

RESOLUTION NO. WW-1-13-1-R

CONTRACT AWARD - ENGINEERING SERVICES FOR
AIR MONITORING SERVICES
AT THE CENTRAL TREATMENT PLANT 2013
TRC ENVIRONMENTAL CORPORATION

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, 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 professional services contracts having an anticipated value in excess of \$17,500; and

WHEREAS, the Authority has solicited qualifications from professionals for air monitoring engineering 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 TRC Environmental Corporation was the most qualified firm for the services mentioned herein as described in Attachment No. 1; and

WHEREAS, said air monitoring engineering services provided by TRC Environmental Corporation 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 TRC Environmental Corporation for air monitoring engineering services mentioned herein; and

WHEREAS, TRC Environmental Corporation 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 air monitoring engineering services related to 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 TRC Environmental Corporation for providing air monitoring engineering to 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 in an amount not to exceed \$225,000.00, including fees and expenses, for TRC Environmental Corporation to undertake air monitoring engineering services matters relating to the Wastewater Division, which funds shall be drawn from the Wastewater Operating Budget; 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 "Engineering Services For Air Monitoring Services At The Central Treatment Plant 2013 - TRC Environmental Corporation", 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, TRC Environmental Corporation shall be, and is hereby retained to perform air monitoring engineering services for and on behalf of the Authority for the term commencing January 1, 2013, and terminating December 31, 2013.

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 air monitoring engineering services shall not to exceed \$225,000.00 and shall be drawn from Wastewater Operating Budget.

6. The retainage of TRC Environmental Corporation 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 TRC Environmental Corporation is licensed to air monitoring engineering 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-1-13-2-R

CHANGE ORDER No. 3-HSR TO CONTRACT#10-6-1(CTP)
REHABILITATION OF MAIN SUBSTATION APPARATUS &
STANDBY SERVICES FOR NETA MAINTENANCE TESTING
M&L POWER SYSTEMS, INC.

WHEREAS, on October 30, 2012 Hurricane Sandy made landfall on the New Jersey shore line causing extensive damage to Middlesex County Utilities Authority (Authority) facilities, mainly the Sayreville and Edison Pump Stations, which was determined to be a condition that was a hazard to the health, safety, and welfare to the public requiring the Authority to declare a state of emergency; and

WHEREAS, the Middlesex County Utilities Authority (Authority) previously executed a contract to and with M&L Power Systems, Inc. for Contract 10-6-1(CTP)/Rehabilitation Of Main Substation Apparatus & Standby Services For NETA Maintenance Testing; and

WHEREAS, based on discussions with Federal Emergency Management Agency (Agency), the Agency recommended utilizing publically bid contracts where possible, the Authority's Staff has recommended the approval and execution of a Change Order to said Contract to further extend the Contract Term to June 30, 2013 for the purpose of providing emergency Hurricane Sandy storm restoration services at various Authority locations; and

WHEREAS, said Change Order has been deemed to be in the best interests of the Authority; and

WHEREAS, the Authority has determined that said Change Order itself does not cause the change orders executed on this Contract to further exceed 20% of the Original Contract amount; 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 "Change Order No. 3-HSR to Contract 10-6-1(CTP)/Rehabilitation Of Main Substation Apparatus & Standby Services For NETA Maintenance Testing- M&L Power Systems, Inc.", and all subsequent documents associated with the matters addressed herein shall reference this Title.

2. The following Change Order shall be and is hereby approved:

Contractor:	M&L Power Systems, Inc.
Contract No.:	10-6-1(CTP)
Change Order No.:	3-HSR
Description of Work:	150 day time extension for providing as-needed storm restoration services at various Authority locations
Change Order Amount:	\$0.00
Comments:	Hurricane Sandy

3. The appropriate Officers and Staff of the Authority are hereby authorized and directed to execute said Change Order substantially in the form attached hereto.

