

MCUA ORGANIZATION MEETING
THURSDAY, FEBRUARY 28, 2013
4:30 P.M.
AGENDA

Pledge of Allegiance

OATH OF OFFICE:

JOHN WILEY – COMMISSIONER
WAYNE HAMILTON - COMMISSIONER

ELECTION OF OFFICERS

ELECTION OF OFFICERS - CHAIRMAN AND VICE CHAIRMAN

PUBLIC ON RESOLUTIONS

RESOLUTIONS:

Resolution A-2-13-01-A

Annual Appointment of Authority Officers/Executives - 2013

Resolution SW/WW-2-13-02-A

Annual Appointment of General and Construction Counsel – 2013 – Wilentz Goldman & Spitzer P.A.

Resolution SW/WW-2-13-03-A

Annual Appointment of Supplemental Counsel – 2013 - Hoagland, Longo, Moran, Dunst & Doukas

Resolution WW-2-13-04-A

Annual Appointment of Consulting Engineer – Wastewater Division – 2013 - R3M Engineering, Inc.

Resolution WW-2-13-05-A

Annual Appointment of Auditor – Wastewater Division – 2013 – ParenteBeard, LLC.

Resolution SW-2-13-06-A

Annual Appointment of Auditor – Solid Waste Division – 2013 – ParenteBeard, LLC.

Resolution SW/WW-2-13-07-A

Annual Appointment of Insurance Consultant – 2013 – Governmental Risk Management Associates, Inc.

Resolution SW-2-13-08-A

Annual Appointment of Consulting Engineer – Solid Waste Division – 2013 – CDM Smith, Inc.

Resolution A-2-13-09-A

Annual Designation of Official Depositories of the
Middlesex County Utilities Authority

Resolution A-2-13-10-A

Annual Designation of Annual and Regular Meetings of the Middlesex County Utilities Authority

MCUA ORGANIZATION MEETING

THURSDAY, FEBRUARY 28, 2013

4:30 P.M.

AGENDA

Resolution A-2-13-11-A

Annual Designation of Official Newspapers of the
Middlesex County Utilities Authority

Resolution A-2-13-12-A

Annual Appointment of Public Agency Compliance Officer

RESOLUTION NO. A-2-13-1-A

**ANNUAL APPOINTMENT
OF AUTHORITY OFFICERS/EXECUTIVES
2013**

WHEREAS, it is necessary for the Board of Commissioners of the Middlesex County Utilities Authority (Authority) to appoint officers to perform the official duties thereof for the Authority's 2013 Organizational Year; and

WHEREAS, it is necessary to name individuals who will perform certain executive duties for the Authority's 2013 Organizational year;

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the Middlesex County Utilities Authority as follows;

1. For all future reference the title of this Resolution shall be "Annual Appointment of Authority Officers/Executives – 2013", and all subsequent documents associated with the matters herein shall reference this title.

2. Richard L. Fitamant, P.E. is hereby re-appointed to be Executive Director of the Authority for the term commencing February 1, 2013 and ending January 31, 2014.

3. Margaret M. Brennan, C.P.A. is hereby re-appointed Treasurer and Certifying Finance Officer of the Authority for the term commencing February 1, 2013 and ending January 31, 2014.

4. Judith A. McCabe is hereby re-appointed Secretary/Assistant Purchasing Agent of the Authority for the term commencing February 1, 2013, and ending January 31, 2014.

5. This resolution shall take effect immediately

RESOLUTION NO. SW/WW-2-13-2-A

ANNUAL APPOINTMENT OF GENERAL AND CONSTRUCTION COUNSEL 2013
WILENTZ GOLDMAN & SPITZER P.A.

WHEREAS, pursuant to P.L. 2004 L. 19, as amended by P.L. 2005 c. 51, (N.J.S.A. 19:44-20-4 et seq. (“Act”)) the Middlesex County Utilities Authority (“Authority”) must follow the requirements set forth in the Act in awarding contracts having an anticipated value in excess of \$17,500; and

WHEREAS, the Authority has solicited qualifications from professionals for General and Construction Counsel Services pursuant to a “fair and open process” pursuant to provisions of the Act (N.J.S.A. 19:44A-20.7); and

