

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 13-2020

Date: February 18, 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 January 2020 and Health Benefits and Dental Benefits transfers for February 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 February 18, 2020 be and they hereby are approved for payment from the proper accounts as follows:

ACCOUNT: Payroll Account
Net Payroll: \$216,459.30

ACCOUNT: Tax Deposit Account
Total: \$100,213.46

ACCOUNT: Health Benefits Contribution Employer
Total Transfer: \$114,103.15

ACCOUNT: Health Benefits Contribution Employee
Total: \$4,689.01

ACCOUNT: Dental Benefits
Total Transfer: \$4,259.95

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 13-2020

Date: February 18, 2020

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

ACCOUNT: PERS and Contributory Insurance
Total Transfer: \$31,746.02

ACCOUNT: Operating Account
Total: \$348,855.64

ACCOUNT: General Improvement Account
Total: \$822,742.94


SECRETARY


CHAIRMAN

RECORDED VOTE:

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

[illegible]

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:

PROJECT: Production & Distribution of Authority Anniversary Mailer

VENDOR: Ocean Blue Creative

AMOUNT: \$13,747.87

ACCOUNT NO.: 2200/4140

Date: February 18, 2020



James Rotundo, Certifying Finance Officer

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 15-2020

Date: February 18, 2020

**RESOLUTION AUTHORIZING
THE NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY
TO ENTER INTO A PRELIMINARY AGREEMENT
WITH THE TOWNSHIP OF WYCKOFF
FOR THE "KNOLLS AREA" PROJECT**

WHEREAS, the Northwest Bergen County Utilities Authority (the "NBCUA") has previously determined the need for the construction of sanitary sewer lines within the Township of Wyckoff (the "Township"); and

WHEREAS, the NBCUA has previously resolved to construct a sanitary sewer line to assist in the collection and disposal of sanitary and other waste waters arising within the boundaries of the Township of Wyckoff; and

WHEREAS, the NBCUA is desirous of exploring a project to collaborate with the Township of Wyckoff for the installation of collateral and collective sewers, pumping stations, ejector stations, false mains and appurtenances to collect and dispose of sanitary and other waste water arising within the boundaries of the "Knolls Area" of the Township of Wyckoff and to be received and serviced by the NBCUA ("Project"); and

WHEREAS, the NBCUA has developed a proposal attached as the "Preliminary Agreement" to enter into with the Township of Wyckoff to accomplish the preliminary steps necessary to pursue and implement a more formal agreement with the Township for the Knolls Area Project; and

NOW THEREFORE BE IT RESOLVED, that the NBCUA Chairman, Executive Director and the NBCUA's General Counsel are authorized to negotiate a preliminary agreement in form and substance substantially similar to the agreement attached to this Resolution with the Township of Wyckoff and to report back to the NBCUA Commissioners on the status of same; and the NBCUA shall be responsible for ensuring the intended construction of sanitary sewer lines shall comply with all laws of the State of New Jersey Local Public Contracts Law, N.J.S.A 40A:11-1 et. seq., and all other provisions of the revised statutes of the State of New Jersey.

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

1. The Authority is hereby authorized to enter into a Preliminary Agreement with the Township of Wyckoff;

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 15-2020

Date: February 18, 2020

RESOLUTION AUTHORIZING THE NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY TO ENTER INTO A PRELIMINARY AGREEMENT WITH THE TOWNSHIP OF WYCKOFF FOR THE "KNOLLS AREA" PROJECT

2. The Chairman, or his designee, be and hereby is authorized to execute any such documents in connection the Preliminary Agreement.
3. The Northwest Bergen County Utilities Authority shall be responsible for ensuring that all the construction of sanitary sewer lines comply with all laws of the State of New Jersey Local Public Contracts Law, N.J.S.A 40A:11-1 et. seq., and all other provisions of the revised statutes of the State of New Jersey.

I hereby certify that this is a true copy of a resolution adopted by the Board of Commissioners of the Northwest Bergen County Utilities Authority on February 18, 2020.


SECRETARY


CHAIRMAN

Recorded Vote:

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

PRELIMINARY AGREEMENT BY AND BETWEEN
NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY
AND
THE TOWNSHIP OF WYCKOFF

WHEREAS, the Northwest Bergen County Utilities Authority ("NBCUA") and the Township of Wyckoff ("Township") (collectively, the "Parties") have discussed the installation of collateral and collective sewers, pumping stations, ejector stations, force mains and appurtenances to collect and dispose of sanitary and other wastewaters arising within the boundaries of the "Knolls" area of the Township of Wyckoff and to be received and serviced by the NBCUA (the "Project"). It is anticipated the Parties will seek the needed regulatory approvals and accomplish the construction of the Project components in order to build out the Project to connect the Knolls area of the Township of Wyckoff to the NBCUA treatment facility;

NOW, THEREFORE, in consideration of the foregoing, and the mutual covenants and undertaking of the Parties, the Parties do hereby agree as follows:

In order to accomplish the Project, the Parties have identified Items 1-9 listed below representing the actions necessary for the Project to proceed; each action requires the successful completion of the previous action in the following sequence; (i) the Parties will execute this Agreement; (ii) the NBCUA will authorize T&M Associates to conduct its feasibility study of the Knolls area; (iii) the Parties will prepare and execute a mutually acceptable Shared Services Agreement Amendment, and the Township will simultaneously commence the adoption of the appropriate sewer ordinances; (iv) the NBCUA will authorize its engineer, T&M, to finalize the Project design, budget, and construction schedule; (v) the sewer ordinances are adopted by the Township; (v) the NBCUA will commence the public bidding process; (vi) on behalf of the Parties the NBCUA will enter into contracts.

1. **System Costs:** It is anticipated any and all Project costs will be split equally between the Parties.

2. **Financing:** The Parties will evaluate their respective opportunity to obtain Project financing, and agree that the entity obtaining the most favorable rate, i.e. interest rate, will undertake Project financing.

3. **Effective Date/Due Diligence:** Upon the execution of this Agreement (the "Effective Date") by both Parties, the NBCUA will authorize its engineer, T&M Associates, to conduct a thorough feasibility study for the Project, per the terms of their proposal dated January 6, 2020, and attached hereto as Exhibit A. The study will include, but not be limited to, all necessary field inspections, surveying, geotechnical analysis/soil borings, and conceptual design. The cost for the study will not exceed Sixty Five Thousand Dollars (\$65,000). The study will be completed within ninety (90) days of the Effective Date (the "Due Diligence Period").

4. **Budget/Construction:** Within thirty (30) days of its receipt of the T&M's final Project design, budget, and construction schedule, the Township will consent and approve same, which consent and approval will not be unreasonably denied or withheld. The NBCUA may then, subject to the Township's approval of the necessary ordinance (see item 7), publicly advertise the Project for bids to include, but not be limited to, any and all materials and construction services necessary to complete the Project. Should bids received fall within ten percent (10%), plus or minus, of the aggregate, approved construction budget, the NBCUA, on behalf of the Parties, will enter contracts with the lowest qualified bidders without delay. Should the bids received by the NBCUA be greater than ten percent (10%) of the aggregate, approved construction budget, the Parties will collectively decide to accept the bids, or reject the bids and start over. In the event the bids received by the NBCUA are in excess of ten percent (10%) of the aggregate construction budget and the Parties cannot come to a mutually acceptable decision, then either Party may terminate the Shared Service Agreement Amendment (see item 6) and the Township shall reimburse the NBCUA for fifty percent (50%) of all expenses incurred by the NBCUA to properly bid the Project, including the costs for the feasibility study (the "Preliminary Costs"). For the purposes of this Agreement the Preliminary Costs will be capped at Four Hundred Thousand Dollars (\$400,000)

6. **Shared Service Agreement Amendment:** This Preliminary Agreement is not intended to fully govern the responsibilities of the Parties if the collective decision is made to proceed with the Project after the Parties have received T&M's feasibility study. Therefore, a mutually acceptable Shared Service Agreement Amendment will be prepared and executed by the Parties. The terms and conditions set forth in this Agreement, if applicable, will be incorporated within the Shared Services Agreement Amendment. If the Parties are unable to execute a mutually acceptable Shared Services Agreement Amendment, then either Party may terminate this Agreement and the Township will reimburse the NBCUA for fifty-percent (50%) of the Preliminary Costs.

7. **Township Ordinance:** Within one hundred and eighty days (180) days from the termination of the Due Diligence Period, the Township will adopt an ordinance to provide incentives for residential dwellings to be hook-up to the sewer collection system within six (6) months of the functional completion of the Project. The ordinance will additionally mandate that all residential dwellings located within the Knolls study area will hook-up to the designated sewer line, per Project design specification, not later than twelve (12) months from completion of the Project. In the event the Township elects to proceed with the Project by signing a Shared Service Agreement Amendment with the NBCUA, but fails to adopt the Ordinance within the time period specified herein, then the NBCUA may terminate the Shared Service Agreement Amendment, and the Township will pay the NBCUA for one hundred percent (100%) of the Preliminary Project Costs.

8. **Ownership/Service Agreement:** The collection system will be owned by the Township. The Shared Service Agreement Amendment will stipulate that NBCUA responsibilities will be expanded to include Project maintenance for a period of no less than ten (10) years.

9. **Traffic Control:** The Township will provide traffic control, at no cost to the Project, necessary to conduct the feasibility study of the Project area during the Due Diligence Period and for the duration of the Project's construction, up and until completion, should the Parties elect to proceed with the Project.

With their signature below, the Parties agree to the above defined terms of preliminary agreement and conditions necessary to commence the Project:

(signatures to follow)

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 16-2020

DATE: February 18, 2020

APPOINTMENT OF FINANCIAL ADVISORY CONSULTANT

WHEREAS, the Northwest Bergen County Utilities Authority (hereinafter referred to as the Authority) operates a wastewater treatment facility in the Borough of Waldwick, County of Bergen, State of New Jersey; and

WHEREAS, the Northwest Bergen County Utilities Authority solicited quotes for a Financial Advisory Consultant; and

WHEREAS, the quotation request asked respondents to submit a description of its overall experience as a Financial advisory consultant, in addition to its hourly rates; and

WHEREAS, the Authority received a proposal from Benecke Economics in the amount of \$14,000.00 for 100 hours of work at an hourly rate of \$140.00; and

WHEREAS, Benecke Economics defines in the proposal the scope of the project as development of a strategy to finance the expansion of the NBCUA sewer main system-especially in Wyckoff; and

WHEREAS, the Authority's Certifying Finance Officer has certified that funds are available for payment of \$14,000 for a financial advisory consultant; and

WHEREAS, it is in the best interest of the Authority to retain the services of Benecke Economics.

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

1. The Proposal from Benecke Economics is hereby approved in the amount of \$14,000.00.
2. The Executive Director is hereby authorized to execute the proposal of Benecke Economics.
3. This Resolution shall take effect immediately.

[illegible]

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

CERTIFICATION OF AVAILABILITY OF FUNDS

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

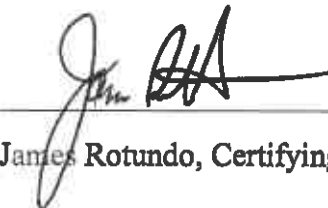
DESCRIPTION: Financial Advisory Consultant

VENDOR: Benecke Economics

AMOUNT: \$14,000

ACCOUNT NO.: 2100/4070

Date: February 18, 2020



James Rotundo, Certifying Finance Officer

[illegible]

COOPERATIVE PRICING SYSTEM AGREEMENT

**THE EDUCATIONAL
SERVICES COMMISSION OF NEW JERSEY
65MCESCCPS**

AGREEMENT FOR A COOPERATIVE PRICING SYSTEM

This Agreement made and entered into this _____ day of _____, 20____, by and between the, EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY and the NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY who desire to participate in the EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY COOPERATIVE PRICING SYSTEM.

WITNESSETH

WHEREAS, *N.J.S.A. 40A:11-11(5)*, specifically authorizes two or more contracting units to establish a Cooperative Pricing System for the provision and performance of goods and services and enter into a Cooperative Pricing Agreement for its administration; and

WHEREAS, the EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY is conducting a voluntary Cooperative Pricing System with other contracting units; and

WHEREAS, this Cooperative Pricing System is to effect substantial economies in the provision and performance of goods and services; and

WHEREAS, all parties hereto have approved the within Agreement by Resolution in accordance with the aforesaid statute; and

WHEREAS, it is the desire of all parties to enter into such Agreement for said purposes;

NOW, THEREFORE, IN CONSIDERATION OF the promises and of the covenants, terms and conditions hereinafter set forth, it is mutually agreed as follows:

The goods or services to be priced cooperatively may include supplies and materials, time and material bids, energy aggregation and such other items that two or more participating contracting units in the system agree can be purchased on a cooperative basis.

1. The items and classes of items which may be designated by the participating contracting units hereto may be purchased cooperatively for the period commencing with the execution of this Agreement and continuing until terminated as hereinafter provided.
2. The Lead Agency, on behalf of all participating contracting units, shall upon approval of the registration of the System and annually thereafter IN JANUARY OF EACH SUCCEEDING YEAR publish a legal ad in such format as required by *N.J.A.C. 5:34-7.9(a)* in its official newspaper normally used for such purposes by it to include such information as:
 - (A) The name of Lead Agency soliciting competitive bids or informal quotations.
 - (B) The address and telephone number of Lead Agency.
 - (C) The names of the participating contracting units.
 - (D) The State Identification Code assigned to the Cooperative Pricing System.
 - (E) The expiration date of the Cooperative Pricing System.
3. Each of the participating contracting units shall designate, in writing, to the Lead Agency, the items to be purchased and indicate therein the approximate quantities if required, the location for delivery and other requirements, to permit the preparation of specifications as provided by law.
4. The specifications shall be prepared and approved by the Lead Agency and no changes shall be made thereafter except as permitted by law. Nothing herein shall be deemed to prevent changes in specifications for subsequent purchases.
5. A single advertisement for bids or the solicitation of informal quotations for the goods or services to be purchased shall be prepared by the Lead Agency on behalf of all of the participating contracting units desiring to purchase any item.
6. The Lead Agency when advertising for bids or soliciting informal quotations shall receive bids or quotations on behalf of all participating contracting units. Following the receipt of bids, the Lead Agency shall review said bids and on behalf of all participating contracting units, either reject all or certain of the bids or make one award to the lowest responsible bidder or bidders for each separate item. This award shall result in the Lead Agency entering into a Master Contract with the successful bidder(s) providing for two categories of purchases:

(A) The quantities ordered for the Lead Agency's own needs, and

(B) The estimated aggregate quantities to be ordered by other participating contracting units by separate contracts, subject to the specifications and prices set forth in the Lead Agency's Master Contract.

