

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, February 21, 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

February 16, 2024

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

AGENDA REGULAR MEETING February 21, 2024

1. Meeting called to Order
2. Open Public Meetings Act Statement
3. Roll Call
4. Election of officers
 - a. Election of Chairman for Ensuing Year
 - b. Election of Vice-Chairman for ensuing year
5. Chairman's Remarks
6. Appointment of Committees
7. Approval of Minutes
 - a. Regular Meeting – January 10, 2024
8. Public Comments (any subject)
9. Consideration for approval of list of Resolutions attached dated February 21, 2024
10. Report of Committees:
 - a. Finance Committee
 - b. Personnel Committee
 - c. Insurance Committee
 - d. Operating Committee
 - e. Strategic Plan Subcommittee
 - f. Buildings and Grounds Committee
11. Report of Treasurer
12. Report of General Counsel
13. Report of Consulting Engineer
14. Report of Executive Director
15. Report of Authority Engineer
16. Report of Superintendent
17. Old Business
18. New Business
19. Public Comments (on subjects 4 through 16)
20. Adjournment

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

**February 21, 2024
CONSENT AGENDA**

RESOLUTIONS

- 11-2024 Approval of Payment of Vouchers, Payroll, Tax Deposits and Pensions and Benefits
- 12-2024 Designation of Authority Newspapers for 2024
- 13-2024 Approval of 2024 Meeting Schedule
- 14-2024 Engage CP Engineers to Provide Incinerator Blower Upgrades (Project #1165)
- 15-2024 Engage T&M Associates to Provide Engineering Services (Project #1164)
- 16-2024 Authorization to Renew a Shared Services Agreement with the Borough of Upper Saddle River
- 17-2024 Engage Chavond Barry to provide IDI Incinerator Upgrades
- 18-2024 Retention of Authority Auditor for 2024
- 19-2024 Retention of Consulting Engineer for General Incinerator Advice for 2024
- 20-2024 Retention of Consulting Engineer 2024
- 21-2024 Retention of Consulting Engineer for 2025 Service Charges
- 22-2024 Retention of Authority General Counsel for 2024
- 23-2024 Retention of Labor Counsel for 2024
- 24-2024 Retention of Bond Counsel for 2024
- 25-2024 Retention of Consulting Engineer for Instrumentation, Automation and Computer Systems for 2025
- 26-2024 Personnel Actions

February 16, 2024

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 11-2024

Date: February 21, 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 January 2024 and Health Benefits and Dental Benefits transfers for February 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 February 21, 2024 be and they hereby are approved for payment from the proper accounts as follows:

ACCOUNT: Payroll Account
Net Payroll: \$191,307.57

ACCOUNT: Tax Deposit Account
Total: \$83,336.53

ACCOUNT: Health Benefits Contribution Employer
Total Transfer: \$147,460.63

ACCOUNT: Health Benefits Contribution Employee
Total: \$3,621.62

ACCOUNT: Dental Benefits
Total Transfer: \$3,558.16

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 11-2024

Date: February 21, 2024

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

ACCOUNT: PERS and Contributory Insurance
Total Transfer: \$687,264.02

ACCOUNT: Operating Account
Total: \$705,970.72

ACCOUNT: General Improvement Account
Total: \$409,006.06

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 February 21, 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. 13-2024

DATE: February 21, 2024

2024 SCHEDULE OF MEETINGS

RESOLVED,

BE IT RESOLVED, by the Commissioners of the Northwest Bergen County Utilities Authority, that the regularly scheduled meetings of the Northwest Bergen County Utilities Authority for the year 2024 shall be held on the days and the times as set forth in the attached schedule.

BE IT FURTHER RESOLVED, the Authority shall post on its website, nbcua.com, at least 48 hours prior to the meeting the location of the meeting whether it be at the Authority’s administration offices located at 30 Wyckoff Avenue, Waldwick, New Jersey, or held via telecommunication services or web-based services in accordance with procedures recommended by the New Jersey Division of Local Government Services for remote public meetings where in-person meetings may not be optimal during the Covid 19 related State of Emergency.

BE IT FURTHER RESOLVED, if the meeting is to be held via telecommunication or web-based services, means for public participation shall be posted on the Authority’s website at least 48 hours prior to the meeting.

BE IT FURTHER RESOLVED, that in the event the schedule as set forth herein is revised, such revisions shall be posted, mailed and noticed as required by law.

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 February 21, 2024.

FRANK KELAHER, CHAIRMAN

DOUGLAS M. BERN, ESQ.

ASSISTANT SECRETARY

DATE:

RECORDED VOTE:

Table with 10 columns (Bonagura, Biale, Jordan, Lo Iacono, Ortega, Tombalakian, Virk, Kelaher) and 8 rows (Offered, Seconded, Aye, Nay, Absent, Abstain, Recuse).

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY
MEETING SCHEDULE FOR 2024

Regularly scheduled public meetings and Work Sessions of the Northwest Bergen County Utilities Authority will be held at 7:00pm on the days set forth below. The Authority shall announce on its website, nbcua.com, at least 48 hours prior to the meeting the location of the meeting whether it be at the Authority’s administration offices located at 30 Wyckoff Avenue, Waldwick, NJ or held via telecommunication services or web-based services. If the meeting is held via telecommunication or web-based services, means for public participation shall be posted on the Authority’s website at least 48 hours prior to the meeting.

Formal Action is taken at public meetings.