WHEREAS, upon review of the firm that submitted qualifications, it was determined that Wilentz Goldman & Spitzer P.A. was qualified for the services mentioned herein as described in Attachment No. 1; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5 the Middlesex County Utilities Authority (“Authority”) may procure professional services without the necessity of advertising for bids pursuant to N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, said legal services provided by Wilentz Goldman & Spitzer P.A. are professional services within the definition contained in N.J.S.A. 40A:11-2; and

WHEREAS, the Authority issued a Request for Proposal to Wilentz Goldman & Spitzer P.A. for General and Construction Counsel services mentioned herein; and

WHEREAS, Wilentz Goldman & Spitzer P.A. has prepared a proposal and schedule of rates and services as required by N.J.A.C. 5:34-4.5(c) which shall be the basis for payment for General and Construction Counsel services related to the Wastewater and Solid Waste Divisions as detailed in pertinent part in Attachment A; and

WHEREAS, in accordance with the Local Public Contracts Law Regulations N.J.A.C. 5:34-1 et seq., the Authority, and its Members and Commissioners, desire to retain Wilentz Goldman & Spitzer P.A. as General and Construction Counsel to the Wastewater and Solid Waste Divisions; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.4 et seq., the Chief Financial Officer has certified, in writing, the availability of sufficient funds for the Fiscal Year 2013 in an amount not to exceed \$1,230,000.00, including fees and expenses, for such Professional Services, which funds shall be drawn from the Solid Waste Operating Budget, the Wastewater Operating Budget, and the 1977, 1985, 1991 and Land Based Sludge Management Construction Funds; and

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Middlesex County Utilities Authority as follows:

1. For all future reference the title of this Resolution shall be "General and Construction Counsel 2013 - Wilentz Goldman & Spitzer P.A.", and all subsequent documents associated with the matters addressed herein shall reference this Title.

2. In compliance with procedures and requirements for the fair and open process set forth in the Act, Wilentz Goldman & Spitzer P.A. shall be, and is hereby retained to perform legal services as General and Construction Counsel for and on behalf of the Authority for the term commencing February 1, 2013, and terminating January 31, 2014.

3. The Authority's Counsel and Staff are hereby authorized to prepare the necessary agreement documents which will incorporate substantially the terms set forth in the Request for Proposal and in Attachment A hereto, and the Chairman and Secretary are hereby authorized to execute an Agreement for said services.

4. In the absence of the Chairman, the Authority's Vice Chairman is hereby authorized to execute said contract on the Chairman's behalf.

5. Payment for these legal services for Fiscal Year 2013, not to exceed \$1,230,000.00 shall be drawn from Solid Waste and Wastewater Funds and Accounts.

6. The retainage of Wilentz Goldman & Spitzer P.A. authorized herein shall be made without public bidding pursuant to the Local Public Contracts Law of the State of New Jersey for the reason that Wilentz Goldman & Spitzer P.A. is licensed to practice law which profession is recognized by law.

7. This Resolution shall take effect upon expiration of the Freeholder veto period in accordance with law.

8. The Executive Director of the Authority is hereby authorized and directed to cause notice of this Resolution as required by N.J.S.A. 40A:11-5(1)(a) to be published in an appropriate newspaper.

RESOLUTION NO. SW/WW-2-13-3-A

ANNUAL APPOINTMENT OF SUPPLEMENTAL COUNSEL 2013
HOAGLAND, LONGO, MORAN, DUNST, & DOUKAS

WHEREAS, pursuant to P.L. 2004 L. 19, as amended by P.L. 2005 c. 51, (N.J.S.A. 19:44-20-4 et seq. (“Act”)) the Middlesex County Utilities Authority (“Authority”) must follow the requirements set forth in the Act in awarding contracts having an anticipated value in excess of \$17,500; and

WHEREAS, the Authority has solicited qualifications from professionals for Supplemental Counsel Services pursuant to a “fair and open process” pursuant to provisions of the Act (N.J.S.A. 19:44A-20.7); and

WHEREAS, upon review of those firms that submitted qualifications, it was determined that Hoagland, Longo, Moran, Dunst, & Doukas was the most qualified firm for the services mentioned herein as described in Attachment No. 1; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5 the Middlesex County Utilities Authority (“Authority”) may procure professional services without the necessity of advertising for bids pursuant to N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, said legal services provided by Hoagland, Longo, Moran, Dunst, & Doukas are professional services within the definition contained in N.J.S.A. 40A:11-2; and

