

# **NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

**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, together with Executive Order 244 and Assembly Bill 5820 as signed by Governor Murphy, the Northwest Bergen County Utilities Authority located at 30 Wyckoff Avenue, Waldwick, New Jersey 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, Special Meeting to conduct a public hearing on the issuance of Utility System Subordinated Revenue Bonds, Series 2021 and Regular Meeting scheduled for Tuesday, September 21, 2021 at 7:00 p.m. will be held via Zoom ONLY. Formal action will be taken. 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 and entering the meeting ID of 854 2365 3935 and followed by the passcode 376986 at 7:00 P.M. Members of the public may also access the meeting by dialing in at 1-646-558-8656, and then following the prompts to input the meeting ID and passcode. Phone service provider rates may apply. 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 17, 2021

# **NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

## **AGENDA REGULAR MEETING September 21, 2021**

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 20, 2021  
Special Meeting – August 17, 2021
6. Public Comments (any subject)
7. Consideration for approval list of Resolutions attached dated September 21, 2021
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

# **NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

## **RESOLUTIONS**

**September 21, 2021**

## **CONSENT AGENDA**

- 68-2021 Approval of Payment of Vouchers, Payroll, Tax Deposits and Pensions and Benefits
- 69-2021 New Hire – Richard DeGhetto as Plant Operator
- 70-2021 Regular Employment – Maureen Sullivan, Office Secretary
- 71-2021 Retention of Consulting Engineer for Engineering Services related to the Conceptual Design of a Sludge Cake Receiving Facility pursuant to N.J.S.A. 19:44A-20.4
- 72-2021 Resolution Authorizing the Purchase of Replacement Piston Pump, Screw Feed and Hydraulic Power Unit
- 73-2021 Authorization to amend the not-to-exceed cost of the Professional Services Agreement with T&M Associates for 2021 Consulting Engineering Services
- 74-2021 Resolution Authorizing the Award of a Contract to Pure Technologies US, Inc. for Inspection Services related to the Condition of the Force Mains
- 75-2021 Authorization to Engage the Services of T&M Associates for Project Management and Coordination of the Inspection Services of the Authority's Force Mains
- 76-2021 Resolution to Engage the Services of T&M Associates to Provide the Engineering Professional Services Required for the Emergency Repair of the Authority's Existing Interceptor Located on chapel Road in the Township of Mahwah
- 77-2021 Authorization to renew a Shared Services Agreement with the Borough of Midland Park
- 78-2021 Authorization to Renew Membership to the National Association of Clean Water Agencies
- 79-2021 Authorization to Increase the Not-To-Exceed Cost to T&M Associates for Engineering Services related to the Interior Alterations of the Service Building

Rev. 9/21/2021

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No. 68-2021**

**Date: September 21, 2021**

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**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 2021 and Health Benefits and Dental Benefits transfers for August and September 2021; 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 13, 2021 and September 21, 2021 be and they hereby are approved for payment from the proper accounts as follows:

ACCOUNT: Payroll Account – July  
Net Payroll: \$214,807.67

ACCOUNT: Payroll Account – August  
Net Payroll: \$226,857.91

ACCOUNT: Tax Deposit Account – July  
Total: \$92,029.43

ACCOUNT: Tax Deposit Account – August  
Total: \$99,796.20

ACCOUNT: Health Benefits Contribution Employer – August  
Total Transfer: \$112,251.85

ACCOUNT: Health Benefits Contribution Employer – September  
Total Transfer: \$111,612.79

ACCOUNT: Health Benefits Contribution Employee – August  
Total: \$4,578.03

ACCOUNT: Health Benefits Contribution Employee – September  
Total: \$4,578.03

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No. 68-2021**

**Date: September 21, 2021**

---

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

ACCOUNT: Dental Benefits – August  
Total Transfer: \$4,531.47

ACCOUNT: Dental Benefits – September  
Total Transfer: \$4,265.65

ACCOUNT: PERS and Contributory Insurance – July  
Total Transfer: \$30,034.98

ACCOUNT: PERS and Contributory Insurance – August  
Total Transfer: \$29,795.89

ACCOUNT: Operating Account - July  
Total: \$408,354.00

ACCOUNT: Operating Account – August  
Total: \$224,610.49

ACCOUNT: General Improvement Account – July  
Total: \$87,483.61

ACCOUNT: General Improvement Account – August  
Total: \$98,861.80

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SECRETARY

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CHAIRMAN

**RECORDED VOTE:**

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

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No. 69-2021**

**Date: September 21, 2021**

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**NEW HIRE – RICHARD DEGHECETO AS PLANT OPERATOR**

**WHEREAS**, there presently exists a need for a Plant Operator; and

**WHEREAS**, it has been recommended by the Executive Director and Superintendent of the Northwest Bergen County Utilities Authority that Richard DeGhetto be employed as a Plant Operator effective September 20, 2021 subject to a one hundred eighty (180) day probationary period at an hourly rate as set forth in the non-supervisory collective bargaining agreement; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Commissioners of the Northwest Bergen County Utilities Authority that Richard DeGhetto be employed as a Plant Operator effective September 20, 2021 subject to a one hundred eighty (180) day probationary period at an hourly rate as set forth in the non-supervisory collective bargaining agreement.

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**CHAIRMAN**

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**SECRETARY**

**Recorded Vote:**

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

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No. 70-2021**

**Date: September 21, 2021**

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**REGULAR EMPLOYMENT – MAUREEN SULLIVAN AS OFFICE SECRETARY**

**WHEREAS**, by Resolution No. 04-2021 dated January 12, 2021, Maureen Sullivan was hired by the Northwest Bergen County Utilities Authority to the position of Office Secretary subject to one hundred eighty (180) day probationary period; and

**WHEREAS**, Maureen Sullivan successfully completed her probationary period on August 22, 2021; and

**WHEREAS**, it has been recommended Maureen Sullivan be retained as a regular employee in the position of Office Secretary.

**NOW, THEREFORE, BE IT**

**RESOLVED**, by the Northwest Bergen County Utilities Authority’s Board of Commissioners that Maureen Sullivan be retained as a regular employee in the position of Office Secretary effective August 23, 2021.

