

RESOLUTION NO. A-8-14-1-R

ADOPTION OF 2014 WASTEWATER CONNECTION FEE
AND TEMPORARY DISCHARGE APPLICATION FEE

WHEREAS, pursuant to N.J.S.A. 40:14B-1 et seq. the Middlesex County Utilities Authority (“Authority”) may establish Sewerage Connection Fees and Temporary Discharge Application Fees; and

WHEREAS, pursuant to Resolution No. 3 adopted by the Authority’s Board of Commissioners on July 30, 1987, it is the Authority’s policy to impose Connection Fees for new direct dischargers municipalities, or portions thereof where such areas lie outside the Authority’s Wastewater Management Planning Area; and

WHEREAS, pursuant to N.J.S.A. 40:14B-22 and Resolution No. 3 adopted by the Authority’s Board of Commissioners on July 30, 1987, the Authority’s Chief Financial Officer has calculated the Wastewater Connection Fee and Temporary Discharge Application Fee for 2014 in the amount of \$17,136.14 per million gallons based upon the 2013 Audit of the Wastewater Division; and

WHEREAS, said Connection Fee and Temporary Discharge Application Fee is subject to revision based upon the annual audit of the Authority’s Wastewater Division;

WHEREAS, pursuant to N.J.S.A. 40:14B-23, the Authority publicly advertised said 2014 Wastewater Connection Fee and Temporary Discharge Application Fee on August 4, 2014 and received public comments on same through August 28, 2014;

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 “Adoption of 2014 Wastewater Connection Fee and Temporary Discharge Application Fee,” and all subsequent documents associated with the matters addressed herein shall reference this Title.
2. The Authority shall impose a Connection Fee for connection of flows from outside the Authority’s Wastewater Management Area and all new participants which directly connect to the Authority’s Wastewater Facilities, and a Temporary Discharge Application Fee for flows from the remediation on contaminated sites within the Service Area.
3. The Connection Fee for 2014 for new municipalities or portions thereof and direct dischargers into the Authority’s Wastewater Facilities and the Temporary Discharge Application Fee shall be \$17,136.14 per million gallons of discharge into the Authority’s facilities calculated over the first twelve (12) months the new municipality or portion thereof or direct discharger is connected to the Authority’s facilities.
4. The Wastewater Connection Fee and Temporary Discharge Application Fee will be revised annually on July 1 each year pursuant to the requirements of N.J.S.A. 40:14B-1 et seq.
5. This Resolution shall take effect upon expiration of the Freeholder veto period in accordance with law.

RESOLUTION NO. WW-8-14-2-R

CONTRACT BID AWARD - CONTRACT 14-7-1(AC)
SUPPLY AND DELIVERY OF LIQUID SODIUM HYPOCHLORITE 15% 2015
KUEHNE CHEMICAL CO., INC.

WHEREAS, on July 25, 2014, the Middlesex County Utilities Authority (Authority) publicly advertised for bids for a contract entitled "Contract 14-7-1(AC)/Supply and Delivery of Liquid Sodium Hypochlorite 15% 2015," hereinafter referred to as "Contract 14-7-1(AC);" and

WHEREAS, on August 13, 2014, the Authority received and publicly opened bids submitted for Contract 14-7-1(AC); and

WHEREAS, the said bids have been reviewed by the Authority's Staff who have advised that the bid of Kuehne Chemical Co., Inc. for the bid quantities as set forth in Exhibit A for the Unit Prices set forth in Exhibit C attached hereto, satisfies, in all material respects, the requirements of the Specifications and Bid Documents and is the lowest responsive and responsible bid; and

WHEREAS, Exhibit A of Contract 14-7-1(AC) provides for the Contract Term to run from January 1, 2015, through December 31, 2015; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.4, the Chief Financial Officer shall certify, in writing, the availability of sufficient funds for such supply and delivery services based upon the unit prices set forth in Exhibit C-1 up to the bid quantities set forth in the excerpt from Exhibit A, 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 14-7-1(AC)/Supply and Delivery of Liquid Sodium Hypochlorite 15% 2015 - Kuehne Chemical Co., Inc.," and all subsequent documents associated with the matters addressed herein shall reference this Title.