WHEREAS, the Authority issued a Request for Proposal to Hoagland, Longo, Moran, Dunst, & Doukas for Supplemental Counsel services mentioned herein; and

WHEREAS, Hoagland, Longo, Moran, Dunst, & Doukas has prepared a proposal and schedule of rates and services as required by N.J.A.C. 5:34-4.5(c) which shall be the basis for payment for Supplemental Counsel services related to the Wastewater and Solid Waste Divisions as detailed in pertinent part in Attachment A hereto; and

WHEREAS, in accordance with the Local Public Contracts Law Regulations N.J.A.C. 5:34-1 et seq., the Authority, and its Members and Commissioners, desire to retain Hoagland, Longo, Moran, Dunst, & Doukas as Supplemental Counsel to the Wastewater and Solid Waste Divisions; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.4, the Chief Financial Officer has certified, in writing, the availability of sufficient funds for such Professional Services in an amount not to exceed \$40,000.00 to be paid from the Wastewater and Solid Waste Operating Budgets;

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Middlesex County Utilities Authority as follows:

1. For all future reference the title of this Resolution shall be "Supplemental Counsel to the Solid Waste and Wastewater Divisions 2013 - Hoagland, Longo, Moran, Dunst, & Doukas" and all subsequent documents associated with the matters addressed herein shall reference this Title.

2. In compliance with procedures and requirements for the fair and open process set forth in the Act, Hoagland, Longo, Moran, Dunst, & Doukas shall be, and is hereby retained to perform legal services as Supplemental Counsel for the Solid Waste and Wastewater Divisions, for and on behalf of the Authority, for the term commencing February 1, 2013, and terminating January 31, 2014.

3. The Authority's Counsel and Staff are hereby authorized to prepare the necessary agreement documents which will incorporate substantially the terms set forth in the Request for Proposals and in Attachment A hereto, and the Chairman and Secretary are hereby authorized to execute an Agreement for said services.

4. In the absence of the Chairman, the Authority's Vice Chairman is hereby authorized to execute said contract on the Chairman's behalf.

5. Payment not to exceed \$40,000.00 for legal services shall be drawn from the Solid Waste and Wastewater Operating Budgets.

6. The retainage of Hoagland, Longo, Moran, Dunst, & Doukas, authorized herein shall be made without public bidding pursuant to the Local Public Contracts Law of the State of New Jersey for the reason that Hoagland, Longo, Moran, Dunst, & Doukas is a law firm which profession is recognized by law.

7. This Resolution shall take effect upon expiration of the Freeholder veto period in accordance with law.

8. The Executive Director of the Authority is hereby authorized and directed to cause notice of this Resolution as required by N.J.S.A. 40A:11-5(1)(a) to be published in an appropriate newspaper.

RESOLUTION NO. WW-2-13-4-A

ANNUAL APPOINTMENT OF CONSULTING ENGINEER WASTEWATER DIVISION 2013
R³M ENGINEERING, INC.

WHEREAS, pursuant to P.L. 2004 L. 19, as amended by P.L. 2005 c. 51, (N.J.S.A. 19:44-20-4 et seq. (“Act”) the Middlesex County Utilities Authority (“Authority”) must follow the requirements set forth in the Act in awarding contracts having an anticipated value in excess of \$17,500; and

WHEREAS, the Authority has solicited qualifications from professionals for Consulting Engineer for the Wastewater Division Services pursuant to a “fair and open process” pursuant to provisions of the Act (N.J.S.A. 19:44A-20.7); and

WHEREAS, upon review of those firms that submitted qualifications, it was determined that R³M Engineering, Inc. was the most qualified firm for the services mentioned herein as described in Attachment No. 1; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5 the Middlesex County Utilities Authority (“Authority”) may procure professional services without the necessity of advertising for bids pursuant to N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, said engineering services provided by R³M Engineering, Inc. are professional services within the definition contained in N.J.S.A. 40A:11-2; and

WHEREAS, the Authority issued a Request for Proposal to R³M Engineering, Inc. for Consulting Engineer for the Wastewater Division services mentioned herein; and

WHEREAS, R³M Engineering, Inc. has prepared a proposal and schedule of rates and services as required by N.J.A.C. 5:34-4.5(c) which shall be the basis for payment for Consulting Engineer for the Wastewater Division as detailed in pertinent part in Attachment A; and