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CHAIRMAN

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SECRETARY

**RECORDED VOTE:**

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

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No. 71-2021**

**Date: September 21, 2021**

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**RETENTION OF CONSULTING ENGINEER FOR ENGINEERING SERVICES RELATED TO THE CONCEPTUAL DESIGN OF A SLUDGE CAKE RECEIVING FACILITY 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 **January 15, 2021**; and

**WHEREAS**, the Authority received responses to the Request for Qualifications for the aforementioned position by the deadline date of **February 9, 2021**; 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 19-2021** the Authority identified a number of Engineering Firms as qualified to perform Engineering Services required by the Authority; and

**WHEREAS**, the Authority is presently in need of engineering services for the conceptual design of a sludge cake receiving facility; and

**WHEREAS**, the firm of CME 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 CME Associates as a Consulting Engineer for the conceptual design of a sludge cake receiving facility; and

**WHEREAS**, the firm has submitted a proposal which includes a not to exceed budget of \$122,522 for the Engineering Services related to the Conceptual Design; 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**

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**RESOLUTION**

**No. 71-2021**

**Date: September 21, 2021**

---

**RETENTION OF CONSULTING ENGINEER FOR ENGINEERING SERVICES RELATED TO THE CONCEPTUAL DESIGN OF A SLUDGE CAKE RECEIVING FACILITY 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 CME Associates as Consulting Engineer for the conceptual design of a sludge cake receiving facility.
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 not to exceed amount of **\$122,522**.
3. 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.

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 21, 2021.

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**CHAIRMAN**

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**SECRETARY**

**RECORDED VOTE:**

	Bonagura	Jordan	Kelahr	Lo Iacono	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:

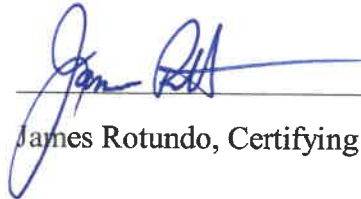
**CONTRACT:**        Consulting Engineer for Conceptual Design of a Sludge Cake Receiving Facility

**VENDOR:**         CME Associates

**AMOUNT:**        \$122,522

**ACCOUNT NO.:**    7000/6620

Date: September 21, 2021

  
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James Rotundo, Certifying Finance Officer

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No. 72-2021**

**Date: September 21, 2021**

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**RESOLUTION AUTHORIZING THE PURCHASE OF  
REPLACEMENT PISTON PUMP, SCREW FEED AND  
HYDRAULIC POWER UNIT**

**WHEREAS**, the Northwest Bergen County Utilities Authority (the “NBCUA”) has previously determined the need for a Replacement Piston Pump, Screw Feeder and Hydraulic Power Unit (“HPU”) at the NBCUA’s wastewater treatment plant facility located in Waldwick, New Jersey; and

**WHEREAS**, said provision of goods or services for the support or maintenance of proprietary equipment is exempt from public bidding by N.J.S.A. 40A:11-5(1)(i); and

**WHEREAS**, Schwing Bioset, Inc. having offices located at 350 SMC Drive, Somerset, Wisconsin 54025 provided a proposal dated June 2, 2021, for Replacement Piston Pump, Screw Feeder and HPU (the “Proposal”) to be purchased is proprietary because they are goods or services of specialized nature, that are made or marketed by a person or persons having the exclusive right to make or sell them; and

**WHEREAS**, Schwing Bioset, Inc. will be providing services in association with the requested equipment, for a total amount of \$279,692.00 together with recommended additional optional items as set forth in Schwing Bioset, Inc.’s proposal; and

**WHEREAS**, the Authority’s Certifying Finance Officer has certified that sufficient funds are available for said purchase as evidenced by the Certification of Funds attached; and

**NOW THEREFORE BE IT FURTHER RESOLVED** by the Board of Commissioners of the Northwest Bergen County Utilities Authority that the cost quoted by Schwing Bioset, Inc. is deemed to be satisfactory; and

**BE IT FURTHER RESOLVED**, by the Commissioners of the Northwest Bergen County Utilities Authority that the issuance of a Purchase Order in the sum of \$279,692.00 to Schwing

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No. 72-2021**

**Date: September 21, 2021**

---

**RESOLUTION AUTHORIZING THE PURCHASE OF  
REPLACEMENT PISTON PUMP, SCREW FEED AND  
HYDRAULIC POWER UNIT**

Bioset, Inc., is hereby approved, ratified, and confirmed, and payment of said sum to Schwing Bioset, Inc., in accordance with the payment schedule set forth in the Proposal is hereby authorized and directed.

**BE IT FURTHER RESOLVED** that 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 21, 2021.

\_\_\_\_\_  
Michael Kasparian,  
Chairman

\_\_\_\_\_  
Alison Gordon,  
Secretary

**RECORDED VOTE:**

	Bonagura	Jordan	Kelaheer	Lo Iacono	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:

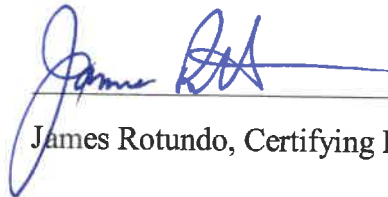
**CONTRACT:** Purchase of Replacement Piston Pump, Screw Feed and Hydraulic Power Unit

**VENDOR:** Schwing Bioset, Inc.

**AMOUNT:** \$279,692

**ACCOUNT NO.:** 7000/6610

Date: September 21, 2021

  
James Rotundo, Certifying Finance Officer

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No. 73-2021**

**Date: September 21, 2021**

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**AUTHORIZATION TO AMEND THE NOT TO EXCEED COST OF THE PROFESSIONAL SERVICES AGREEMENT WITH T&M ASSOCIATES FOR 2021 CONSULTING ENGINEERING SERVICES**

**WHEREAS**, by Resolution No. 19-2021, the Northwest Bergen County Utilities Authority (the “Authority”) identified a number of firms as qualified to perform engineering services required by the Authority pursuant to a Request for Qualifications for such position, which notice thereof was published on January 15, 2021; and