2. The Commissioners hereby find the Total Extended Price for the contract term of \$1,538,100.00 by Kuehne Chemical Co., Inc. to be the lowest responsive and responsible bid for Contract 14-7-1(AC) when based on unit pricing.

3. The Commissioners hereby accept the bid of Kuehne Chemical Co., Inc. as set forth in Exhibit C-1 attached hereto for Contract 14-7-1(AC) for the term from January 1, 2015, through December 31, 2015.

4. Funding for purchases, supply and delivery under Contract 14-7-1(AC) shall be certified as ordered by the Chief Financial Officer, shall not exceed \$1,538,100.00, and shall be drawn against the Wastewater Operating Budget.

5. The Executive Director is hereby authorized and directed to notify Kuehne Chemical Co., Inc. of the acceptance of its bid, and the Chairman and Secretary are authorized to execute any and all contracts with said bidder as required by Contract 14-7-1(AC).

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

7. In the event Kuehne Chemical Co., Inc. fails to fulfill the terms set forth in Article 16 of Contract 14-7-1(AC) for contract execution, the Executive Director is hereby authorized to make claim against Kuehne Chemical Co., Inc.'s Bid Security and award Contract 14-7-1(AC) to the second responsive and responsible bidder, subject to review of Counsel and ratification by the Authority's Board of Commissioners.

8. The Bid Securities of all unsuccessful bidders shall be returned to said unsuccessful bidders upon receipt, by the Authority, of executed Contracts by the successful bidder together with a Performance Bond and required Certificates of Insurance.

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

RESOLUTION NO. WW-8-14-3-R

CONTRACT 14-7-5(AC)
REQUEST TO REJECT ALL BIDS AND AUTHORIZATION TO REBID
MAINTENANCE OF HEAVY EQUIPMENT 2015-2016

WHEREAS, on July 31, 2014, the Middlesex County Utilities Authority (Authority) publicly advertised for bids for a contract entitled "Contract 14-7-5(AC)/Maintenance of Heavy Equipment 2015-2016," hereinafter referred to as "Contract 14-7-5(AC)," and

WHEREAS, on August 20, 2014, the Authority received and publicly opened one (1) bid submitted for Contract 14-7-5(AC) that of Foley, Inc.; and

WHEREAS, the said bid has been reviewed by the Authority's Staff who have advised that the bid of Foley, Inc. has a material defect and, as such, recommends said bid be rejected; and

WHEREAS, the Authority's Staff have determined that it would be in the best interest of the Authority to revise the Contract's specifications as may be necessary, and to rebid for these services:

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 14-7-5(AC)/Maintenance of Heavy Equipment 2015-2016/Request To Reject All Bids and Authorization to Rebid" and all subsequent documents associated with the matters addressed herein shall reference this Title.

2. The Commissioners acknowledges and approves the Authority's Staff determination to reject the one (1) bid received due to a material defect and to return the Bidder's Bid Bond

3. The Executive Director is hereby authorized to direct the Authority's staff to revise the Contract's specifications as may be necessary and to continue to solicit non-exclusive bids under Contract 14-7-5(AC).

4. This Resolution shall take effect immediately.

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

RESOLUTION NO. WW-8-14-4-R

CONTRACT BID AWARD - CONTRACT 14-7-4(LM)
METER CHAMBER MONITORING SPARE PARTS 2014-2016
INDUSTRIAL CONTROLS LLC

WHEREAS, on August 1, 2014, the Middlesex County Utilities Authority (Authority) publicly advertised for bids for a contract entitled "Contract 14-7-4(LM)/Meter Chamber Monitoring Spare Parts 2014-2016," hereinafter referred to as "Contract 14-7-4(LM);" and

WHEREAS, on August 20, 2014, the Authority received and publicly opened one (1) bid submitted for Contract 14-7-4(LM) that of Industrial Controls LLC for \$516,312.48; and