WHEREAS, in accordance with the Local Public Contracts Law Regulations N.J.A.C. 5:34-1 et seq., the Authority, and its Members and Commissioners, desire to retain R³M Engineering, Inc. as Consulting Engineer for the Wastewater Division; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.4, et seq., the Chief Financial Officer has certified, in writing, the availability of sufficient funds for the Fiscal Year 2013 in an amount not to exceed \$1,124,527.00, including fees and expenses, for R³M Engineering, Inc. to undertake these engineering services relating to the Wastewater Division and shall be drawn from the Wastewater Operating and Wastewater Capital Budgets.

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Middlesex County Utilities Authority as follows:

1. For all future reference the title of this Resolution shall be "Consulting Engineer to the Wastewater Division 2013 - R³M Engineering, Inc.", and all subsequent documents associated with the matters addressed herein shall reference this Title.

2. In compliance with procedures and requirements for the fair and open process set forth in the Act, R³M Engineering, Inc. shall be, and is hereby retained as Consulting Engineer for and on behalf of the Wastewater Division of the Authority for the term commencing February 1, 2013, and terminating January 31, 2014.

3. The Authority's Counsel and Staff are hereby authorized to prepare the necessary agreement documents which will incorporate substantially the terms set forth in the Request for Proposals and in Attachment A hereto, and the Chairman and Secretary are hereby authorized to execute an Agreement for said services.

4. In the absence of the Chairman, the Authority's Vice Chairman is hereby authorized to execute said contract on the Chairman's behalf.

5. Payment for these engineering services for Fiscal Year 2013 are not to exceed \$1,124,527.00 and shall be drawn from the Wastewater Operating and Wastewater Capital Budgets.

6. The retainage of R³M Engineering, Inc. authorized herein shall be made without public bidding pursuant to the Local Public Contracts Law of the State of New Jersey for the reason that R³M Engineering, Inc. is a licensed Professional Engineering Firm which profession is recognized by law.

7. This Resolution shall take effect upon expiration of the Freeholder veto period in accordance with law.

8. The Executive Director of the Authority is hereby authorized and directed to cause notice of this Resolution as required by N.J.S.A. 40A:11-5(1)(a) to be published in an appropriate newspaper.

RESOLUTION NO. WW-2-13-5-A

ANNUAL APPOINTMENT OF AUDITOR FOR WASTEWATER 2013
PARENTEBEARD LLC

WHEREAS, pursuant to P.L. 2004 L. 19, as amended by P.L. 2005 c. 51, (N.J.S.A. 19:44-20-4 et seq. (“Act”)) the Middlesex County Utilities Authority (“Authority”) must follow the requirements set forth in the Act in awarding contracts having an anticipated value in excess of \$17,500; and

WHEREAS, the Authority has solicited qualifications from professionals for Auditor for Wastewater pursuant to a “fair and open process” pursuant to provisions of the Act (N.J.S.A. 19:44A-20.7); and

WHEREAS, upon review of the firm that submitted qualifications, it was determined that ParenteBeard LLC was qualified for the services mentioned herein as described in Attachment No. 1; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5 the Middlesex County Utilities Authority (“Authority”) may procure professional services without the necessity of advertising for bids pursuant to N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, said accounting services provided by ParenteBeard LLC are professional services within the definition contained in N.J.S.A. 40A:11-2; and

WHEREAS, the Authority issued a Request for Proposal to ParenteBeard LLC for Audit Services for Wastewater mentioned herein; and

WHEREAS, ParenteBeard LLC has prepared a proposal and schedule of rates and services as required by N.J.A.C. 5:34-4.5(c) which shall be the basis for payment for Audit Services as detailed in pertinent part in Attachment A; and

WHEREAS, in accordance with the Local Public Contracts Law Regulations N.J.A.C. 5:34-1 et seq., the Authority, and its Members and Commissioners, desire to retain ParenteBeard LLC as Auditor for Wastewater; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.4, the Chief Financial Officer has certified, in writing, the availability of sufficient funds for the term of the appointment for the maximum sum of \$53,300.00 for Audit Services to be paid from the Wastewater Operating Budget;

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Middlesex County Utilities Authority as follows:

1. For all future reference the title of this Resolution shall be “Auditor Wastewater Division 2013 - ParenteBeard LLC”, and all subsequent documents associated with the matters addressed herein shall reference this Title.