7. The Lead Agency shall enter into a formal written contract(s) directly with the successful bidder(s) only after it has certified the funds available for its own needs.
8. Each participating contracting unit shall also certify the funds available only for its own needs ordered; enter into a formal written contract, when required by law, directly with the successful bidder(s); issue purchase orders in its own name directly to successful vendor(s) against said contract; accept its own deliveries; be invoiced by and receive statements from the successful vendor(s); make payment directly to the successful vendor(s) and be responsible for any tax liability.
9. No participating contracting unit in the Cooperative Pricing System shall be responsible for payment for any items ordered or for performance generally, by any other participating contracting unit. Each participating contracting unit shall accordingly be liable only for its own performance and for items ordered and received by it and none assumes any additional responsibility or liability.
10. The provisions of Paragraphs 7, 8, 9, and 10 above shall be quoted or referred to and sufficiently described in all specifications so that each bidder shall be on notice as to the respective responsibilities and liabilities of the participating contracting units.
11. No participating contracting unit in the Cooperative Pricing System shall issue a purchase order or contract for a price which exceeds any other price available to it from any other such system in which it is authorized to participate or from bids or quotations which it has itself received.
12. The Lead Agency reserves the right to exclude from consideration any good or service if, in its opinion, the pooling of purchasing requirements or needs of the participating contracting units is either not beneficial or not workable.
13. The Lead Agency shall appropriate sufficient funds to enable it to perform the administrative responsibilities assumed pursuant to this Agreement.
14. *It is understood that all fees for each participating contract are paid by the vendors as noted within the Bid/RFP documents.*

•

All fees are included within the bid price and are subject to change with new awards and notice to all cooperative members will be provided.

- 15 This Agreement shall become effective on 5/21/17 subject to the review and approval of the Director of the Division of Local Government Services and shall continue in effect for a period not to exceed five (5) years from said date unless any party to this Agreement shall give written notice of its intention to terminate its participation.
16. *Additional local contracting units may from time to time, execute this Agreement by means of a Rider annexed hereto, which addition shall not invalidate this Agreement with respect to other signatories. The Lead Agency is authorized to execute the Rider on behalf of the members of the System.*
17. All records and documents maintained or utilized pursuant to terms of this Agreement shall be identified by the System Identifier assigned by the Director, Division of Local Government Services, and such other numbers as are assigned by the Lead Agency for purposes of identifying each contract and item awarded.
18. This Agreement shall be binding upon and inure to the benefit of the successors and assigns of the respective parties hereto.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be signed and executed by their authorized corporate officers and their respective seals to be hereto affixed the day and year above written.

FOR THE LEAD AGENCY

BY: _____
Patrick M Moran
Business Administrator/Board Secretary

ATTEST BY: _____
Name and Title

For: _____
Northwest Bergen County Utilities Authority

BY: _____
James Rotundo, Executive Director

ATTEST BY: _____
Alison Gordon

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

NO. 18-2020

DATE: February 18, 2020

**APPROVING CHANGE ORDER NO. 2 FOR
CONTRACT #271
AERATION BLOWER REPLACEMENT AND WASTE SLUDGE SYSTEM UPGRADE**

WHEREAS the Northwest Bergen County Utilities Authority (the "Authority") awarded Contract No. 271 – Aeration Blower Replacement and Waste Sludge System Upgrade Project ("the Project") to Coppola Services, Inc. ("the Contractor") on September 20, 2016; and

WHEREAS the Contractor has submitted a Change Order for the additional gate installation in the amount of \$22,602.80 as more particularly set forth in the Change Order attached hereto ("the Change Order"); and

WHEREAS the Authority's Engineer has reviewed the Contractor's Change Order and determined that the Change Order is necessary for this additional work; and

WHEREAS the Authority's Engineer has recommended that the Change Order be approved by the Authority; and

WHEREAS the Authority's Certifying Finance Officer has certified there are funds available for the payment of this change order.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Authority that Change Order No. 2, to Authority Contract No. 271, is approved, in the amount of \$22,602.80.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

NO. 18-2020

DATE: February 18, 2020

**APPROVING CHANGE ORDER NO. 2 FOR
CONTRACT #271
AERATION BLOWER REPLACEMENT AND WASTE SLUDGE SYSTEM UPGRADE**

I hereby certify that this is a true copy of a resolution adopted by the Board of Commissioners of the Northwest Bergen County Utilities Authority on February 18, 2020.


SECRETARY


CHAIRMAN

Recorded Vote:

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

Change Order Request

Coppola Services, Inc.
28 Executive Parkway
Ringwood, NJ 07456
Phone: 973-962-1890

Owner : NBCUA - AERATION BLOWER
30 WYCKOFF AVENUE
WALDWICK, NJ 07463

Project: 77. / NBCUA Aeration Blower and Waste Sludge System
30 WYCKOFF AVENUE AT AUTHORITY DRIVE
WALDWICK, NJ 07463

PCOType: PCO

Change Order Request # : 7 **Additional Gate Installation**

Item : 1 **Additional Gate Installation**

Phase	Description	Cost Type		Estimated Cost
15100.	Pipe/Fittings/Valves <i>3 days Coppola crew labor @ \$2,500/day</i>	1	L	7,500.00
3000.	Concrete - General <i>Core Drilling sub - (1) 18" diameter, 12" thick. No scaffold needed.</i>	3	M	3,000.00
	<i>Need min 3 hours estimated shutdown time.</i>			
11210.	Pumping Equipment <i>Pricing from Fontaine - see attached and advise if alternate is acceptable.</i>	3	M	8,180.00
	<i>Gate - \$3,690</i>			
	<i>Portable operator - \$2490</i>			
15100.	Pipe/Fittings/Valves <i>Misc materials - (grout, bolts))</i>	3	M	500.00
2316.	Machine/Crane Rental <i>3 Days Service Truck with Crane @ \$500/day</i>	5	E	1,500.00
	<i>Vector truck for well cleanout is EXCLUDED. NBCUA agreed to provide vector services as needed.</i>			
Subtotal Item		1		18,680.00

Cost Type Recap:		Amount
1 Labor		7,500.00
3 Material		9,680.00
5 Equipment		1,500.00
Subtotal Item		18,680.00

OVERHEAD	10.00%	1,868.00
PROFIT	10.00%	2,064.80

Requested Total For Item 1 **22,602.80**

Total For Change Order **22,602.80**

Approved By: NBCUA - AERATION BLOWER

Submitted By: Coppola Services, Inc.

Signed: _____

Signed: _____

Date: _____

Date: _____

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: 271 – Aeration Blower Replacement and Waste Sludge System Upgrade Project

VENDOR: Coppola Services, Inc.

AMOUNT: \$22,602.80

ACCOUNT NO.: 7000/6620

Date: February 18, 2020



James Rotundo, Certifying Finance Officer

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 19-2020

Date: February 18, 2020

APPROVAL OF CREATION OF NEW POSITION, ADMINISTRATOR OF SECURITY OPERATIONS AND HIRE OF JOHN CARROLL

WHEREAS, the Northwest Bergen County Utilities Authority (the "Authority") has determined that there presently exists the need to create a new position entitled "Administrator of Security Operations"; and

WHEREAS, N.J.S.A. 40:14B-1 provides, *inter alia*, that the Authority may "appoint and employ, such other agents and employees as it may require and determine their duties and compensation"; and

WHEREAS, the Administrator of Security Operations shall be responsible for effectuating and carrying out the procedures and policy as promulgated by the Executive Director to maintain the highest level of security at the Authority; and

WHEREAS, the duties and responsibilities of the Administrator of Security Operations are described in the Job Description which is made a part of this Resolution and is attached hereto; and

WHEREAS, the Administrator of Security Operations shall report to the Executive Director; and

WHEREAS, Mr. John Carroll has applied for the position of the Administrator of Security Operations; and

WHEREAS, the Authority has determined that Mr. Carroll is competent, qualified and experienced to perform this job and therefore desires to offer the position of the Administrator of Security Operations to Mr. John Carroll; and

WHEREAS, the Authority has determined on the basis of the foregoing to hire Mr. Carroll as the Administrator of Security Operations at an annual salary of sixty-five thousand dollars (\$65,000) and a hire date to be determined by the Executive Director; and

WHEREAS, there are sufficient funds available in the Authority budget for this new position.

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

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 19-2020

Date: February 18, 2020

APPROVAL OF CREATION OF NEW POSITION, ADMINISTRATOR OF SECURITY OPERATIONS AND HIRE OF JOHN CARROLL

1. Mr. John Carroll shall be and is hereby hired by the Authority as the Administrator of Security Operations to perform all those services, duties and responsibilities set forth in the Job Description – “Administrator of Security Operations” with a start date to be determined by the Executive Director.
2. Mr. Carroll shall be an employee at will and will be compensated at an annual salary of Sixty-Five Thousand Dollars (\$65,000).

I hereby certify that this is a true copy of a resolution adopted by the Board of Commissioners of the Northwest Bergen County Utilities Authority on February 18, 2020.


SECRETARY


CHAIRMAN

Recorded Vote:

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

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

Job Description: *Administrator of Security Operations, Mid-Management Level*

Summary

Under the direction of the Executive Director, develops, effectuates and carries out the procedures and policy as promulgated by the Executive Director to maintain the highest level of security at the Authority.

Responsibilities

- Responsible for the internal security activities of the NBCUA affecting all divisions and property.
- Conducts investigation of any infractions of rules/regulations by assigned personnel, visitors, and other individuals and ensures that appropriate action is taken.
- Maintains liaison relationships with external law enforcement agencies on matters of concern to the NBCUA
- Confers with representatives of management to formulate policies to determine need for security programs and coordinate security programs with other activities.
- Confers with representatives of all levels of government to ensure cooperation and coordinate between security activities and law enforcement.
- Responsible to establish and maintain direct communication with the New Jersey Office of Homeland Security and Preparedness to ensure compliance with the New Jersey Domestic Security Preparedness Act and other relevant guidelines.
- Responsible for compliance with all requirements of Federal/State Homeland Security Grant agreement(s).
- Responsible for support of Emergency Management protocols. Provides key operational linkage with other emergency response organizations and local and state agencies. Supports compliance with the facility emergency plan.

Requirements

- Experienced law enforcement officer, or equal.
- Experienced in security access/control and surveillance systems in industrial/commercial facilities.
- Experience in the development and implementation of Security Operational Plans for commercial and industrial facilities.
- Training and certifications in Emergency, Tactical and Investigative techniques.
- Hazardous Material Training.

[illegible]

[illegible]

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 23-2020

Date: February 18, 2020

APPOINTMENT OF HUMAN RESOURCES OFFICER, ALISON GORDON

WHEREAS, the State of New Jersey recently enacted the Domestic Violence Policy Act for Public Employers to set forth a uniform domestic violence policy for all public employers to adopt; and

WHEREAS, on February 18, 2020, the Northwest Bergen County Utilities Authority (hereinafter referred to as the "Authority") adopted the Domestic Violence Policy for Public Employers (hereinafter referred to as the "Policy"); and

WHEREAS, the Policy requires the Authority to designate two (2) Human Resources Officers (hereinafter referred to as HRO or HROs) to assist employees who are victims of domestic violence; and

WHEREAS, the HROs are required to complete training on responding to and assisting employees who are domestic violence victims in accordance with the Policy; and

WHEREAS, the Authority deems Alison Gordon eminently capable to perform the above described duties of the HRO; and

WHEREAS, Ms. Gordon shall be appropriately compensated for the performance of these additional duties.

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

1. Alison Gordon is hereby appointed as Human Resources Officer effective February 10, 2020.

Michael J. Higgins
CHAIRMAN

[illegible]

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 25-2020

Date: February 18, 2020

ADOPTION OF DOMESTIC VIOLENCE POLICY FOR PUBLIC EMPLOYERS

WHEREAS, the purpose of the State of New Jersey Domestic Violence Policy for Public Employers (hereinafter referred to as the "policy") is to set forth a uniform domestic violence policy for all public employers to adopt in accordance with N.J.S.A. 11A:2-6a; and

WHEREAS, the purpose of this policy is also to encourage employees who are victims of domestic violence, and those impacted by domestic violence, to seek assistance from their human resources officers and provide a standard for human resources officers to follow when responding to employees; and

WHEREAS, all employees of the Northwest Bergen County Utilities Authority (hereinafter referred to as the "Authority") are covered under this policy, including full and part-time employees, casual/seasonal employees, interns, volunteers and temporary employees at any workplace location; and

WHEREAS, the Authority has designated Primary and Secondary Human Resources Officers to assist employees who are victims of domestic violence; and

WHEREAS, the Primary and Secondary Human Resources Officers shall receive training on responding to and assisting employees who are domestic violence victims in accordance with the policy; and

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

1. The Authority hereby adopts the attached Domestic Violence Policy for Public Employers.
2. The Policy shall be distributed to all current and future employees.

[illegible]

DOMESTIC VIOLENCE POLICY FOR PUBLIC EMPLOYERS

Prepared for:

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

**DOMESTIC VIOLENCE POLICY FOR PUBLIC EMPLOYERS
NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

TABLE OF CONTENTS

PURPOSE	3
DEFINITIONS	3
PERSONS COVERED BY THIS POLICY	4
RESPONSIBILITY OF EMPLOYERS TO DESIGNATE A HUMAN RESOURCES OFFICER.....	4
DOMESTIC VIOLENCE REPORTING PROCEDURES	5
CONFIDENTIALITY POLICY	6
CONFIDENTIALITY OF EMPLOYEE RECORDS	7
THE NEW JERSEY SECURITY AND FINANCIAL EMPOWERMENT ACT.....	7
PUBLIC EMPLOYER DOMESTIC VIOLENCE ACTION PLAN	8
RESOURCES	9
DISTRIBUTION OF POLICY	9
POLICY MODIFICATION AND REVIEW	9
POLICY ENFORCEABILITY	10
POLICY INQUIRIES & EFFECTIVE DATE.....	10

DOMESTIC VIOLENCE POLICY FOR PUBLIC EMPLOYERS NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

PURPOSE

The purpose of the State of New Jersey Domestic Violence Policy for Public Employers (herein "policy") is to set forth a uniform domestic violence policy for all public employers to adopt in accordance with N.J.S.A. 11A:2-6a. The purpose of this policy is also to encourage employees who are victims of domestic violence, and those impacted by domestic violence, to seek assistance from their human resources officers and provide a standard for human resources officers to follow when responding to employees.

DEFINITIONS

The following terms are defined solely for the purpose of this policy:

Domestic Violence - Acts or threatened acts, that are used by a perpetrator to gain power and control over a current or former spouse, family member, household member, intimate partner, someone the perpetrator dated, or person with whom the perpetrator shares a child in common or anticipates having a child in common if one of the parties is pregnant. Domestic violence includes, but is not limited to the following: physical violence; injury; intimidation; sexual violence or abuse; emotional and/or psychological intimidation; verbal abuse; threats; harassment; cyber harassment; stalking; economic abuse or control; damaging property to intimidate or attempt to control the behavior of a person in a relationship with the perpetrator; strangulation; or abuse of animals or pets.