Month	Work Session & Regular Meetings	Notes
March	20 th	
April	17 th	
May	15 th	
June	19 th	
July	17 th	
August	21 st	
September	18 th	
October	16 th	A Special Meeting will be held to approve the 2025 Introduced Budget
November	20 th	
December	18 th	Public Hearing for 2025 Budget will be held.
January 2025	15 th	Public Hearing on the 2025 Service Charges will be held.
February 2025	19 th	Reorganization Meeting

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 14-2024

Date: February 21, 2024

**RESOLUTION TO ENGAGE CP ENGINEERS TO PROVIDE INCINERATOR BLOWERS
UPGRADES (Project #1165)**

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 Replacement of the Existing Sludge Incinerator Combustion Air Blower, Project #1165 (hereinafter referred to as the "Project"); and

WHEREAS, CP Engineering, the Authority's current Consulting Engineer, has submitted a proposal to perform these services at a cost not to exceed \$66,800; and

WHEREAS, it is in the Authority's best interests for CP Engineering to provide these services; and

WHEREAS, the Authority hired CP Engineering to serve as the Consulting Engineer to the Authority for the fiscal year 2024 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 CP Engineering as Consulting Engineer, the Authority published a Request for Qualifications ("RFQ") in its official newspaper on December 11, 2023, requesting qualifications from individuals and/or firms to provide consulting engineering services; and

WHEREAS, as a result of that RFQ response, Thirteen (14) responses were received; and

WHEREAS, the Authority evaluated the proposal received based on established criteria made available to all respondents and approved CP Engineering's Qualifications at its January 10, 2024 Commissioners' Meeting; and

WHEREAS, the Authority's Certifying Finance Officer has certified that funds are available for the retention of CP Engineering for these professional services; and

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

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 14-2024

Date: February 21, 2024

**RESOLUTION TO ENGAGE CP ENGINEERS TO PROVIDE INCINERATOR BLOWERS
UPGRADES (Project #1165)**

1. The Authority does hereby accept the proposal from CP Engineering in the not-to-exceed amount of \$66,800 for Engineering services in connection with the planning and design as well as funding & bidding assistance for the Water Main Replacement Project, Project #1165.
2. The Executive Director of the Authority is authorized to execute an Agreement with CP Engineering to provide Engineering and Professional Services required for the Planning & Design, Funding & Bidding Assistance of the Water Main Replacement Project, Project #1165.
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. 14-2024

Date: February 21, 2024

RESOLUTION TO ENGAGE CP ENGINEERS TO PROVIDE INCINERATOR BLOWERS
UPGRADES (Project #1165)

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 February 21, 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: CP Engineers

AMOUNT: \$66,800.00

ACCOUNT NO.: 5000/6370

Date: February 21, 2024

Robert Laux, Certifying Finance Officer

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 15-2024

Date: February 21, 2024

RESOLUTION TO ENGAGE T&M ASSOCIATES TO PROVIDE THE ENGINEERING SERVICES (Project #1164)

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 Water Main Replacement Project , Project #1164 (hereinafter referred to as the "Project"); and

WHEREAS, T&M Associates, the Authority's current Consulting Engineer, has submitted a proposal to perform these services at a cost not to exceed \$70,000; and

WHEREAS, it is in the Authority's best interests for T&M Associates to provide these services; and

WHEREAS, the Authority hired T&M Associates to serve as the Consulting Engineer to the Authority for the fiscal year 2024 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 December 11, 2023, requesting qualifications from individuals and/or firms to provide consulting engineering services; and

WHEREAS, as a result of that RFQ response, Thirteen (14) responses were received; and

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 January 10, 2024 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:

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 15-2024

Date: February 21, 2024

RESOLUTION TO ENGAGE T&M ASSOCIATES TO PROVIDE THE ENGINEERING SERVICES (Project #1164)

1. The Authority does hereby accept the proposal from T&M Associates in the not-to-exceed amount of \$70,000 for Engineering services in connection with the planning and design as well as funding & bidding assistance for the Water Main Replacement Project, Project #1164.
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 Water Main Replacement Project, Project #1164.
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. 15-2024

Date: February 21, 2024

RESOLUTION TO ENGAGE T&M ASSOCIATES TO PROVIDE THE ENGINEERING SERVICES (Project #1164)

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 February 21, 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 Associates

AMOUNT: \$70,000.00

ACCOUNT NO.: 5000/6370

Date: February 21, 2024

Robert Laux, Certifying Finance Officer

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 16-2024

Date: February, 21, 2024

**AUTHORIZATION TO RENEW A SHARED SERVICES AGREEMENT WITH THE
BOROUGH OF UPPER SADDLE RIVER**

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 Upper Saddle River (the “Borough”) had entered into a Shared Services Agreement which commenced January 1, 2024 and had a termination date of December 31, 2024 for the Authority to 1) act as the New Jersey Licensed Collection System Operator for the Borough in the sanitary sewer system collection area defined on the sewer map attached and as more specifically defined in the attached Agreement 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. 39-24 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,.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 16-2024

Date: February, 21, 2024

AUTHORIZATION TO RENEW A SHARED SERVICES AGREEMENT WITH THE BOROUGH OF UPPER SADDLE RIVER

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

1. The Authority agrees to enter into a Shared Services Agreement with the Borough of Upper Saddle River 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 February 21, 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. 17-2024

Date: January 10, 2024

**RESOLUTION TO ENGAGE THE SERVICES OF CHAVOND-BARRY ENGINEERING
CORP. FOR IDI INCINERATOR REPAIRS (Project #1165)**

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 preparation of specifications and construction services for IDI incinerator repairs, Project #1165 (hereinafter referred to as the "Project"); and

WHEREAS, Chavond-Barry Engineering Corp., the Authority's current Consulting Engineer, has submitted a proposal to perform these services and other ancillary services at a cost not to exceed \$71,500; and

WHEREAS, it is in the Authority's best interests for Chavond-Barry Engineering Corp. to provide these services, in accordance with the terms set forth in the attached agreement; and

WHEREAS, the Authority hired Chavond-Barry Engineering Corp. 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 Chavond-Barry Engineering Corp. as Consulting Engineer, the Authority published a Request for Qualifications ("RFQ") in its official newspaper December 11, 2023, requesting qualifications from individuals and/or firms to provide consulting engineering services; and

WHEREAS, as a result of that RFQ response, Thirteen (14) responses were received; and