WHEREAS, the said bids have been reviewed by the Authority's Staff who have advised that the bid of Industrial Controls LLC for minimum, maximum and average quantities as set forth in Exhibit A for the Unit Prices set forth in Exhibit C attached hereto, satisfies, in all material respects, the requirements of the Specifications and Bid Documents and is the lowest responsive and responsible bid; and

WHEREAS, Exhibit A of Contract 14-7-4(LM) provides for the Contract Term to run twenty-four (24) months from Notice to Proceed; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.4, the Chief Financial Officer shall certify, in writing, the availability of sufficient funds for such supply and delivery services based upon the unit prices set forth in Exhibit C-1 up to the maximum quantities set forth in the excerpt from Exhibit A, 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 14-7-4(LM)/Meter Chamber Monitoring Spare Parts 2014-2016 - Industrial Controls LLC", and all subsequent documents associated with the matters addressed herein shall reference this Title.

2. The Commissioners hereby find the Total Extended Price of \$516,312.48 by Industrial Controls LLC to be the lowest responsive and responsible bid for Contract 14-7-4(LM) when based on unit pricing.

3. The Commissioners hereby accept the bid of Industrial Controls LLC as set forth in Exhibit C-1 attached hereto for Contract 14-7-4(LM) for the contract term.

4. Funding for purchases, supply and delivery under Contract 14-7-4(LM) shall be certified as ordered by the Chief Financial Officer, shall not exceed \$516,312.48 based on maximum quantities, and shall be drawn against the Wastewater Operating Budget.

5. The Executive Director is hereby authorized and directed to notify Industrial Controls LLC of the acceptance of its bid, and the Chairman and Secretary are authorized to execute any and all contracts with said bidder as required by Contract 14-7-4(LM).

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

7. In the event Industrial Controls LLC fails to fulfill the terms set forth in Article 16 of Contract 14-7-4(LM) for contract execution, the Executive Director is hereby authorized to make claim against Industrial Controls LLC's Bid Security and rebid Contract 14-7-4(LM).

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

RESOLUTION NO. WW-8-14-5-R

CONTRACT BID AWARD - CONTRACT 13-11-3(CTP)
STAND-BY SERVICES FOR NETA
MAINTENANCE & TESTING 2014-2016
M&L POWER SYSTEMS, INC.

WHEREAS, on July 25, 2014, the Middlesex County Utilities Authority (Authority) publicly advertised for bids for a contract entitled "Contract 13-11-3(CTP)/Stand-By Services For NETA Maintenance & Testing 2014-2016" hereinafter referred to as "Contract 13-11-3(CTP);" and

WHEREAS, on August 13, 2014, the Authority received and publicly opened one (1) bid submitted for Contract 13-11-3(CTP) that of M&L Power Systems, Inc. for \$5,707,425.00; and

WHEREAS, the said bids have been reviewed by the Authority's Counsel, and Staff who have advised that the bid of M&L Power Systems, Inc. for the Unit Prices set forth in Exhibit C-1 attached hereto, satisfies, in all material respects, the requirements of the Specifications and Bid Documents and is the lowest responsive and responsible bid; and

WHEREAS, Exhibit A of Contract 13-11-3(CTP) provides for the Contract Term Contract Term to run of two (2) years from date of Notice to Proceed; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.4, the Chief Financial Officer shall certify, in writing, the availability of sufficient funds for such supply and delivery services based upon the unit prices set forth in Exhibit C-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 13-11-3(CTP)/Stand-By Services For NETA Maintenance & Testing 2014-2016 - M&L Power Systems, Inc." and all subsequent documents associated with the matters addressed herein shall reference this Title.

2. The Total Extended Price of \$5,707,425.00 by M&L Power Systems, Inc. to be the lowest responsive and responsible bid for Contract 13-11-3(CTP) when based on bid comparison quantities for the bid unit pricing.

3. The Commissioners hereby accept the bid of M&L Power Systems, Inc. as set forth in Exhibit C-1 attached hereto for Contract 13-11-3(CTP) to run two (2) years from date of Notice to Proceed..