**WHEREAS**, by Resolution No. 28-2021 (the “Original Resolution”) dated February 16, 2021, the Authority retained T&M Associates (the “Engineering Firm”) to provide general engineering services for 2021 and the Authority and Engineering Firm entered into a professional services agreement for same (the “Agreement”); and

**WHEREAS**, the Original Resolution and Agreement provides for the Engineering Firm’s compensation to be capped at \$120,000 and in the event the Engineering Firm anticipates it will exceed that amount, to seek further authorization from the Authority at such time; and

**WHEREAS**, the Engineering Firm has submitted to the Authority a request to increase the not to exceed cost by \$55,000 due to attendance at Authority remaining meetings, finalizing the Authority Annual Report as well as any remaining facility inspections and any additional miscellaneous engineering services requested by the Authority; and

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

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

1. The Original Resolution and the Professional Services Agreement with T&M Associates be amended to increase the not to exceed amount to \$175,000 for general consulting engineering services for 2021.
2. The Original Resolution and Agreement, unless expressly modified, shall remain in full force and effect.
3. The Certifying Finance Officer’s Certification of Available Funds shall be maintained on file at the Authority and made a part hereof.
4. Notice of this amendment shall be published in accordance with applicable law.
5. This Resolution shall take effect immediately.

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No. 73-2021**

**Date: September 21, 2021**

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**AUTHORIZATION TO AMEND THE NOT TO EXCEED COST OF THE PROFESSIONAL SERVICES AGREEMENT WITH T&M ASSOCIATES FOR 2021 CONSULTING ENGINEERING SERVICES**

I hereby certify that this is a true copy of a resolution adopted by the Board of Commissioners of the Northwest Bergen County Utilities Authority on September 21, 2021.

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SECRETARY

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CHAIRMAN

Recorded Vote:

	Bonagura	Jordan	Kelahr	Lo Iacono	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:** Consulting Engineer for 2021

**VENDOR:** T&M Associates

**AMOUNT:** \$175,000

**ACCOUNT NO.:** 2100/4030

Date: September 21, 2021

  
\_\_\_\_\_  
James Rotundo, Certifying Finance Officer



NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

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RESOLUTION

No. 74-2021

Date: September 21, 2021

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RESOLUTION AUTHORIZING THE AWARD OF A  
CONTRACT TO PURE TECHNOLOGIES FOR INSPECTION SERVICES RELATED  
TO THE CONDITION OF FORCE MAINS

**WHEREAS**, the operation and maintenance of an effective and efficient wastewater treatment system is the responsibility of the Northwest Bergen County Utilities Authority (hereinafter referred to as the "Authority") on behalf of its member communities and is essential to ensuring the health, safety and welfare of member communities who depend on such a system; and

**WHEREAS**, the Authority provides these essential services within the Authority's sewer district which is comprised of eleven (11) municipalities; and

**WHEREAS**, the Authority's engineers have investigated the force mains of the Authority and have recommended that a formal assessment of the Authority's sewer force mains be undertaken to investigate certain areas of concern which is required in order for the Authority to more accurately confirm the current condition of its wastewater force mains; and

**WHEREAS**, there exists the need to engage the services of a specialized firm to provide professional assessment services in order for the Authority to more accurately confirm the current condition of the sewer force mains; and

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

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

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

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RESOLUTION

No. 74-2021

Date: September 21, 2021

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RESOLUTION AUTHORIZING THE AWARD OF A  
CONTRACT TO PURE TECHNOLOGIES FOR INSPECTION SERVICES RELATED  
TO THE CONDITION OF FORCE MAINS

**WHEREAS**, the firm of Pure Technologies U.S. Inc. with offices located at 3040 Route 22 West, Branchburg, New Jersey 08876 ("Pure") has created various leak detection and condition assessment technologies that are protected by various North American and international patents and form an integral part of Pure's intellectual property portfolio; and thus, constituting an extraordinary unspecifiable service which is unique to Pure; and

**WHEREAS**, Pure has submitted a proposal dated August 6, 2021 to the Authority to conduct a leak and condition assessment and an electromagnetic inspection of the force mains while the force mains are in service; and

**WHEREAS**, the cost to perform this work as set forth in Pure's proposal is the sum \$1,118,457.00 with optional additional services should the Authority deem necessary; and

**WHEREAS**, the Authority's engineer, T&M Associates has determined through research and contacts that there is no other vendor that provides this type of service; and

**WHEREAS**, the Authority's engineer, T&M Associates and Executive Director believe that this inspection is critical to determine the condition of the force mains based on previous pipe failures and the age of the force mains; and

**WHEREAS**, the proposal describes that four (4) of the force mains in the Authority's inventory will be surveyed for a proposed project budget of \$1,118,457.00 together with recommended additional optional items as set forth in Pure's proposal; and

**WHEREAS**, the Authority's Certifying Finance Officer has certified that sufficient funds are available for said contract as evidenced by the Certification of Funds attached; and

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No. 74-2021**

**Date: September 21, 2021**

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**RESOLUTION AUTHORIZING THE AWARD OF A  
CONTRACT TO PURE TECHNOLOGIES FOR INSPECTION SERVICES RELATED  
TO THE CONDITION OF FORCE MAINS**

**NOW THEREFORE, BE IT RESOLVED** by the Commissioners of the Northwest Bergen County Utilities Authority that the Executive Director is authorized to enter into a contract with Pure Technologies as described herein with the contract not to start until ten (10) days after the receipt of the appropriate insurance, and Business Entity Disclosure Certification forms; and

1. Pure Technologies shall be and is hereby appointed to perform the Force Main Assessments for the Authority, pursuant to and consistent with the terms of the Proposal submitted by Pure Technologies to the Authority, for an amount not to exceed the sum of \$1,118,457.00 without further action by the Authority.

2. The Chairman, Vice Chairman or Executive Director shall be and is hereby authorized to execute a contract, similar in form and substance to the contract on file at the Authority, by and between the Authority and Pure Technologies memorializing the scope of services and hourly billing rates to be paid for such services as is acceptable to the Authority, as evidenced by the Executive Director's signature thereon.