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

RESOLUTION NO. WW-1-13-3-R

CHANGE ORDER No. 19 TO CONTRACT 06-11-2(EFM)
EDISON PUMP STATION AND
CENTRAL TREATMENT FACILITY UPGRADES - PHASE 3
PKF-MARK III, INC.

WHEREAS, the Middlesex County Utilities Authority (Authority) previously executed a contract to and with PKF-Mark III, Inc. for Contract 06-11-2(EFM)/Edison Pump Station and Central Treatment Facility Upgrades - Phase 3; and

WHEREAS, the Consulting Engineer has recommended to the Authority the approval and execution of a Change Order to said Contract in the amount of \$12,500.00 as a credit, for the elimination of air over oil valve operators at the Edison Pump Station as set forth in Attachment #1 hereto; and

WHEREAS, said Change Order has been deemed to be in the best interests of the Authority; and

WHEREAS, the Authority has determined that said Change Order does not cause the change orders executed on this Contract to exceed 20% of the Original Contract amount; 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 "Change Order No. 19 to Contract 06-11-2(EFM)/Edison Pump Station and Central Treatment Facility Upgrades - Phase 3-PKF-Mark III, Inc." and all subsequent documents associated with the matters addressed herein shall reference this Title.

2. The following Change Order shall be and is hereby approved:

Contractor:	PKF-MARK III, INC.
Contract No.:	06-11-2(EFM)
Change Order No.:	19
Description of Work:	Elimination of air over oil valve operators at the Edison Pump Station
Change Order Amount:	(\$12,500.00)
Comments:	NONE

3. The appropriate Officers and Staff of the Authority are hereby authorized and directed to execute said Change Order substantially in the form attached hereto.

4. This Resolution shall take effect immediately.

RESOLUTION NO. WW-1-13-4-R

CHANGE ORDER No. 6-HSR TO CONTRACT 10-2-6(SPS)(REBID)
REHABILITATION AND UPGRADE OF THE SAYREVILLE PUMP STATION
ALLIED CONSTRUCTION GROUP, INC.

WHEREAS, the Middlesex County Utilities Authority (Authority) previously executed a contract to and with Allied Construction Group, Inc. for Contract 10-2-6(SPS)(Rebid)/Rehabilitation and Upgrade of the Sayreville Pump Station; and

WHEREAS, the Consulting Engineer has recommended to the Authority the approval and execution of a Change Order to said Contract in the amount of \$170,215.00, for the purpose of procuring two (2) variable frequency drives in lieu of two (2) liquid rheostat drives as set forth in Attachment #1 hereto; and

WHEREAS, said Change Order has been deemed to be in the best interests of the Authority; and

WHEREAS, the Authority has determined that said Change Order does cause the change orders executed on this Contract to further exceed 20% of the Original Contract amount; 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 said Change Order in the amount of \$170,215.00, to be paid from the New Jersey Environmental Infrastructure Financing Program.

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 Change Order No. 6-HRS to Contract 10-2-6(SPS)(Rebid)/Rehabilitation and Upgrade of the Sayreville Pump Station - Allied Construction Group, Inc." and all subsequent documents associated with the matters addressed herein shall reference this Title.

2. The following Change Order shall be and is hereby approved:

Contractor:	Allied Construction Group, Inc.
Contract No.:	10-2-6(SPS)(Rebid)
Change Order No.:	6
Description of Work:	Procure two (2) variable frequency drives in lieu of two (2) liquid rheostat drives
Change Order Amount:	\$170,215.00
Comments:	NONE

3. The appropriate Officers and Staff of the Authority are hereby authorized and directed to execute said Change Order substantially in the form attached hereto.

4. Payment not to exceed \$170,215.00 for said Change Order shall be drawn against the New Jersey Environmental Infrastructure Financing Program.