4. Funding for purchases, supply and delivery under Contract 13-11-3(CTP) shall be certified as ordered by the Chief Financial Officer, shall not exceed \$1,900,000.00, and shall be drawn against the Wastewater Operating Budget.

5. Should the Authority determine that additional funding must be made available in order to accommodate additional work utilizing the unit prices set forth in Exhibit C-1, the Authority will request Board approval for the additional funding at that time via Resolution .

6. The Executive Director is hereby authorized and directed to notify M&L Power Systems, Inc. of the acceptance of its bid, and the Chairman and Secretary are authorized to execute any and all contracts with said bidder as required by Contract 13-7-1(CTP).

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

8. In the event M&L Power Systems, Inc. fails to fulfill the terms set forth in Article 16 of Contract 13-7-1(CTP) for contract execution, the Executive Director is hereby authorized to make claim against M&L Power Systems, Inc.'s Bid Security, to revise specifications as may be necessary, and to rebid this Contract.

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

RESOLUTION NO. WW-8-14-6-R

AUTHORIZATION TO REBID CONTRACT 14-7-2(AC)
SUPPLY AND DELIVERY OF LIME KILN DUST 2015

WHEREAS, on July 25, 2014, the Middlesex County Utilities Authority (Authority) publicly advertised for bids for a contract entitled "Contract 14-7-2(AC)/Supply and Delivery of Lime Kiln Dust 2015," hereinafter referred to as "Contract 14-7-2(AC)," and

WHEREAS, on August 14, 2014, the Authority received no bids for Contract 14-7-2(AC);
and

WHEREAS, the Authority's Staff have determined that it would be in the best interest of the Authority to rebid Contract 14-7-2(AC);

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 14-7-4(AC)/Supply and Delivery of Lime Kiln Dust 2015 - Authorization to Rebid," and all subsequent documents associated with the matters addressed herein shall reference this Title.

2. The Executive Director is hereby authorized to direct the Authority's staff to rebid Contract 14-7-2(AC) as Contract 14-7-2(AC)(Rebid).

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

RESOLUTION NO. WW-8-14-7-R

AUTHORIZATION OF FUNDING FOR YEAR 2
CONTRACT 13-1-2(CTP)/SUPPLY & DELIVERY OF
CATALOG PURCHASED HEALTH & SAFETY SUPPLIES 2013-2015
AIRGAS SAFETY, INC.

WHEREAS, the Middlesex County Utilities Authority (“Authority”) executed a Contract with Airgas Safety, Inc. effective on March 1, 2013, and entitled Contract 13-1-2(CTP)/Supply and Delivery of Catalog Purchased Health & Safety Supplies 2013-2015, hereinafter “Contract 13-1-2(CTP);” and

WHEREAS, the provisions of said Contract 13-1-2(CTP) established a Contract term running from March 1, 2013 through February 28, 2015; and

WHEREAS, funding for Year 1 of said Contract 13-1-2(CTP) was authorized pursuant to Resolution No. WW-2-13-6-R; and

WHEREAS, the Authority’s technical staff has evaluated the services performed under Contract 13-1-2(CTP) and has determined that they have been in substantial compliance with the terms and conditions of Contract 13-1-2(CTP); and

WHEREAS, the Authority’s staff has recommended funding for Year 2 of Contract 13-1-2(CTP) for an amount not to exceed \$70,000.00; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.4, the Chief Financial Officer shall certify, in writing, the availability of sufficient funds for such supply and delivery services based upon the unit prices set forth in Exhibit C-1 up to the maximum quantities set forth in Exhibit A, for which funding shall be certified as ordered and drawn against the Wastewater Operating Budget;

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

1. For all future reference the title of this Resolution shall be “Authorization of Funding for Year 2 - Contract 13-1-2(CTP)/Supply and Delivery of Catalog Purchased Health & Safety Supplies 2013-2015- Airgas Safety, Inc.,” and all subsequent documents associated with the matters addressed herein shall reference this Title.

2. Payment not to exceed \$70,000.00 for Year 2 for purchases, supply and delivery under Contract 13-1-2(CTP), shall be certified as ordered by the Chief Financial Officer, and shall be drawn against the Wastewater Operating Budget.