3. The Executive Director of the Authority is 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; and

4. A copy of this Resolution, the contract retaining Pure Technologies as Consulting Engineer to the Authority and the contract executed pursuant to this Resolution, shall be placed on file, and made available for public inspection in the Office of the Executive Director upon execution by Pure Technologies and the Authority.

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

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No. 74-2021**

**Date: September 21, 2021**

---

**RESOLUTION AUTHORIZING THE AWARD OF A  
CONTRACT TO PURE TECHNOLOGIES FOR INSPECTION SERVICES RELATED  
TO THE CONDITION OF FORCE MAINS**

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

I hereby certify that this is a true copy of a resolution adopted by the Board of Commissioners of the Northwest Bergen County Utilities Authority on September 21, 2021.

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MICHAEL KASPARIAN,  
CHAIRMAN

\_\_\_\_\_  
ALISON GORDON, SECRETARY

**RECORDED VOTE:**

	Bonagura	Jordan	Kelaheer	Lo Iacono	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:**        Inspection Services Related to the Conditions of the Authority's four (4) Force Mains

**VENDOR:**         Pure Technologies US, Inc.

**AMOUNT:**        \$1,118,457

**ACCOUNT NO.:**   7000/6620

Date: September 21, 2021

  
\_\_\_\_\_  
James Rotundo, Certifying Finance Officer

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No.75-2021**

**Date: September 21, 2021**

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**AUTHORIZATION TO ENGAGE THE SERVICES OF T&M ASSOCIATES FOR  
PROJECT MANAGEMENT AND COORDINATION RELATED TO THE INSPECTION  
SERVICES OF THE AUTHORITY'S FORCE MAINS**

**WHEREAS**, the Northwest Bergen County Utilities Authority (hereinafter referred to as the "Authority") has awarded a contract to Pure Technologies US, Inc. (hereinafter referred to as "Pure") for inspection services of the Authority's four (4) Force Mains (herein after referred to as the "Project"); and

**WHEREAS**, the Authority will require various engineering services such as project management and coordination of work between the Authority and Pure related to the project; and

**WHEREAS**, the Authority previously qualified T&M Associates (hereinafter referred to as the "Firm") to provide consulting engineering services by Resolution No. 19-2021, and by Resolution 28-2021 retained the firm as Consulting Engineer for 2021; and

**WHEREAS**, the Firm has provided a proposal for the aforementioned engineering services related to the Project described in Paragraph 2 in the amount of \$211,841; and

**WHEREAS**, the Authority's Certifying Finance Officer has certified that funds are available to accept the proposal.

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

1. The Proposal of T&M Associates to provide engineering services including project management and coordination of work related to the inspection services of the Authority's four (4) force mains in the amount of \$211,841 be and is hereby accepted.
2. 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.
3. The Certifying Finance Officer's Certification of Available Funds shall be maintained on file at the Authority and made a part hereof.
4. Notice of this award shall be published in accordance with applicable law.
5. This Resolution shall take effect immediately.

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No.75-2021**

**Date: September 21, 2021**

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**AUTHORIZATION TO ENGAGE THE SERVICES OF T&M ASSOCIATES FOR  
PROJECT MANAGEMENT AND COORDINATION RELATED TO THE INSPECTION  
SERVICES OF THE AUTHORITY'S FORCE MAINS**

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 21, 2021.

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SECRETARY

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CHAIRMAN

Recorded Vote:

	Bonagura	Jordan	Kelahr	Lo Iacono	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:** Project Management and coordination related to the analysis of the Authority's four (4) Force Mains

**VENDOR:** T&M Associates

**AMOUNT:** \$211,841

**ACCOUNT NO.:** 7000/6620

Date: September 21, 2021

  
\_\_\_\_\_  
James Rotundo, Certifying Finance Officer



**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

**RESOLUTION**

**No. 76-2021**

**Date: September 21, 2021**

---

**RESOLUTION TO ENGAGE THE SERVICES OF T&M ASSOCIATES TO PROVIDE THE ENGINEERING PROFESSIONAL SERVICES REQUIRED FOR THE EMERGENCY REPAIR OF THE AUTHORITY’S EXISTING INTERCEPTOR LOCATED ON CHAPEL ROAD IN THE TOWNSHIP OF MAHWAH**

**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, construction administration and field inspection services associated with an emergency repair of the Authority’s existing interceptor located on Chapel Road in the Township of Mahwah, which will be known as Contract No. 4 under funding application of the New Jersey Infrastructure Bank Project No. S340700-19 (hereinafter referred to as the “Project”); and

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

**WHEREAS**, the Authority previously engaged the services of T&M Associates by Resolution No. 114-2018 dated November 20, 2018 to provide engineering services for planning and design in connection to Project No. S340700-19; and

**WHEREAS**, T&M Associates, the Authority’s current Consulting Engineer has developed the attached proposal to perform the services defined in Paragraph 1 at hourly rates set forth in the agreement, and at a cost not to exceed \$196,000; and

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

**WHEREAS**, the Authority hired T&M Associates to serve as the Consulting Engineer to the Authority for the fiscal year 2021 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 (40 U.S.C. 1101 et seq.); and

**WHEREAS**, prior to hiring T&M Associates as Consulting Engineer, the Authority published a Request for Qualifications (“RFQ”) in its official newspaper on January 15, 2021, requesting qualifications from individuals and/or firms to provide consulting engineering services; and

**WHEREAS**, as a result of that RFQ response, twelve (12) responses were received; and

**WHEREAS**, the Authority evaluated the proposals received based on established criteria made available to all respondents and appointed T&M Associates as its Consulting Engineer at its February 16, 2021 Commissioners’ Meeting.

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

**RESOLUTION**

**No. 76-2021**

**Date: September 21, 2021**

**RESOLUTION TO ENGAGE THE SERVICES OF T&M ASSOCIATES TO PROVIDE THE ENGINEERING PROFESSIONAL SERVICES REQUIRED FOR THE EMERGENCY REPAIR OF THE AUTHORITY’S EXISTING INTERCEPTOR LOCATED ON CHAPEL ROAD IN THE TOWNSHIP OF MAHWAH**

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

1. This Resolution supersedes Resolution 114-2018 dated November 20, 2018.
2. The Executive Director of the Authority is authorized to execute the attached Agreement with T&M Associates to provide Engineering and Professional Services including planning and design, construction administration and field inspection services associated with an emergency repair of the Authority’s existing interceptor located on Chapel Road in the Township of Mahwah.
3. The 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.