WHEREAS, the Authority evaluated the proposal received based on established criteria made available to all respondents and appointed Chavond-Barry Engineering Corp. as its Consulting Engineer for incineration at its February 21, 2024 Commissioners' Meeting; and

WHEREAS, the Authority's Certifying Finance Officer has certified that funds are available for the retention of Chavond-Barry Engineering Corp. for these professional services; and

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 17-2024

Date: January 10, 2024

**RESOLUTION TO ENGAGE THE SERVICES OF CHAVOND-BARRY ENGINEERING
CORP. FOR IDI INCINERATOR REPAIRS (Project #1165)**

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 Chavond-Barry Engineering Corp. in the not-to-exceed amount of \$71,500 for Engineering services in connection with preparation of specifications and construction services for IDI incinerator repairs, Project #1165.
2. The Executive Director of the Authority is authorized to execute an Agreement with Chavond-Barry Engineering Corp. to provide Engineering and Professional Services required for Project #1165.
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. 17-2024

Date: January 10, 2024

RESOLUTION TO ENGAGE THE SERVICES OF CHAVOND-BARRY ENGINEERING
CORP. FOR IDI INCINERATOR REPAIRS (Project #1165)

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 February 21, 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: Chavond Barry_____

AMOUNT: \$71,500.00_____

ACCOUNT NO.: 5000/6370_____

Date: February 21, 2024

Robert Laux, Certifying Finance Officer

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 18-2024

Date: February 21, 2024

RETENTION OF AUDITOR FOR 2024 PURSUANT TO N.J.S.A. 19:44A-20.4

WHEREAS, the Northwest Bergen County Utilities Authority (the “Authority”) has adopted the fair and open process pursuant to N.J.S.A. 19:44A-20.7 with respect to the retention of the following professional:

AUDITOR FOR 2023

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**; 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 a person and/or firm that: (i) possessed the professional, financial and administrative capabilities to provide the proposed auditing 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, by **Resolution No.06-2022**, the Authority identified one firm as qualified to perform the auditing services required by the Authority; and

WHEREAS, the firm of Wielkotz & Company, LLC (the “Firm”) was determined to be highly qualified and eminently capable of providing auditing services to the Authority; and

WHEREAS, the Authority has determined that it is in its best interest to retain the Firm as set forth in this Resolution; and

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 18-2024

Date: February 21, 2024

RETENTION OF AUDITOR FOR 2024 PURSUANT TO N.J.S.A. 19:44A-20.4

WHEREAS, the services to be provided shall be as follows:

Preparation of unaudited Y/E financial statement and required Journal Entries (Y/E closeout).	\$5,500
Preparation of Annual Statutory Audit.	\$ 41,500
Preparation of Semiannual Unaudited Financial Statement.	\$ 11,750
Connection Fee Rate Preparation of 2024 Sewer Study Update and Public Hearing.	\$ 3,600
Preparation and Filing of Arbitrage Rebate Analysis (2009)	\$ 5,100
Review and Support in Preparation of Annual Budget	\$ 5,100
Secondary Market Bond Disclosure Form (EMMA Filing Requirement)	\$ 3,950
Certification of Various 2024 Sewer Projects	\$ 3,000
Review of Authority Deferred Compensation Plan	\$ 3,100

WHEREAS, services rendered on behalf of the Authority, not listed above will be billed based upon the Firm’s standard billing rates, as follows:

POSITION	AMOUNT PER HOUR
Partner	\$200.00
Senior Manager	\$175.00
Manager	\$150.00
Senior Associate	\$125.00
Associate	\$100.00
Administrative Staff	\$75.00

WHEREAS, the compensation to the Firm for the rendering of auditing services for 2024 will not exceed \$100,000 without prior authorization; and

WHEREAS, the Authority’s Certifying Finance Officer has certified that funds are available for the retention of the Firm for auditing services.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 18-2024

Date: February 21, 2024

RETENTION OF AUDITOR FOR 2024 PURSUANT TO N.J.S.A. 19:44A-20.4

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

1. The Authority hereby retains Wielkotz & Company, LLC for the year ending December 31, 2023 and until a successor has been named.
2. Compensation to the professional shall not exceed one hundred thousand dollars (\$100,000).
3. The Chairman, Vice-Chairman, and the Executive Director of the Authority is hereby authorized to execute the aforementioned professional services agreement on behalf of the Authority.
4. In the event that the Firm anticipates it will exceed the amount set forth, it shall seek further authorization from the Authority at such time.
5. The Certifying Finance Officer's Certification of Available Funds shall be maintained on file at the Authority and made a part hereof.
6. Notice of the contract award shall be advertised in accordance with applicable law.
7. This Resolution shall take effect immediately upon adoption

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 18-2024

Date: February 21, 2024

RETENTION OF AUDITOR FOR 2024 PURSUANT TO N.J.S.A. 19:44A-20.4

IT IS HEREBY CERTIFIED that this is a true copy of a Resolution adopted by the Commissioners of the Authority on **February 21, 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:

DESCRIPTION: Auditing Services for 2024

VENDOR: Weilkotz & Company

AMOUNT: \$100,000.00

ACCOUNT NO.: 2100/4010

Date: February 21, 2024

Robert Laux, Certifying Finance Officer

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 19-2024

Date: February 21, 2024

**RETENTION OF ENGINEER FOR 2024 FOR GENERAL INCINERATOR ADVICE
PURSUANT TO N.J.S.A. 19:44A-20.4**

WHEREAS, the Northwest Bergen County Utilities Authority (the “Authority”) has adopted the fair and open process pursuant to N.J.S.A. 19:44A-20.7 with respect to the retention of the following professional:

CONSULTING ENGINEER

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, 2023**; 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 engineering 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, by **Resolution 08-2024** the Authority identified a number of Engineering Firms as qualified to perform Engineering Services required by the Authority; and

WHEREAS, the firm of Chavond Barry Engineering Corp. (the “Firm”) was determined to be highly qualified and eminently capable of providing Consulting Engineering Services to the Authority; and

WHEREAS, the Authority has determined that it is in its best interest to retain the Firm as a Consulting Engineer for General Incinerator Advice as set forth in this Resolution; and

WHEREAS, the services rendered on behalf of the Authority include:

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 19-2024

Date: February 21, 2024

**RETENTION OF ENGINEER FOR 2024 FOR GENERAL INCINERATOR ADVICE
PURSUANT TO N.J.S.A. 19:44A-20.4**

- Provide incineration, permitting and regulatory advice as requested.
- Attend meetings as requested.
- Be available for telephone conferences, advice and consultation that can be given by telephone.
- Provide operations and maintenance advice as requested by the Authority.
- Provide additional advice and general consulting and engineering services as requested by the Authority.