5. That the Executive Director is hereby authorized and directed to cause notice of this Resolution to be published in an appropriate newspaper as required by N.J.A.C. 5:30-11.9

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

RESOLUTION NO. WW-1-13-5-R

**RESOLUTION APPROVING EMERGENCY CONTRACTS FOR
REPAIR OF STORM DAMAGE – ONE VENDOR FOR AN AMOUNT
NOT TO EXCEED \$700,000.00**

WHEREAS, on October 29 and 30, 2012 the facilities of the Middlesex County Utilities Authority (“Authority”) were extensively damaged by a storm known as Hurricane Sandy; and

WHEREAS, N.J.S.A. 40A: 11-6 authorizes the award of contracts without public advertising notwithstanding that the contract price will exceed the bid threshold, when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; and

WHEREAS, the widespread damage and related conditions caused by Hurricane Sandy could not have reasonably been foreseen by the Authority and resulted in the declaration of states of emergency by the President of the United States and the Governor of New Jersey; and

WHEREAS, the Executive Director of the Authority has notified the Commissioners of the Authority as to the need for the performance of contracts listed within this Resolution, by reason of the conditions caused by Hurricane Sandy, resulting damage to the Authority’s wastewater treatment and conveyance facilities, and the immediate need to restore those facilities to operation so as to protect the public health, safety and welfare; and

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

1. That the emergency contracts listed on Schedule A to this Resolution, are hereby approved and ratified. Copies of all such contracts, which shall be acceptable in form to the Authority’s counsel, shall be maintained on file by the Authority in the same manner as contracts awarded pursuant to other sections of the New Jersey Local Public Contracts Law.
2. That the Executive Director and staff of the Authority are authorized to take all steps necessary to implement the said contracts, including without limitation the issuance of payment in accordance with the terms of said contracts.
3. That the Executive Director shall provide an Emergency Procurement Report regarding said contracts to the New Jersey Department of Community Affairs, as soon as practicable.
4. This Resolution shall take effect upon expiration of the Freeholder veto period in accordance with law

RESOLUTION NO. WW-1-13-6-R

CONTRACT AWARD - REPAIR PARTS SERVICE FOR SCARAB 2013
SCARAB MANUFACTURING AND LEASING, L.L.C.

WHEREAS, in order to assure proper operation of the Middlesex County Utilities Authority's (Authority) Scarabs for processing MeadowLife® it is necessary to secure repair parts service; and

WHEREAS, repair parts service is identified as Extraordinary Unspecifiable Services pursuant to N.J.A.C. 5:34-2.2 et seq.; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5 the Authority may procure Extraordinary Unspecifiable Services without the necessity of advertising for bids pursuant to N.J.S.A.40A:11-1 et seq.; and

WHEREAS, Scarab Manufacturing and Leasing, L.L.C. has prepared a proposal of prices for Scarab repair parts as required by N.J.A.C. 5:30-11.6 as set forth in Attachment A which shall be the basis for payment for said parts; and

WHEREAS, said proposal has been reviewed by the Authority's Technical Staff who have advised that the proposal for minimum and maximum quantities as set forth in Attachment No. 1 for the Unit Prices set forth in Attachment A satisfies, in all material respects, the technical requirements for maintenance and repair of the Authority's Scarabs as necessary during 2013; 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 Scarab Manufacturing and Leasing, for supply and delivery of high technology parts for the Authority's Scarabs; and

WHEREAS, pursuant to N.J.A.C. 5:34-2.1 et seq. the Executive Director has certified in writing regarding the compliance of said repair parts service with the criteria for Extraordinary Unspecifiable Services as set forth in Attachment No. 2 hereto; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.4 and 5.5, the Chief Financial Officer shall certify, in writing, the availability of sufficient funds for such repair parts service based upon the unit prices set forth in Attachment A up to the maximum quantities set forth in Attachment No. 1, for which funding shall be certified as ordered and drawn against the amount allotted in 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 "Contract Award for Scarab Repair Parts Service 2013 - Scarab Manufacturing and Leasing, L.L.C.," and all subsequent documents associated with the matters addressed herein shall reference this Title.