2. In compliance with procedures and requirements for the fair and open process set forth in the Act, ParenteBeard LLC shall be, and is hereby retained as Auditor for the Wastewater Division for and on behalf of the Authority for the term commencing February 1, 2013, and terminating January 31, 2014.

3. The Authority's Counsel and Staff are hereby authorized to prepare the necessary agreement documents which will incorporate substantially the terms set forth in the Request for Proposals and in Attachment A hereto, and the Chairman and Secretary are hereby authorized to execute an Agreement for said services.

4. In the absence of the Chairman, the Authority's Vice Chairman is hereby authorized to execute said contract on the Chairman's behalf.

5. Payment in an amount not to exceed \$53,300.00 for audit services, shall be drawn as ordered against the Wastewater Operating Budget.

6. The retainage of ParenteBeard LLC authorized herein shall be made without public bidding pursuant to the Local Public Contracts Law of the State of New Jersey for the reason that ParenteBeard LLC is an Accounting Firm which profession is recognized by law.

7. This Resolution shall take effect upon expiration of the Freeholder veto period in accordance with law.

8. The Executive Director of the Authority is hereby authorized and directed to cause notice of this Resolution as required by N.J.S.A. 40A:11-5(1)(a) to be published in an appropriate newspaper.

RESOLUTION NO. SW-2-13-6-A

ANNUAL APPOINTMENT OF AUDITOR FOR SOLID WASTE 2013
PARENTEBEARD LLC

WHEREAS, pursuant to P.L. 2004 L. 19, as amended by P.L. 2005 c. 51, (N.J.S.A. 19:44-20-4 et seq. (“Act”)) the Middlesex County Utilities Authority (“Authority”) must follow the requirements set forth in the Act in awarding contracts having an anticipated value in excess of \$17,500; and

WHEREAS, the Authority has solicited qualifications from professionals for Auditor for Solid Waste pursuant to a “fair and open process” pursuant to provisions of the Act (N.J.S.A. 19:44A-20.7); and

WHEREAS, upon review of the firm that submitted qualifications, it was determined that ParenteBeard LLC was qualified for the services mentioned herein as described in Attachment No. 1; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5 the Middlesex County Utilities Authority (“Authority”) may procure professional services without the necessity of advertising for bids pursuant to N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, said accounting services provided by ParenteBeard LLC are professional services within the definition contained in N.J.S.A. 40A:11-2; and

WHEREAS, the Authority issued a Request for Proposal to ParenteBeard LLC for Audit Services for Solid Waste mentioned herein; and

WHEREAS, ParenteBeard LLC has prepared a proposal and schedule of rates and services as required by N.J.A.C. 5:34-4.5(c) which shall be the basis for payment for Audit Services as detailed in pertinent part in Attachment A; and

WHEREAS, in accordance with the Local Public Contracts Law Regulations N.J.A.C. 5:34-1 et seq., the Authority, and its Members and Commissioners, desire to retain ParenteBeard LLC as Auditor for Solid Waste; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.4, the Chief Financial Officer has certified, in writing, the availability of sufficient funds for the term of the appointment for the maximum sum of \$45,900.00 for Audit Services to be paid from the Solid Waste Operating Budget;

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Middlesex County Utilities Authority as follows:

1. For all future reference the title of this Resolution shall be "Auditor Solid Waste Division 2013 - ParenteBeard LLC", and all subsequent documents associated with the matters addressed herein shall reference this Title.
2. In compliance with procedures and requirements for the fair and open process set forth in the Act, ParenteBeard LLC shall be, and is hereby retained as Auditor for the Solid Waste Division for and on behalf of the Authority for the term commencing February 1, 2013, and terminating January 31, 2014.
3. The Authority's Counsel and Staff are hereby authorized to prepare the necessary agreement documents which will incorporate substantially the terms set forth in the Request for Proposals and in Attachment A hereto, and the Chairman and Secretary are hereby authorized to execute an Agreement for said services.
4. In the absence of the Chairman, the Authority's Vice Chairman is hereby authorized to execute said contract on the Chairman's behalf.
5. Payment in an amount not to exceed \$45,900.00 for audit services, shall be drawn as ordered against the Solid Waste Operating Budget.
6. The retainage of ParenteBeard LLC authorized herein shall be made without public bidding pursuant to the Local Public Contracts Law of the State of New Jersey for the reason that ParenteBeard LLC is an Accounting Firm which profession is recognized by law.
7. This Resolution shall take effect upon expiration of the Freeholder veto period in accordance with law.
8. The Executive Director of the Authority is hereby authorized and directed to cause notice of this Resolution as required by N.J.S.A. 40A:11-5(1)(a) to be published in an appropriate newspaper.

