

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

NOTICE

REGULAR MEETING

PLEASE TAKE NOTICE, that in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq. and in consideration of Executive Order No. 103, issued by Governor Murphy on March 9, 2020 declaring a State of Emergency and a Public Health Emergency in the State of New Jersey, the Northwest Bergen County Utilities Authority does hereby notify the public that to protect the health, safety and welfare of our citizens while ensuring the continued functioning of government, the Northwest Bergen County Utilities Authority Work Session and Regular Meeting scheduled for Tuesday, September 15, 2020 at 7:00 p.m. at the offices of the Northwest Bergen County Utilities Authority located at 30 Wyckoff Avenue, Waldwick, New Jersey will be held via Zoom ONLY. Formal action may be taken at these meetings. The agendas will be placed on the Northwest Bergen County Utilities Authority website, nbcua.com, at least 48 hours prior to the meeting. Members of the public who wish to participate in the meeting may do so by going to [Zoom.us](https://zoom.us) and entering the meeting ID of 890 8052 0841 and following the passcode **174091** at 7:00 P.M. Individuals calling into this number will be able to fully participate in the meeting, including providing public comment. A non-public dial in number will be used if executive session is required.

Alison Gordon, Secretary
Northwest Bergen County
Utilities Authority

September 11, 2020

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

AGENDA REGULAR MEETING September 15, 2020

1. Meeting called to Order
2. Open Public Meetings Act Statement
3. Roll Call
4. Chairman's Remarks
5. Approval of Minutes – Regular Meeting – July 21, 2020
6. Public Comments (any subject)
7. Consideration for approval list of Resolutions attached dated September 15, 2020
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
 - g. Safety and Security 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

September 11, 2020

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTIONS

September 15, 2020

CONSENT AGENDA

- 72-2020 Approval of Payment of Vouchers, Payroll, Tax Deposits and Pensions and Benefits
- 73-2020 Regular Employment – Roderes Ramirez, Electrician
- 74-2020 Authorization to Renew Membership in the New Jersey Utility Authorities Joint Insurance Fund
- 75-2020 Assignment of General Counsel Agreement for 2020 pursuant to N.J.S.A. 19:44A-20.4
- 76-2020 Authorization to Renew Membership in the National Association of Clean Water Agencies
- 77-2020 Resolution Authorizing the Purchase of Energy Generation Services for Public Use on an Online Auction Website
- 78-2020 Approval of Change Order No. 3 – Contract No. 272 – Wastewater Pump Station Improvements Project
- 79-2020 Authorization to Award Contract for the Furnishing and Delivery of Magnesium Hydroxide Slurry
- 80-2020 Authorization to renew a Shared Services Agreement with the Borough of Dumont
- 81-2020 Authorization to renew a Shared Services Agreement with the Borough of Midland Park
- 82-2020 Authorization to amend a Shared Services Agreement with the Borough of Westwood

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 72-2020

Date: September 15, 2020

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 July and August 2020 and Health Benefits and Dental Benefits transfers for August and September 2020; 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 August 14, 2020 and September 15, 2020 be and they hereby are approved for payment from the proper accounts as follows:

ACCOUNT: Payroll Account – July
Net Payroll: \$207,034.42

ACCOUNT: Payroll Account – August
Net Payroll: \$212,084.59

ACCOUNT: Tax Deposit Account – July
Total: \$87,593.12

ACCOUNT: Tax Deposit Account – August
Total: \$90,305.86

ACCOUNT: Health Benefits Contribution Employer – August
Total Transfer: \$111,080.01

ACCOUNT: Health Benefits Contribution Employer – September
Total Transfer: \$107,893.97

ACCOUNT: Health Benefits Contribution Employee – August
Total: \$4,476.39

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 72-2020

Date: September 15, 2020

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

ACCOUNT: Health Benefits Contribution Employee – September
Total: \$4,476.39

ACCOUNT: Dental Benefits – August
Total Transfer: \$4,107.90

ACCOUNT: Dental Benefits – September
Total Transfer: \$4,107.90

ACCOUNT: PERS and Contributory Insurance – July
Total Transfer: \$30,444.64

ACCOUNT: PERS and Contributory Insurance – August
Total Transfer: \$30,624.06

ACCOUNT: Operating Account - July
Total: \$317,839.09

ACCOUNT: Operating Account – August
Total: \$247,915.57

ACCOUNT: General Improvement Account – July
Total: \$219,921.01

ACCOUNT: General Improvement Account – August
Total: \$442,791.17

SECRETARY

CHAIRMAN

RECORDED VOTE:

	Bonagura	Chewcaskie	Duch	Kelahr	Lo Iacono	Mongelli	Ortega	Plumley	Kasparian
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									

**AGREEMENT TO RENEW MEMBERSHIP IN THE
NEW JERSEY UTILITY AUTHORITIES JOINT INSURANCE FUND**

WHEREAS, the New Jersey Utility Authorities Joint Insurance Fund (hereinafter the Fund) is a duly chartered Municipal Insurance Fund as authorized by NJSA 40A:10-36 et seq., and;

WHEREAS, the Northwest Bergen County Utilities Authority is currently a member of said Fund, and;

WHEREAS, effective December 31, 2020, said membership will expire unless earlier renewed, and;

WHEREAS, the Governing Body of the Northwest Bergen County Utilities Authority has resolved to renew said membership;

NOW THEREFORE, it is agreed as follows:

1. Northwest Bergen County Utilities Authority hereby renews its membership in the New Jersey Utility Authorities Joint Insurance Fund for a three (3) year period, beginning January 1, 2021 and ending January 1, 2024. *
2. The Northwest Bergen County Utilities Authority hereby ratifies and reaffirms the Indemnity and Trust Agreement, Bylaws and other organizational and operational documents of the New Jersey Utility Authorities Joint Insurance Fund as from time to time amended and altered by the Department of Insurance in accordance with the Applicable Statutes and administrative regulations as if each and every one of said documents were re-executed contemporaneously herewith.
3. The Northwest Bergen County Utilities Authority agrees to be a participating member of the Fund for the period herein provided for and to comply with all of the rules and regulations and obligations associated with said membership.
4. In consideration of the continuing membership of the Northwest Bergen County Utilities Authority in the New Jersey Utility Authorities Joint Insurance Fund, the New Jersey Utility Authorities Joint Insurance Fund agrees, subject to the continuing approval of the Commissioner of Banking & Insurance, to accept the renewal application of the Northwest Bergen County Utilities Authority.
5. Executed the ____ day of _____, 2020 as the lawful and binding act and deed of the Northwest Bergen County Utilities Authority, which execution has been duly authorized by public vote of the governing body.
*12:01 am