2. The Commissioners hereby accept the proposal of Scarab Manufacturing and Leasing as set forth in Attachment A hereto for the term from February 1, 2013, through January 31, 2014, which Contract shall be effected in the form of Purchase Orders executed by the Authority's Purchasing Agent.

3. Funding for repair parts service under said Contract with Scarab Manufacturing and Leasing shall be certified as ordered by the Chief Financial Officer, shall not exceed \$35,000.00, and shall be drawn against the Wastewater Operating Budget.

4. The retainage of Scarab Manufacturing and Leasing 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 subject supply and delivery services are Extraordinary Unspecifiable Services.

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

6. 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-1-13-7-R

AUTHORIZATION OF STIPULATED PENALTIES PURSUANT TO THE CONSENT DECREE BETWEEN THE UNITED STATES OF AMERICA, THE STATE OF NEW JERSEY AND THE MIDDLESEX COUNTY UTILITIES AUTHORITY

WHEREAS, the Middlesex County Utilities Authority (the "Authority") owns and operates the Middlesex County Landfill which includes a Gas Collection and Control ("GCCS") system for collection of landfill gas in connection with the landfill gas to energy project located at the Middlesex County Landfill and the Authority's Sayreville Plant where landfill gas is converted to electrical energy; and

WHEREAS, the Authority approved a Consent Decree with the United States Environmental Protection Agency (EPA) and the New Jersey Department of Environmental Protection (NJDEP) which was entered by the Federal District Court for the District of New Jersey on November 22, 2010 (Civil Action No. 3:10-cv-040508-MLC-LHG); and

WHEREAS, the Consent Decree resolved the applicability of certain requirements of the Federal Clean Air Act for municipal solid waste landfills and clarified compliance issues; resolved penalties for alleged non-compliance and set forth injunctive relief which included upgrades to Middlesex County Landfill which increased the efficiency of gas collection, improved safety features and was of benefit to the environment; and

WHEREAS the Consent Decree, pending approval of its termination by NJDEP and EPA, serves as an all inclusive regulatory framework for Middlesex County Landfill and the GCCS and establishes stipulated penalties to be paid by the Authority to NJDEP and to EPA for alleged violations of the compliance provisions of the Consent Decree in accordance with Paragraph 40 of the Consent Decree; and

WHEREAS, on January 22, 2013, the EPA, issued the attached Demand for Stipulated Penalties pursuant to Paragraph 37 of the Consent Decree in the total amount of forty six thousand dollars (\$46,000.00) requiring the Authority to pay 50 percent (\$23,000) to the United States of America and 50 percent (\$23,000) to Treasurer State of New Jersey to be paid within thirty (30) days of the date of the Demand letter; and

WHEREAS, prior to issuance of the Demand for Stipulated Penalties, the Authority had alerted EPA and NJDEP to the majority of the alleged violations cited in the Demand by letter date December 15, 2011; and had requested alternate timeframes for system repairs and installation of replacement wells to correct non-compliance and EPA had denied the request by letter dated March 12, 2012; and

WHEREAS the Authority participated with EPA and NJDEP in settlement discussions prior to issuance of the Demand for Stipulated penalties; and

WHEREAS the potential penalties for the alleged non-compliance pursuant to the Consent Decree were estimated at Seven Hundred and Seven Thousand, Five Hundred dollars (\$707,500); and

WHEREAS consideration of the Authority's responses and defenses to all alleged non-compliance as set forth in the Authority's March 30, 2012 correspondence and in other correspondence to EPA and NJDEP as referenced at Paragraph 3 of the attached Demand for Stipulated Penalties was given by EPA and NJDEP; and

WHEREAS, the Authority without any admission of liability agrees to resolve the alleged violations as set forth in the Demand for Stipulated Penalties by payment of Forty Six Thousand Dollars (\$46,000.00) by the Authority to the United States and to the Treasurer State of New Jersey as set forth herein; 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 payment of stipulated penalties in the amount of \$46,000 to be paid from the Solid Waste Division Operating Budget.