RESOLUTION NO. SW/WW-2-13-7-A

ANNUAL APPOINTMENT OF INSURANCE CONSULTANT 2013
GOVERNMENTAL RISK MANAGEMENT ASSOCIATES, INC.

WHEREAS, pursuant to N.J.S.A. 40A:11-5 the Middlesex County Utilities Authority (“Authority”) may procure professional services without the necessity of advertising for bids pursuant to N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, Governmental Risk Management Associates, Inc. has prepared a proposal and schedule of rates and services as set forth in Attachment No.1 hereto which shall be the basis for payment for insurance consultation services; and

WHEREAS, in accordance with the Local Public Contracts Law Regulations N.J.A.C. 5:34-1 et seq., the Authority and its members and Commissioners desire to retain Governmental Risk Management Associates, Inc. as Insurance Consultant; and

WHEREAS, said services provided by Governmental Risk Management Associates, Inc. would be subject to contracting requirements for Extraordinary Unspecifiable Services pursuant to N.J.A.C. 5:34-2.1 et seq., only if they exceed the threshold amount established by N.J.S.A. 40A:11-3; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.4, the Chief Financial Officer has certified, in writing, the availability of sufficient funds for the term of such appointment for the Retainage Fee of \$17,000.00 to be paid from the Wastewater and Solid Waste Operating Budgets;

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Middlesex County Utilities Authority as follows:

1. For all future reference the title of this Resolution shall be “Insurance Consultant 2013 - Governmental Risk Management Associates, Inc.”, and all subsequent documents associated with the matters addressed herein shall reference this Title.

2. Governmental Risk Management Associates, Inc. shall be, and is hereby retained as Insurance Consultant on behalf of the Authority for the term commencing February 1, 2013, and terminating January 31, 2014.

3. The Authority’s Counsel and Staff are hereby authorized to prepare the necessary agreement documents which will incorporate substantially the terms set forth in Attachment No.1 hereto, and the Chairman and Secretary are hereby authorized to execute an Agreement for said services.

4. In the absence of the Chairman, the Authority’s Vice Chairman is hereby authorized to execute said contract on the Chairman’s behalf.

5. Payment not to exceed \$17,000.00 for the Retainage Fee for Insurance Consultant Services, shall be drawn against the Solid Waste and Wastewater Operating Budgets.

6. The retainage of Governmental Risk Management Associates, Inc. authorized herein shall be made without public bidding pursuant to the Local Public Contracts Law of the State of New Jersey for the reason that the Contract amount is below the threshold amount established by N.J.S.A. 40A:11-3.

7. This Resolution shall take effect upon expiration of the Freeholder veto period in accordance with law.

8. The Executive Director of the Authority is hereby authorized and directed to cause notice of this Resolution as required by N.J.S.A. 40A:11-5(1)(a) to be published in an appropriate newspaper.

RESOLUTION NO. SW-2-13-8 -A
2013 ANNUAL APPOINTMENT OF CONSULTING ENGINEER
SOLID WASTE DIVISION

CDM SMITH INC.

WHEREAS, the Solid Waste Division requires the services of a Consulting Engineer for tasks including NJPDES DGW/DSW Permitting, Landfill Gas Migration Monitoring, Landfill Gas Engine Design, Closure/Post Closure Assistance and other miscellaneous services related to the operations of the Middlesex County Landfill; and

WHEREAS, pursuant to N.J.S.A 40A:11-5 the Middlesex County Utilities Authority (Authority) may procure Professional Services without the necessity of advertising for bids pursuant to N.J.S.A. 40:A:11-1 et seq.; and

WHEREAS, pursuant to P.L. 2004 L, 19 as amended by P.L. 2005 c. 51 (N.J.S.A. 19:44-20-4 et seq. ("Act")) the Authority must follow the requirements set forth in the Act in awarding contracts having an anticipated value in excess of \$17,500; and