WHEREAS, services rendered on behalf of the Authority will be billed based upon the Firm’s Hourly Billing Rates below at a not-to-exceed cost of \$175,000 for general incineration advice; and

John Yu, P.E.	President	\$265
Liming Liang	Director of Technology	\$230
Albert T. Hamfeldt, P.E.	Senior Project Manager	\$215
Keith A. Croly	Project Specialist	\$190
Mary Mitchell	Senior Designer	\$150
Saundra B. Rattner	Administrator	\$90
Adrian Chiang	Technology Assistant	\$80

WHEREAS, the Firm has agreed that they will not bill the Authority for time resulting from travel to/from the Authority office in Waldwick, NJ; and

WHEREAS, the Authority’s Certifying Finance Officer has certified that funds are available for the award of a professional services agreement with the Firm.

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

1. The Authority hereby retains Chavond Barry Engineering Corp. as a Consulting Engineer for the services outlined in this Resolution for a twelve-month term commencing on the date of this resolution.
2. The Authority shall enter into a professional services agreement for the aforementioned for execution and delivery by the Authority and the professional, with compensation to

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 19-2024

Date: February 21, 2024

**RETENTION OF ENGINEER FOR 2024 FOR GENERAL INCINERATOR ADVICE
PURSUANT TO N.J.S.A. 19:44A-20.4**

the professional at the Firm's Billing Rates, in an amount not to exceed \$175,000 for general incineration advice.

3. The Chairman, Vice-Chairman, and the Executive Director of the Authority is hereby authorized to execute the aforementioned professional services agreement on behalf of the Authority.
4. In the event that the Firm anticipates it will exceed the amount set forth above, it shall seek further authorization from the Authority at such time.
5. The Certifying Finance Officer's Certification of Available Funds shall be maintained on file at the Authority and made a part hereof.
6. Notice of the contract award shall be advertised in accordance with applicable law.
7. This Resolution shall take effect immediately upon adoption.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 19-2024

Date: February 21, 2024

**RETENTION OF ENGINEER FOR 2024 FOR GENERAL INCINERATOR ADVICE
PURSUANT TO N.J.S.A. 19:44A-20.4**

IT IS HEREBY CERTIFIED that this is a true copy of a Resolution adopted by the Commissioners of the Authority on **February 21, 2024**.

FRANK KELAHER, CHAIRMAN

Douglas M. Bern, Esq.
Assistant Secretary

RECORDED VOTE:

	Bonagura	Biale	Jordan	Lo Iacono	Ortega	Tombalakian	Virk	Kelahe	
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:

DESCRIPTION: Engineer for 2024 General Incinerator Advice

VENDOR: Chavond Barry Engineering Corporation

AMOUNT: \$175,000.00

ACCOUNT NO.: 5000/6370

Date: February 21, 2024

Robert Laux, Certifying Finance Officer

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 20-2024

Date: February 21, 2024

RETENTION OF CONSULTING ENGINEER FOR 2024 PURSUANT TO N.J.S.A. 19:44A-20.4

WHEREAS, the Northwest Bergen County Utilities Authority (the “Authority”) has adopted the fair and open process pursuant to N.J.S.A. 19:44A-20.7 with respect to the retention of the following professional:

CONSULTING ENGINEER

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**; 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 engineering 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, by **Resolution 08-2024** the Authority identified a number of Engineering Firms as qualified to perform Engineering Services required by the Authority; and

WHEREAS, the firm of T&M Associates (the “Firm”) was determined to be highly qualified and eminently capable of providing Consulting Engineering Services to the Authority; and

WHEREAS, the Authority has determined that it is in its best interest to retain the firm of T&M Associates as Authority Consulting Engineer as set forth in this Resolution; and

WHEREAS, the services rendered on behalf of the Authority include:

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 20-2024

Date: February 21, 2024

RETENTION OF CONSULTING ENGINEER FOR 2024 PURSUANT TO N.J.S.A. 19:44A-20.4

- Attendance at all Authority Meetings
- Preparation of the Authority Annual Report, including all necessary inspections and investigations required to prepare the Report
- Miscellaneous Engineering General Consulting Services as requested by the Authority Staff; and

WHEREAS, services rendered on behalf of the Authority will be billed based upon the Firm’s Hourly Billing Rates below at a not-to-exceed cost of \$150,000 for the services described above; and

Administrative Support Staff	\$100.00
Intern	\$105.00
Junior Field Staff	\$120.00
Junior Technical Staff	\$132.00
Field Staff	\$162.00
Technical Staff	\$167.00
Junior Professional Staff	\$181.00
Senior Technical + Field Staff	\$194.00
Professional Staff	\$209.00
Supervising Technical Staff	\$255.00
Senior Professional Staff	\$269.00
Manager	\$299.00

WHEREAS, the Firm has agreed that they will not bill the Authority for time resulting from travel to/from the Authority office in Waldwick, NJ; and

WHEREAS, the Authority’s Certifying Finance Officer has certified that funds are available for the award of a professional services agreement with the Firm.