AUTHORITY CHAIRPERSON

ATTEST

NEW JERSEY UTILITY AUTHORITIES
JOINT INSURANCE FUND

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No.75-2020

Date: September 15, 2020

**ASSIGNMENT OF GENERAL COUNSEL AGREEMENT
FOR 2020 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 2020

WHEREAS, the Authority previously issued a Request for Qualifications for such position and notice thereof was published on January 10, 2020; and

WHEREAS, the Authority received responses to the Request for Qualifications for the aforementioned position by the deadline date of January 28, 2020; 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 33-2020, the Authority identified a number of firms as qualified to perform the legal services required by the Authority; and

WHEREAS, the firm of Meyerson, Fox, Mancinelli, & Conte, PA was deemed to be highly qualified and capable of providing legal services to the Authority based primarily upon the extensive experience of Douglas M. Bern of the firm, who had extensive experience in the fields of municipal and public utility law; and

WHEREAS, Douglas M. Bern, Esq. (the "Attorney") has now affiliated with the firm of Bern Root LLC (the "Firm") at 90 West Palisade Avenue, 2nd Floor, Englewood, New Jersey 07631; and

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No.75-2020

Date: September 15, 2020

**ASSIGNMENT OF GENERAL COUNSEL AGREEMENT
FOR 2020 PURSUANT TO N.J.S.A. 19:44A-20.4**

WHEREAS, Douglas M. Bern, Esq. has previously agreed to the terms and conditions of the Professional Services Contract entered into with the Authority; and

WHEREAS, the Authority wishes to assign the Professional Service Contract to the Attorney and the Firm; and

WHEREAS, the Authority has determined that the Attorney and the Firm are qualified to continue to 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:

- 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 COAL');
- 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;

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No.75-2020

Date: September 15, 2020

**ASSIGNMENT OF GENERAL COUNSEL AGREEMENT
FOR 2020 PURSUANT TO N.J.S.A. 19:44A-20.4**

- 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
- 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; and
- w. Attend to matters involving municipal relations and issues involving the Department of Environmental Protection and other State and Federal Agencies.

WHEREAS, the Firm's rates for performing these legal services shall be \$150.00 per hour; and

WHEREAS, the Authority's Certifying Finance Officer has certified that funds are available for the continuation of the General Counsel Professional Services Agreement with the Firm.

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

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No.75-2020

Date: September 15, 2020

**ASSIGNMENT OF GENERAL COUNSEL AGREEMENT
FOR 2020 PURSUANT TO N.J.S.A. 19:44A-20.4**

1. The Authority hereby assigns the General Counsel Professional Services Contract to the firm of Bern Root LLC for the remainder of the twelve-month.
2. The Chairman or Vice-Chairman 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 annual amount not to exceed \$75,000.00.
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.

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 September 15, 2020.

MICHAEL KASPARIAN, CHAIRMAN

ALISON GORDON, SECRETARY

Recorded Vote:

	Bonagura	Duch	Jordan	Kelaher	Lo Iacono	Mongelli	Ortega	Plumley	Kasparian
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									

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: Legal Services – 2020 General Counsel

VENDOR: Bern Root, LLC

AMOUNT: \$75,000

ACCOUNT NO.: 2100-4020

Date: September 15, 2020



James Rotundo, Certifying Finance Officer

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 76-2020

Date: September 15, 2020

**AUTHORIZATION TO RENEW MEMBERSHIP TO THE NATIONAL ASSOCIATION OF
CLEAN WATER AGENCIES**

WHEREAS, the Northwest Bergen County Utilities Authority operates a wastewater treatment facility in the Borough of Waldwick, County of Bergen, State of New Jersey; and

WHEREAS, the National Association of Clean Water Agencies (the “NACWA”) is a nationally recognized leader in environmental policy and a well-established technical resource on water quality & ecosystem protection issues; and

WHEREAS, membership in NACWA is a unique opportunity to improve the effectiveness in the operation of the Authority, enhance professional development and achieve the goals & objectives the Authority shares with other publicly owned treatment works; and

WHEREAS, NACWA’s active membership and close working relationship with the United States Congress and United States Environmental Protection Agency allows its members to interact with national policy makers and shape the course of United States of America’s environmental protection legislation; and

WHEREAS, the proposed annual membership/dues to be paid by the Authority for membership in NACWA will be \$7,680, which is based on the Authority being a publicly owned treatment agency with a service area population of 75,000; and

WHEREAS, the Authority has determined, based upon the foregoing, that it is necessary and/or desirable for its efficient operations to renew its membership in NACWA through September 30, 2021 at a membership fee of \$7,680 for the NACWA’s FY2021.

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

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 76-2020

Date: September 15, 2020

AUTHORIZATION TO RENEW MEMBERSHIP TO THE NATIONAL ASSOCIATION OF CLEAN WATER AGENCIES

1. The Chairman and/or his designee shall be and is hereby authorized to renew membership for the Authority with NACWA and execute any and all agreements and other documents necessary for said membership and payment for membership fees in the amount of \$7,680.
2. The Authority’s Certifying Finance Officer has certified funds are available and certification is attached hereto.
3. A copy of this resolution and the agreement to renew the Authority’s membership in NACWA shall be placed on file and made available for public inspection in the office of the Executive Director, upon execution by NACWA and the Authority.
4. This resolution shall take effect immediately.

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 September 15, 2020.