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 21, 2021.

\_\_\_\_\_  
SECRETARY

\_\_\_\_\_  
CHAIRMAN

Recorded Vote:

	Bonagura	Jordan	Kelahr	Lo Iacono	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:** Consulting Engineer for Planning, Design and Engineering for repair and replacement of a portion of an existing interceptor main and various Manholes on Chapel Road in Mahwah, New Jersey

**VENDOR:** T&M Associates

**AMOUNT:** \$196,000

**ACCOUNT NO.:** 7000/6620

Date: September 21, 2021

  
\_\_\_\_\_  
James Rotundo, Certifying Finance Officer

New Jersey Department of Environmental Protection

LP-11

AFFIDAVIT FOR PROFESSIONAL SERVICES

I, \_\_\_\_\_ the undersigned authorized representative of \_\_\_\_\_ the applicant for

(check one)

\_\_\_\_\_ New Jersey Environmental Infrastructure Financing Program – (Fund/Trust Loans) pursuant to N.J.A.C. 7:22-3 and 7:22-4

\_\_\_\_\_ Sewage Infrastructure Improvement Act - (Planning or Design Grants) pursuant to N.J.A.C. 7:22A-1, 2, and 6

\_\_\_\_\_ Interconnection/Cross Connection Abatement Account - (Planning or Design Grants) pursuant to N.J.A.C. 7:22A-1, 2 and 7

\_\_\_\_\_ Pinelands Infrastructure Trust Fund - (Grant/Loan) pursuant to N.J.A.C. 7:22-6 being duly sworn according to law, upon my oath deposes and attests that:

1. The applicant has selected the following firm to provide Professional Services:

Firm Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Telephone Number \_\_\_\_\_

Principal Officer \_\_\_\_\_

Further, the selection of the above referenced firm has been made in accordance with the State of New Jersey’s Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., or other procurement laws. (NOTE: if an alternative procurement law is involved, please cite the law below, which may include the Privatization Act, N.J.S.A. 58:27-1 et seq., or the Solid Waste Management Act’s contracting provisions at N.J.S.A. 13:1E-155 through 168 as well as applicable provisions of state rules or requirements thereof.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The selected firm will perform the following services:

Planning, design, construction administration and field inspection services associated with the emergency repair of the Authority's existing interceptor located on Chapel Road in Mahwah Township, which is to be funded as part of Contract #4 of funding application NJIB Project # S340700-19.

for Project No. S340700-19 described as (include a brief description of the project):

The proposed project includes planning, design and CA&I of a temporary bypass system and replacement of a portion of the Authority's existing interceptor main and various manholes on Chapel Road, as well as trench/roadway restoration upon completion. The work is being done on an emergency basis by the Authority's Emergency Contractor to avoid complete failure of the system.

at a compensation amount not to exceed \$ 196,000.00

2. The applicant has reviewed the Professional's scope of services and all costs, including direct and indirect costs, associated with this contract for the aforementioned project noted under item 1 above. The applicant herein agrees and approves the costs as being acceptable and reasonable for the intended purpose to complete all said services.

3. The applicant has attached to this AFFIDAVIT a certified copy of the executed professional services prime subagreement.

4. The applicant has attached to this AFFIDAVIT a copy, of the resolution as approved by the local government unit or letter, approving the professional noted under item 1; the Scope of Services for the said project and the Negotiated Acceptable Costs.

The foregoing statements made by me are true and the attached copies of documents are true and correct copies of records maintained by the applicant.

\_\_\_\_\_ Date

\_\_\_\_\_ Signature of Authorized Representative

James Rotundo  
Name of Authorized Representative (typed)

Executive Director  
Title of Authorized Representative (typed)

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
Signature NOTARY PUBLIC SEAL

**PLANNING, DESIGN AND**  
**ENGINEERING AGREEMENT**

THIS AGREEMENT, made this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by and between: NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY, Bergen County, NJ, with place of business at 30 Wyckoff Avenue at Authority Drive, Waldwick, NJ hereinafter referred to as the “OWNER,”

AND

T&M ASSOCIATES, Consulting and Municipal Engineers, 11 Tindall Road, Middletown, NJ 07748, hereinafter referred to as the “ENGINEER.”

WITNESSETH, whereas it is the intention of the OWNER to engage the services of the ENGINEER to undertake and complete necessary and essential professional engineering services in connection with planning, design, bidding, contract administration and resident inspection for the CHAPEL ROAD MANHOLES REPLACEMENT – CONTRACT #4 (Project No. S340700-19), hereinafter referred to as the “PROJECT” in the sewer service area for the OWNER; and

WHEREAS it is the intention of the OWNER that this project be funded with loan assistance from the New Jersey Environment Infrastructure Financing Program pursuant to N.J.A.C. 7:22-3.1 et seq., the New Jersey Environmental Infrastructure Trust Loan pursuant to N.J.A.C. 7:22-4.1 et seq., and all applicable interim and final rules and regulations published in the New Jersey Register.

NOW, THEREFORE, in consideration of these premises, and of the mutual covenants and premises hereinafter contained, the OWNER and ENGINEER hereby agree as follows:

**SECTION A – ENGINEERING SERVICES**

The ENGINEER agrees to perform the various professional engineering services required for planning, design, contract administration and resident inspection during the design and construction phases of the PROJECT. The ENGINEER agrees to serve as the OWNER’s professional engineering representative in all phases of this project, including, but not limited to, meetings, preliminary and final design, construction inspection and contract administration, and reviews by authorized groups or agencies. The ENGINEER shall give consultation and advice to the OWNER during the performance of his services and shall assist the OWNER in the preparation of applications and supporting documents for governmental loans or advances in connection with the Contract.