3 The Authority's Purchasing Agent is hereby authorized to execute appropriate documents through the Authority's established Purchase Requisition and Purchase Order process for the catalog purchase of health and safety supplies under the catalog set forth in Exhibit C-1 of attached hereto which shall serve as the form of contract as stated in the bidding documents.

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

RESOLUTION NO. WW-8-14-8-R

CONTRACT BID AWARD - CONTRACT 14-7-3(AC) PART II
SUPPLY AND DELIVERY OF HYDRATED LIME 2015- CARMEUSE LIME, INC.
AND

REJECTION OF ALL BIDS AND AUTHORIZATION TO REBID CONTRACT 14-7-3(AC)
PART I FOR SUPPLY AND DELIVERY OF GROUND QUICKLIME 2015

WHEREAS, on July 25, 2014, the Middlesex County Utilities Authority (Authority) publicly advertised for bids for a contract entitled "Contract 14-7-3(AC)/Supply and Delivery of Ground Quicklime and Hydrated Lime 2015," hereinafter referred to as "Contract 14-7-3(AC);" and

WHEREAS, on August 14, 2014, the Authority received and publicly opened three (3) bids submitted for Contract 14-7-3(AC) as follows; and

| Vendor | Greer Lime | Carmeuse Lime | Graymont |
|---------------------------------------|----------------|----------------|----------------|
| Ground Quicklime Total Extended Price | \$1,053,000.00 | \$1,058,640.00 | \$1,176,600.00 |
| Hydrated Lime Total Extended Price | \$ 780,000.00 | \$ 781,120.00 | \$ 873,800.00 |

WHEREAS, the said bids for Part I Ground Quicklime have been reviewed by the Authority's Staff and have advised that all three (3) bids received have material defects and recommend rejecting all three (3) Part I Ground Quicklime bids; and

WHEREAS, the said bids for Part II Hydrated Lime have been reviewed by the Authority's Staff and have advised that the bids of Greer Lime and Graymont have material defects and recommend their bids be rejected, and that the next lowest bidder Carmeuse Lime Inc. for the Unit Prices for the bid comparison quantities as set forth in Exhibit C attached hereto, satisfies, in all material respects, the requirements of the Specifications and Bid Documents and is the lowest responsive and responsible bid; and

WHEREAS, the contract bid specifications allow the Authority to award separate contracts for Part I and Part II commodities; and

WHEREAS, Exhibit A of Contract 14-7-3(AC) provides for the Contract Term to run from January 1, 2015, through December 31, 2015; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.4, the Chief Financial Officer shall certify, in writing, the availability of sufficient funds for such supply and delivery services for Hydrated Lime based upon the unit prices set forth in Exhibit C-1 up to the bid quantities set forth in said Exhibit 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 Bid Award - Contract 14-7-3(AC) Part II/Supply and Delivery of Hydrated Lime 2015 -Carmeuse Lime, Inc. and Rejection of All Bids and Authorization to Rebid Contract 14-7-3(AC) Part II/Supply and Delivery of Ground Quicklime 2015,” and all subsequent documents associated with the matters addressed herein shall reference this Title.

2. The Commissioners hereby find the Part II Hydrated Lime Total Bid Quantity Extended Price of \$781,120.00 by Carmeuse Lime, Inc. to be the lowest responsive and responsible bid for Contract 14-7-3(AC) Part II when based on unit pricing.

3. The Commissioners hereby accept the bid of Carmeuse Lime, Inc. for Part II Hydrated Lime as set forth in Exhibit C-1 attached hereto for Contract 14-7-3(AC) for the term from January 1, 2015, through December 31, 2015.

4. Funding for purchases, supply and delivery under Contract 14-7-3(AC) Part II Hydrated Lime shall be certified as ordered by the Chief Financial Officer, shall not exceed \$781,120.00 for Hydrated Lime based on bid quantities, and shall be drawn against the Wastewater Operating Budget.