CHAIRMAN

SECRETARY

Recorded Vote:

	Bonagura	Duch	Jordan	Kelahr	Lo Iacono	Mongelli	Ortega	Plumley	Kasparian
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:

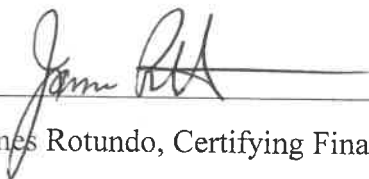
CONTRACT: N/A

VENDOR: National Association of Clean Water Agencies

AMOUNT: \$7,680

ACCOUNT NO.: 2200/4130

Date: September 15, 2020



James Rotundo, Certifying Finance Officer

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

NO. 77-2020

Date: September 15, 2020

RESOLUTION AUTHORIZING THE PURCHASE OF ENERGY GENERATION SERVICES FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE

WHEREAS, the annual budget for electricity use by the Authority is approximately \$1.1 million; and

WHEREAS, the Local Unit Electronic Technology Pilot Program and Study Act (P.L. 201c30) provides an exception to New Jersey's Public Bid Law allowing the Authority to forego traditional RFQs when purchasing electricity and to purchase electricity through an online reverse auction process in order to reduce cost; and

WHEREAS, Enerchange Power and Gas (EP&G) of Pittsburgh, PA, in full compliance with New Jersey Local Public Contracts Law and New Jersey Board of Public Utilities regulations, has been approved to conduct such auctions and to offer a reverse auction platform through EC Solutions, an NJ BPU approved vendor, to NJ local contracting units for the purchase of energy generation services; and

WHEREAS, the Authority has previously participated in such auctions and has been purchasing electric power at a fixed price for the past 36 months; and

WHEREAS, the Authority has experienced significant savings during this period, and

WHEREAS, the Northwest Bergen County Utilities Authority plans to utilize the online auction services provided by EP&G to conduct such auction; and

WHEREAS, the auction will be conducted pursuant to the Act.

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

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

NO. 77-2020

Date: September 15, 2020

RESOLUTION AUTHORIZING THE PURCHASE OF ENERGY GENERATION SERVICES FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE

1. The staff is authorized to participate in an online reverse auction for the purpose of purchasing electricity from third party suppliers for use by the Authority; and
2. The Executive Director is authorized to execute the necessary Energy Sales Agreement(s) providing the auctions result in an acceptable savings in electrical power costs to the Authority; and
3. The Secretary is hereby directed to cause notice of the auction results to be published 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 September 15, 2020.

CHAIRMAN

SECRETARY

Recorded Vote:

	Bonagura	Duch	Jordan	Kelahr	Lo Iacono	Mongelli	Ortega	Plumley	Kasparian
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 78-2020

DATE: September 15, 2020

**APPROVING CHANGE ORDER NO. 3 FOR CONTRACT NO. 272 –
WASTEWATER PUMP STATIONS IMPROVEMENTS PROJECT**

WHEREAS the Northwest Bergen County Utilities Authority (the “Authority”) entered into a Contract for the Wastewater Pump Stations Improvements Project (“the Project”) with Spectraserv Inc. (“the Contractor”) on May 31, 2018; and

WHEREAS, the following modifications have been made to the Project and are more particularly set forth in Change Order No. 3 attached hereto (“the Change Order”):

Additional Work:

1. Darlington Bypass Modifications	\$22,864.16
2. Darlington Discharge Piping Replacement	\$38,389.51
3. Geotechnical Investigation	\$ 9,350.00
4. HVAC Ductwork Modifications	\$24,341.57
5. Fence and Access Gate Modifications	\$29,307.23
6. Odor Control Piping Replacement	\$ 9,193.92

Reductions

1. Darlington Electrical Service Credit	(\$15,500.88)
2. Goffle Road Breaker Installation Credit	(\$ 1,688.32)

WHEREAS, the total increase in costs of the project for the above listed changes has a net total increase of \$116,257.19; and

WHEREAS, also included in the Change Order in an increase in contract time by 274 calendar days; and

WHEREAS, the Authority’s Consulting Engineer, T&M Associates has prepared the Change Order and recommends that the Change Order be approved by the Authority; and

WHEREAS, the Authority’s Certifying Finance Officer has certified that funds are available for the increased cost of the project.

CONTRACT MODIFICATION PROPOSAL AND ACCEPTANCE

1. ISSUING OFFICE Northwest Bergen County Utilities Authority	2. PROJECT NO. S340700-15	3. CONTRACT NO.	4. MODIFICATION NO. CM-03
5. TO (CONTRACTOR) Spectraserv Inc. 75 Jacobs Avenue Kearny, New Jersey 07032		6. PROJECT LOCATION AND DESCRIPTION Wastewater Pump Station Improvements Borough of Waldwick, NJ	
7. A proposal is required for making the hereinafter described change in accordance with specification and drawing revisions cited herein or listed in attachment hereto. Submit your proposal in space indicated on page 2, attach detailed breakdown of prime and sub-contract costs (See the clause of this contract entitled, "Changes". DO NOT start work under this proposed change until you receive a copy signed by the Contracting Officer or a directive to proceed).			
_____ Date	<u>James Rotundo, Executive Director</u>	_____ Signature	
8. DESCRIPTION OF CHANGE: <i>Pursuant to the clause of this contract covering changes, the contractor shall furnish all labor and material, and all work necessary to accomplish the following described work:</i> Contract Modification No. 3 (CM-03) provides compensation to the Contractor for costs associated with several additional improvements necessary, as well as, credits to the contract price for reduction of scope. A description of each supplementary item added, as well as, the reduction items, are noted below:			
<ol style="list-style-type: none"> 1. Item S-4: Modifications to the Darlington Bypass system which includes a new suction pipe arrangement to facilitate access and bypassing of the pump station during shutdown to allow for necessary mechanical and electrical installation work. 2. Item S-5: Modifications to the existing pump discharge piping including proper relocation of the isolation valves, pipe replacement and installation of new dresser couplings. 3. Item S-6: Performing geotechnical investigation at Darlington pump Station to verify soil and groundwater conditions at the Darlington PS bypass chamber. 4. Item S-7: Modifications to the HVAC duct work at various pump stations to facilitate maintenance access and personnel safety. 5. Item S-8: Replacement of the main access gate at Darlington PS and construction of a secondary access point including a new gate, fencing and driveway to the electrical utility equipment required by the utility company as a result of the construction of the new bypass chamber. 6. Item S-9: Replacement of the corroding odor control piping at the Darlington Pump Station. 7. Item R-1: Credit for the removal of the electrical service work no longer necessary at the Darlington Pump Station. 8. Item R-2: Credit for the removal of the installation work on the new electrical breaker at the Goffle Road Pump Station. 			
Additionally, the change order includes an extension of time to allow the Contractor to complete the work included in the original contract drawings, as well as, improvements added to the contract as a result of observations of unforeseen conditions or deteriorating conditions at several pump stations. The time extension also takes into account delays associated with Spectraserv's shutdown of the construction site due to the COVID-19 pandemic, as well as, delays in progressing with the work on a timely manner once Spectraserv re-mobilized to the project site due to lack of subcontractor support, staffing quarantines and timely delivery and acquisition of various materials and equipment necessary to complete the work.			
As a result of the above, the contract price is revised as follows: (SEE ATTACHED)			
TOTAL COST OF THIS MODIFICATION \$ <u>116,257.19</u>			
The contract time is hereby: <i>increase</i> <input checked="" type="checkbox"/> <i>decrease</i> <input type="checkbox"/> or remains <i>the same</i> <input type="checkbox"/> by <u>274</u> calendar days as a result of this modification.			
The foregoing modification is hereby accepted:			
_____ CONTRACTOR BY: <u>Steve Wells, President</u>	_____ OWNER BY: <u>James Rotundo, Executive Director</u>	(NJPE SEAL)	_____ ENGINEER BY: <u>Rosario Santos, P.E.</u>
DATE: _____	DATE: _____	DATE: _____	
APPROVAL:			
_____ STATE OF NEW JERSEY		_____ DATE	