Abuser/Perpetrator - An individual who commits or threatens to commit an act of domestic violence, including unwarranted violence against individuals and animals. Other abusive behaviors and forms of violence can include the following: bullying, humiliating, isolating, intimidating, harassing, stalking, or threatening the victim, disturbing someone's peace, or destroying someone's property.

Human Resources Officer (HRO) –An employee of a public employer with a human resources job title, or its equivalent, who is responsible for orienting, training, counseling, and appraising staff. Persons designated by the employer as the primary or secondary contact to assist employees in reporting domestic violence incidents.

Intimate Partner - Partners of any sexual orientation or preference who have been legally married or formerly married to one another, have a child or children in common, or anticipate having a child in common if one party is pregnant. Intimate partner also includes those who live together or have lived together, as well as persons who are dating or have dated in the past.

Temporary Restraining Order (TRO) -A civil court order issued by a judge to protect the life,

DOMESTIC VIOLENCE POLICY FOR PUBLIC EMPLOYERS NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

health or well-being of a victim. TROs can prohibit domestic violence offenders from having contact with victims, either in person or through any means of communication, including third parties. TROs also can prohibit offenders from a victim's home and workplace. A violation of a TRO may be a criminal offense. A TRO will last approximately 10 business days, or until a court holds a hearing to determine if a Final Restraining Order (FRO) is needed. In New Jersey, there is no expiration of a FRO.

Victim - A person who is 18 years of age or older or who is an emancipated minor and who has been subjected to domestic violence by a spouse, former spouse, or any other person who is a present household member or was at any time a household member. A victim of domestic violence is also any person, regardless of age, who has been subjected to domestic violence by one of the following actors: a person with whom the victim has a child in common; a person with whom the victim anticipates having a child in common, if one of the parties is pregnant; and a person with whom the victim has had a dating relationship.

Workplace-Related Incidents- Incidents of domestic violence, sexual violence, dating violence, and stalking, including acts, attempted acts, or threatened acts by or against employees, the families of employees, and/or their property, that imperil the safety, well-being, or productivity of any person associated with a public employee in the State of New Jersey, regardless of whether the act occurred in or outside the organization's physical workplace. An employee is considered to be in the workplace while in or using the resources of the employer. This includes, but is not limited to, facilities, work sites, equipment, vehicles, or while on work-related travel.

PERSONS COVERED BY THIS POLICY

All employees of Northwest Bergen County Utilities Authority are covered under this policy, including full and part time employees, casual/seasonal employees, interns, volunteers and temporary employees at any workplace location.

RESPONSIBILITY OF EMPLOYERS TO DESIGNATE A HUMAN RESOURCES OFFICER

The Northwest Bergen County Utilities Authority hereby designates the following employees as the Primary HRO and Secondary HRO, to assist employees who are victims of domestic violence.

Primary HRO:

John Danubio, Assistant Executive Director

Tel: 551-238-0039, email address: jdandubio@nbcua.com

DOMESTIC VIOLENCE POLICY FOR PUBLIC EMPLOYERS NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

Secondary HRO:

Allson Gordon, Administrative Assistant

Tel: 551-238-0058, email address: agordon@nbcua.com

The designated Primary and Secondary HRO shall receive training on responding to and assisting employees who are domestic violence victims in accordance with this policy.

Managers and supervisors are often aware of circumstances involving an employee who is experiencing domestic violence. Managers and supervisors are required to refer any employee who is experiencing domestic violence or who report witnessing domestic violence to the designated HRO. Managers and supervisors must maintain confidentiality, to the extent possible, and be sensitive, compassionate, and respectful to the needs of persons who are victims of domestic violence.

The name and contact information of the designated HRO will be provided to all employees via distribution of this Policy.

This policy does not supersede applicable laws, guidelines, standard operating procedures, internal affairs policies, or New Jersey Attorney General Directives and guidelines that impose a duty to report. For example, if there is any indication a child may also be a victim, reporting is mandatory to the Department of Children and Families, Child Protection and Permanency, under N.J.S.A. 9:6-8.13.

DOMESTIC VIOLENCE REPORTING PROCEDURES

Employees who are victims of domestic violence are encouraged to seek immediate assistance from their HRO. Employees who have information about or witness an act of domestic violence against an employee, are encouraged to report that information to the designated HRO, unless the employee is required to report the domestic violence pursuant to applicable laws, guidelines, standard operating procedures, internal affairs policies, or New Jersey Attorney General directives and guidelines that impose a duty to report, in which case the employee must so report to the appropriate authority in addition to reporting to the designated HRO. Nothing in this policy shall preclude an employee from contacting 911 in emergency situations. Indeed, HROs shall remind employees to contact 911 if they feel they are in immediate danger.

Each designated HRO shall:

- A. Immediately respond to an employee upon request and provide a safe and confidential location to allow the employee to discuss the circumstances surrounding the domestic violence incident and the request for assistance.

**DOMESTIC VIOLENCE POLICY FOR PUBLIC EMPLOYERS
NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

- B. Determine whether there is an imminent and emergent need to contact 911 and/or local law enforcement.
- C. Provide the employee with resource information and a confidential telephone line to make necessary calls for services for emergent intervention and supportive services, when appropriate. The HRO or the employee can contact the appropriate Employee Assistance Program to assist with securing resources and confidential services.
- D. Refer the employee to the provisions and protections of The New Jersey Security and Financial Empowerment Act, N.J.S.A. 34:11C-1 et seq. (NJ SAFE Act), referenced under Section VIII of this policy.
- E. In cases where domestic violence involved a sexual touching or sexual assault between state employees, the HRO is also required to report the incident to their agency's EEO Officer or Title IX Officer, **Robert Genetelli, Superintendent**.
- F. If there is a report of sexual assault or abuse, the victim should be offered the services of the Sexual Assault Response Team:

YWCA of Bergen County
214 State Street, Suite 207
Hackensack, NJ 07601

24 Hr. Hotline: (201) 487-2227

- G. Maintain the confidentiality of the employee and all parties involved, to the extent practical and appropriate under the circumstances, pursuant to this policy. (See Section VI).
- H. Upon the employee's consent, the employee may provide the HRO with copies of any TROs, FROs, and/or civil restraint agreements that pertain to restraints in the work place and ensure that security personnel are aware of the names of individuals who are prohibited from appearing at the work location while the employee who sought the restraining order is present. All copies of TROs and FROs shall be maintained in a separate confidential personnel file.

CONFIDENTIALITY POLICY

In responding to reports of domestic violence, the HRO shall seek to maintain confidentiality to protect an employee making a report of, witnessing, or experiencing domestic violence, to the extent practical and appropriate under the circumstances and allowed by law. Thus, this policy does not supersede applicable laws, guidelines, standard operating procedures, internal affairs policies, or New Jersey Attorney General Directives and guidelines that impose a duty to report.

This confidentiality policy shall not prevent disclosure where to do so would result in physical harm to any person or jeopardize safety within the workplace. When information must be

DOMESTIC VIOLENCE POLICY FOR PUBLIC EMPLOYERS NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

disclosed to protect the safety of individuals in the workplace, the HRO shall limit the breadth and content of such disclosure to information reasonably necessary to protect the safety of the disclosing employee and others and comply with the law. The HRO shall provide advance notice to the employee who disclosed information, to the extent possible, if the disclosure must be shared with other parties in order to maintain safety in the workplace or elsewhere. The HRO shall also provide the employee with the name and title of the person to whom they intend to provide the employee's statement and shall explain the necessity and purpose regarding the disclosure. For example, if the substance of the disclosure presents a threat to employees, then law enforcement will be alerted immediately.

This policy does not supersede applicable laws, guidelines, standard operating procedures, internal affairs policies, or New Jersey Attorney General Directives and guidelines where mandatory reporting is required by the appointing authority or a specific class of employees.

CONFIDENTIALITY OF EMPLOYEE RECORDS

To ensure confidentiality and accuracy of information, this policy requires the HRO to keep all documents and reports of domestic violence in confidential personnel file separate from the employee's other personnel records. These records shall be considered personnel records and shall not be government records available for public access under the Open Public Records Act. See N.J.S.A. 47:1A-10.

THE NEW JERSEY SECURITY AND FINANCIAL EMPOWERMENT ACT

The New Jersey Security and Financial Empowerment Act, N.J.S.A. 34:11C-1, et seq. (NJ SAFE Act), is a law that provides employment protection for victims of domestic or sexual violence.

The NJ SAFE Act allows a maximum of 20 days of unpaid leave in one 12-month period, to be used within 12 months following any act of domestic or sexual violence. To be eligible, the employee must have worked at least 1,000 hours during the 12-month period immediately before the act of domestic or sexual violence. Further, the employee must have worked for an employer in the State that employs 25 or more employees for each working day during 20 or more calendar weeks in the current or immediately preceding calendar year. This leave can be taken intermittently in days, but not hours.

Leave under the NJ SAFE Act may be taken by an employee who is a victim of domestic violence, as that term is defined in N.J.S.A. 2C:25-19 and N.J.S.A. 30:4-27.6, respectively. Leave may also be taken by an employee whose child, parent, spouse, domestic partner, civil union partner, or other relationships as defined in applicable statutes is a victim of domestic or sexual violence.

DOMESTIC VIOLENCE POLICY FOR PUBLIC EMPLOYERS NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

Leave under the NJ SAFE Act may be taken for the purpose of engaging in any of the following activities, for themselves, or a child, parent, spouse, domestic partner, or civil union partner, as they relate to an incident of domestic or sexual violence:

- 1) Seeking medical attention;
- 2) Obtaining services from a victim services organization;
- 3) Obtaining psychological or other counseling;
- 4) Participating in safety planning, temporarily or permanently relocating, or taking other actions to increase safety;
- 5) Seeking legal assistance or remedies to ensure health and safety of the victim; or
- 6) Attending, participating in, or preparing for a criminal or civil court proceeding relating to an incident of domestic or sexual violence.

The full text of the New Jersey SAFE Act is provided in the Appendix to this policy.

PUBLIC EMPLOYER DOMESTIC VIOLENCE ACTION PLAN

Northwest Bergen County Utilities Authority has developed the following action plan to identify, respond to, and correct employee performance issues that are caused by domestic violence, pursuant to N.J.S.A. 11A:2-6a, and in accordance with the following guidelines:

- A. Designate an HRO with responsibilities pursuant to Sections IV and V of this policy.
- B. Recognize that an employee may need an accommodation as the employee may experience temporary difficulty fulfilling job responsibilities.
- C. Provide reasonable accommodations to ensure the employee's safety. Reasonable accommodations may include, but are not limited to, the following: implementation of safety measures; transfer or reassignment; modified work schedule; change in work telephone number or work-station location; assistance in documenting the violence occurring in the workplace; an implemented safety procedure, or other accommodation approved by the employer.
- D. Advise the employee of information concerning the NJ SAFE Act; Family and Medical Leave Act (FMLA); or Family Leave Act (FLA); Temporary Disability Insurance (TOI); or Americans with Disabilities Act (ADA); or other reasonable flexible leave options when an employee, or his or her child, parent, spouse, domestic partner, civil union partner, or other relationships as defined in applicable statutes is a victim of domestic violence.
- E. Commit to adherence to the provisions of the NJ SAFE Act, including that the employer will not retaliate against, terminate, or discipline any employee for reporting information about incidents of domestic violence, as defined in this policy, if the victim provides notice to their Human Resources Office of the status or if the Human Resources Office has reason to believe an employee is a victim of domestic violence.
- F. Advise any employee, who believes he or she has been subjected to adverse action as

DOMESTIC VIOLENCE POLICY FOR PUBLIC EMPLOYERS NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

a result of making a report pursuant to this policy, of the civil right of action under the NJ SAFE ACT. And advise any employee to contact their designated Labor Relations Officer, Conscientious Employees Protection Act (CEPA) Officer and/or Equal Employment Opportunity Officer in the event they believe the adverse action is a violation of their collective bargaining agreement, the Conscientious Employees Protection Act or the New Jersey Law Against Discrimination and corresponding policies.

- G. Employers, their designated HRO, and employees should familiarize themselves with this policy. This policy shall be provided to all employees upon execution and to all new employees upon hiring. Information and resources about domestic violence are encouraged to be placed in visible areas, such as restrooms, cafeterias, breakrooms, and where other resource information is located.

RESOURCES

This policy provides an Appendix listing resources and program information readily available to assist victims of domestic violence. These resources should be provided by the designated HRO to any victim of domestic violence at the time of reporting.

DISTRIBUTION OF POLICY

Primary and/or Secondary Human Resources Officer will be responsible for distributing this policy to employees, volunteers, and other employees identified above.

Primary and/or Secondary Human Resources Officer will be responsible for updating this policy at least annually to reflect circumstances changes in the organization.

Primary and/or Secondary Human Resources Officer will be responsible for monitoring The Civil Service Commission and the Division of Local Government Services in the Department of Community Affairs for modifications thereto, to public employers.

OTHER APPLICABLE REQUIREMENTS

In addition to this policy, the HRO and the public employer's appointing authority must follow all applicable laws, guidelines, standard operating procedures, internal affairs policies, and New Jersey Attorney General Directives and guidelines that impose a duty to report. Additionally, to the extent that the procedures set forth in this policy conflict with collective negotiated agreements or with the Family Educational Rights and Privacy Act (FERPA), the provisions of the negotiated agreements and the provisions of FERPA control.

POLICY MODIFICATION AND REVIEW

DOMESTIC VIOLENCE POLICY FOR PUBLIC EMPLOYERS NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

A public employer may seek to modify this policy, to create additional protocols to protect victims of domestic violence but may not modify in a way that reduces or compromises the safeguards and processes set out in this policy.

The Civil Service Commission will review and modify this policy periodically and as needed.

POLICY ENFORCEABILITY

The provisions of this policy are intended to be implemented by the Civil Service Commission. These provisions do not create any promises or rights that may be enforced by any persons or entities.

POLICY INQUIRIES & EFFECTIVE DATE

Any questions concerning the interpretation or implementation of this policy shall be addressed to the Chair/Chief Executive Officer of the Civil Service Commission, or their designee. This policy shall be enforceable upon the HRO's completion of training on this policy.

STATE OF NEW JERSEY
DOMESTIC VIOLENCE POLICY FOR PUBLIC EMPLOYERS

APPENDIX

I. RESOURCES AND ADVOCACY INFORMATION

Statewide Domestic Violence Hotline 1-800-572-SAFE (7233).

