Engineer, has submitted a proposal to perform these services and other ancillary services at a cost not to exceed \$432,000; and

WHEREAS, it is in the Authority's best interests for T&M Associates to provide these services, in accordance with the terms set forth in the attached agreement; and

WHEREAS, the Authority hired T&M Associates to serve as the Consulting Engineer to the Authority for the fiscal year 2023 in accordance with the New Jersey Local Public Contracts Law (N.J.S.A. 40A:11-1 *et seq.*) as well as federal procurement rules and regulations; and

WHEREAS, prior to hiring T&M Associates as Consulting Engineer, the Authority published a Request for Qualifications ("RFQ") in its official newspaper on January 9, 2023, requesting qualifications from individuals and/or firms to provide consulting engineering services; and

WHEREAS, as a result of that RFQ response, Thirteen (13) responses were received; and

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 10-2024

Date: January 10, 2024

RESOLUTION TO ENGAGE THE SERVICES OF T&M ASSOCIATES TO PROVIDE THE ENGINEERING PROFESSIONAL SERVICES REQUIRED FOR THE PLANNING & DESIGN, FUNDING & BIDDING ASSISTANCE OF THE FORCE MAIN REPAIR PROJECT (Project #1163)

WHEREAS, the Authority evaluated the proposal received based on established criteria made available to all respondents and appointed T&M Associates as its Consulting Engineer at its February 21, 2023 Commissioners' Meeting; and

WHEREAS, the Authority's Certifying Finance Officer has certified that funds are available for the retention of T&M Associates for these professional services; and

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

1. The Authority does hereby accept the proposal from T&M Associates in the not-to-exceed amount of \$432,000 for Engineering services in connection with the planning and design as well as funding & bidding assistance for the Force Main Repair Project, Project #1163.
2. The Executive Director of the Authority is authorized to execute an Agreement with T&M Associates to provide Engineering and Professional Services required for the Planning & Design, Funding & Bidding Assistance of the Force Main Repair Project, Project #1163.
3. The Executive Director, Assistant Executive Director, and Authority Engineer of the Authority are authorized to execute such other documents and undertake such other tasks that are reasonably required to carry out and consummate the transactions contemplated by the attached Agreement.
4. The Secretary is directed to cause notice to be published as required by law; and
5. Upon execution, a fully executed and confirmed copy of the Agreement shall be placed on file in the office of the Executive Director and available for public inspection.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 10-2024

Date: January 10, 2024

RESOLUTION TO ENGAGE THE SERVICES OF T&M ASSOCIATES TO PROVIDE THE ENGINEERING PROFESSIONAL SERVICES REQUIRED FOR THE PLANNING & DESIGN, FUNDING & BIDDING ASSISTANCE OF THE FORCE MAIN REPAIR PROJECT (Project #1163)

I hereby certify that this is a true copy of a resolution adopted by the Northwest Bergen County Utilities Authority upon a roll call vote of all Commissioners of the Authority eligible to vote at a public meeting held on January 10, 2024.

Frank Kelaher, Chairman

Douglas M. Bern, Esq.
Assistant Secretary

Recorded Vote:

	Bonagura	Biale	Jordan	Lo Iacono	Ortega	Tombalakian	Virk	Kelaher	
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify to the Board of Commissioners of the Northwest Bergen County Utilities Authority that sufficient funds are available for payment of the following:

CONTRACT: N/A

VENDOR: T&M

AMOUNT: \$432,000.00

ACCOUNT NO.: 6620/1163

Date: January 10, 2024

Robert Laux, Certifying Finance Officer