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

1. The Authority hereby retains T&M Associates as Consulting Engineer for the twelve-month term commencing on the date of this resolution.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 20-2024

Date: February 21, 2024

RETENTION OF CONSULTING ENGINEER FOR 2024 PURSUANT TO N.J.S.A. 19:44A-20.4

2. The Authority shall enter into a professional services agreement for the aforementioned for execution and delivery by the Authority and the professional, with compensation to the professional at the Firm's Billing Rates, in an amount not to exceed **\$150,000**.
3. The Chairman, Vice-Chairman, and the Executive Director of the Authority is hereby authorized to execute the aforementioned professional services agreement on behalf of the Authority.
4. In the event that the Firm anticipates it will exceed the amount set forth above, it shall seek further authorization from the Authority at such time.
5. The Certifying Finance Officer's Certification of Available Funds shall be maintained on file at the Authority and made a part hereof.
6. Notice of the contract award shall be advertised in accordance with applicable law.
7. This Resolution shall take effect immediately upon adoption.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 20-2024

Date: February 21, 2024

RETENTION OF CONSULTING ENGINEER FOR 2024 PURSUANT TO N.J.S.A. 19:44A-20.4

IT IS HEREBY CERTIFIED that this is a true copy of a Resolution adopted by the Commissioners of the Authority on **February 21, 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:

DESCRIPTION: Consulting Engineer for 2024

VENDOR: T&M Associates

AMOUNT: \$150,000.00

ACCOUNT NO.: 2100/4030

Date: February 21, 2024

Robert Laux, Certifying Finance Officer

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

NO. 21-2024

Date: February 21, 2024

**RETENTION OF CONSULTING ENGINEER FOR 2025 SERVICE CHARGES
PURSUANT TO N.J.S.A. 19:44A-20.4**

WHEREAS, the Northwest Bergen County Utilities Authority (the “Authority”) has adopted the fair and open process pursuant to N.J.S.A. 19:44A-20.7 with respect to the retention of the following professional:

CONSULTING ENGINEER FOR SERVICE CHARGES

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; 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 engineering services, and (iii) 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 an organization or individual 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. 21-2024

Date: February 21, 2024

**RETENTION OF CONSULTING ENGINEER FOR 2025 SERVICE CHARGES
PURSUANT TO N.J.S.A. 19:44A-20.4**

WHEREAS, Paul Malmrose of the firm Tighe & Bond, Inc. was determined to be highly qualified and capable of providing Consulting Engineering Services to the Authority based on his experience of having served the Authority in various capacities, including determining service charges, since 1983; and

WHEREAS, the services to be rendered on behalf of the Authority include the following tasks:

1. Task 1: Review of 1st Quarter Meter Data
2. Task 2: Review of 2nd Quarter Meter Data
3. Task 3: Review of 2025 Preliminary User Service Charges
4. Task 4: Review of 2025 Final User Charges
5. Task 5: Miscellaneous Consulting Services

WHEREAS, services rendered on behalf of the Authority will be billed at a not to exceed cost of \$56,100; and

WHEREAS, the Authority's Certifying Finance Officer has certified that funds are available for the award of a professional services agreement with the Firm.

WHEREAS, the Authority has determined that it is in the best interest to retain the firm of Tighe & Bond as Consulting Engineer for Service Charges as set forth in this Resolution.

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

1. The Authority hereby retains Paul Malmrose of Tighe & Bond as Consulting Engineer for the 2025 Service Charges for the twelve (12) month term commencing on the Resolution date.
2. The Authority shall enter into a professional services agreement for the aforementioned for execution and delivery by the Authority and the professional, with compensation to the professional in an amount not to exceed \$56,100.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

NO. 21-2024

Date: February 21, 2024

**RETENTION OF CONSULTING ENGINEER FOR 2025 SERVICE CHARGES
PURSUANT TO N.J.S.A. 19:44A-20.4**

3. The Chairman, Vice-Chairman, and Executive Director of the Authority is hereby authorized to execute the aforementioned professional services agreement on behalf of the Authority.
4. In the event that the Firm anticipates it will exceed the amount set forth above, it shall seek further authorization from the Authority at such time.
5. The Certifying Finance Officer's Certification of Available Funds shall be maintained on file at the Authority and made a part hereof.
6. Notice of the contract award shall be advertised in accordance with applicable law.
7. This Resolution shall take effect immediately upon adoption.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

NO. 21-2024

Date: February 21, 2024

**RETENTION OF CONSULTING ENGINEER FOR 2025 SERVICE CHARGES
PURSUANT TO N.J.S.A. 19:44A-20.4**

IT IS HEREBY CERTIFIED that this is a true copy of a Resolution adopted by the Commissioners of the Authority on **February 21, 2024**.

FRANK KELAHER, CHAIRMAN

Douglas M. Bern, Esq.
Assistant Secretary

RECORDED VOTE:

	Bonagura	Biale	Jordan	Lo Iacono	Ortega	Tombalakian	Virk	Kelاهر	
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:

DESCRIPTION: Consulting Engineer for 2025 Service Charges

VENDOR: Tighe & Bond

AMOUNT: \$56,100.00

ACCOUNT NO.: 2100/4030

Date: February 21, 2024

Robert Laux, Certifying Finance Officer

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 22-2024

Date: February 21, 2024

RETENTION OF GENERAL COUNSEL FOR 2024 PURSUANT TO N.J.S.A. 19:44A-20.4

WHEREAS, the Northwest Bergen County Utilities Authority (the “Authority”) has adopted the fair and open process pursuant to N.J.S.A. 19:44A-20.7 with respect to the retention of the following professional:

LEGAL SERVICES FOR 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**; 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 a person and/or firm 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, by **Resolution 09-2024**, the Authority identified a number of firms as qualified to perform the legal services required by the Authority; and

WHEREAS, the firm of Bern Root, LLC (the “Firm”) is deemed to be highly qualified and capable of providing legal services to the Authority based upon the extensive experience of members and associates of the firm; and