**SECTION 1 – GENERAL SCOPE OF SERVICES**

## 1.1 Planning and Design

1.1.1 The ENGINEER shall coordinate with the New Jersey Department of Environmental Protection (NJDEP) and the NJ Infrastructure Trust (Trust) submission of a New Jersey Infrastructure Bank (NJIB) application for funding reimbursement of associated costs expended on the design of emergency repair contract.

1.1.2 The ENGINEER shall submit documentation in support of the existing funding application previously submitted to the NJDEP in accordance with funding program guidelines and requirements including all invoices generated, the emergency declaration resolution and other applicable documents requested by the NJDEP.

1.1.3 The ENGINEER shall respond to inquiries from the NJDEP and the Trust and as needed and coordinate with the Office of Equal Opportunity if applicable.

1.1.4 The ENGINEER shall prepare design documents including specifications and construction drawings for the installation of a temporary bypass system and repair of the existing interceptor sewer along Chapel Road in Mahwah Township.

1.1.5 The ENGINEER shall coordinate with the Owner's Emergency Contractor, hereinafter referred to as the "CONTRACTOR" and review the proposed design and schedule for delivery of equipment and materials and solicit a final cost for completion of the work outlined in the design documents.

1.1.6 This Agreement calls for a total of **438 man-hours** to be provided for planning and design services.

## 1.2 Contract Administration and Resident Inspection

1.2.1 The ENGINEER shall furnish additional copies of plans and specifications to the CONTRACTOR, material suppliers, and other interested parties, as needed to obtain equipment, materials or permits as needed to complete the work.

1.2.2 The ENGINEER will check and approve any necessary shop and work drawings furnished by the CONTRACTOR.

1.2.3 The ENGINEER shall provide horizontal and vertical control for all structures in the form of benchmarks or reference points to be used by the CONTRACTOR in staking the construction.

1.2.4 The ENGINEER shall endeavor, when performing the services set forth in this agreement, to observe as an experienced and qualified design professional, the progress and quality of the executed work of the CONTRACTOR and to determine, in general, if such work is proceeding in accordance with the Contract Documents. ENGINEER shall not be required to make exhaustive

on-site inspections to check the quality or quantity of such work. ENGINEER shall not be responsible for the means, methods, techniques, sequences, or procedures of construction selected by the CONTRACTOR or the safety precautions and programs incident to the work of contractors. ENGINEER's efforts will be directed toward providing a greater degree of confidence for the OWNER that completed work of the CONTRACTOR will conform to the contract documents, but the ENGINEER shall not be responsible for the failure of the CONTRACTOR to perform the work in accordance with the Contract Documents. During such visits and on the basis of on-site observations, the ENGINEER shall keep the OWNER informed on the progress of the work, shall endeavor to guard the OWNER against defects and deficiencies in such work, and may disapprove or reject work failing to conform to the Contract Documents.

1.2.5 Whenever the ENGINEER considers it is necessary or advisable to ensure the proper carrying out of the intent of the Contract Documents, the ENGINEER shall notify the OWNER of any necessity to stop work or require special examinations or testing of the work (whether fabricated, installed, or completed), and if the OWNER so directs, the ENGINEER shall act as the OWNER's representative as to the same.

1.2.6 The ENGINEER will review requisitions submitted by the CONTRACTOR for progress and final payments. Based on his on-site observations as an experienced and qualified design professional, and on his review of the CONTRACTOR's periodic applications for payment and supporting data, the ENGINEER shall determine, as often as necessary, the amount owing to the CONTRACTOR and certify, in writing, to the OWNER whether payment is due to the CONTRACTOR in such amounts. Such certificates for payment shall constitute a representation to the OWNER, based on the ENGINEER's observations and review, that the work has progressed to the point indicated and that, to the best of his/her knowledge, information and belief, the quality of work is in accordance with the Contract Documents. By issuing certificate of payment, the ENGINEER shall not be deemed to represent that he has made any examination to ascertain how or for what purpose the CONTRACTOR has used the monies paid or the amount of the contract sum.

1.2.7 The ENGINEER shall conduct, in company with the OWNER, a final inspection of the project for compliance with the design plans, Contract Documents, and all change orders approved by the OWNER, and shall certify, in writing, to the OWNER whether final payment is due to the CONTRACTOR

1.2.8 The ENGINEER shall supply sufficient resident inspector(s) on a full-time/part-time basis for each work phase of the project to perform field inspection of the construction work.



The ENGINEER will provide Resident Inspectors, as required, to adequately inspect the CONTRACTOR's work effort and his compliance with the requirements of the specifications, including environmental and cultural resource protection.

1.2.9 The ENGINEER shall supply sufficient technical personnel to perform the required office engineering services for contract administration.

1.2.10 This Agreement calls for a total of **370 man-hours** to be provided for inspection and contract administration services.

1.2.11 One year from the completion of construction, the ENGINEER shall conduct an inspection of the project for compliance with the project performance standards, and shall certify, in writing, to the OWNER, whether the project is in compliance or corrective actions must be undertaken.

1.2.12 The ENGINEER will prepare a set of Record Drawings showing those changes made during the construction process, based on the marked-up prints, drawings and other data furnished by CONTRACTOR (s) to ENGINEER and which ENGINEER considers significant. One set of reproducible prints of the Record Drawings will be furnished to the OWNER.

1.2.13 If applicable, the ENGINEER shall review and approve operation and maintenance data provided by the CONTRACTOR. Operation and maintenance instruction shall be reviewed for compliance with the project design intent. Supplementary operating instructions will be provided in addition to CONTRACTOR furnished data to integrate systems with OWNERS existing operating facilities.

## **SECTION 2 – COMPENSATION FOR ENGINEERING SERVICES**

2.1.1 The ENGINEER shall submit invoices and vouchers for professional engineering services performed hereunder to the OWNER as follows:

Monthly vouchers shall be submitted indicating the amount of actual time expended by the ENGINEER on the project during the past one-month period.

2.1.2 The OWNER shall pay the ENGINEER the amount of each invoice and voucher within 45-days of the date of receipt of each invoice and voucher.