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

1. For all future reference the title of this Resolution shall be "Authorization of Stipulated Penalties Pursuant to the Consent Decree Between the United States of America, The State of New Jersey and the Middlesex County Utilities Authority" and all subsequent documents shall reference this title.

2. That the Authority is authorized to pay penalties in the total amount of forty six thousand dollars (\$46,000.00) as set forth in the Demand for Stipulated Penalties and the Consent Decree by payment of 50 percent (\$23,000) to the United States of America and 50 percent (\$23,000) to the Treasurer State of New Jersey within 30 days of the date of the Demand Letter dated January 22, 2013.

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

RESOLUTION NO. A-1-13-8-R

**RESOLUTION CONFIRMING AMOUNTS OF OVERPAYMENTS OF
ANNUAL CHARGES BY CERTAIN PARTICIPANTS FOR THE TREATMENT
AND DISPOSAL OF SEWAGE FOR THE YEAR 2012**

WHEREAS, the Authority has heretofore made estimates of the quantity and quality of sewage to be delivered to its Trunk System by all Participants for the year 2012, and calculated and computed estimated charges becoming due for each Participant for said period according to the Schedule of Rates for the year 2012, pursuant to the terms of its Service Contract; and

WHEREAS, the actual charges for the treatment and disposal of certain Participants' sewage for the year 2012 are less than the estimated charges certified to and paid by said Participants.

NOW, THEREFORE, BE IT RESOLVED by the Middlesex County Utilities Authority and the members or commissioners thereof;

1. The Authority does hereby determine that the amounts of overpayments of 2012 Annual Charges of certain Participants as hereinafter set forth in the attached summary, which is made a part hereof, for the treatment and disposal of sewage for the year 2012 are confirmed, adopted and approved and does further determine that all such charges are, in all respects, in conformity with and calculated according to the Schedule of Rates for the year 2012 adopted by the Authority on November 22, 2011.

2. That the Treasurer is hereby instructed to certify to each such Participant on or before February 1, 2013 its actual charges as confirmed herein for the year 2012. Said Certificate shall be mailed to each Participant by Certified Mail - Return Receipt Requested.

3. This Resolution shall take effect immediately.

RESOLUTION NO. A-1-13-9-R

RESOLUTION CONFIRMING AMOUNTS OF DEFICIENCY IN PAYMENT OF ANNUAL CHARGES BY CERTAIN PARTICIPANTS FOR TREATMENT AND DISPOSAL OF SEWAGE FOR THE YEAR 2012

WHEREAS, the Authority has heretofore made estimates of the quantity and quality of sewage to be delivered to its Trunk System by all Participants for the year 2012, and calculated and computed estimated charges becoming due for each Participant for said period according to the Schedule of Rates for the year 2012, pursuant to the terms of its Service Contract; and

WHEREAS, the actual charges for the treatment and disposal of certain Participants' sewage for the year 2012 have exceeded the estimated charges certified to and paid by said Participants; and

NOW, THEREFORE, BE IT RESOLVED by the Middlesex County Utilities Authority and the members or commissioners thereof;

1. The Authority does hereby determine that the amounts of deficiency in payment of 2012 Annual Charges of certain Participants as hereinafter set forth in the attached summary, which is made a part hereof, for the treatment and disposal of sewage for the year 2012 are confirmed, adopted and approved and does further determine that all such charges are, in all respects, in conformity with and calculated according to the Schedule of Rates for the year 2012 adopted by the Authority on November 22, 2011.

2. That the Treasurer is hereby instructed to certify to each Participant on or before February 1, 2013 its actual charges as confirmed herein for the year 2012. Said Certificate shall be mailed to each Participant by Certified Mail -Return Receipt Requested.