WHEREAS, the Authority has determined that the Firm, shall provide professional legal services to the Authority, including all matters which, in the opinion of the Commissioners of the Authority, shall be referred to General Counsel, including, but not limited to the following:

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 22-2024

Date: February 21, 2024

RETENTION OF GENERAL COUNSEL FOR 2024 PURSUANT TO N.J.S.A. 19:44A-20.4

- a. Attendance at work sessions, regular, special and emergency meetings of the Authority Commissioners, including meetings outside of Bergen County, at municipal offices, County offices, State government offices and non-governmental offices;
- b. Attendance at all other meetings which the Commissioners or Executive Director deem necessary that General Counsel attend;
- c. Attendance at all public hearings (budget, rates, plan amendments, amendments to Wastewater Rules and Regulations, etc.);
- d. Attendance at all Commissioners' standing committee meetings as requested;
- e. Consultation (in person and/or by telephone) with Commissioners, staff, department heads and Authority personnel requiring the performance of legal services relating to Authority matters;
- f. Representation in any and all regulatory proceedings before State agencies, including but not limited to the New Jersey Department of Environmental Protection and the Office of Administrative Law ('OAL');
- g. Consultation and legal services related to Open Public Records Act and Open Public Meetings Act compliance;
- h. Representation in any and all litigation in which the Commissioners authorize General Counsel to represent the Authority's interest(s);
- i. Research and preparation of legal opinions requested by the Commissioners, Executive Director or his designee, or initiated by General Counsel in the performance of requisite legal services on behalf of the Authority;
- j. Review of correspondence referred to General Counsel by the Commissioners, Executive Director, Authority staff or consultants, and preparation of correspondence initiated by General Counsel in the performance of General Counsel's requisite legal services on behalf of the Authority;
- k. Legal Services relating to the preparation and/or review of agreements, resolutions, bid specifications, bid proposals and contracts, as required by the Commissioners or the Authority's Executive Director, or his designee;
- l. Attention to non-routine contract issues as may be assigned by the Authority from time to time with respect to special projects;
- m. Any and all other matters for which the services of General Counsel are deemed necessary by the Commissioners of the Authority;
- n. Review and/or preparation of routine (i.e. transmittal) correspondence (excluding, e.g., legal opinions);
- o. Preparation of monthly synopsis of General Counsel's legal services performed on behalf of the Authority

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 22-2024

Date: February 21, 2024

RETENTION OF GENERAL COUNSEL FOR 2024 PURSUANT TO N.J.S.A. 19:44A-20.4

- p. Upon receipt, review of draft meeting minutes of work session, regular, special, and emergency meeting minutes of the Authority Commissioners;
- q. Review certification of meeting minutes of the Authority subject to the approval of the Bergen County Executive pursuant to N.J.S.A. 40:14B-14(b);
- r. Preparation and review of public bidding specifications for compliance with Local Public Contracts Law;
- s. Drafting and preparation of Authority Resolutions as requested and review of all in-house prepared Resolutions;
- t. Review and interpretation of contracts, resolutions and other legal documents as required to ensure the proper conduct of the Authority;
- u. Provide legal advice when required that deal with day-to-day operation of the Authority;
- v. Consultation with Board officers and staff, in person, or by telephone, when required;
- w. Attend to matters involving municipal relations and issues involving the Department of Environmental Protection and other State and Federal Agencies.

WHEREAS, the services to be rendered will be compensated at the following Hourly Rate of One Hundred Fifty Dollars (\$150.00) Authority; and

WHEREAS, the Authority's Certifying Finance Officer has certified that funds are available for the award of a professional services agreement with the Firm.

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

1. The Authority hereby retains the firm of Bern Root, LLC for the twelve-month term commencing on the date of this resolution.
2. The Chairman, Vice-Chairman, and the Executive Director of the Authority is hereby authorized to execute the Professional Services Agreement required for execution and delivery by the Authority and the professional, with compensation to the professional in an amount not to exceed **\$100,000**.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 22-2024

Date: February 21, 2024

RETENTION OF GENERAL COUNSEL FOR 2024 PURSUANT TO N.J.S.A. 19:44A-20.4

3. In the event that the Firm anticipates it will exceed the amount set forth herein, it shall seek further authorization from the Authority at such time.
4. The Certifying Finance Officer's Certification of Available Funds shall be maintained on file at the Authority and made a part hereof.
5. Notice of the contract award shall be advertised in accordance with applicable law.
6. This Resolution shall take effect immediately upon adoption.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 22-2024

Date: February 21, 2024

RETENTION OF GENERAL COUNSEL FOR 2024 PURSUANT TO N.J.S.A. 19:44A-20.4

IT IS HEREBY CERTIFIED that this is a true copy of a Resolution adopted by the Commissioners of the Authority on **February 21, 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:

DESCRIPTION: General Counsel 2024

VENDOR: Bern Root, LLC

AMOUNT: \$100,000.00

ACCOUNT NO.: 2100/4020

Date: February 21, 2024

Robert Laux, Certifying Finance Officer

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 23-2024

Date: February 21, 2024

RETENTION OF LABOR COUNSEL FOR 2024 PURSUANT TO N.J.S.A. 19:44A-20.4

WHEREAS, the Northwest Bergen County Utilities Authority (the “Authority”) has adopted the fair and open process pursuant to N.J.S.A. 19:44A-20.7 with respect to the retention of the following professional:

LEGAL SERVICES FOR 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**; 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, by **Resolution 09-2024** the Authority identified a number of Individuals/Firms as qualified to perform Legal Services required by the Authority; and

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 23-2024

Date: February 21, 2024

RETENTION OF LABOR COUNSEL FOR 2024 PURSUANT TO N.J.S.A. 19:44A-20.4

WHEREAS, the Authority requires the services of Labor Counsel to provide specific legal services to the Authority; and

WHEREAS, the firm of Eric M. Bernstein & Associates, LLC (the “Firm”) was determined to be highly qualified and capable of providing these legal services to the Authority; and

WHEREAS, the Authority has determined that it is in its best interest to retain the Firm as Labor Counsel as set forth in this Resolution; and

WHEREAS, the services to be rendered will be compensated at the following Hourly Rate of One Hundred Fifty Dollars (\$150.00) for Attorneys and Sixty Dollars (\$60) for paralegals services by the Authority.