2.1.3 All professional services outlined in Section 1 herein, dealing with the planning, design, and construction portion of the work, will be compensated and billed monthly based hourly rates listed in the approved billing rate schedule. These values cannot be changed without a formal contract amendment as outlined in Section 5.1. The total estimated budget for all services covered

under this agreement is **\$196,000.00**. This includes \$116,750.00 for planning and design and \$79,250.00 for construction administration and field inspection services covered under this agreement. This estimated budget will not be exceeded without prior written approval of the OWNER.

2.1.4 The performance of contract work shall commence upon the signing of this Agreement and shall terminate 12 months after completion of construction.

### **SECTION 3 – OWNER’S RESPONSIBILITIES**

The OWNER shall:

- 3.1 Provide all criteria and full information as to its requirements on the project.
- 3.2 Assist the ENGINEER by placing at his disposal all available written data pertinent to the site of the project, include previous reports, and other data affecting the design and/or construction of the project to which the OWNER has access.
- 3.3 Furnish the ENGINEER with available data on property boundary, right-of-way, topographic and utility surveys, all of which the ENGINEER will rely on.
- 3.4 Guarantee access to property and make all provision for the ENGINEER and to public and private lands as required for the ENGINEER to perform the services under this Agreement.
- 3.5 Examine all sketches, opinions of the construction cost, and other documents presented by the ENGINEER to the OWNER and render, in writing, the OWNER’s decision pertaining thereto within a reasonable time from the date of the ENGINEER’s request so as not to delay the work of the ENGINEER. If any delays by the OWNER beyond a reasonable time do occur, the ENGINEER shall be granted a suitable extension of time for the completion of the work with the extent of the delay.
- 3.6 Hold all required meetings, serve all required public and private notices, and set properly upon all matters not the responsibility of the ENGINEER, but necessary to development of the project, and pay all costs incidental thereto.
- 3.7 Furnish the ENGINEER with a copy of any design or construction standards adopted by the OWNER which the ENGINEER shall be required to follow in the preparation of Contract Documents for the project.
- 3.8 Designate, in writing, the person to act as the OWNER’s representative with respect to engineering services to be performed under this Agreement. Such person shall have complete

authority to transmit instructions, receive information, and interpret and define policies and decisions with the respect of the services covered by this Agreement.

3.9 Give prompt written notice to the ENGINEER whenever the OWNER observes or otherwise becomes aware of any defect in the work.

3.10 Furnish or instruct the ENGINEER to provide, at the OWNER's expense, necessary additional services as stipulated in sections of this Agreement, or as required for completion of the project and approved in writing by the OWNER.

#### **SECTION 4 – ADDITIONAL SERVICES AND PAYMENT THEREFORE**

If authorized in writing by the OWNER, the ENGINEER agrees to furnish or obtain from others additional services of the following types which shall be paid for by the OWNER as hereinafter provided.

4.1.1 Redesign required by the OWNER after preliminary or final plans have been prepared by the ENGINEER and approved by the OWNER, provided said redesign is not required as a result of any negligence on the part of the ENGINEER in the preparation of the design.

4.1.2 Revisions or changes to reports, applications, permits, property surveys, descriptions, etc., required by the OWNER after the ENGINEER has prepared them (it) in accordance with basic engineering services described in the engineering agreement between the OWNER and ENGINEER in the preparation of said reports, applications, permits, property surveys, property descriptions, etc.

4.1.3 Redesigns or revisions or changes required because of inadequate, insufficient surveys, property descriptions, etc., furnished by the ENGINEER or due to the refusal of regulatory agencies to approve said matters because they do not meet their currently applicable requirements, are not to be considered additional services within the intent of this section and will not be paid for by the OWNER.

4.1.4 Appearances before courts or boards on matters of litigation related to the project.

4.1.5 Preparation of any other reports, studies, or documents which require engineering services not otherwise provided for in this Agreement, including, without limitation, services to be furnished by the OWNER hereunder.

4.2 Payment for additional services specified in this section shall be negotiated at the time of request for the additional services.

**SECTION 5 – GENERAL**

5.1 This Agreement represents the entire agreement between the OWNER and ENGINEER. This Agreement may be amended only by written instrument signed by both the OWNER and ENGINEER.

5.2 This Agreement and all of the covenants hereto shall inure to the benefit of assigns, and legal representatives, except as above, neither the OWNER nor the ENGINEER shall assign, sublet, or transfer his interest in this Agreement without the written consent of the other party hereto.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement the day and year first above written.

OWNER:

NORTHWEST BERGEN COUNTY  
UTILITIES AUTHORITY

\_\_\_\_\_  
Name:  
Title:  
Date:

ATTEST:

\_\_\_\_\_  
Name:  
Date:

ENGINEER:

T&MASSOCIATES

\_\_\_\_\_  
Name:  
Title:  
Date:

ATTEST:

\_\_\_\_\_  
Name:  
Date:

**T&M ASSOCIATES**

DATE 9/17/2021

**Northwest Bergen County Utilities Authority  
DESIGN & CONSTRUCTION ADMINISTRATION SERVICES  
CHAPEL ROAD MANHOLES REPLACEMENT - CONTRACT 4**

Manhour Budget

NO.	TASK	DEPT/ GROUP MANAGER (Client Manager)	PRINCIPAL (Project Manager)	PRINCIPAL (Group Manager)	SUPVR ENGR	SR. PROF. STAFF	PROF. STAFF	JUNIOR PROF. STAFF	ADMIN SUPPORT	TOTAL HOURS
1	DESIGN	40	76	6	168			80	8	378
2	PLANNING / FUNDING	14	6	40						60
3	CONSTRUCTION ADMIN & FIELD INSPECTION	10	32	8	32		280		8	370
<b>TOTAL HOURS</b>		64	114	54	200	0	280	80	16	808

HOURLY LABOR RATE	\$295	\$281	\$281	\$256	\$233	\$199	\$185	\$100
LABOR COST	\$18,880	\$32,034	\$15,174	\$51,200	\$0	\$55,720	\$14,800	\$1,600

CONTRACTED SERVICES (GEOD - Field Survey/Basemap Services)

COST	MARK UP	TOTAL
\$5,313	15%	\$6,110

TOTAL DIRECT EXPENSES (NO MARKUP)

\$482

**TOTAL ENGINEERING FEE \$196,000**

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No. 77-2021**

**Date: September 21, 2021**

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**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, 2020 for a duration of one (1) year with a termination date of October 10, 2021 for the Authority to act as the New Jersey Licensed Operator for the Borough; and

**WHEREAS**, the Borough has adopted its Resolution No. 006-21 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 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 Midland Park annexed hereto and made a part thereof.