Guide to Services for Victims of Domestic Violence

**NJ Division on Women
Department of Children and Families
50 East State Street
PO Box 729
Trenton, NJ 08625-0729
Phone: (609) 888-7164**

Web: <https://www.nj.gov/dcf/women/>

New Jersey Coalition to End Domestic Violence

1670 Whitehorse-Hamilton Square Road • Trenton, New Jersey 08690-3541
24HR Helpline: 800-572-7233 / DV Legal Helpline: 844-403-2111 / VP: 609-434-3838
info@njcedv.org Training Institute <https://www.njcedv.org/>

The New Jersey Coalition to End Domestic Violence (NJCEDV) is a statewide coalition of domestic violence service programs and concerned individuals whose purpose and mission is to end domestic violence in New Jersey. NJCEDV performs its work through advocacy for survivors of domestic violence; collaboration with state agencies and its member programs; education and training; and technical assistance for its members and the community.

Futures Without Violence

FUTURES has been providing groundbreaking programs, policies, and campaigns that empower individuals and organizations working to end violence against women and children around the world. <https://www.futureswithoutviolence.org/>

Washington, DC Office
1320 19th St. NW
Suite 401
Washington, D.C. 20036
Phone: (202) 595-7382

II. LAWS PROTECTING VICTIMS OF DOMESTIC VIOLENCE

The State of New Jersey Policy on Discrimination in the Workplace. Under this policy, forms of employment discrimination or harassment based upon the following protected categories are prohibited and will not be tolerated: race, creed, color, national origin, nationality, ancestry, age, sex/gender (including pregnancy), marital status, civil union status, domestic partnership status, familial status, religion, affectional or sexual orientation, gender identity or expression, atypical hereditary cellular or blood trait, genetic information, liability for service in the Armed Forces of the United States, or disability.

<https://www.state.nj.us/csc/about/divisions/eeo/laws.html>

The New Jersey Law Against Discrimination (N.J.S.A. 10:5-12) (LAD) makes it unlawful to subject people to differential treatment based on race, creed, color, national origin, nationality, ancestry, age, sex (including pregnancy), familial status, marital status, domestic partnership or civil union status, affectional or sexual orientation, gender identity or expression, atypical hereditary cellular or blood trait, genetic information, liability for military service, and mental or physical disability, perceived disability, and AIDS and HIV status. The LAD prohibits unlawful discrimination in employment, housing, places of public accommodation, credit and business contracts. Not all of the foregoing prohibited bases for discrimination are protected in all of these areas of activity. For example, familial status is only protected with respect to housing. The Division has promulgated regulations that explain that a place of public accommodation must make reasonable modifications to its policies, practices or procedures to ensure that people with disabilities have access to public places. The regulations also explain that under the LAD, these reasonable accommodations may include actions such as providing auxiliary aides and making physical changes to ensure paths of travel.

The Application of Title VII and the ADA to Applicants or Employees Who Experience Domestic or Dating Violence, Sexual Assault, or Stalking: Questions and Answers

https://www.eeoc.gov/eeoc/publications/ga_domestic_violence.cfm

New Jersey SAFE Act

The New Jersey Security and Financial Empowerment Act ("NJ SAFE Act"), P.L. 2013, c.82, provides that certain employees are eligible to receive an unpaid leave of absence, for a period not to exceed 20 days in a 12-month period, to address circumstances resulting from domestic violence or a sexually violent offense. To be eligible, the employee must have worked at least 1,000 hours during the immediately preceding 12-month period. Further, the employee must have worked for an employer in the State that employs 25 or more employees for each working day during each of 20 or more calendar workweeks in the then-current or immediately preceding calendar year.

Leave under the NJ SAFE Act may be taken by an employee who is a victim of domestic violence, as that term is defined in N.J.S.A. 2C:25-19, or a victim of a sexually violent offense, as that term is defined in N.J.S.A. 30:4-27.6. Leave may also be taken by an employee whose child, parent, spouse, domestic partner, or civil union partner is a victim of domestic violence or a sexually violent offense.

Leave under the NJ SAFE Act may be taken for the purpose of engaging in any of the following activities as they relate to an incident of domestic violence or a sexually violent offense:

- (1) Seeking medical attention for, or recovering from, physical or psychological injuries caused by domestic or sexual violence to the employee or the employee's child, parent, spouse, domestic partner or civil union partner**
- (2) Obtaining services from a victim services organization for the employee or the employee's child, parent, spouse, domestic partner, or civil union partner**
- (3) Obtaining psychological or other counseling for the employee or the employee's child, parent, spouse, domestic partner or civil union partner**
- (4) Participating in safety planning, temporarily or permanently relocating, or taking other actions to increase the safety from future domestic violence or sexual violence or to ensure the economic security of the employee or the employee's child, parent, spouse, domestic partner or civil union partner**
- (5) Seeking legal assistance or remedies to ensure the health and safety of the employee or the employee's child, parent, spouse, domestic partner, or civil union partner, including preparing for or participating in any civil or criminal legal proceeding related to or derived from domestic violence or sexual violence; or**
- (6) Attending, participating in or preparing for a criminal or civil court proceeding relating to an incident of domestic or sexual violence of which the employee or the employee's child, parent, spouse, domestic partner, or civil union partner, was a victim.**

Leave under the NJ SAFE Act must be used in the 12-month period immediately following an instance of domestic violence or a sexually violent offense. The unpaid leave may be taken intermittently in intervals of no less than one day. The unpaid leave shall run concurrently with any paid vacation leave, personal leave, or medical or sick leave that the employee elects to use or which the employer requires the employee to use during any part of the 20-day period of unpaid leave. If the employee requests leave for a reason covered by both the NJ SAFE Act and the Family Leave Act, N.J.S.A. 34:11B-1 et seq., or the federal Family and Medical Leave Act, 20 U.S.C. 2601 et seq., the leave shall count simultaneously against the employee's entitlement under each respective law.

Employees eligible to take leave under the NJ SAFE Act must, if the necessity for the leave is foreseeable, provide the employer with written notice of the need for the leave. The employee must provide the employer with written notice as far in advance as reasonable and practicable under the circumstances. The employer has the right to require the employee to provide the employer with documentation of the domestic violence or sexually violent offense that is the basis for the leave. The employer must retain any documentation provided to it in this manner in the strictest confidentiality, unless the disclosure is voluntarily authorized in writing by the employee or is authorized by a federal or State law, rule or regulation.

The NJ SAFE Act also prohibits an employer from discharging, harassing or otherwise discriminating or retaliating or threatening to discharge, harass or otherwise discriminate against an employee with respect to the compensation, terms, conditions or privileges of employment on the basis that the employee took or requested any leave that the employee was entitled to under the NJ SAFE Act, or on the basis that the employee refused to authorize the release of information deemed confidential under the NJ SAFE Act.

To obtain relief for a violation of the NJ SAFE Act, an aggrieved person must file a private cause of action in the Superior Court within one year of the date of the alleged violation.

<https://nj.gov/labor/>

AD-289 (9/13)

III. RESOURCES

The Department of Children and Families Office of Domestic Violence Services (ODVS) funds 23 domestic violence programs and the New Jersey Coalition to End Domestic Violence. There is at least one DCF-funded domestic violence program in each of New Jersey's 21 counties.

The [Office of Domestic Violence Services](#) funds domestic violence services that serve the needs of victims in every county. Services for survivors, victims, and their families include emergency shelters, 24-hour hotlines, counseling, children's services, and financial, housing and legal advocacy.

The [Office of the Prevention of Violence Against Women](#) funds services that serve the needs of sexual assault victims and sexual violence prevention programs in every county. Services include a 24-hour hotline, crisis counseling, accompaniments by a confidential sexual violence advocate, and financial, housing and legal advocacy.

Through displaced homemaker programs, the [Office of Support, Employment, and Training](#) helps individuals gain or upgrade their skills for today's work force and become economically self-sufficient. Individuals can attend short term educational or training programs.

DOW Services

- Funds, monitors, and evaluates programs for the advancement of women
- Develops new programs to serve women
- Refers women to direct service providers
- Provides information on women's issue to the public
- Provides technical assistance to agencies representing women
- Represents women on boards, commissions, councils, committees, and task forces and provides input and recommendations on issues pertaining to the Division's Mission

The Family and Community Partnerships/Division on Women

Community Program Directory

<https://www.nj.gov/dcf/familles/dcfcp/DFCPDirectory.pdf>

This FCP/DOW Community Program Directory represents an ongoing commitment by DCF to increase access to resources that are designed to strengthen families, prevent child abuse or neglect, and empower survivors of domestic and sexual violence. The services identified in this Directory are funded by DCF's Family and Community Partnerships, a grant-making and best practices team committed to strengthening New Jersey's families. The directory receives continuous updates online as additional resources for families become available or as changes occur.

Other Programs in New Jersey through the Division on Women Office of Domestic Violence Services :

To find domestic violence resources by county, click on the related link to view [DFCP/DOW's Community Program Directory](#).

For more information, contact DOW at DOW@dcf.state.nj.us or at 609-888-7164.
<http://www.nj.gov/dcf/women/domestic/>

Legal Services

Legal Services of New Jersey and Central Jersey Legal Services

New Jersey Legal Services assists victims who cannot afford legal advice and/or representation. Assistance includes referral, advice, brief assistance, preparation of a letter or routine legal document, extended representation, and technical assistance. The program also offers training to domestic violence legal advocates, programs, attorneys and others.

Legal Services of New Jersey Domestic Violence Representation Project:

(888) LSNJ-LAW (888) 576-5529

Central Jersey Legal Services (908) 354-4340

Website: www.LSNJLawHotline.org

Culturally Specific Services

Bolo Behen (Speak Sister)

Bolo Behen works with different faith-based leaders throughout Hudson County, collaborating with leaders of temples, mosques, Islamic centers, Gurudwaras, and more. Bolo Behen facilitates groups called Community Chai where women can come and express their problems and concerns openly, comfortably, and without fear. People listen to each other's story and offer support. Services are based on a holistic approach that addresses the large range of client needs. Using culturally and linguistically appropriate methods, Bolo Behen builds trust with clients and creates an environment where South Asian women feel safe, respected, and understood.

24/7 Bilingual Hotline: (201) 795-5757

Project S.A.R.A.H (Stop Abusive Relationships at Home)

Project S.A.R.A.H. is a program that works to overcome cultural, legal, and religious barriers confronting victims of domestic violence and sexual abuse. Project S.A.R.A.H. operates within an environment that is sensitive to a victim's cultural and religious needs, serving as a bridge between abuse victims in the Orthodox community and support systems and resources. Project S.A.R.A.H. works closely with rabbis and rebbetzins, kallah teachers and mikvah attendants, camp directors and school administrators, parents, and the general public to keep the community safe for everyone. The program provides therapeutic interventions that enable victims to process the often unspeakable trauma they experienced and restore them toward fully functional and productive lives. Project S.A.R.A.H. connects victims and survivors with a broad array of services, including pro bono legal consultations, evaluations, individual and group therapy, psychiatric services, as well as emotional, financial and vocational support.

Confidential Hotline: (973) 777-7638.

Special Initiatives**Address Confidentiality Program**

The New Jersey Address Confidentiality Program (ACP) assists individuals who, as a result of domestic violence, have relocated for their safety. This program limits the access to personal information that would reveal the new location of an ACP participant. ACP provides eligible victims of domestic violence with a substitute address that has no connection to their actual location. This substitute mailing address may be used when creating a new record with state or local government agencies.

New Jersey Address Confidentiality Program (ACP) Hotline 1 (877) 218-9133 Toll Free-Non-Emergency

The New Jersey Address Confidentiality Program Hotline provides services including – but not limited to – access to domestic violence information and referral services, including application procedures, and advocacy.

State of New Jersey**Department of Law and Public Safety****Office of the Attorney General****NJ State Police Victim Services Unit:**

The Victim Services Unit will coordinate with State, County, and Municipal agencies to develop and implement domestic violence and sexual violence training programs, and continue to effectively work with road troopers to enhance training on the proper handling of these types of crimes.

<https://www.njsp.org/division/operations/domestic-violence-info.shtml>

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 26-2020

Date: February 18, 2020

**AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF
BERGEN, DEPARTMENT OF HEALTH SERVICES FOR PARTICIPATION IN THE
EMPLOYEE ASSISTANCE PROGRAM**

WHEREAS, the County of Bergen is a body politic and corporate of the State of New Jersey; and

WHEREAS, Northwest Bergen County Utilities Authority (hereinafter referred to as the "Authority") is an Authority Corporation of the State of New Jersey; 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 to reduce local expenses funded by property tax payers; and

WHEREAS, the Bergen County Department of Health Services (hereinafter, referred to as "BCDHS") coordinates and assures the preservation, protection and promotion of essential public health services and seeks to assist authorities with their public health obligations for services set forth in the appendix of the Shared Services Agreement (hereinafter referred to as the "Agreement") attached hereto; and

WHEREAS, the Authority desires to contract for the furnishing of health services of a technical and professional nature by the BCDHS to the Authority, pursuant to N.J.S.A. 26:3A2-1 et seq.; and

WHEREAS, the services to be provided by the BCDHS to the Authority shall be the Employee Assistance Program, which is greater described in the Agreement; and

WHEREAS, this Agreement shall be in effect for a duration of one (1) year commencing January 1, 2020 and ending December 31, 2020; and

WHEREAS, the cost of this service is \$21.80 per employee for the year 2020; and

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

1. The Authority is hereby authorized to enter into a Shared Services Agreement with the County of Bergen, Department of Health Services for the provision of the Employee Assistance Program for the period of January 1, 2020 through December 31, 2020 at a rate of \$21.80 per employee.