3. This Resolution shall take effect immediately.

RESOLUTION NO. A-1-13-10-R

**RESOLUTION CONFIRMING ESTIMATE OF SEWAGE AND ANNUAL
CHARGES TO PARTICIPANTS FOR THE YEAR 2013**

WHEREAS, the Authority has made estimates of the quantity and quality of sewerage to be delivered to its Trunk System by its Participants for the year 2012, and has calculated and computed charges becoming due from each Participant for said period according to the Schedule of Rates, all in pursuance of the terms of its Service Contract.

NOW, THEREFORE, BE IT RESOLVED by the Middlesex County Utilities Authority and the members or commissioners thereof:

1. The Authority does hereby determine that the estimate of charges to each Participant, as hereinafter set forth in the attached summary, for the treatment and disposal of sewage of its Participants for the year 2013 are confirmed, adopted and approved and does further determine that all such charges and estimates of charges are in all respects in conformity with and calculated according to the Schedule of Rates for the year 2013 adopted by the Authority on November 29, 2012.

2. That the Treasurer is hereby instructed to certify to each such participant on or before February 1, 2013, its respective charges as confirmed herein for the year 2013 Said Certificate shall be mailed to each Participant by Certified Mail - Return Receipt Requested.

RESOLUTION NO.SW-1-13-11-R

AUTHORIZATION TO INCREASE QUANTITIES
ITEM NO. 5 (RECYCLED STONE)
CONTRACT NO. 11-7SW
FURNISH AND DELIVER AGGREGATES AT THE
MIDDLESEX COUNTY LANDFILL

TILCON NEW YORK INC.

WHEREAS, the Middlesex County Utilities Authority (Authority) previously executed a contract with Tilcon New York Inc. for Contract No. 11-7SW / Furnish and Deliver Aggregates at the Middlesex County Landfill, for Bid Item No.5, Recycled Stone, for an average quantity of 5,000 tons for calendar year 2012; and

WHEREAS, due to weather related conditions at the Landfill, staff utilized approximately 300 tons more Recycled Stone than had been originally anticipated in order to maintain proper operating conditions as well as NJDEP Permit compliance at the Middlesex County Landfill; and

WHEREAS, said increase in quantities is permitted by the Contract as outlined in Exhibit A Detailed Specifications as attached; and

WHEREAS, there will be no increase in unit price (\$7.70 per ton) for the Recycled Stone; and

WHEREAS, said authorization will allow Landfill staff to purchase additional Recycled Stone up to an amount not to exceed \$2,310.00; 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 such supply and delivery services based on the unit prices set forth in the original Contract and for the increased quantity outlined herein for which funding shall be certified as ordered and drawn against the amount allotted in 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 "Authorization to Increase Quantities/Item No.5 (Recycled Stone) - Tilcon New York Inc.," and all subsequent documents associated with the matters addressed herein shall reference this Title.

2. Authorization to increase the amount of Recycled Stone purchased through this Contract up to an amount not to exceed \$2,310.00 for 300 tons is hereby approved as follows.

3. Resolution No. SW-9-1-11-R authorized expenditure for the average quantity of 5,000 tons in the amount of \$38,500.00. This Resolution No. SW-1-13-11-R authorizes an additional amount, not to exceed \$2,310.00 for additional purchase, of up to 300 tons of Recycled Stone which shall be drawn against the Solid Waste Division Operating Budget.

4. The Executive Director of the Authority is hereby authorized and directed to cause notice of this Resolution to be published in an appropriate newspaper as required by N.J.A.C. 5:34-4.8(c)6.

5. This Resolution shall take effect immediately following Freeholder review period.

RESOLUTION NO. SW-1-13-12-R

CHANGE ORDER NO. 1 (NO COST)

CONTRACT NO. 12-3SW

LANDFILL LEACHATE CONVEYANCE SYSTEM REPAIR
AT THE MIDDLESEX COUNTY LANDFILL

BARBELLA CONSTRUCTION SERVICES, LLC

WHEREAS, the Middlesex County Utilities Authority ("Authority") previously executed a contract with Barbella Construction Services, LLC for Contract No. 12-3SW/Landfill Leachate Conveyance System Repair at the Middlesex County Landfill; and