WHEREAS, the compensation to the Firm for the rendering of labor counsel services will not exceed \$25,000 without prior authorization; and

WHEREAS, the Authority’s Certifying Finance Officer has certified that funds are available for the award of a professional services agreement with the Firm.

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

1. The Authority hereby retains Eric M. Bernstein & Associates for the twelve-month term commencing on the Resolution date.
2. The Authority shall enter into a professional services agreement for the aforementioned for execution and delivery by the Authority and the professional, with compensation to the professional in an amount not to exceed \$25,000.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 23-2024

Date: February 21, 2024

RETENTION OF LABOR COUNSEL FOR 2024 PURSUANT TO N.J.S.A. 19:44A-20.4

3. The Chairman, Vice-Chairman, or the Executive Director of the Authority is hereby authorized to execute the aforementioned professional services agreement on behalf of the Authority.
4. In the event that the Firm anticipates it will exceed the amount set forth, it shall seek further authorization from the Authority at such time.
5. The Certifying Finance Officer’s Certification of Available Funds shall be maintained on file at the Authority and made a part hereof.
6. Notice of the contract award shall be advertised in accordance with applicable law.
7. This Resolution shall take effect immediately upon adoption.

IT IS HEREBY CERTIFIED that this is a true copy of a Resolution adopted by the Commissioners of the Authority on **February 21, 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

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:

DESCRIPTION: Labor Counsel 2024

VENDOR: Eric M. Bernstein & Associates

AMOUNT: \$25,000.00

ACCOUNT NO.: 2100/4020

Date: February 21, 2024

Robert Laux, Certifying Finance Officer

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 24-2024

Date: February 21, 2024

RETENTION OF BOND COUNSEL PURSUANT TO N.J.S.A. 19:44a-20.4

WHEREAS, the Northwest Bergen County Utilities Authority (the “Authority”) has adopted the fair and open process pursuant to N.J.S.A. 19:44A-20.7 with respect to the retention of the following professional:

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; and

WHEREAS, the Authority requires a Bond Counsel to provide the services necessary for the issuance of bonds required for financing potential projects; and

WHEREAS, by **Resolution 09-2024** the Authority identified a number of Individuals/Firms as qualified to perform Legal Services required by the Authority; and

WHEREAS, John D. Draikiwicz of the firm of Gibbons, PC was determined to be highly qualified and capable of providing this service to the Authority; and

WHEREAS, the Authority has determined that it is in its best interest to retain the professional John D. Draikiwicz of the firm of Gibbons, PC as set forth in this Resolution; and

WHEREAS, The rates of services shall be billed based on the attached rates with a not-to-exceed of \$75,000 without prior authorization; and

WHEREAS, the Authority’s Certifying Finance Officer has certified that funds are available for the award of a professional services agreement with the Firm.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 24-2024

Date: February 21, 2024

RETENTION OF BOND COUNSEL PURSUANT TO N.J.S.A. 19:44a-20.4

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

1. The Authority hereby retains John D. Draikiwicz of the firm of Gibbons, PC to serve as Bond Counsel for a twelve-month term commencing on the Resolution date.
2. The Authority shall enter into a professional services agreement for the aforementioned for execution and delivery by the Authority and the professional, with compensation to the professional in the amount not to exceed \$75,000.
3. The Chairman, Vice-Chairman or the Executive Director of the Authority is hereby authorized to execute the aforementioned professional services agreement on behalf of the Authority.
4. In the event that Gibbons, PC anticipates it will exceed the amount set forth, it shall seek further authorization from the Authority at such time.
5. The Certifying Finance Officer's Certification of Available Funds shall be maintained on file at the Authority and made a part hereof.
6. Notice of the contract award shall be advertised in accordance with applicable law.
7. This resolution shall take effect immediately upon adoption.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 24-2024

Date: February 21, 2024

RETENTION OF BOND COUNSEL PURSUANT TO N.J.S.A. 19:44a-20.4

IT IS HEREBY CERTIFIED that this is a true copy of a Resolution adopted by the Commissioners of the Authority on **February 21, 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. 24-2024

Date: February 21, 2024

RETENTION OF BOND COUNSEL PURSUANT TO N.J.S.A. 19:44a-20.4

Attached Rate Schedule

Traditional Note Issue

With respect to work done in connection with any initial temporary financings of the Authority involving a private placement and not involving preparation of an Official Statement, Bond Counsel will receive \$25,000 for its approving opinion and 50 cents per \$1,000 of notes issued, plus out-of-pocket expenses. With respect to work done in connection with any renewal of a temporary financing of the Authority involving a private placement and not involving preparation of an Official Statement, Bond Counsel will receive \$20,000 for its approving opinion and 50 cents per \$1,000 of notes issued, plus out-of-pocket expenses. In addition, if an issue involves the financing of multiple projects through the NJEIT, there shall be an additional fee of \$4,500 for each additional NJEIT project number financed. If an Official Statement needs to be reviewed or prepared in connection with the financing, our fee for such services would be at the hourly rates set forth below.

Traditional Bond Issue

For work done and responsibilities assumed in connection with rendering the type of opinions anticipated in any permanent financings (which are competitively bid or negotiated), we would charge a base fee of \$35,000, plus \$1.10 per \$1,000 of bonds issued, plus out-of-pocket disbursements. If an Official Statement needs to be reviewed or prepared in connection with the financing, our fee for such services would be at the hourly rates set forth below. In the event of a refunding bond issue, there will be an additional fee of \$10,000.