[illegible]



**BERGEN COUNTY DEPARTMENT OF HEALTH
SERVICES**

**PUBLIC HEALTH
SHARED-SERVICES AGREEMENT
with
Northwest BC Utilities Authority (NBCUA)**

THIS AGREEMENT, made on _____, by and between the:

COUNTY OF BERGEN, a body politic and corporate of the State of New Jersey, with administrative offices at One Bergen County Plaza, Hackensack, New Jersey 07601-7076, hereinafter referred to as the "County"

And the Northwest BC Utilities Authority (NBCUA), an independent agency authorized by the State of New Jersey (NJSA 40:14b) herein referred to as the "Authority"

WITNESSETH

WHEREAS, the County of Bergen ("County") is a body politic and corporate of the State of New Jersey; and

WHEREAS, Northwest BC Utilities Authority (NBCUA) ("Authority") is a Authority Corporation of the State of New Jersey; and

WHEREAS, the Uniform Shared Services and Consolidation Act (N.N.S.A._40A:65-1 et seq) promotes the broad use of shared services to reduce local expenses funded by property tax payers; and

WHEREAS, the Bergen County Department of Health Services (herinafter, referred to as "BCDHS") coordinates and assures the preservation, protection and promotion of essential public health services and seeks to assist authorities with their public health obligations for services set forth in the attached Appendix; and

WHEREAS, N.J.A.C. 8:52 et seq. incorporates the Public Health Practice Standards of Performance for Local Boards of Health in New Jersey and enables the development of an integrated, coordinated Public Health System at the local, county and state levels; and

WHEREAS, N.J.A.C. 8:52 et seq. incorporates the roles and responsibilities of the local boards of health with needed local and regional capacity at a county level; and

WHEREAS, N.J.A.C. 8:52 et seq. includes the State Sanitary Code and nursing services including infectious disease prevention, surveillance and control, as well as school immunization auditing; and

WHEREAS, the County offers comprehensive Animal Control and sheltering services, N.J.A.C. Title 8; N.J.S.A. 52:4.3 and the rabies statutes, N.J.S.A., Chapter 19, Article 3 and Chapter 23A Facility Operations and N.J.A.C. 8:23A Veterinary Public Health 1.9 Disease Control; and

WHEREAS, The Bergen County Department of Health Services is approved and registered by the NJ Department of Environmental Protection (NJDEP) to collect and dispose of solid waste (animal carcasses) pursuant to N.J.A.C. 7:26-3.2(a) and N.J.A.C. 7:26-3.2 (a) 2; and

WHEREAS, All Bergen County Department of Health Services Animal Control vehicles display a current NJDEP decal and NJDEP Solid Waste Registration and carry the current Registration Certificate in the vehicle cab N.J.A.C. 7:26-3.4 (h); and

WHEREAS, the Authority desires to contract for the furnishing of health services of a technical and professional nature by the BCDHS to the Authority, pursuant to N.J.S.A. 26:3A2-1 *et seq* and as further specified herein; and

WHEREAS, Bergen County Freeholder Resolution #1520-15 adopted on December 21, 2015, authorized the County's shared-services to participating authorities to assist them with their public health obligations; and

WHEREAS, the Bergen County Freeholder Resolution #1520-15 adopted on December 21, 2015 authorized the County Executive to enter into an agreement with the participating authorities; and

WHEREAS, the Northwest BC Utilities Authority (NBCUA) adopted a resolution dated _____ authorizing its designee to enter into an agreement with the Bergen County Department of Health Services for the services set forth herein; and

NOW THEREFORE BE IT RESOLVED, that in consideration of the premises, and of the covenants, terms and conditions hereinafter set forth, the parties agree as follows:

The Northwest BC Utilities Authority (NBCUA) shall contract with the BCDHS for the following Shared Services:

Employee Assistance Program

The Authority shall be obliged for and agree as follows:

1. Payments:

- a. The Authority shall pay the BCDHS according to the enclosed schedule for the current agreement. Invoicing for fixed payment amounts shall be made semi-annually with the first payment due no later than the 15th day of May and covering the timeframe of January through June and the second payment due no later than the last business day of November and covering the timeframe of July through December.
- b. For services based on an hourly rate or per unit service charge, the BCDHS will invoice three times per year for the timeframes of January through May, June through October, and November through December of each year. The January thru May invoice will be due no later than the 15th day of May and the June through October invoice will be due no later than the last business day of November. The November through December invoice will be due no later than the last business day of January.

2. Public Health Staff/Contracted Vendors:

- a. The public health staff/contracted vendors at the local level will be responsible for timely communication of all emergencies, (e.g. communicable disease, disaster information) information directly to the BCDHS Health Officer or designee and comply with any request for written reports by the BCDHS Health Officer in order to assure best practices and consistency and continuity of services.
- b. Contracted vendors of the authorities will be responsible for communicating (via phone, fax, and/or e-mail), documenting, and

reporting to the County all public health activities conducted by them. They are also required to maintain complete confidentiality on any interventions.

3. Hold Harmless:

- a. The Authority shall defend, indemnify, protect and save harmless the BCDHS and its officers, agents, servants, and employees from and against any and all suits, claims, demands or damages of any kind or nature, arising out of, or claimed to arise out of, any act, error or omission of the Authority, its consultants, contractors, agents, servants and employees including, but not limited to, expenditures for investigation, legal defense, settlement and/or judgment. Any health-related function or activity not within the scope of the of the health officer license shall be the sole responsibility of the Authority and the Authority shall indemnify and hold harmless the County from any such activity.
- b. Further, the Authority shall be responsible for and shall indemnify County and its employees for all costs, injuries or damages, suffered by any County employee while performing his/her duties as a County employee on behalf of the Authority pursuant to the terms and conditions of this Agreement. This indemnification shall also apply to any damages suffered to any County property or equipment while in use under the terms and conditions of this Agreement. Any damages or injuries suffered by County employees or County property caused solely by the negligence of the County employee shall be the sole responsibility of the County.

4. Miscellaneous:

- a. Entire Agreement This Agreement, including any Exhibits and Addenda attached hereto, contain the sole and entire Agreement between the parties and supersedes all negotiations and prior agreements or understandings between the parties, whether oral or written. The Parties acknowledge and agree that they have not made any representations, including the execution and delivery hereof, except such representations as are specifically set forth herein. The Parties agree that prior to the commencement of any litigation due to a dispute between the Parties under this Agreement, the Parties shall agree to first commence a non-binding mediation process to attempt to resolve said disputes. Mediation shall be before a mutually acceptable retired Superior Court Judge from Bergen County and the Parties agree to follow the mediation process as set forth by the Judge.

mediation process to attempt to resolve said disputes. Mediation shall be before a mutually acceptable retired Superior Court Judge from Bergen County and the Parties agree to follow the mediation process as set forth by the Judge.

- b. Force Majeure Neither party shall be liable for any failure or delay in the performance of its respective obligations hereunder if and to the extent that such delay or failure is due to a cause or circumstance beyond the reasonable control of such party, including, without limitation, fire, flood, earthquake, hurricane, tornado, "Acts of God," epidemics, war (declared or not), riots, disturbances, terrorism, embargos, strikes, lockouts, shutdowns, slowdowns, or acts of public authority.
- c. General This Agreement shall be construed and enforced in accordance with the laws of the State of New Jersey, including the New Jersey Tort Claim Act, N.J.S.A. 59:1-2 et seq., and the New Jersey Contractual Liability Act, N.J.S.A. 59:13 et seq. without regard to its conflict of law principles. All disputes arising out of this Agreement shall be resolved in the Courts of the State of New Jersey.
- d. No Waiver The failure of either party at any time to require performance by the other party of any provision of this Agreement shall in no way affect the right to require such performance at any time thereafter, nor shall the waiver by either party of a breach waive any succeeding breach of such provision or waive the enforcement of the provision itself.
- e. No Third Party Beneficiaries Nothing contained herein shall be construed so as to create rights in any third party

2. Duration, Cancellation & Amendments

- a. Term: The BCDHS shall provide the services specified herein from January 1, 2020 through December 31, 2020.
- b. Termination: This Agreement shall be automatically renewed at the then current rate. Notice of Intent to terminate this agreement must be provided by the municipality to BCDHS with one hundred twenty days (120) days written notice (with proof of delivery) prior to the expiration of the current Agreement.

BCDHS shall notify the Municipality of any changes in the terms of this Agreement, including but not limited to changes in fees and/or services, at least one hundred and twenty (120) days prior to the expiration of the current term.

This Agreement may also be terminated, with or without cause by any party, with one hundred and twenty (120) days written notice (with proof of delivery) to the other party.

6. Attachments

a. Appendix A for each contracted Shared Service:

A-1 Employee Assistance Program

b. County Freeholders Resolution #1520-15 adopted December 21, 2015

c. Municipality Resolution # _____ adopted _____

d. Payments Schedule

**BERGEN COUNTY DEPARTMENT OF HEALTH SERVICES
SHARED-SERVICE AGREEMENT
COST SUMMARY for
Northwest BC Utilities Authority (NBCUA)**

CONTRACT TERM LENGTH: 1 year

DURATION: 01/01/20 - 12/31/20

EAP/SAP

Year	Employees	Rate	Total
2020	53	\$21.80	\$1,155.40

Agreement Totals

Year	Total
2020	\$1,155.40

APPENDIX A-1 EMPLOYEE ASSISTANCE PROGRAM

Employee Assistance Program/Substance Abuse Professional

The Employee Assistance Program (EAP) / Substance Abuse Professional (SAP) provides confidential assessments, referrals, and monitoring to employees for such personal matters as family and marital relations, legal and financial difficulties, substance abuse, and other personal problems that are interfering with their job performance.

A Licensed Clinical Social Worker (LCSW) and Licensed Clinical Alcohol and Drug Counselor (LCADC) will provide the employee with an assessment, referral, and coordination of services.

An employee can choose to access the EAP voluntarily or may be referred by a supervisor based on job performance problems. When an employee volunteers their participation, it will remain absolutely confidential. If an employee is referred by management, the EAP will have the employee sign a release of information allowing the supervisor to know if the employee is complying with EAP recommendations. The EAP does not impart to management details surrounding the employee's counseling plan.

The service also includes access to a qualified SAP (Substance Abuse Professional). The SAP conforms to the US Department of Transportation, Office of Drug and Alcohol Policy and Procedure based on 49CFR Part 40 Federal Rules and Regulations governing drugs and alcohol testing for safety-sensitive transportation employees. These employees usually hold a CDL (Commercial Driver's License) and must be referred to an SAP if they test positive for drugs or alcohol. SAP services include the federally mandated assessment, interview, referral and return to duty recommendation reports to management when a CDL employee yields a positive drug test or blood alcohol content (BAC) reading above 0.039.

During the term of the contract, EAP/SAP staff will be available for one orientation training with municipal managers/supervisors at a location selected by the municipality and at a mutually agreeable date and time. A training manual will be provided to each manager/supervisor.

During the term of the contract, EAP/SAP will be available for one staff orientation for covered municipal employees at a location selected by the municipality and at a mutually agreeable date and time. Each covered employee will receive a program brochure detailing the EAP program.

SIGNATURES

IN WITNESS WHEREOF, the County of Bergen, and Northwest BC Utilities Authority (NBCUA) have caused this Agreement to be signed and their corporate seals to be hereunto affixed, pursuant to duly adopted resolutions of their governing bodies, passed for that purpose. *Respective seals to be affixed.*

PLEASE PLACE MUNICIPAL SEAL OVER ATTESTING SIGNATURE

ATTESTING SIGNATURE:

MUNICIPALITY

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Date: _____

COUNTY OF BERGEN SIGNATURES BELOW:

ATTESTING SIGNATURE:

By: _____

By: _____

**James J. Tedesco III,
County Executive**

or

Julien X. Neals

County Counsel/Acting County Administrator

Date: _____

PAYMENTS SCHEDULE
Northwest BC Utilities Authority (NBCUA)

2020 Schedule of Services and Fees

The County shall perform the services set forth in the attached Appendix A as specified below:

1. Employee Assistance Program	\$	1,155.40
TOTAL AGREEMENT 2020 COST PER ANNUM:	\$	1,155.40

[illegible]

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY
MEETING SCHEDULE FOR 2020

Regularly scheduled meetings and Work Sessions will take place on the 3rd Tuesday of the month at 7:00pm at the Authority Offices located at 30 Wyckoff Avenue, Waldwick, New Jersey, unless otherwise noted with an asterisk on the schedule outlined below.

Month	Work Session & Regular Meetings	Notes
March	17th	
April	21st	
May	19th	
June	16th	
July	21st	
August	No meetings scheduled	
September	15th	
October	20th	A special meeting will be held to adopt the 2021 Introduced Budget
November	10th*	*2 nd Tuesday of the month
December	8th *	*2 nd Tuesday of the Month Public Hearing for 2021 Budget will be held this day.
January 2021	12th *	*2 nd Tuesday of the month
February 2021	16th	Reorganization Meeting

[illegible]

[illegible]

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 30-2020

Date: February 18, 2020

**RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED
STATE CONTRACT VENDORS FOR CONTRACTING UNITS
PURSUANT TO N.J.S.A.40A:11-12a**

WHEREAS, the Northwest Bergen County Utilities Authority, pursuant to N.J.S.A.40A:11-12a and N.J.A.C.5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Northwest Bergen County Utilities Authority has the need on a timely basis to purchase goods or services utilizing State contracts; and

WHEREAS, the Northwest Bergen County Utilities Authority intends to enter into contracts with the attached Referenced State Contract Vendors, but not limited to the attached, through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts.

NOW, THEREFORE, BE IT

RESOLVED, by the Commissioners of the Northwest Bergen County Utilities Authority the following:

1. The Northwest Bergen County Utilities Authority authorizes the Purchasing Agent to purchase certain goods or services from those approved New Jersey State Contract Vendors on the attached list, but not limited to the attached, pursuant to all conditions of the individual State contracts; and
2. The governing body of the Northwest Bergen County Utilities Authority pursuant to N.J.A.C.5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Financial Officer; and

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

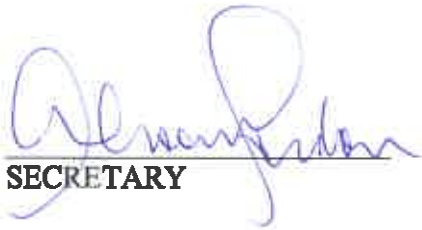
No. 30-2020

Date: February 18, 2020

**RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED
STATE CONTRACT VENDORS FOR CONTRACTING UNITS
PURSUANT TO N.J.S.A.40A:11-12a**

3. The duration of the contracts between the Northwest Bergen County Utilities Authority and the Referenced State Contract Vendors shall be from January 1, 2020 to December 31, 2020.

IT IS HEREBY CERTIFIED that this is a true copy of a Resolution adopted by the Board of Commissioners of the Northwest Bergen County Utilities Authority on February 18, 2020.


SECRETARY


CHAIRMAN

RECORDED VOTE:

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

REFERENCED STATE CONTRACT VENDORS

<u>Commodity/Service</u>	<u>Vendor</u>	<u>State Contract No.</u>
General Office Supplies	T-0052 WB Mason, Inc.	A-88839 (exp. 5/2021)
Custodial/Maintenance Supplies	M-0052 Grainger, Inc.	79875 (exp. 6/30/2023)
Fire Extinguisher Maintenance	G-0576 FYR Fyter Sales	45627 (exp. 9/30/2021)
Laboratory Supplies	T-0983 – Hach Chemical T-0115 – Fisher Scientific T-0115 – J&H Berge T-0115 – VWR Scientific	85091 (exp. 5/31/2020) 75827 (12/31/2023) 75819 (12/31/2023) 75846 (12/31/2023)
Vehicles	T-2100 – Chase Winner Ford T-2100 - Beyer Ford	88726 (7/31/2020) 88726 (7/31/2020)
Heavy Construction Equipment (Through the National Joint Powers Alliance)	Caterpillar, Inc.	032515-CAT (5/19/20)
AB PLC Equipment	T-1316 – Turtle & Hughes	80801 (exp. 1/31/21)
Computer Equipment Services	Ocean Computer Gr.	PVSC CO-OP AR60988792 (5/31/20)
Motor Services	Universal Electric	PVSC CO-OP (8/20)
Electrical Services	Longo Industries	PVSC CO-OP (exp. 7/13/20)
Electrical Supply	T-0167 Jewel Electric	85578 (exp. 12/31/20)
Educational Services Comm of NJ	Vehicles Maint/Parts	#65MCESCCPS (3/22/21)

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 31-2020

Date: February 18, 2020

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

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

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

WHEREAS, the Northwest Bergen County Utilities Authority (the "Authority") and the Borough of Upper Saddle River (the "Borough") had entered into a Shared Services Agreement which commenced March 8, 2019 and had a termination date of December 31, 2019 for the Authority to 1) act as the New Jersey Licensed Collection System Operator for the Borough in the sanitary sewer system collection area defined on the sewer map attached and as more specifically defined in the attached Agreement 2) respond to sanitary sewer collection emergencies 24 hours a day, 7 days a week 3) coordinate all third party repairs of the collections system 4) coordinate, participate and correspond to any and all NJDEP inspections and actions regarding the sanitary sewer collection system 5) coordinate with the Borough any NJDEP hotline calls and correspondence regarding the sanitary collection system 6) upon request, coordinate and conduct a manhole inspection program and 7) upon request, can conduct New Jersey State Certified Backflow Preventer tests; and

WHEREAS, the Borough has adopted its Resolution No. 44-20 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 commencing January 1, 2020 and terminating December 31, 2020 subject to the terms and conditions set forth in said agreement attached hereto.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 31-2020

Date: February 18, 2020

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

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

1. The Authority agrees to enter into a Shared Services Agreement with the Borough of Upper Saddle River for a duration of one (1) year to provide the services described in Paragraph 3 above; and
2. The Chairman 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 Upper Saddle River annexed hereto and made a part thereof.