CONTRACT MODIFICATION PROPOSAL AND ACCEPTANCE

9. ISSUING OFFICE Northwest Bergen County Utilities Authority	10. PROJECT NO. S340700-15	11. CONTRACT NO.	12. MODIFICATION NO. CM-03
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13. CONTRACTOR'S PROPOSAL – CHANGE IN CONTRACT PRICE
(Detailed breakdown, attach additional sheets as necessary)

(Proposed)

See attached Proposals from Contractor. A summary breakdown of the costs is also provided below for additional reference for each supplementary item and reduction item proposed under this change order.

ADDITIONAL WORK					
ITEM NO.	ITEM	QUANTITY	UNIT	UNIT PRICE	COST
S-4	Darlington Bypass Modifications	1	LS	\$22,864.16	\$22,864.16
S-5	Darlington Discharge Piping Replacement	1	LS	\$38,389.51	\$38,389.51
S-6	Geotechnical Investigation	1	LS	\$9,350.00	\$9,350.00
S-7	HVAC Ductwork Modifications	1	LS	\$24,341.57	\$24,341.57
S-8	Fence and Access Gate Modifications	1	LS	\$29,307.23	\$29,307.23
S-9	Odor Control Piping Replacement	1	LS	\$9,193.92	\$9,193.92
SUB-TOTAL (1)					\$133,446.39
REDUCTIONS					
ITEM NO.	ITEM	QUANTITY	UNIT	UNIT PRICE	COST
R-1	Darlington Electrical Service Credit	1	LS	\$15,500.88	(\$15,500.88)
R-2	Goffle Road Breaker Installation Credit	1	LS	\$1,688.32	(\$1,688.32)
SUB-TOTAL (2)					(\$17,189.20)
GRAND TOTAL					\$116,257.19

NET INCREASE \$ <u>116,257.19</u>	NET DECREASE \$ _____	CALENDER DAYS INCREASE <u>274</u> DAYS
DATE:	TYPE NAME AND TITLE: Steve Wells, President	SIGNATURE:

CONTRACT MODIFICATION PROPOSAL AND ACCEPTANCE

14. ISSUING OFFICE & PROJECT NO. Plumsted Municipal Utilities Authority S340607-03	15. CONTRACT NO.	16. MODIFICATION NO. CM-08								
<table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:60%;">17. ORIGINAL CONTRACT BID PRICE</td> <td style="text-align:right;">\$ 4,912,850.00</td> </tr> <tr> <td>TOTAL OF PREVIOUS CHANGE ORDERS</td> <td style="text-align:right;">\$ 96,952.06</td> </tr> <tr> <td>TOTAL AMOUNT OF THIS CHANGE ORDER.....</td> <td style="text-align:right;"><u>\$ 116,257.19</u></td> </tr> <tr> <td>TOTAL CONTRACT COST INCLUDING CHANGE ORDERS ...</td> <td style="text-align:right;">\$ 5,126,059.25</td> </tr> </table>			17. ORIGINAL CONTRACT BID PRICE	\$ 4,912,850.00	TOTAL OF PREVIOUS CHANGE ORDERS	\$ 96,952.06	TOTAL AMOUNT OF THIS CHANGE ORDER.....	<u>\$ 116,257.19</u>	TOTAL CONTRACT COST INCLUDING CHANGE ORDERS ...	\$ 5,126,059.25
17. ORIGINAL CONTRACT BID PRICE	\$ 4,912,850.00									
TOTAL OF PREVIOUS CHANGE ORDERS	\$ 96,952.06									
TOTAL AMOUNT OF THIS CHANGE ORDER.....	<u>\$ 116,257.19</u>									
TOTAL CONTRACT COST INCLUDING CHANGE ORDERS ...	\$ 5,126,059.25									
<p>18. NECESSITY FOR CHANGE AND REASON FOR OMISSION FROM PLANS AND SPECIFICATIONS:</p> <p>SUPPLEMENTARY ITEMS:</p> <ol style="list-style-type: none"> 1. Item S-4 is for modifications to the bypass system at the Darlington pump station, which were necessary due to the current flows and discharge head needed to be addressed during bypass operations of the facility. The modifications also allowed for easier access to the suction chamber and layout of the bypass piping. 2. Item S-5 is for modifications to the pump discharge piping at Darlington pump station. This work was necessary due to the current condition of the piping and orientation of the dresser couplings, which could potentially fail during replacement of the ball valves. As a result, it was determined that relocation of the isolation valves and replacement of the piping and dresser couplings were necessary. 3. Item S-6 is for execution of a geotechnical investigation to confirm the existing surrounding soil and groundwater conditions around the bypass chamber at Darlington Pump Station. During construction and excavation of the chamber area, a high-water table and other unforeseen conditions were noted requiring additional investigation to confirm design assumptions. 4. Item S-7 is for modifications to the HVAC duct work at the Darlington Pump Station and Goffle Road Pump Station. These modifications were necessary to facilitate future maintenance of the units at the final installation locations and provide additional personnel safety around the proposed units. 5. Item S-8 is for the provision of an access gate drive to the existing utility pole and equipment at the Darlington Pump Station needed by the utility company to access their equipment and conduct future repairs or maintenance work. The construction of the new bypass chamber minimized the direct access needed by the utility company. To avoid additional relocation work an alternative access point was accepted by the utility company. 6. Item S-9 is for replacement of portions of the existing odor control piping due to corrosion that has occurred since its original installation, which was noticed during construction of other improvements. <p>REDUCTION ITEMS:</p> <ol style="list-style-type: none"> 1. Item R-1 is for the credit necessary to reduce the electrical scope of work after several discussions with the utility company. Based on these discussions it was determined that work associated with the electrical service from the meter to the utility pole would need to be performed by the utility company and not the contractor. Therefore, it was decided to eliminate this work from the overall contract and provide a credit for this work. 2. Item R-2 is for the credit necessary to eliminate the installation of a new breaker. During the course of construction, an electrical breaker failed at the Goffle Road Pump Station. The Authority hired an outside contractor to purchase and install the new breaker. This work was part of the original scope of work and the labor associated has been eliminated from the contract resulting in a credit. The equipment purchased has been turned over to the Authority as a spare part for future use. 										
<p>19. OTHER IMPACTS RESULTANT OF THIS CHANGE:</p> <p>The contract period will be adjusted with a new completion date of May 1, 2021 upon approval of the time extension request. The time extension takes into account delays associated with Spectraserv’s shutdown of the construction site due to the COVID-19 pandemic, as well as, delays in progressing with the work on a timely manner once Spectraserv re-mobilized to the project site due to lack of subcontractor support, staffing quarantines and timely delivery and acquisition of various materials and equipment necessary to complete the work. The extension of time also allows the Contractor additional time necessary to complete improvements added to the contract as part of this change order necessary based on field observations of unforeseen conditions and/or deteriorating conditions at several of the pump stations.</p>										
<p>20. RESUME OF NEGOTIATIONS OR RECOMMENDATIONS (Loanee’s Representative) :</p> <p>The Engineer has reviewed the requests for the additional effort and costs associated with the above noted supplementary items, as well as, the credits being provided for the reduction in scope of work items. After discussion and clarification with the Contractor, the Engineer has found the requests and final costs reasonable and acceptable for the work proposed based on existing field conditions and ongoing construction.</p>										
DATE:	TYPE NAME AND TITLE OF LOANEE’S REPRESENTATIVE: James Rotundo, Executive Director	SIGNATURE:								