WHEREAS, the Authority's staff and Consulting Engineer have recommended to the Authority the approval and execution of a Change Order (No Cost) to said Contract for the purpose of a time extension of 77 calendar days due to weather related delays and manufacturer delays related to HDPE manholes; and

WHEREAS, said Change Order has been deemed to be in the best interests of the Authority; 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 "Change Order No. 1 (No Cost), Contract No. 12-3SW/Landfill Leachate Conveyance System Repair at the Middlesex County Landfill, Barbella Construction Services, LLC" and all subsequent documents associated with the matters addressed herein shall reference this Title.
2. The following Change Order shall be and is hereby approved:

Contractor:	Barbella Construction Services, LLC
Contract Number:	Contract No. 12-3SW
Change Order Number:	1
Description of Work:	A Change Order (No Cost) to said Contract for a time extension of 77 calendar days due to weather and manhole manufacturer delays.
Change Order Amount:	No Cost

3. The appropriate Officers and Staff of the Authority are hereby authorized and directed to execute said Change Order.
4. This Resolution shall take effect following Freeholder review, pursuant to law.

RESOLUTION NO. SW-1-13-13-R

AUTHORIZATION TO EXECUTE AGREEMENTS FOR
SOLID WASTE DISPOSAL SERVICES WITH
COUNTY GOVERNMENT AND MUNICIPALITIES

WHEREAS, the Middlesex County Utilities Authority ("MCUA") owns and operates a state of the art landfill facility located in East Brunswick Township, Middlesex County, known as the Middlesex County Landfill ("MCLF"); and

WHEREAS, the MCUA established contract rates of \$62.50 per ton for 2013, \$62.75 per ton for 2014 and \$63.00 per ton for 2015 for government entities agreeing to dispose of all of their Acceptable Solid Waste ("ASW"), generated in Middlesex County, at the MCLF over a three (3) year period beginning January 1, 2013 and ending December 31, 2015; and

WHEREAS, MCUA staff and counsel prepared a form of Agreement, (attached as Exhibit No. 1), and distributed said Agreement to those municipalities in Middlesex County that currently have existing Solid Waste Disposal Agreements for their consideration to accept; and

WHEREAS, MCUA staff has received signed agreements from the Township of East Brunswick, Township of Edison, Borough of Helmetta, Borough of Highland Park, Borough of Jamesburg, Borough of Milltown, City of New Brunswick, Township of North Brunswick, City of Perth Amboy, Borough of Sayreville, City of South Amboy, Borough of South River and the Township of Woodbridge in substantially the same form attached as Exhibit No. 1 and recommends that the Middlesex County Utilities Authority Board of Commissioners authorize execution of said Agreements; and

WHEREAS, the MCUA Board of Commissioners has determined that entering into Agreements with these government entities is in the best interest of the Authority and Middlesex County residents.

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 "Authorization to Execute Agreements for Solid Waste Disposal Services with County Government and Municipalities", and all subsequent documents concerning the matters addressed herein shall reference this title.

2. The Executive Director and Secretary are hereby authorized to execute the Agreements accepted and submitted by the Township of East Brunswick, Township of Edison, Borough of Helmetta, Borough of Highland Park, Borough of Jamesburg, Borough of Milltown, City of New Brunswick, Township of North Brunswick, City of Perth Amboy, Borough of Sayreville, City of South Amboy, Borough of South River and the Township of Woodbridge to become effective January 1, 2013 through December 31, 2015.
3. This Resolution shall take effect following Freeholder review period, pursuant to law.