IT IS HEREBY CERTIFIED that this is a true copy of a Resolution adopted by the Commissioners of the Authority on February 18, 2020.


SECRETARY


CHAIRMAN

RECORDED VOTE:

	Bonagura	Duch	Jordan	Kelaher	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 6th day of February, 2020, by and among:

THE BOROUGH OF UPPER SADDLE RIVER, a Municipal Corporation of the State of New Jersey, in the County of Bergen, hereinafter referred to as "USR" 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, USR 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 USR the services of a licensed collection system operator, in addition to other services as outlined more specifically in Paragraph 3 of this Agreement; and

WHEREAS, USR has adopted Resolution # _____, which authorizes USR to enter into an agreement with the NBCUA, for the services as outlined in Paragraph 3.

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

1. Pursuant to N.J.S.A. 40A:65-1 *et. seq.*, both USR and the NBCUA shall adopt the appropriate Resolution, 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. The commencement date shall be January 1, 2020.
3. The NBCUA shall provide the following services to the Borough of Upper Saddle River:
 - a. The NBCUA shall act as the New Jersey Licensed Collection System Operator for the Borough of Upper Saddle River in the sanitary sewer system collection area defined on the enclosed sewer map as "THE COMMONS" and "PORCELNOSA". In the future, at any time

during the length of this agreement, the need arises to expand the aforementioned collection system area, USR will notify NBCUA in writing. NBCUA will respond, in kind, with an amended cost. If agreed upon, said agreement will be amended to include the expanded sewer areas.

- b. NBCUA will respond to sanitary sewer collection emergencies 24 hours a day, seven days a week.
 - c. NBCUA will coordinate all third party repairs of the collections system.
 - d. NBCUA will, when necessary, coordinate, participate and correspond to any and all NJDEP inspections and actions regarding the sanitary collection system.
 - e. NBCUA will coordinate with USR any NJDEP Hotline calls and correspondence regarding the sanitary collection system.
 - f. NBCUA, upon request, can coordinate and conduct a manhole inspection program that will involve the physical inspection of every manhole within USR.
 - g. NBCUA, upon request, can conduct annual NJ State Certified Backflow Preventer tests on all of your backflow prevention devices.
4. In consideration for the services to be rendered by the NBCUA to USR, pursuant to Paragraph 3 above, USR shall pay to NBCUA:
 - a. Four (4) equal installments of \$1,000.00 on or before March 1st, June 1st, September 1st and December 1st of each year, for a total annual compensation of \$4,000.00. Additional cost will be billed as follows:
 - b. Non-Business hours – emergency responses (per man) \$110.61/hr
 - c. Business hours emergency/non-basic repair and catch basin maintenance (per man) \$ 88.50/hr
 - d. Third Party Contractors for repairs and/or spare parts \$Direct Cost
 - e. Manhole Inspection Program \$ 45.00/MH
 - f. Backflow Preventer Tests \$150.00/unit
5. The NBCUA shall provide USR with an invoice reflecting all time and work provided by its staff for repairs and response service during the previous month. Said invoices shall be paid by USR within 45 days of receipt.
6. 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.
7. 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.
8. The parties recognize that the individuals who shall be designated as the Primary Contact Persons are, the Licensed Collection System Operator and Superintendent of the NBCUA for the NBCUA and the _____,

for USR. 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 USR, as applicable.

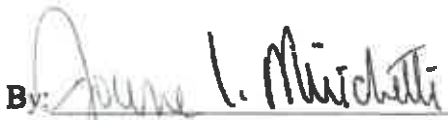
8. The Primary Contact Persons shall jointly and cooperatively implement and complete a reporting form to memorialize and record all required and/or performed repairs, corrective actions and responses to USR's collection system.
9. The NBCUA will provide a certificate of insurance designating USR as an additional insured, with the same limits and coverage as the NBCUA has in place with their current insurance program.
10. USR 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 USR, its agents, servants or employees.
11. The effective date of this Agreement shall be January 1, 2020 and the expiration shall be December 31, 2020, unless the agreement is terminated pursuant to paragraph 6 above.
12. The NBCUA agrees to comply with all applicable federal, state, county and municipal laws, rules and regulations.
13. 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 UPPER SADDLE RIVER



By: 
MAYOR

Date: 2-10-2020

ATTEST:

NORTHWEST BERGEN COUNTY
UTILITIES AUTHORITY



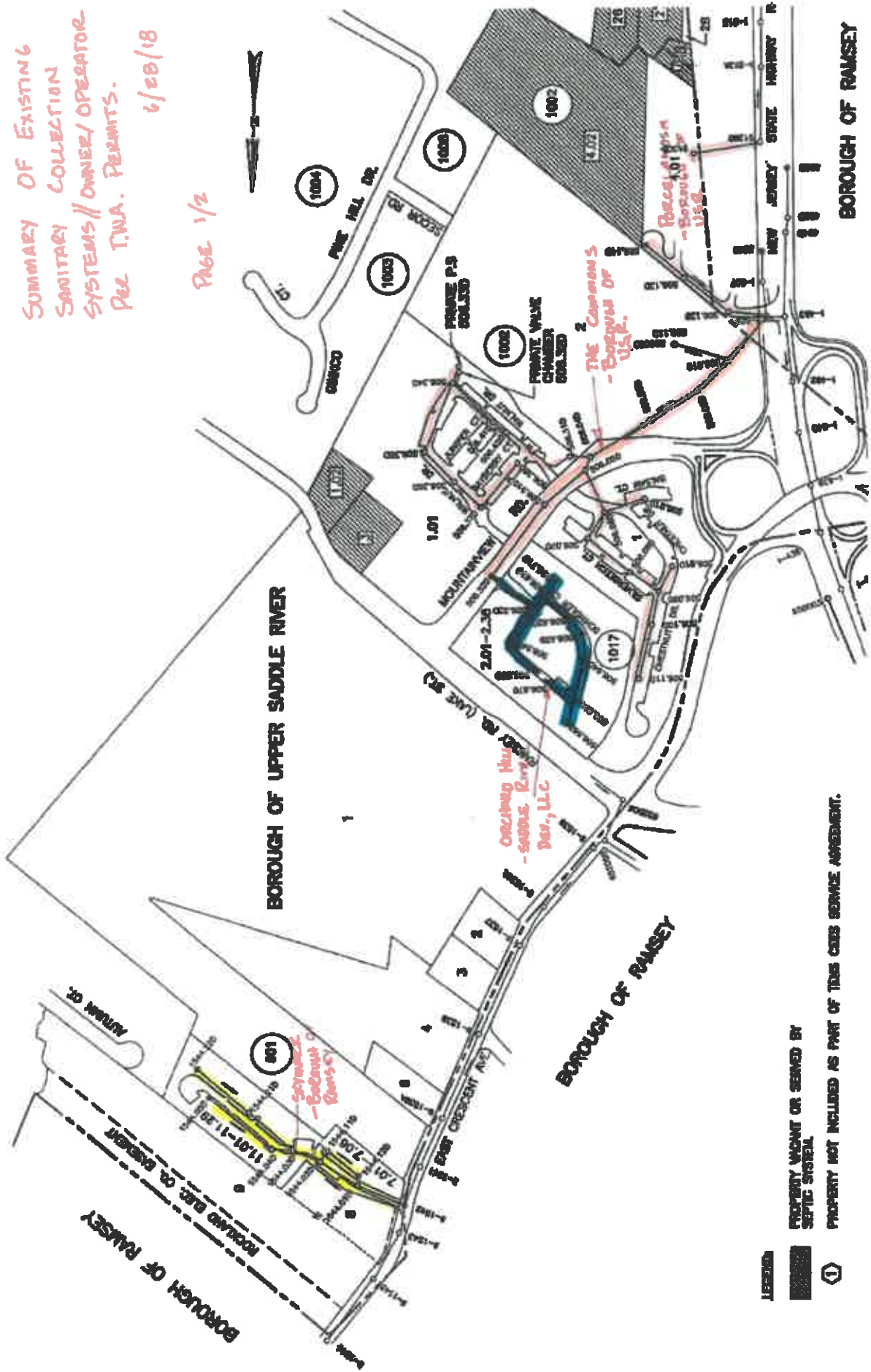
By: _____
CHAIRMAN

Date: _____
Shared Services Agreement – USR
10/30/2019

SUMMARY OF EXISTING
SANITARY COLLECTION
SYSTEMS // OWNER/ OPERATOR
PER TWA. PERMITS.

6/28/18

PAGE 1/2



PROPERTY W/OUT OR SERVED BY
SEPTIC SYSTEM

PROPERTY NOT INCLUDED AS PART OF THIS CDS SERVICE AGREEMENT.

①

Page 2/2



**BOROUGH OF UPPER SADDLE RIVER
RESOLUTION #44-20
February 6, 2020**

**Shared Services – Northwest Bergen County Utilities Authority
Licensed Collection System Operator**

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq. ("the Act" or "the statute") permits a local unit to enter into an agreement with another local unit to provide or receive any services which each local unit is empowered to provide or receive; and

WHEREAS, the Northwest Bergen County Utilities Authority ("NBCUA") would provide to the Borough the services of a Licensed Collection System Operator; and

WHEREAS, the Borough is required to have a Licensed Collection System Operator under the regulations of the Department of Environmental Protection; and

WHEREAS, an Agreement has been prepared for such service which relates to sanitary sewer and collection areas as detailed in said Agreement.

NOW THEREFORE BE IT RESOLVED that Mayor Joanne L. Minichetti and Borough Clerk Joy Convertini be and are hereby authorized to execute the Agreement on behalf of the Borough.

Moved Second Ayes Nays Absent Abstain

Council Member DeBerardine					x
Council Member DiMartino					x
Council Member Ditkoff	x				
Council Member Durante		x			
Council Member Florio					x
Council Member Rotella					x

I hereby certify that the above resolution was adopted by the Mayor and Council on February 6, 2020.


Joy C. Convertini, R.M.C., Municipal Clerk

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 32-2020

Date: February 18, 2020

**RESOLUTION AMENDING THE NOT TO EXCEED COST OF THE AGREEMENT WITH
T&M ASSOCIATES TO PROVIDE ENGINEERING SERVICES**

WHEREAS, by Resolution No. 19-2019, 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 11, 2019; and

WHEREAS, by Resolution No. 28-2019 (the "Original Resolution") dated February 19, 2019, the Authority retained T&M Associates (the "Engineering Firm") to provide general engineering services and the Authority and Engineering Firm entered into a professional services agreement (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 \$15,000 due to various matters; 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 \$135,000 for general engineering services.
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

RESOLUTION

No. 32-2020

Date: February 18, 2020

**RESOLUTION AMENDING THE NOT TO EXCEED COST OF THE AGREEMENT WITH
T&M ASSOCIATES TO PROVIDE 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 February 18, 2020.


SECRETARY


CHAIRMAN

Recorded Vote:

	Bonagura	Duch	Jordan	Kelaher	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:

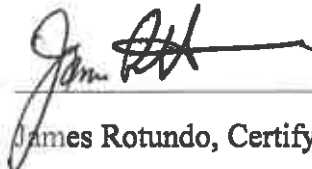
CONTRACT: Consulting Engineer for 2019

VENDOR: T&M Associates

AMOUNT: \$15,000 increase: new budget \$135,000

ACCOUNT NO.: 2100/4030

Date: February 18, 2020


James Rotundo, Certifying Finance Officer

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

NO. 33-2020

Date: February 18, 2020

QUALIFICATION OF INDIVIDUALS/FIRMS FOR PROVISION OF LEGAL SERVICES

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

LEGAL SERVICES 2020

WHEREAS, the Authority 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 from the following Individuals/Firms:

- Eric M. Bernstein & Associates – Warren, NJ
- Meyerson, Fox, Mancinelli & Conte, PA – Montvale, NJ
- Grace, Marmero & Associates, LLP – Woodbury, NJ
- Chasan, Lamparello, Mallon & Cappuzzo, PC – Secaucus, NJ
- Weiner Law Group, LLP – Parsippany, NJ
- The Choi Law Group, LLC – Ridgefield Park, NJ

and;

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

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

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

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

WHEREAS, pursuant to Section 5 of the Authority's Request for Qualifications, the Authority applied its selection criteria and evaluated the proposals based upon the most advantageous submission, with the following factors being considered: (i) experience and reputation in the field; (ii)

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

NO. 33-2020

Date: February 18, 2020

QUALIFICATION OF INDIVIDUALS/FIRMS FOR PROVISION OF LEGAL SERVICES

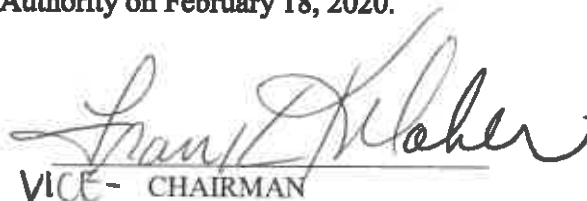
knowledge of the Authority and the subject matter addressed under the contract, (iii) availability to accommodate the required meetings of the Authority; and (iv) other factors demonstrated to be in the best interest of the Authority; and

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

1. The Authority hereby designates the following individuals/firms as qualified to provide Legal Services to the Authority:
 - Eric M. Bernstein & Associates – Warren, NJ
 - Meyerson, Fox Mancinelli, & Conte, PA – Montvale, NJ
 - Grace, Marmero & Associates, LLP – Woodbury, NJ
 - Chasan, Lamparello, Mallon & Cappuzzo, PC – Secaucus, NJ
 - Weiner Law Group, LLP – Parsippany, NJ
 - The Choi Law Group, LLC – Ridgefield Park, NJ
2. This Resolution shall take effect immediately upon adoption.