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:

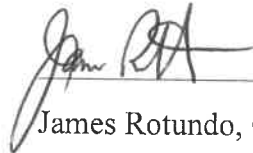
CONTRACT: Contract No. 272 – Wastewater Pump Stations Improvements Project

VENDOR: Spectraserv, Inc.

AMOUNT: \$116,257.19

ACCOUNT NO.: 7000/6620

Date: September 15, 2020



James Rotundo, Certifying Finance Officer

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

NO. 79-2020

Date: September 15, 2020

AUTHORIZATION TO AWARD CONTRACT FOR THE FURNISHING AND DELIVERY OF MAGNESIUM HYDROXIDE SLURRY

WHEREAS, the Northwest Bergen County Utilities Authority (the “Authority”) operates a wastewater treatment facility, located at 30 Wyckoff Avenue in the Borough of Waldwick, County of Bergen, State of New Jersey; and

WHEREAS, the Authority advertised on August 12, 2020 for the furnishing and delivery of magnesium hydroxide slurry for a period of two (2) years; and

WHEREAS, on September 2, 2020 the date specified for the public opening and reading of the bids for the magnesium hydroxide slurry contract, one (1) bid was received; and

WHEREAS, Premier Magnesia LLC (“Premier”) submitted a bid price of \$0.351 per pound for the furnishing and delivery of magnesium hydroxide slurry; and

WHEREAS, the Authority’s General Counsel has reviewed the bid of Premier and has found same to be in legal conformance with the advertised specifications and bid requirements, and the Local Contract Law, N.J.S.A.40A:11-1 et seq.; and

WHEREAS, the Authority’s technical advisor has reviewed the bid of Premier and has found same, in all technical aspects, to be in conformance with the advertised specifications and bid requirements, and as such has recommended that the Authority accept said bid submitted by Premier; and

WHEREAS, it has been certified by the Authority’s Certifying Financial Officer that there are funds available for the award of this contract to Premier; and

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

1. The bid of Premier Magnesia, LLC for the price of \$0.351 per pound for the furnishing and delivery of magnesium hydroxide slurry for a period of two (2) years commencing September 21, 2020 be and is hereby accepted.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

NO. 79-2020

Date: September 15, 2020

AUTHORIZATION TO AWARD CONTRACT FOR THE FURNISHING AND DELIVERY OF MAGNESIUM HYDROXIDE SLURRY

2. In all respects relating to the performance of the magnesium hydroxide slurry Contract hereby awarded, Premier is hereby directed to comply with the requirements of P.L. 1975, Chapter 127, and all other applicable statutes and regulations dealing with anti-discrimination and/or equal opportunity in public contracts.
3. The Chairman or Vice-Chairman of the Authority shall be and hereby is authorized to execute on behalf of the Authority any such contract with Premier.
4. Notice of the contract award shall be advertised in accordance with applicable 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 September 15, 2020.

SECRETARY

CHAIRMAN

Recorded Vote:

	Bonagura	Duch	Jordan	Kelahr	Lo Iacono	Mongelli	Ortega	Plumley	Kasparian
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: Furnishing and Delivery of Magnesium Hydroxide Slurry

VENDOR: Premier Magnesia, LLC

AMOUNT: \$0.351 per pound

ACCOUNT NO.: 4000/6140

Date: September 15, 2020


James Rotundo, Certifying Finance Officer

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 80-2020

Date: September 15, 2020

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

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 Dumont (the “Borough”) had previously entered into a Shared Services Agreement with a commencement date of September 1, 2018 and a termination date of August 31, 2020 for the services of monthly monitoring of the Borough’s five (5) waste water pump stations as well as any and all agreed upon repairs, 24 hours a day, 365 days per year; and

WHEREAS, the Borough has adopted its Resolution No. 161 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 attached hereto.