WHEREAS, the Authority has publicly advertised and solicited qualifications from professionals for Consulting Engineering Services related to NJPDES DGW/DSW Permitting, Landfill Gas Migration Monitoring, Landfill Gas Engine Design, Closure/Post Closure Assistance and other miscellaneous services pursuant to a "fair and open process" pursuant to provisions of the Act (N.J.S.A. 19:44A-20.7); and other miscellaneous services related to the operations of the Middlesex County Landfill; and

WHEREAS, upon review of the submitted qualifications, it was determined that CDM Smith Inc. was the most qualified firm for the services mentioned herein as described in Attachment #1; and

WHEREAS, the Authority requested a proposal from CDM Smith Inc. for the services as described in Attachment #1; and

WHEREAS, CDM Smith Inc. has prepared a proposal and schedule of rates and services as required by N.J.A.C. 5:34-4.5 (c) which shall be the basis for payment for Consulting Engineering Services related to the services as described in Attachment #2; and

WHEREAS, in accordance with the Local Public Contracts Law Regulations N.J.A.C. 5:34-1 et seq., the Authority and its members and Commissioners desire to retain CDM Smith Inc. for Consulting Engineering Services for the Solid Waste Division; and

WHEREAS, Engineering Services provided by CDM Smith Inc. are Professional Services within the definition contained in N.J.S.A. 40A:11-2; and

WHEREAS, pursuant to N.J.A.C. 5:34-5.1 *et seq.*, the Chief Financial Officer has certified, in writing, the availability of sufficient funds for the term of the appointment for an amount not to exceed \$217,262.00 for engineering services to be paid from the Solid Waste Division Operating Budget.

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Middlesex County Utilities Authority as follows:

1. For all future reference the title of this Resolution shall be “2013 Annual Appointment of Consulting Engineer – CDM Smith Inc.”, and all subsequent documents concerning the matters addressed herein shall reference this title.
2. Upon review of the firms that submitted qualifications, it was determined that CDM Smith Inc. was the most qualified firm for the services as described in Attachment #1.
3. CDM Smith Inc. shall be, and is hereby retained to perform Engineering Services related to the Solid Waste Division for and on behalf of the Authority for the term commencing March 1, 2013 and terminating February 28, 2014.
4. The Authority’s Counsel and Staff are hereby authorized to prepare the necessary agreement documents which will incorporate substantially the terms set forth in Attachment #1 hereto, and the Chairman or Vice Chairman and Secretary are hereby authorized to execute an Agreement for said services.
5. Payment not to exceed \$217,262.00 for said Professional Services shall be drawn against the Solid Waste Division Operating Budget.
6. The retainage of CDM Smith Inc. authorized herein shall be made without public bidding pursuant to the Local Public Contracts Law of the State of New Jersey for the reason that CDM Smith Inc. is a licensed Engineering firm which profession is recognized by law.
7. The retainage of CDM Smith Inc. has been obtained pursuant to a “fair and open process” in accordance with the Act.
8. This resolution shall take effect upon the expiration of the Freeholder review period in accordance with law.
9. The Executive Director of the Authority is hereby authorized and directed to cause notice of this Resolution as required by N.J.S.A 40A:11-5(1) (a) to be published in an appropriate newspaper.

RESOLUTION NO. A-2-13-09-A

**ANNUAL DESIGNATION OF THE
OFFICIAL DEPOSITORIES OF THE
MIDDLESEX COUNTY UTILITIES AUTHORITY**

BE IT RESOLVED by the Middlesex County Utilities Authority, (Authority) and its Members or Commissioners thereof, as follows:

1. The following institutions shall be, and are hereby designated official depositories for the funds of the Authority commencing February 1, 2013 to January 31, 2014:

Amboy National Bank

M&T Bank

1st Constitution Bank

Provident Bank

2. For all future reference the title of this Resolution shall be "Official Depositories of Middlesex County Utilities Authority - 2013," and all future documents relating to the matters herein shall reference this title.

3. Said institutions as aforesaid shall be, and they are hereby authorized to pay out funds on deposit with said bank from time to time to the credit of the Authority, upon issuance of a warrant drawn by the Treasurer or Assistant Treasurer of said Authority and signed by the Chairman or Vice Chairman; the said warrant to be valid as payment vouchers and warrants may be either in original form or may be facsimiles thereof by automatic check signing machines.