5. The Executive Director is hereby authorized and directed to notify Carmeuse Lime, Inc. of the acceptance of its bid, and the Chairman and Secretary are authorized to execute any and all contracts with said bidder as required by Contract 14-7-3(AC) Part II Hydrated Lime.

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

7. In the event Carmeuse Lime Inc. fails to fulfill the terms set forth in Article 16 of Contract 14-7-3(AC) Part II Hydrated Lime for contract execution, the Executive Director is hereby authorized to make claim against Carmeuse Lime, Inc.’s Bid Security, revise specifications as may be necessary, and to rebid Contract 14-7-3(AC) Part II Hydrated Lime.

8. The Commissioners acknowledge and approve the Authority’s Staff determination to reject the three (3) bids received for Contract 14-7-3(AC) Part I Ground Quicklime due to a material defect and to return the Bid Security to Greer Lime Co. and Graymont (PA).

9. The Executive Director is hereby authorized to direct the Authority’s staff to revise the Contract’s Ground Quicklime specifications as may be necessary and to continue to solicit non-exclusive bids for Contract 14-7-3(AC).

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

RESOLUTION NO. SW/WW-8-14-9-R

CONTRACT AWARD - COMMERCIAL LINES INSURANCE COVERAGES - YEAR 2
9/01/14 - 9/01/15
AMALGAMATED GENERAL AGENCIES

WHEREAS, the Middlesex County Utilities Authority (“Authority”) requires insurance coverages for Excess Liability, Excess Workers’ Compensation, Automobile Liability, Umbrella Liability, and Public Official Liability; and

WHEREAS, Amalgamated General Agencies (AGA) has prepared a proposal to provide said insurance coverages and a schedule of premiums as required by N.J.A.C. 5:34-4.5(c) as set forth in Attachment No. 2 which shall be the basis for payment for said coverage; and

WHEREAS, said services are identified as Extraordinary Unspecifiable Services pursuant to N.J.A.C. 5:34-2.4; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5 the Middlesex County Utilities Authority (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, 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 AGA for said insurance coverages; 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 services with the criteria for Extraordinary Unspecifiable Services as set forth in Attachment No. 1 hereto; and

WHEREAS, Authority’s staff has evaluated the proposed premiums and has estimated a cost of \$339,453.00 for the period September 1, 2014, through September 1, 2015; 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 such Services in the amount of \$339,453.00, 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 “Excess Liability, Excess Workers’ Compensation, Automobile Liability, Umbrella Liability, and Public Official Liability Insurance Coverages - Year 2 - 9/01/14-9/01/15 - Amalgamated General Agencies,” and all subsequent documents associated with the matters addressed herein shall reference this Title.

RESOLUTION NO. SW/WW-8-14-10-R

CONTRACT AWARD - PROPERTY INSURANCE COVERAGE - YEAR 2
9/01/14 - 9/01/15
WELLS FARGO INSURANCE SERVICES

WHEREAS, the Middlesex County Utilities Authority (“Authority”) requires insurance coverage for Property (which includes Boiler Machinery); and

WHEREAS, Wells Fargo has prepared a proposal to provide said insurance coverage and a schedule of premium as required by N.J.A.C. 5:34-4.5(c) as set forth in Attachment No.2 which shall be the basis for payment for said coverage; and

WHEREAS, said services are identified as Extraordinary Unspecifiable Services pursuant to N.J.A.C. 5:34-2.4; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5 the Middlesex County Utilities Authority (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, 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 Wells Fargo for said property insurance coverage; 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 services with the criteria for Extraordinary Unspecifiable Services as set forth in Attachment No. 1 hereto; and

WHEREAS, Authority’s staff has evaluated the proposed premium and has estimated a cost of \$527,999.00 for the period September 1, 2014,through September 1, 2015; 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 such Services in the amount of \$527,999.00, 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 “Property Insurance Coverage - Year 2 - 9/01/14-9/01/15 - Wells Fargo Insurance Services,” and all subsequent documents associated with the matters addressed herein shall reference this Title.

2. Wells Fargo shall be, and is hereby retained to continue to provide Property Insurance Coverage for the period September 1, 2014, through September 1, 2015, as set forth in Attachment No.2.