I hereby certify that this is a true copy of a resolution adopted by the Board of Commissioners of the Northwest Bergen County Utilities Authority on February 18, 2020.


SECRETARY


VICE-CHAIRMAN

Recorded Vote:

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

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 34-2020

Date: February 18, 2020

QUALIFICATIONS OF INDIVIDUALS/FIRMS FOR PROVISION OF ENGINEERING SERVICES

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

CONSULTING ENGINEERING SERVICES

WHEREAS, the Authority 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 from the following Individuals/Firms:

- Boswell Engineering – South Hackensack, NJ
- Chavond Barry Engineering Corp. – Blawenburg, NJ
- CME Associates – Parlin, NJ
- T&M Associates – Middletown, NJ
- Tighe & Bond, Middletown, CT
- CP Professional Services – Sparta, NJ
- Suburban Consulting Engineers – Mount Arlington, NJ
- Engineered Solutions Corporation – Norwood, NJ
- Neglia Engineering Associates – Lyndhurst, NJ
- MFS Engineers & Surveyors – South Plainfield, NJ
- Alaimo Group – Paterson, NJ
- PS&S – Warren, NJ
- Maser Consulting – Red Bank, NJ
- O&S Associates – Hackensack, NJ

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

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

WHEREAS, the Authority intended to qualify persons and/or firms that: (i) possessed the professional, financial and administrative capabilities to provide the proposed engineering

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 34-2020

Date: February 18, 2020

QUALIFICATIONS OF INDIVIDUALS/FIRMS FOR PROVISION OF ENGINEERING SERVICES

services, and (ii) would agree to work under the compensation, terms and conditions determined by the Authority to provide the greatest benefit to the ratepayers of the Authority's service area; and

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

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

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

1. The Authority hereby designates the following individuals/firms as qualified to provide Consulting Engineering services to the Authority:
 - Boswell Engineering – South Hackensack, NJ
 - Chavond Barry Engineering Corp. – Blawenburg, NJ
 - CME Associates – Parlin, NJ
 - T&M Associates – Middletown, NJ
 - Tighe & Bond – Middletown, CT
 - CP Professional Services – Sparta, NJ
 - Suburban Consulting Engineers – Mount Arlington, NJ
 - Engineered Solutions Corporation – Norwood, NJ
 - Neglia Engineering Associates – Lyndhurst, NJ
 - MFS Engineers & Surveyors – South Plainfield, NJ
 - Alaimo Group – Paterson, NJ
 - PS&S – Warren, NJ
 - Maser Consulting – Red Bank, NJ
2. This Resolution shall take effect immediately upon adoption.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 34-2020

Date: February 18, 2020

QUALIFICATIONS OF INDIVIDUALS/FIRMS FOR PROVISION OF 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 February 18, 2020.


SECRETARY


VICE CHAIRMAN

Recorded Vote:

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

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

NO. 35-2020

Date: February 18, 2020

QUALIFICATION OF INDIVIDUALS/FIRMS FOR PROVISION OF AUDITING SERVICES

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

AUDITOR FOR 2020

WHEREAS, the Authority 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 from the following Individuals/Firms:

- Wielkocz, & Company, LLC – Pompton Lakes, NJ

and

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

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

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

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

WHEREAS, pursuant to Section 5 of the Authority's Request for Qualifications, the Authority applied its selection criteria and evaluated the proposals based upon the most advantageous submission, with the following factors being considered: (i) knowledge of utility authorities and the subject matter addressed under the contract; (ii) experience with providing auditing services to independent utility authorities in New Jersey; (iii) availability to accommodate

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

NO. 35-2020

Date: February 18, 2020

QUALIFICATION OF INDIVIDUALS/FIRMS FOR PROVISION OF AUDITING SERVICES

the required meetings of the Authority; (iv) hourly billing rates for staff; and (v) other factors demonstrated to be in the best interest of the Authority.

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

1. The Authority hereby designates the following individuals/firms as Qualified to provide Auditing Services to the Authority:
 - Wielkottz, & Company, LLC – Pompton Lakes, NJ
2. This Resolution shall take effect immediately upon adoption.

I hereby certify that this is a true copy of a resolution adopted by the Board of Commissioners of the Northwest Bergen County Utilities Authority on February 18, 2020.


SECRETARY


CHAIRMAN

Recorded Vote:

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

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

NO. 36-2020

Date: February 18, 2020

QUALIFICATION OF INDIVIDUALS/FIRMS FOR PROVISION OF BOND COUNSEL SERVICES

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

BOND COUNSEL SERVICES

WHEREAS, the Authority 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 from the following Individuals/Firms:

- Gibbons, PC – Newark, NJ
- Waters, McPherson, McNeill – Secaucus, NJ
- Wilentz, Goldman & Spitzer, PA – Woodbridge, NJ

and

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

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

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

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

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

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

NO. 36-2020

Date: February 18, 2020

QUALIFICATION OF INDIVIDUALS/FIRMS FOR PROVISION OF BOND COUNSEL SERVICES

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

1. The Authority hereby designates the following individuals/firms as Qualified to provide Bond Counsel Services to the Authority:
 - Gibbons, PC – Newark, NJ
 - Waters, McPherson, McNeill – Secaucus, NJ
 - Wilentz, Goldman & Spitzer, PA – Woodbridge, NJ
2. This Resolution shall take effect immediately upon adoption.

I hereby certify that this is a true copy of a resolution adopted by the Board of Commissioners of the Northwest Bergen County Utilities Authority on February 18, 2020.


SECRETARY


CHAIRMAN

Recorded Vote:

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

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 37-2020

Date: February 18, 2020

**QUALIFICATIONS OF INDIVIDUALS/FIRMS FOR PROVISION OF
RISK MANAGEMENT SERVICES**

WHEREAS, the Authority has adopted the fair and open process pursuant to N.J.S.A. 19:44A-20.4 with respect to the retention of the following professional:

RISK MANAGEMENT SERVICES

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

WHEREAS, the Authority has received responses to the Request for Qualifications for the aforementioned position by the deadline date of January 28, 2020 from the following Individuals/Firms:

- Alamo Insurance Group, Inc. - Secaucus, NJ
- Brown & Brown Public Risk Advisors of NJ – Roseland, NJ

and;

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

WHEREAS, the Authority structured a competitive procurement process that sought to assure that each person and/or firm was provided an equal opportunity to submit a 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 Risk Management Services, and (ii) would agree to work under the compensation, terms and conditions determined by the Authority to provide the greatest benefit to the ratepayers of the Authority's service area; and

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

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

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

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 37-2020

Date: February 18, 2020

**QUALIFICATIONS OF INDIVIDUALS/FIRMS FOR PROVISION OF
RISK MANAGEMENT SERVICES**

1. The Authority hereby designates the following individuals/firms as qualified to provide Risk Manager Services to the Authority:
 - Alamo Insurance Group, Inc. – Secaucus, NJ
2. This Resolution shall take effect immediately upon adoption.

I hereby certify that this is a true copy of a resolution adopted by the Board of Commissioners of the Northwest Bergen County Utilities Authority on February 18, 2020.


SECRETARY


CHAIRMAN

Recorded Vote:

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

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 38-2020

Date: February 18, 2020

RETENTION OF AUDITOR 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:

AUDITOR FOR 2020

WHEREAS, the Authority 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 auditing services, and (ii) would agree to work under the compensation, terms and conditions determined by the Authority to provide the greatest benefit to the ratepayers of the Authority's service area; and

WHEREAS, by **Resolution No. 35-2020**, the Authority identified one firm as qualified to perform the auditing services required by the Authority; and

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

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

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

- Preparation of unaudited Y/E financial statement and required Journal Entries (Y/E Closeout) for 2020

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 38-2020

Date: February 18, 2020

RETENTION OF AUDITOR FOR 2020 PURSUANT TO N.J.S.A. 19:44A-20.4

- Preparation of Annual Statutory Audit for 2020
- Preparation of Semi-Annual Unaudited Financial Statement ending June 30, 2020
- Connection Fee Rate Preparation of 2020 Sewer Update and Public Hearing
- Review of the Authority Deferred Compensation Plan
- Preparation and filing of Arbitrage Rebate Analysis (2009)
- Review and Support in Preparation of 2021 Annual Budget
- Secondary Market Bond Disclosure Form (EMMA Filing Requirement)
- Certification of various capital improvement sewer projects

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

POSITION	AMOUNT PER HOUR
Partners	\$200.00
Managers	\$150.00
Senior Accountants	\$125.00
Staff Accountants	\$95.00
Administrative Staff	\$70.00

WHEREAS, the compensation to the Firm for the rendering of auditing services for 2020 will not exceed \$77,000 without prior authorization; and

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

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

1. The Authority hereby retains Wielkott & Company, LLC for the year ending December 31, 2020 and until a successor has been named.
2. Compensation to the professional shall not exceed seventy-seven thousand dollars (\$77,000).
3. In the event that the Firm anticipates it will exceed the amount set forth, it shall seek further authorization from the Authority at such time.
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.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 38-2020

Date: February 18, 2020

RETENTION OF AUDITOR FOR 2020 PURSUANT TO N.J.S.A. 19:44A-20.4

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 February 18, 2020.


SECRETARY


CHAIRMAN

Recorded Vote:

	Bonagura	Duch	Jordan	Kelaher	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: Auditor for 2020

VENDOR: Wielkottz & Company, LLC

AMOUNT: \$77,000

ACCOUNT NO.: 2100/4010

Date: February 18, 2020



James Rotundo, Certifying Finance Officer

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 39-2020

Date: February 18, 2020

RETENTION OF GENERAL COUNSEL 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 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 (the "Firm") is deemed to be highly qualified and capable of providing legal services to the Authority based upon the extensive experience of members and associates of the firm; and

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

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 39-2020

Date: February 18, 2020

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

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

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 39-2020

Date: February 18, 2020

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

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

WHEREAS, the Firm's rates for performing these legal services shall be \$150 per hour;
and

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

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

1. The Authority hereby retains the firm of Meyerson, Fox, Mancinelli & Conte, PA for the twelve-month term commencing on the date of this resolution.
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 amount not to exceed **\$75,000.**

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

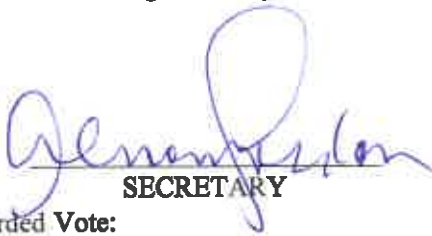
No. 39-2020

Date: February 18, 2020

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

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

I hereby certify that this is a true copy of a resolution adopted by the Board of Commissioners of the Northwest Bergen County Utilities Authority on February 18, 2020.


SECRETARY


CHAIRMAN

Recorded Vote:

	Bonagura	Duch	Jordan	Kelaher	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:

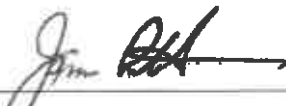
CONTRACT: General Counsel for 2020

VENDOR: Meyerson, Fox, Mancinelli & Conte, PA

AMOUNT: \$75,000

ACCOUNT NO.: 2100/4020

Date: February 18, 2020



James Rotundo, Certifying Finance Officer

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 40-2020

Date: February 18, 2020

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

WHEREAS, by **Resolution 33-2020** the Authority identified a number of Individuals/Firms as qualified to perform Legal Services required by the Authority; and

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 40-2020

Date: February 18, 2020

RETENTION OF LABOR COUNSEL FOR 2020 PURSUANT TO N.J.S.A. 19:44A-20.4

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

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

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

WHEREAS, the services to be rendered will be compensated at the following Hourly Rates as presented in the Proposal submitted to the Authority:

- Hourly Rate for all standard service including negotiations, advice, preparation of contracts or agreements, disciplinary investigations and proceedings and other non-litigation services: **\$135.00 per hour**
- Hourly Rate for Paralegals when requested and authorized: **\$ 60.00 per hour; and**

WHEREAS, the compensation to the Firm for the rendering of labor counsel services will not exceed \$15,000 without prior authorization; and

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

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

1. The Authority hereby retains Eric M. Bernstein & Associates for the twelve-month term commencing on the Resolution date.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 40-2020

Date: February 18, 2020

RETENTION OF LABOR COUNSEL FOR 2020 PURSUANT TO N.J.S.A. 19:44A-20.4

2. The Authority shall enter into a professional services agreement for the aforementioned for execution and delivery by the Authority and the professional, with compensation to the professional in an amount not to exceed \$15,000.
3. In the event that the Firm anticipates it will exceed the amount set forth, it shall seek further authorization from the Authority at such time.
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.

IT IS HEREBY CERTIFIED that this is a true copy of a Resolution adopted by the Commissioners of the Authority on **February 18, 2020**.


SECRETARY


VICE-CHAIRMAN

RECORDED VOTE:

	Bonagura	Duch	Jordan	Kelaher	Lo Iacono	Mongelli	Ortega	Phumley	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: Labor Counsel for 2020

VENDOR: Eric M. Bernstein & Associates, LLC

AMOUNT: \$15,000

ACCOUNT NO.: 2100/4020

Date: February 18, 2020



James Rotundo, Certifying Finance Officer

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 41-2020

Date: February 18, 2020

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

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

BOND COUNSEL

WHEREAS, the Authority issued a Request for Qualifications for such position and notice thereof was published on 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 requires a Bond Counsel to provide the services necessary for the issuance of bonds required for financing potential projects; 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 services, and (ii) would agree to work under the compensation, terms and conditions determined by the Authority to provide the greatest benefit to the ratepayers of the Authority's service area; and

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

WHEREAS, pursuant to Section 5 of the Authority's Request for Qualifications, the Authority applied its selection criteria and evaluated the proposals based upon the most

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 41-2020

Date: February 18, 2020

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

advantageous submission, with the following factors being considered: (i) experience and reputation in the field; (ii) knowledge of the Authority and the subject matter addressed under the contract; (iii) availability to accommodate the required meetings of the Authority; and (iv) other factors demonstrated to be in the best interest of the Authority; and

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

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

WHEREAS, the compensation for the rendering of bond counsel services will not exceed \$75,000 without prior authorization; and

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

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

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

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

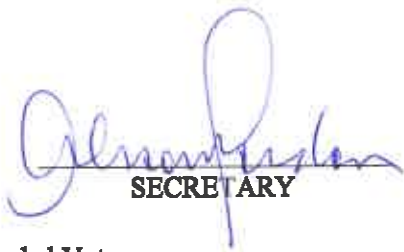
RESOLUTION

No. 41-2020

Date: February 18, 2020

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

I hereby certify that this is a true copy of a resolution adopted by the Board of Commissioners of the Northwest Bergen County Utilities Authority on February 18, 2020.