Hourly Rates

For your general information, it is difficult to initially estimate the amount of involvement that would be required of bond counsel in the preparation of an Official Statement, the attention to litigation, special advice to be rendered regarding compliance with investment restrictions under the arbitrage regulations, the review of other unusual tax questions, the attendance at meetings, additional services in connection with the New Jersey Environmental Infrastructure Trust financing, the application for investment of proceeds in Federal Treasury obligations, State and Local Government Series or questions referred to bond counsel which arise away from a specific financing. Thus, the fee for such additional or non-transactional services would be at an hourly (time charge) basis. This fee would be calculated by multiplying the number of hours expended by each attorney and paralegal by their respective billing rate in effect at the time the work is performed. Each billing rate is based on experience and expertise and is reviewed and revised by the firm periodically. In this connection, we will furnish a schedule of hourly rates for those

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

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RETENTION OF BOND COUNSEL PURSUANT TO N.J.S.A. 19:44a-20.4

individuals who work on the matter and an accounting of the aggregate amount of time expended. The present hourly rates of those attorneys and paralegals anticipated to work on your matters are as follows:

John D. Draikiwicz	\$295
Scott A. Galano	250
Steven H. Sholk	195
Suprotik Das	125
Paralegal	90

In addition to time charges, the firm will include in its billing statement out-of-pocket costs incurred in connection with the matter, including, without limitation, expenses of travel, word processing (computerized document preparation), telephone, document reproduction, postage and air freight and stenographic overtime, if required. We anticipate presenting a statement for services rendered subsequent to each note and bond issue.

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:

DESCRIPTION: Bond Counsel for 2024

VENDOR: Gibbons, PC

AMOUNT: \$75,000.00

ACCOUNT NO.: 7000/6620

Date: February 21, 2024

Robert Laux, Certifying Finance Officer

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 25-2024

Date: February 21, 2024

**RETENTION OF CONSULTING ENGINEER FOR 2024 FOR INSTRUMENTATION,
AUTOMATION AND COMPUTER SYSTEMS PURSUANT TO N.J.S.A. 19:44A-20.4**

WHEREAS, the Northwest Bergen County Utilities Authority (the “Authority”) has adopted the fair and open process pursuant to N.J.S.A. 19:44A-20.7 with respect to the retention of the following professional:

CONSULTING ENGINEERING SERVICES

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**; 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 engineering 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, by **Resolution 08-2024** the Authority identified a number of Engineering Firms as qualified to perform Engineering Services required by the Authority; and

WHEREAS, the firm of Engineered Solutions Corporation was determined to be highly qualified and eminently capable of providing Consulting Engineering Services to the Authority; and

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 25-2024

Date: February 21, 2024

**RETENTION OF CONSULTING ENGINEER FOR 2024 FOR INSTRUMENTATION,
AUTOMATION AND COMPUTER SYSTEMS PURSUANT TO N.J.S.A. 19:44A-20.4**

WHEREAS, the Authority has determined that it is in its best interest to retain the firm of Engineered Solutions Corporation as a Consulting Engineer for instrumentation, automation and computer systems engineering support in the design, maintenance and troubleshooting of control and SCADA systems as well as normal plant facilities; and

WHEREAS, services rendered on behalf of the Authority will be billed based upon Engineered Solutions Corporation’s Hourly Billing Rates below at a not-to-exceed cost of \$100,000 for the services described above; and

Professional Engineering	\$285
Senior Engineer, Senior Programmer	\$205
Engineer, Senior Technical/Field Service Support, Intermediate Programmer	\$165
Technical/Field Service Support, Programmer	\$140
Drafting	\$105
Administration	\$80

WHEREAS, Engineered Solutions Corporation has agreed that they will not bill the Authority for time resulting from travel to/from the Authority office in Waldwick, NJ; and

WHEREAS, the Authority’s Certifying Finance Officer has certified that funds are available for the retention of the Firm for consulting engineering services.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 25-2024

Date: February 21, 2024

**RETENTION OF CONSULTING ENGINEER FOR 2024 FOR INSTRUMENTATION,
AUTOMATION AND COMPUTER SYSTEMS PURSUANT TO N.J.S.A. 19:44A-20.4**

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

1. The Authority hereby retains Engineered Solutions Corporation as a Consulting Engineer for the services outlined in this Resolution for a twelve-month term commencing on the date of this resolution with compensation to the professional at the Firm's Billing Rates, in an amount not to exceed \$100,000.
2. The Chairman, Vice-Chairman, or the Executive Director of the Authority is hereby authorized to execute the aforementioned professional services agreement on behalf of the Authority.
3. The Certifying Finance Officer's Certification of Available Funds shall be maintained on file at the Authority and made a part hereof.
4. In the event that the Firm anticipates it will exceed the amount set forth above, it shall seek further authorization from the Authority at such time.
5. That notice of this award shall be advertised in accordance with applicable law.
6. This Resolution shall take effect immediately upon adoption.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 25-2024

Date: February 21, 2024

**RETENTION OF CONSULTING ENGINEER FOR 2024 FOR INSTRUMENTATION,
AUTOMATION AND COMPUTER SYSTEMS PURSUANT TO N.J.S.A. 19:44A-20.4**

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 February 21, 2024.

FRANK KELAHER, CHAIRMAN

Douglas M. Bern, Esq.
Assistant Secretary

RECORDED VOTE:

	Bonagura	Biale	Jordan	Lo Iacono	Ortega	Tombalakian	Virk	Kelahr	
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:

DESCRIPTION: Consulting Engineer for 2024 for Instrumentation, Automation and Computer Systems

VENDOR: Engineered Solutions Corporation

AMOUNT: \$100,000.00

ACCOUNT NO.: 4500/6245

Date: February 21, 2024

Robert Laux, Certifying Finance Officer