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

1. The Authority agrees to enter into a Shared Services Agreement with the Borough of Dumont for a duration of two (2) years for the services of monthly monitoring of the Borough’s five (5) waste water pump stations as well as any and all agreed upon repairs, 24 hours a day, 365 days per year.
2. The Chairman or Vice-Chairman of the Authority be and is hereby authorized on behalf of the Authority to execute the Shared Services Agreement with the Borough of Dumont annexed hereto and made a part thereof.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 80-2020

Date: September 15, 2020

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

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 September 15, 2020.

CHAIRMAN

SECRETARY

RECORDED VOTE:

	Bonagura	Duch	Jordan	Kelahe	Lo Iacono	Mongelli	Ortega	Plumley	Kasparian
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									

SHARED SERVICES AGREEMENT

THIS SHARED SERVICES AGREEMENT, made and entered into this ____ day of _____ 2020 by and among:

The Borough of Dumont, a Municipal Corporation of the State of New Jersey, in the County of Bergen, hereinafter referred to as "Borough", and the NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY, doing business at 30 Wyckoff Avenue, P.O. Box 255, Waldwick, New Jersey 07463, hereinafter referred to as NWBCUA.

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

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et. seq.) promotes the broad use of shared services as a technique to reduce local expenses funded by property taxpayers; and

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et. seq.) allows for any local unit to enter into an agreement with any other local unit or units to provide or receive any services that each local unit participating in the agreement is empowered to provide or receive within its own jurisdiction; and

WHEREAS, the Borough and the NWBCUA have researched the feasibility of entering into an agreement under the authority of Uniform Shared Services and Consolidation Act, whereby the NWBCUA would provide to the Borough, the monthly inspections/monitoring of the Boroughs five (5) wastewater pump stations, and any and all agreed upon repairs, 24 hours a day and 365 days per year potential response time to call-outs and emergencies; and

WHEREAS, the Borough has adopted a Resolution (1601) which authorizes Borough to enter into an agreement with the NWBCUA, for the services of monitoring the Borough's wastewater pump stations and any agreed upon miscellaneous services.

NOW, THEREFORE, this agreement is entered into by the Borough and the NWBCUA for the purpose of defining and specifying the obligations of the parties and Borough and the NWBCUA hereby agree as follows:

1. Pursuant to N.J.S.A. 40A:65-1 et. seq., both the Borough and the NWBCUA shall adopt the appropriate resolution, which will formally authorize the entering into this Agreement between the parties.
2. The duration of this Agreement shall be for a period of two (2) years following the commencement date. The commencement date shall be September 1, 2020.
3. The NWBCUA shall provide the following services to the Borough of Dumont:
 - A. The NWBCUA shall perform monthly monitoring of Borough's five (5) wastewater pump station.

- B. Perform repairs, corrective action and respond to pump station alarms during business hours, **as directed by the Borough.** Business hours shall be defined as Monday through Friday, 7:00am to 3:30pm.
 - C. Perform repairs, corrective actions and respond to pump station alarms during non-business hours, **as directed by the Borough.** Non-business hours shall be defined as Monday through Friday, 3:31pm to 6:59am and all day on Saturdays and Sundays and on NWBCUA approved holidays.
4. In consideration for the services to be rendered by the NWBCUA to the Borough of Dumont, pursuant to Paragraph 3 above the Borough of Dumont shall pay the NWBCUA four (4) equal installments of \$1,250.00 on or before March 1st, June 1st, September 1st and December 1st of each year for a total annual compensation of \$5,000.00.

The rate of compensation paid by the Borough of Dumont to the NWBCUA for repairs, corrective actions and other requested activities are listed below:

Third Party Contractors for repairs and/or spare parts	\$ Direct Cost
2020 Non- Business hrs – emergency responses (per man)	\$ 110.61/hr
2021 Non- Business hrs – emergency responses (per man)	\$ 111.71/hr
2022 Non- Business hrs – emergency responses (per man)	\$ 112.82/hr
2020 Business hours emergency/non-basic repair	\$ 88.50/hr
2021 Business hours emergency/non-basic repair	\$ 89.38/hr
2022 Business hours emergency/non-basic repair	\$ 90.69/hr
Vac-out storm water catch basins/manholes (per man)	\$ TBD
Manhole Inspection Program (upon request)	\$ TBD

A minimum of two (2) hours shall be billed by NBCUA for each request for services from Dumont.

- 5. The NWBCUA shall provide the Borough of Dumont with an invoice reflecting all time and work provided by its staff for repairs and response service during the invoiced period. Said invoices shall be paid by the Borough of Dumont within 45 days of receipt.
- 6. The parties agree to be bound by this Agreement for a minimum of twenty-four (24) months. Twelve (12) months following the commencement date, either party may terminate this Agreement by giving as least six (6) months' written notice to the other party.
- 7. Each party to this agreement represents to the other party thereto that the Officials executing Agreement are fully authorized and empowered to do so and to bind the parties to the terms of this Agreement, pursuant to law.
- 8. The parties recognize that the individuals who shall be designated as the primary contact persons are, the Superintendent of the NWBCUA for the NWBCUA and the Supervisor of the Borough's

Public Works Department for the Borough of Dumont. The primary contact individual shall be noticed on all issues of importance, including but not limited to, necessary repairs, corrective actions and responses to pump station alarms.

9. The Primary Contact Persons shall jointly and cooperatively implement and complete a reporting form to memorialize and record all required and/or performed repairs, corrective actions and responses for each pumping station.
10. The NWBCUA will provide a certificate of insurance designating Borough of Dumont as an additional insured, with the same limits and coverage as the NWBCUA has in place with their current insurance program.
11. The Borough of Dumont assumes all liability for, and agrees to indemnify and hold the NWBCUA and its agents, servants, employees, guests, licensees and invitees, harmless against any and all claims, losses, damages, injuries and expenses, arising out of, resulting from, or incurred in connection with any acts or omissions by Dumont, its agents, servants or employees.
12. The effective date of this Agreement shall be September 1, 2020 and the expiration date shall be August 31, 2022, unless the Agreement is terminated pursuant to paragraph 6 above.
13. The NWBCUA agrees to comply with all applicable federal, state, county and municipal laws, rules and regulations.
14. The terms of this Agreement shall constitute the entire understanding between the parties and may only be amended by a written document executed by both parties.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals, this month day and year first above written.