RESOLUTION NO. SW-1-13-14-R

AUTHORIZATION TO EXECUTE AGREEMENTS FOR TIER ONE
SOLID WASTE DISPOSAL SERVICES WITH
PRIVATE HAULERS AND GENERATORS

WHEREAS, the Middlesex County Utilities Authority ("MCUA") owns and operates a state of the art landfill facility located in East Brunswick Township, Middlesex County, known as the Middlesex County Landfill ("MCLF"); and

WHEREAS, the MCUA established contract rates of \$62.50 per ton for 2013, \$62.75 per ton for 2014 and \$63.00 per ton for 2015 for entities agreeing to dispose of all of their Acceptable Solid Waste ("ASW"), generated in Middlesex County, at the MCLF over a three (3) year period beginning January 1, 2013 and ending December 31, 2015; and

WHEREAS, MCUA staff and counsel prepared a form of Agreement, (attached as Exhibit No. 1), and distributed said Agreement to those private haulers and generators that meet the eligibility requirements, for their Middlesex County generated waste for their consideration to accept; and

WHEREAS, MCUA staff has received signed agreements from Allegro Sanitation Corp., Bridge Disposal, LLC, Bush Brothers Trucking, Central Jersey Waste & Recycling Inc., JIS Company, Premier Disposal, P & P Disposal, RGB Disposal, Sakoutis Brothers Disposal and Slammin Canz Inc. in substantially the same form attached as Exhibit No. 1 or with such modifications that Authority counsel or the Executive Director may agree to and recommends that the Board of Commissioners authorize execution of said agreements; and

WHEREAS, the MCUA Board of Commissioners has determined that entering into agreements with private haulers and generators is in the best interest of the Authority and Middlesex County residents.

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 "Authorization to Execute Agreements for Tier One Solid Waste Disposal Services with Private Haulers and Generators", and all subsequent documents concerning the matters addressed herein shall reference this title.

2. The Executive Director and Secretary are hereby authorized to execute the Agreements accepted and submitted by Allegro Sanitation Corp., Bridge Disposal, LLC, Bush Brothers Trucking, Central Jersey Waste & Recycling Inc., JIS Company, Premier Disposal, P & P Disposal, RGB Disposal, Sakoutis Brothers Disposal and Slammin Canz Inc. effective January 1, 2013 through December 31, 2015.
3. This Resolution shall take effect following Freeholder review period, pursuant to law.

RESOLUTION NO. SW-1-13-15-R

AUTHORIZATION TO EXECUTE TIER TWO AGREEMENTS FOR
SOLID WASTE DISPOSAL SERVICES WITH
PRIVATE HAULERS AND GENERATORS

WHEREAS, the Middlesex County Utilities Authority ("MCUA") owns and operates a state of the art landfill facility located in East Brunswick Township, Middlesex County, known as the Middlesex County Landfill ("MCLF"); and

WHEREAS, the MCUA established contract rates of \$65.50 per ton for 2013, \$65.75 per ton for 2014 and \$66.00 per ton for 2015 for entities agreeing to dispose of a portion of their Acceptable Solid Waste ("ASW") as outlined in the entities' Agreement generated in Middlesex County, at the MCLF over a three (3) year period beginning January 1, 2013 and ending December 31, 2015; and

WHEREAS, MCUA staff and counsel prepared a form of Agreement, (attached as Exhibit No. 1), and distributed said Agreement to those private haulers and generators that meet the eligibility requirements, for their Middlesex County generated waste for their consideration to accept; and

WHEREAS, MCUA staff has received signed agreements from General Waste Removal, Inc. and Interstate Waste Services NJ in substantially the same form attached as Exhibit No. 1 or with such modifications that Authority counsel or the Executive Director may agree to and recommends that the Board of Commissioners authorize execution of said agreements; and

WHEREAS, the MCUA Board of Commissioners has determined that entering into agreements with private haulers and generators is in the best interest of the Authority and Middlesex County residents.

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 "Authorization to Execute Agreements for Solid Waste Disposal Services with Private Haulers and Generators", and all subsequent documents concerning the matters addressed herein shall reference this title.

2. The Executive Director and Secretary are hereby authorized to execute the agreements accepted and submitted by General Waste Removal, Inc. and Interstate Waste Services NJ, effective January 1, 2013 through December 31, 2015.
3. This Resolution shall take effect immediately following Freeholder review period.