4. The Secretary of the Authority shall forthwith file, with each said named institution, a certified copy of this Resolution under the seal of the Authority and shall certify to each institution the names of the persons elected as Chairman, Vice Chairman, Treasurer and Secretary.

5. This Resolution shall take effect immediately.

RESOLUTION NO. A-2-13-10-A

**ANNUAL DESIGNATION OF THE
ANNUAL AND REGULAR MEETINGS OF THE
MIDDLESEX COUNTY UTILITIES AUTHORITY**

BE IT RESOLVED by the Middlesex County Utilities Authority (Authority), or its Members or Commissioners thereof as follows:

1. The Regular Meetings shall be scheduled on the following dates:

2013 - 2014 REGULAR MEETING SCHEDULE

March 28, 2013	4:00 P.M.	September 26, 2013	4:00 P.M.
April 25, 2013	4:00 P.M.	October 24 2013	4:00 P.M.
May 23, 2013	4:00 P.M.	November 26, 2013	4:00 P.M.
June 27, 2013	4:00 P.M.	December 19, 2013	4:00 P.M.
July 25, 2013	4:00 P.M.	January 23, 2014	4:00 P.M.
August 22, 2013	4:00 P.M.	February 27, 2014	4:30 P.M.

2. Agenda sessions of the Authority shall commence at 4:00 P.M. with the Regular Meeting to immediately follow. Agenda Session for the February 27, 2014 Meeting will commence at 3:30 P.M. with the Annual and Regular Meeting to follow at 4:30 P.M.

3. Except as hereinafter provided, notice of the Regular and Special Meetings of the Board of Commissioners shall be posted 48 hours in advance at the following location:

Lobby of the Authority Offices

4. A copy of advance notice of Regular and Special Meetings of the Board of Commissioners shall be filed with the Clerks of the Counties of Middlesex, Union and Somerset and the Executive Director of the Middlesex County Utilities Authority.

5. Any person may request, in writing, that the Board of Commissioners mail her/him a copy of the schedule of Regular, Special or rescheduled meetings of the Board. Such advanced notices shall be mailed to such person. All requests made pursuant to this paragraph shall terminate at noon, February 27, 2014 subject to renewal thereafter upon the filing of a new written request to the Board of Commissioners.

6. This Resolution shall take effect immediately.

RESOLUTION NO. A-2-13-11-A

**ANNUAL DESIGNATION OF
OFFICIAL NEWSPAPERS OF THE
MIDDLESEX COUNTY UTILITIES AUTHORITY**

BE IT RESOLVED by the Middlesex County Utilities Authority and its Members or Commissioners thereof that:

1. The following newspapers shall be and the same are hereby designated as the official publications for the Middlesex County Utilities Authority during the term commencing February 1, 2013 and terminating January 31, 2014:

The Home News Tribune	Neptune, N.J.
The Courier News	Bridgewater, N.J.
The Star Ledger	Newark, N.J.

2. For all future reference the title of this Resolution shall be "Official Newspapers of Middlesex County Utilities Authority - 2013," and all future documents relating to the matters herein shall reference this title.

3. This Resolution shall take effect immediately.

RESOLUTION NO. A-2-13-12-A

**ANNUAL APPOINTMENT
OF PUBLIC AGENCY COMPLIANCE OFFICER
2013**

WHEREAS, it is the policy of the State of New Jersey to promote equal opportunity by prohibiting discrimination in employment and requiring affirmative action in the performance of contracts funded by the State as prescribed in N.J.S.A. 10:5-31 et. seq; and

WHEREAS, pursuant to N.J.A.C. 17:27-1.1 et. seq, the Middlesex County Utilities Authority is required to designate a Public Agency Compliance Officer (P.A.C.O.) to perform the duties prescribed in these rules and to ensure the Authority's compliance with these rules;

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

1. For all future reference the title of this Resolution shall be "Annual Appointment of Public Agency Compliance Officer" and all subsequent documents associated with the matters herein shall reference this title.
2. Wilfredo Burgos, MCUA Human Resources Manager, is hereby appointed Public Agency Compliance Officer for the Authority as described in Attachment 1.
3. This Resolution shall take effect immediately.