ATTEST:

Borough of Dumont


Borough Clerk


Mayor

Date: 8/11/20

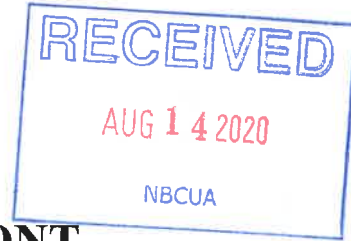
ATTEST:

NORTHWEST BERGEN COUNTY
UTILITIES AUTHORITY

Alison Gordon, Secretary

Michael Kasparian, Chairman

Date:



2020
BOROUGH OF DUMONT
RESOLUTION

MEMBERS	AYE	NAY	ABSTAIN	ABSENT
CHAE	✓			
ENGLESE	✓			
GORMAN	✓			
MANNA	✓			
ROSSILLO				✓
STEWART	✓			
MAYOR LaBRUNO				
TOTALS	5			1

Resolution No. 161
Date: August 11, 2020
Page: 1 of 2
Subject: Northwest Bergen County Utilities Authority
Purpose: Execution of Shared Service Agreement
Dollar Amount: _____
Prepared By: Susan Connelly, RMC

Offered by: Englese
Seconded by: Chae

Certified as a true copy of a Resolution adopted by the Borough of Dumont on above date at a Regular Meeting by: Susan Connelly

Susan Connelly, RMC, Municipal Clerk
Borough of Dumont, Bergen County, New Jersey

SHARED SERVICE AGREEMENT WITH NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

WHEREAS, the Borough of Dumont seeks to enter into an agreement for monthly monitoring/inspection of the five pump stations within the Borough; and

WHEREAS, the Borough of Dumont has reviewed a proposal by the Northwest Bergen County Utilities Authority (NWBCUA), a duly authorized regional utility authority pursuant to the Uniform Shared Services and Consolidation Act N.J.S.A. 40:14B-1, et seq., which promotes the reduction of local expenses funded by property taxpayers; and

WHEREAS, the NWBCUA is offering to execute a contract to perform such services at the rate of \$5,000.00 per year for a period of two years, commencing September 1, 2020 with

installments of \$1,250 by March 1st, June 1st, September 1st and December 1st ; and

WHEREAS, the (NWBCUA) shall perform any and all agreed upon repairs 24 hours a day and 365 days per year, if needed, at an additional cost; and

WHEREAS, the Governing Body now seeks to authorize entry into a Shared Services Agreement with said NWBCUA to provide such services at the aforesaid rate and any other services which would be beneficial to the Borough; and

WHEREAS, the Chief Financial Officer has determined sufficient funds are available in the Operating Account, or such other account as shall be determined, in an amount adequate to compensate NWBCUA as determined by the Superintendent of Public Works and Public Works committee and to be authorized by resolution ratifying the said Shared Services agreement and setting the total value prior to performance of services or payment of fees;

BE IT RESOLVED, by the Governing Body of the Borough of Dumont, County of Bergen, State of New Jersey that the Mayor be and is hereby authorized to execute a Shared Services agreement with NBCUA services for a term not to exceed two (2) years in a form acceptable to and approved by the Borough Attorney, and to transmit same to counsel for NWBCUA for review and ratification by that Authority; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be transmitted to the CFO, Finance, Executive Director of NWBCUA, the County Executive, and the Bergen County Board of Chosen Freeholders, upon adoption and execution hereof.

BOROUGH OF DUMONT



Andrew LaBruno, Mayor

I hereby certify that funds for this agreement are available in Sanitary Sewer Other Expense;
Acc't #0-01-26-290-294



Issa Abbasi, CFO

Date: August 11, 2020

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 81-2020

Date: September 15, 2020

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

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 Midland Park (the “Borough”) had entered into an Shared Services Agreement on October 11, 2019 for a duration of one (1) year with a termination date of October 10, 2020 for the Authority to act as the New Jersey Licensed Operator for the Borough; and

WHEREAS, the Borough has adopted its Resolution No. 006-20 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 attached hereto.

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

1. The Authority shall enter into a Shared Services Agreement with the Borough of Midland Park for a duration of one (1) year to act as the New Jersey Licensed Sewer Operator for the Borough.
2. The Chairman or Vice-Chairman of the Authority be and is hereby authorized on behalf of the Authority to execute the Shared Services Agreement with the Borough of Midland Park annexed hereto and made a part thereof.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 81-2020

Date: September 15, 2020

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

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 September 15, 2020.

CHAIRMAN

SECRETARY

RECORDED VOTE:

	Bonagura	Duch	Jordan	Kelahr	Lo Iacono	Mongelli	Ortega	Plumley	Kasparian
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									

SHARED SERVICES AGREEMENT

THIS SHARED SERVICES AGREEMENT, made and entered into this 3rd day of September, 2020, by and among:

THE BOROUGH OF MIDLAND PARK, a Municipal Corporation of the State of New Jersey, in the County of Bergen, hereinafter referred to as "Midland Park" and the NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY, doing business at 30 Wyckoff Avenue, P.O. Box 255, Waldwick, New Jersey 07463, hereinafter referred to as "NBCUA".

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

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 *et. seq.*) promotes the broad use of shared services as a technique to reduce local expenses funded by property taxpayers; and

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 *et. seq.*) allows for any local unit to enter into an agreement with any other local unit or units to provide or receive any services that each local unit participating in the agreement is empowered to provide or receive within its own jurisdiction; and

WHEREAS, the Borough of Midland Park and the NBCUA have researched the feasibility of entering into an agreement under the authority of Uniform Shared Services and Consolidation Act, whereby the NBCUA would provide to Midland Park the services of a licensed sewer operator, and

WHEREAS, Midland Park has adopted Resolution # 606-20 which authorizes Midland Park to enter into an agreement with the NBCUA, for the services of a licensed sewer operator as requested.