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

---

**RESOLUTION**

**No. 77-2021**

**Date: September 21, 2021**

---

**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 21, 2021.

---

CHAIRMAN

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SECRETARY

RECORDED VOTE:

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

## SHARED SERVICES AGREEMENT

THIS SHARED SERVICES AGREEMENT, made and entered into this 9<sup>th</sup> day of September, 2021, 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 #006-21, 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, 2021.
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 1<sup>st</sup>, June 1<sup>st</sup>, September 1<sup>st</sup> and December 1<sup>st</sup> 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, 2021, and the expiration shall be October 10, 2022, 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

By: Harry Shortway, Jr.  
Harry Shortway, Jr., Mayor

Date: 9/9/2021

ATTEST:

NORTHWEST BERGEN COUNTY  
UTILITIES AUTHORITY

\_\_\_\_\_

By: \_\_\_\_\_

Date: \_\_\_\_\_

**BOROUGH OF MIDLAND PARK  
RESOLUTION #006-21  
JANUARY 7, 2021  
REORGANIZATION**

**Appointments for Borough Professional Services for 2021- Non Pay to Play**

**WHEREAS**, a need exists for professional services for the Borough of Midland Park for the calendar year 2021 and

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

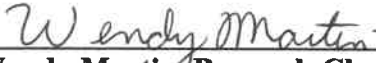
**WHEREAS**, N.J.S.A. 40A:11-1, (Local Public Contracts Law) allows municipalities to contract for such professional services without the drawing of specifications for the receipt of competitive bids,

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Midland Park that the following appointments for professional services for the year 2021 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		
BBG	-	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
Damiano			✓			
Kruis			✓			
Sansone			✓			
DeLuca		✓				
Peet			✓			
Iannone	✓					

*I hereby certify that this is a true copy of the resolution passed and adopted on first reading by the Borough Council of the Borough of Midland Park at a meeting held on January 7, 2021.*

\_\_\_\_\_  
Wendy Martin, R.M.C.  
Borough Clerk

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No. 78-2021**

**Date: September 21, 2021**

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**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 \$7,910, 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, 2022 at a membership fee of \$7,910 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**

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**RESOLUTION**

**No. 78-2021**

**Date: September 21, 2021**

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**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 \$7,910.
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 21, 2021.

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**CHAIRMAN**

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**SECRETARY**

**Recorded Vote:**

	Bonagura	Jordan	Kelاهر	Lo Iacono	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:

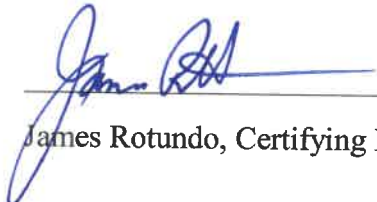
**CONTRACT:** N/A

**VENDOR:** National Association of Clean Water Agencies

**AMOUNT:** \$7,910

**ACCOUNT NO.:** 2200/4130

Date: September 21, 2021

  
\_\_\_\_\_  
James Rotundo, Certifying Finance Officer

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No. 79-2021**

**Date: September 21, 2021**

---

**AUTHORIZATION TO INCREASE THE NOT-TO-EXCEED COST TO T&M ASSOCIATES FOR ENGINEERING SERVICES RELATED TO THE INTERIOR ALTERATIONS OF THE SERVICE BUILDING**

**WHEREAS**, the Northwest Bergen County Utilities Authority (hereinafter referred to as the “Authority”) is presently working on a project consisting of alterations to the interior of the Service Building (hereinafter referred to as the “Project”) at the Authority’s property located at 30 Wyckoff Avenue, Waldwick, New Jersey; and

**WHEREAS**, by Resolution 64-2021, the Authority previously engaged the services of T&M Associates (hereinafter referred to as the “Firm”) to provide various engineering services such as advisement on mechanical and plumbing requirements related to the project; and

**WHEREAS**, the Original Resolution (hereinafter referred to as the “the Original Resolution”) authorized a not-to-exceed cost of \$13,575 to be paid to the Firm for their engineering services in connection to the project; and

**WHEREAS**, the Firm has submitted a Proposal for additional engineering work related to the project for Professional Mechanical, Electrical and Plumbing (MEP) Engineering Services as well as Design Services, Bidding Assistance and Construction Administration; and

**WHEREAS**, the Firm has provided in their proposal a fee of \$49,700 for the services outlined in Paragraph 4 of this Resolution; and

**WHEREAS**, the Authority’s Certifying Finance Officer has certified that funds are available to accept the proposal.

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

1. The Proposal of T&M Associates to provide the additional engineering services outlined in Paragraph 4 of this Resolution related to the alterations to the interior of the service building in the amount of \$49,700 be and is hereby accepted.
2. 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.
3. The Certifying Finance Officer’s Certification of Available Funds shall be maintained on file at the Authority and made a part hereof.

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No. 79-2021**

**Date: September 21, 2021**

---

**AUTHORIZATION TO INCREASE THE NOT-TO-EXCEED COST TO T&M ASSOCIATES FOR ENGINEERING SERVICES RELATED TO THE INTERIOR ALTERATIONS OF THE SERVICE BUILDING**

- 4. Notice of this award shall be published in accordance with applicable law.
- 5. 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 21, 2021.

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SECRETARY

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CHAIRMAN

Recorded Vote:

	Bonagura	Jordan	Kelaheer	Lo Iacono	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:**      Engineering Services related to the Interior Alterations of the Service Building

**VENDOR:**        T&M Associates

**AMOUNT:**        \$49,700

**ACCOUNT NO.:**   7000/6610

Date: September 21, 2021

  
\_\_\_\_\_  
James Rotundo, Certifying Finance Officer