SECRETARY


CHAIRMAN

Recorded Vote:

	Bonagura	Duch	Jordan	Kelaher	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: Bond Counsel for 2020

VENDOR: Gibbons, PC

AMOUNT: \$75,000

ACCOUNT NO.: 7000/6620

Date: February 18, 2020



James Rotundo, Certifying Finance Officer

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

NO. 42-2020

Date: February 18, 2020

RETENTION OF RISK MANAGER PURSUANT TO N.J.S.A.19:44A-20.4

WHEREAS, the Northwest Bergen County Utilities Authority (the "Authority") is currently a participating member in the New Jersey Utilities Joint Insurance Fund (the "NJUAJIF"); and

WHEREAS, the NJUAJIF offers coverage to Utility Authorities of the State of New Jersey who agree to become members ("members") for: Workers Compensation; Employer Liability (other than Motor Vehicle); Property Damage (other than Motor Vehicle); and Motor Vehicle; and

WHEREAS, the NJUAJIF by-laws provide that each member may appoint an Insurance Producer to perform various professional services relating to membership in NJUAJIF, including the evaluation of claims exposures; explanation of coverage and options; preparation of applications and claims; review of annual assessment, losses and reports, and such other services required by the member; and

WHEREAS, an amount up to six percent (6%) of the annual assessment charged by the NJUAJIF is reserved for compensation to the Insurance Producer if one is selected by the member, otherwise it is reimbursed to the member; and

WHEREAS, 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 Risk Manager; and

WHEREAS, the Authority 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 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 Risk Management 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

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

NO. 42-2020

Date: February 18, 2020

RETENTION OF RISK MANAGER PURSUANT TO N.J.S.A.19:44A-20.4

WHEREAS, by Resolution No. 37-2020 the Authority identified one (1) firm as qualified to perform Risk Management Services required by the Authority; and

WHEREAS, the firm of Alamo Insurance Group, Inc. was determined to be highly qualified and eminently capable of providing Risk Management Services to the Authority; and

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

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

1. Evaluation of the Authority's insurance coverage and assistance in selection of appropriate coverage;
2. Assistance in preparation of documentation required by insurance companies related to statement of values, vehicle schedules, etc.;
3. Review of Authority's premiums and loss funds and assistance in preparation of insurance budget;
4. Review of loss and engineering reports;
5. Attendance and participation at Safety Committee Meetings (as requested) to assist in promoting safety goals and objectives;
6. Advice to Safety Committee on loss containment activities;
7. Attend meetings with staff, management and others, as requested;
8. Apprise Authority regarding developments affecting insurance coverage;
9. Any additional consulting services required by the Authority; and

WHEREAS, Alamo Insurance Group, Inc. will provide to the Authority professional Risk Management Consulting Services as required in the by-laws of the NJUAIJF at a not to exceed 3% of the NJUAIJF assessment.

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

1. The Authority does hereby agree to retain the firm of Alamo Insurance Group as its Insurance Producer for the project described above for a twelve (12) month term commencing on the Resolution date for purposes of the Authority's Membership in the New Jersey Utilities Authority's Joint Insurance Fund.
2. The Authority shall enter into a professional services agreement for the aforementioned for execution and delivery by the Authority and the professional, with

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

NO. 42-2020

Date: February 18, 2020

RETENTION OF RISK MANAGER PURSUANT TO N.J.S.A.19:44A-20.4

compensation to the professional at a fee of (3%) of the Authority's NJUAJIF's Annual Assessment.

3. Notice of the contract award shall be advertised in accordance with applicable law.
4. 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 February 18, 2020.


SECRETARY


CHAIRMAN

RECORDED VOTE:

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

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 43-2020

Date: February 18, 2020

RETENTION OF CONSULTING ENGINEER 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:

CONSULTING ENGINEER

WHEREAS, the Authority 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 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 34-2020** the Authority identified a number of Engineering Firms as qualified to perform Engineering Services required by the Authority; and

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

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

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

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 43-2020

Date: February 18, 2020

RETENTION OF CONSULTING ENGINEER FOR 2020 PURSUANT TO N.J.S.A. 19:44A-20.4

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

WHEREAS, services rendered on behalf of the Authority will be billed based upon the Firm's Hourly Billing Rates attached to this Resolution at a not-to-exceed cost of \$120,000 for the services described above; and

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

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

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

1. The Authority hereby retains T&M Associates as Consulting Engineer for the twelve-month term commencing on the date of this resolution.
2. The Authority shall enter into a professional services agreement for the aforementioned for execution and delivery by the Authority and the professional, with compensation to the professional at the Firm's Billing Rates, in an amount not to exceed \$120,000.
3. 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.
4. The Certifying Finance Officer's Certification of Available Funds shall be maintained on file at the Authority and made a part hereof.
5. Notice of the contract award shall be advertised in accordance with applicable law.
6. This Resolution shall take effect immediately upon adoption.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 43-2020

Date: February 18, 2020

RETENTION OF CONSULTING ENGINEER FOR 2020 PURSUANT TO N.J.S.A. 19:44A-20.4

I hereby certify that this is a true copy of a resolution adopted by the Board of Commissioners of the Northwest Bergen County Utilities Authority on February 18, 2020.


SECRETARY


CHAIRMAN

RECORDED VOTE:

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

2020 Schedule of Hourly Billing Rates

BILLING TITLE	BILLING RATE/HR
Technical and Field Staff Entry Level	\$82.00
Field Staff - Grade 1	\$92.00
Technical Staff - Grade 1, Administrative Support Staff	\$100.00
Field Staff - Grade 2	\$109.00
Technical Staff - Grade 2 Professional Entry Level	\$126.00
Field Staff - Grade 3	\$126.00
Technical Staff - Grade 3	\$141.00
Field Staff - Grade 4	\$141.00
Technical Staff - Grade 4 Professional I	\$159.00
Field Staff - Grade 5	\$159.00
Technical Staff - Grade 5 Professional II	\$172.00
Professional III Supervising Field Staff	\$185.00
Professional IV Supervising Technical Staff	\$199.00
Professional V (Field & Support)	\$199.00
Professional V	\$233.00
Supervising Professional Unit Supervisor, Professional VI	\$256.00
Group Manager Professional VII	\$281.00
Principal, Manager, Professional VIII, IX	\$295.00

Billing Basis: Fixed Rate for Each Billing Title

NBUA-2020

T&M occasionally uses part-time and temporary staff to meet peak workload demands, and these staff will be billed in accordance with the rate schedule above.

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 2020

VENDOR: T&M Associates

AMOUNT: \$120,000

ACCOUNT NO.: 2100/4030

Date: February 18, 2020



James Rotundo, Certifying Finance Officer

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 44-2020

Date: February 18, 2020

**RETENTION OF CONSULTING ENGINEER FOR 2020 FOR INSTRUMENTATION,
AUTOMATION AND COMPUTER SYSTEMS PURSUANT TO N.J.S.A. 19:44A-20.4**

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

CONSULTING ENGINEERING SERVICES

WHEREAS, the Authority issued a Request for Qualifications for such position and notice thereof was published on **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 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 34-2020** the Authority identified a number of Engineering Firms as qualified to perform Engineering Services required by the Authority; and

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

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 44-2020

Date: February 18, 2020

RETENTION OF CONSULTING ENGINEER FOR 2020 FOR INSTRUMENTATION, AUTOMATION AND COMPUTER SYSTEMS PURSUANT TO N.J.S.A. 19:44A-20.4

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

WHEREAS, services rendered on behalf of the Authority will be billed based upon Engineered Solutions Corporation's Hourly Billing Rates attached to this Resolution at a not-to-exceed cost of \$60,000 for the services described above; and

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

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

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

1. The Authority hereby retains Engineered Solutions Corporation as a Consulting Engineer for the services outlined in this Resolution for a twelve-month term commencing on the date of this resolution with compensation to the professional at the Firm's Billing Rates, in an amount not to exceed \$60,000.
2. The Certifying Finance Officer's Certification of Available Funds shall be maintained on file at the Authority and made a part hereof.
3. 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.
4. That notice of this award shall be advertised in accordance with applicable law.
5. This Resolution shall take effect immediately upon adoption.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 44-2020

Date: February 18, 2020

**RETENTION OF CONSULTING ENGINEER FOR 2020 FOR INSTRUMENTATION,
AUTOMATION AND COMPUTER SYSTEMS PURSUANT TO N.J.S.A. 19:44A-20.4**

I hereby certify that this is a true copy of a resolution adopted by the Board of Commissioners of the Northwest Bergen County Utilities Authority on February 18, 2020.


SECRETARY


CHAIRMAN

RECORDED VOTE:

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

Engineered Solutions Corporation

2020 Hourly Billing Rates

CATEGORY	CONTRACT RATE (\$/hour)
Professional Engineering	250
Senior Engineer	175
Engineer, Senior Technical Support, Analyst, Senior Programmer	135
Technical Support, Programmer	110
Drafting	75
Administration	55

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 2020 for Instrumentation, Automation and Computer Systems

VENDOR: Engineered Solutions Corporation

AMOUNT: \$60,000

ACCOUNT NO.: 4500/6245

Date: February 18, 2020



James Rotundo, Certifying Finance Officer

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

NO. 45-2020

Date: February 18, 2020

**RETENTION OF CONSULTING ENGINEER FOR 2021 SERVICE CHARGES
PURSUANT TO N.J.S.A. 19:44A-20.4**

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

CONSULTING ENGINEER FOR SERVICE CHARGES

WHEREAS, the Authority issued a Request for Qualifications for such position and notice thereof was published on 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 persons and/or firms that: (i) possessed the professional, financial and administrative capabilities to provide the proposed engineering services, and (iii) would agree to work under the compensation, terms and conditions determined by the Authority to provide the greatest benefit to the ratepayers of the Authority’s service area; and

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

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

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

NO. 45-2020

Date: February 18, 2020

**RETENTION OF CONSULTING ENGINEER FOR 2021 SERVICE CHARGES
PURSUANT TO N.J.S.A. 19:44A-20.4**

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

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

1. Task 1: Review of 1st Quarter Meter Data
2. Task 2: Review of 2nd Quarter Meter Data
3. Task 3: Review of 2021 Preliminary User Service Charges
4. Task 4: Review of 2021 Final User Charges
5. Task 5: Miscellaneous Consulting Services

WHEREAS, services rendered on behalf of the Authority will be billed at a not to exceed cost of \$46,900; and

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

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

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

1. The Authority hereby retains Paul Malmrose of Tighe & Bond as Consulting Engineer for the 2021 Service Charges for the twelve (12) month term commencing on the Resolution date.
2. The Authority shall enter into a professional services agreement for the aforementioned for execution and delivery by the Authority and the professional, with compensation to the professional in an amount not to exceed \$46,900.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

NO. 45-2020

Date: February 18, 2020

**RETENTION OF CONSULTING ENGINEER FOR 2021 SERVICE CHARGES
PURSUANT TO N.J.S.A. 19:44A-20.4**

3. In the event that the Firm anticipates it will exceed the amount set forth above, 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 February 18, 2020.


SECRETARY


CHAIRMAN

RECORDED VOTE:

	Bonagura	Duch	Jordan	Kelaher	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: Consulting Engineer for 2021 Service Charges

VENDOR: Tighe & Bond

AMOUNT: \$46,900

ACCOUNT NO.: 2100/4030

Date: February 18, 2020



James Rotundo, Certifying Finance Officer

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 46-2020

Date: February 18, 2020

RETENTION OF ENGINEER FOR 2020 FOR GENERAL INCINERATOR ADVICE PURSUANT TO N.J.S.A. 19:44A-20.4

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

CONSULTING ENGINEER

WHEREAS, the Authority issued a Request for Qualifications for such position and notice thereof was published on **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 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 34-2020** the Authority identified a number of Engineering Firms as qualified to perform Engineering Services required by the Authority; and

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

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

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

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 46-2020

Date: February 18, 2020

**RETENTION OF ENGINEER FOR 2020 FOR GENERAL INCINERATOR ADVICE
PURSUANT TO N.J.S.A. 19:44A-20.4**

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

WHEREAS, services rendered on behalf of the Authority will be billed based upon the Firm's Hourly Billing Rates attached to this Resolution at a not-to-exceed cost of \$140,000 for general incineration advice; and

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

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

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

1. The Authority hereby retains Chavond Barry Engineering Corp. as a Consulting Engineer for the services outlined in this Resolution for a twelve-month term commencing on the date of this resolution.
2. The Authority shall enter into a professional services agreement for the aforementioned for execution and delivery by the Authority and the professional, with compensation to the professional at the Firm's Billing Rates, in an amount not to exceed \$140,000 for general incineration advice.
3. 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.
4. The Certifying Finance Officer's Certification of Available Funds shall be maintained on file at the Authority and made a part hereof.
5. Notice of the contract award shall be advertised in accordance with applicable law.
6. This Resolution shall take effect immediately upon adoption.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 46-2020

Date: February 18, 2020

**RETENTION OF ENGINEER FOR 2020 FOR GENERAL INCINERATOR ADVICE
PURSUANT TO N.J.S.A. 19:44A-20.4**

I hereby certify that this is a true copy of a resolution adopted by the Board of Commissioners of the Northwest Bergen County Utilities Authority on February 18, 2020.


SECRETARY


CHAIRMAN

Recorded Vote:

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



CHAVOND-BARRY ENGINEERING CORP.

400 County Route 518 • P.O. Box 205
Blawenburg, New Jersey 08504-0205

Tel: (609) 466-4900
Fax: (609) 466-1231

MEMORANDUM

Effective January 1, 2020

The following is the listing of the 2020 standard hourly billing rates for our staff. The following rates will be held for the calendar year.

CBE 2020 Rate Schedule		
Personnel	Title	2020 Rates
John Yu	President	\$240
Louis T. Barry, P.E.	Chief Engineer	\$240
Albert T. Hamfeldt, P.E.	Senior Project Manager	\$180
Kelth A. Croly	Incinerator Design Specialist	\$165
John B. Eichinger	Engineer Specialist	\$165
Saundra B. Rattner	Administrator	\$85
Thomas Vash	Field Manager	\$155
Darwin M. Owens, P.E.	Engineer Specialist	\$180

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 General Incinerator Advice

VENDOR: Chavond Barry Engineering Corp.

AMOUNT: \$140,000

ACCOUNT NO.: 5000/6370

Date: February 18, 2020



James Rotundo, Certifying Finance Officer

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

MOTION

No. 20-01

Date: February 18, 2020

Motion to authorize the following individuals to attend the Association of Environmental Authorities' Utility Management Conference in Atlantic City, New Jersey on March 10 and 11, 2020:

1. James Rotundo, Executive Director
2. John Danubio, Assistant Executive Director
3. Howard Hurwitz, Authority Engineer

[illegible]