NOW, THEREFORE, this Agreement is entered into by and among the Borough of Midland Park and the NBCUA for the purpose of defining and specifying the obligations of the parties and the Borough of Midland Park and the NBCUA hereby agree as follows:

1. Pursuant to N.J.S.A. 40A:65-1 *et. seq.*, both the Borough of Midland Park and the NBCUA shall adopt the appropriate Resolutions, which will formally authorize the entering into of this Agreement between the parties.

2. The duration of this Agreement shall be for a period of one (1) year following the commencement date and will supersede any previously agreed upon agreement between the Borough of Midland Park and NBCUA for the services of a licensed sewer operator. The commencement date shall be October 11, 2020.

3. The NBCUA shall provide the following services to the Borough of Midland Park:

A. The NBCUA shall act as the New Jersey Licensed Sewer Operator for the Borough of Midland Park.

4. In consideration for the services to be rendered by the NBCUA to Midland Park, pursuant to Paragraph 3 above, the Borough of Midland Park shall pay the NBCUA four (4) equal installments of \$800.00 on or before March 1st, June 1st, September 1st and December 1st of each year, for a total annual compensation of \$3,200.00

5. The parties agree to be bound by this Agreement for a minimum of twelve (12) months. Starting six (6) months from the Commencement Date, either party may terminate this Agreement by giving at least six (6) months written notice to the other party.

6. Each party to this Agreement represents to the other party thereto that the Officials executing this Agreement are fully authorized and empowered to do so and to bind the parties to the terms of this Agreement, pursuant to law.

7. The parties recognize that the individuals who shall be designated as the Primary Contact Persons are, the Licensed Sewer Operator and Superintendent of the NBCUA for the NBCUA and the Manager of the Borough's Public Works Department, for Midland Park. The Primary Contact individual shall be noticed on all issues of importance and shall be responsible for initiating all requests for repairs and corrective actions to be carried out by NBCUA or Midland Park, as applicable.

8. The NBCUA will provide a certificate of insurance designating Midland Park as an additional insured, with the same limits and coverage as the NBCUA has in place with their current insurance program.

9. Midland Park assumes all liability for, and agrees to indemnify and hold the NBCUA and its agents, servants, employees, guests, licensees and invitees, harmless against any and all claims, losses, damages, injuries and expenses, arising out of, resulting from, or incurred in connection with any acts or omissions by Midland Park, its agents, servants or employees.

10. The effective date of this Agreement shall be October 11, 2020 and the expiration shall be October 10, 2021, unless the agreement is terminated pursuant to paragraph 5 above.

11. The NBCUA agrees to comply with all applicable federal, state, county and municipal laws, rules and regulations.

12. The terms of this Agreement shall constitute the entire understanding between the parties and may only be amended by a written document executed by both parties.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals, this month, day and year first above written.

ATTEST:

BOROUGH OF MIDLAND PARK

Wendy Martin, P.M.C.
Borough Clerk, Midland Park

By: Harry Shotway Jr.

Date: _____

ATTEST:

NORTHWEST BERGEN COUNTY
UTILITIES AUTHORITY

By: _____
CHAIRMAN

Date: _____

**BOROUGH OF MIDLAND PARK
RESOLUTION #006-20
JANUARY 2, 2020
REORGANIZATION**

Appointments for Borough Professional Services for 2020- Non Pay to Play

WHEREAS, a need exists for professional services for the Borough of Midland Park for the calendar year 2020 and

WHEREAS, funds are available for such services and have been properly appropriated in the temporary Local Municipal Budget; and

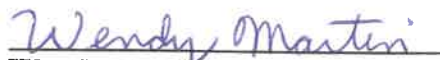
WHEREAS, N.J.S.A. 40A:11-1, (Local Public Contracts Law) allows municipalities to contract for such professional services without the drawing of specifications for the receipt of competitive bids,

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Midland Park that the following appointments for professional services for the year 2020 be and are hereby approved.

The appointment of the following professionals is hereby authorized and directed:

Stephen Puntasecca	-	Municipal Risk Manager
N.W.B.C.U.A.	-	Licensed Sewer Operator Services
Steve Rogut, Esq.	-	Bond Counsel
(Rogut McCarthy Troy LLC)		
Northwest Regional	-	Health Services (Board of Health)
Health Commission		
Izenberg Appraisal Associates	-	Borough Appraiser
The Canning Group LLC	-	Qualified Purchasing Agent

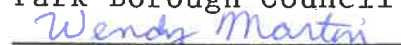
BE IT FURTHER RESOLVED, by the Council of the Borough of Midland Park that aforementioned appointments for professional services be published in accordance with the Local Public Contracts Law.


Wendy Martin, Borough Clerk


Harry Shortway Jr., Mayor

Member	Motion	Second	Aye	Nay	Abstain	Absent
Kamp	✓					
Iannone			✓			
Kruis			✓			
Sansone			✓			
Peet		✓				
DeLuca			✓			

This is to certify this document is a true copy of a Resolution passed and adopted on first reading by the Midland Park Borough Council at a Meeting held on January 2, 2020.


Wendy Martin, R.M.C.
Borough Clerk

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 82-2020

Date: September 15, 2020

**AUTHORIZATION TO AMEND A SHARED SERVICES AGREEMENT WITH THE
BOROUGH OF WESTWOOD**

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") adopted Resolution No. 127-2018 and the Borough of Westwood (the "Borough") adopted Resolution 18-319 authorizing the entering into of a Shared Services Agreement (the "Agreement") commencing January 1, 2019 with a termination date of December 31, 2020 for the services of monthly monitoring of the Borough's three (3) waste water pump stations as well as the performance of repairs, corrective actions and response to pump station alarms, 24 hours a day, 365 days per year; and

WHEREAS, the Borough and the Authority wish to amend said Agreement to include the following service: the Authority to act as the New Jersey Licensed Operator for the Borough; and

WHEREAS, this service will become effective October 1, 2020 at an additional cost of \$1,000 for the period of October 1, 2020 through December 31, 2020; and

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

1. The Shared Services Agreement between the Northwest Bergen County Utilities Authority and the Borough of Westwood shall be amended to include the service of: the Authority to act as the New Jersey Licensed Operator for the Borough of Westwood beginning October 1, 2020 at an additional cost of \$1,000 for the period of October 1, 2020 through December 31, 2020.
2. The Original Shared Services Agreement, unless expressly modified, shall remain in full force and effect.