3. The Authority's Chairman and Secretary are authorized to execute any and all contracts and necessary documents as may be required to implement this authorization.

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 of \$527,999.00, as ordered, for said insurance coverages, shall not exceed \$527,999.00, and shall be drawn against the Wastewater and Solid Waste Operating Budgets.

6. The continued retainage of Wells Fargo 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 services are Extraordinary Unspecifiable Services.

7. 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.

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

RESOLUTION NO. WW-8-14-11-R

CHANGE ORDER NO. 8-A TO CONTRACT 11-6-2(AC)
STAND-BY CONTRACT - FORCE MAINS & GRAVITY SEWERS
CRUZ CONTRACTORS LLC

WHEREAS, the Middlesex County Utilities Authority (Authority) previously executed a contract to and with Cruz Contractors LLC for Contract 11-6-2(AC); and

WHEREAS, the Consulting Engineer has recommended to the Authority the approval and execution of a Change Order to said Contract to correct a mathematical error in Change Order No. 8; and

WHEREAS, the Authority has determined that said Change Order does not cause the change orders for base Contract work executed on this Contract to exceed 20% of the Original Contract amount; and

WHEREAS, pursuant to N.J.A.C. 5:30-11.1, et seq. the Executive Director and Authority Staff have furnished the required and necessary documentation that said Change Order could not have been foreseen 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

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. 9 to Contract 11-6-2(AC) Stand-By Contract - Force Mains & Gravity Sewers / Cruz Contractors 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: | Cruz Contractors LLC |
| Contract No.: | Contract 11-6-2(AC) |
| Change Order No.: | 8-A |
| Description of Work: | Correct a mathematical error in Change Order No. 8 |
| Change Order Amount: | \$5,625.76 |
| Comments: | None |
3. Funding via this Resolution for the specified base contract work under Contract 11-6-2(AC) shall be certified as ordered by the Chief Financial Officer, shall not exceed the \$5,625.76 of additional funding, and shall be drawn against the Wastewater Operating Budget
4. The appropriate Officers and Staff of the Authority are hereby authorized and directed to execute said Change Order.
5. 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. 5:30-11.9.
6. This resolution shall take effect upon expiration of the Freeholder veto period in accordance with law.

RESOLUTION NO. WW-8-14-12-R

CHANGE ORDER #1 TO
CONTRACT 12-3-1(MT) - MAIN TRUNK SEWER REHABILITATION PHASE 1
METRA INDUSTRIES INC.

WHEREAS, the Middlesex County Utilities Authority (Authority) previously executed a contract to and with Metra Industries for Contract #12-3-1(MT)-Main Trunk Sewer Rehabilitation - Phase 1; 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 \$27,295.62, for the purpose of grouting points of groundwater infiltration in the host pipe and to extend the contract term 5 days 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

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 \$27,295.62, to be paid from the New Jersey Infrastructure Fund.

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 To Contract 12-3-1(MT) - Main Trunk Sewer Rehabilitation Phase 1", 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: | Metra Industries, Inc. |
| Contract No.: | 12-3-1(MT) |
| Change Order No.: | 1 |
| Description of Work: | Compensation for the purpose of grouting points of groundwater infiltration in the host pipe and to extend the contract term 5 days |
| Change Order Amount: | \$27,295.62 |
| Comments: | NONE |

3. The appropriate Officers and Staff of the Authority are hereby authorized and directed to execute said Change Order.

RESOLUTION NO. SW-8-14-13-R

**CONTRACT AWARD - CONTRACT NO. 14-7SW
FURNISHING OFF-ROAD TIRES FOR VARIOUS HEAVY EQUIPMENT
FOR THE MIDDLESEX COUNTY LANDFILL**

F&S TIRE CORP, INC.

WHEREAS, the Middlesex County Utilities Authority (“Authority”) publicly advertised for bids for a contract entitled “Furnishing Off-Road Tires for Various Heavy Equipment at the Middlesex County Landfill/Contract No. 14-7SW,” hereinafter referred to as the (“Contract”) and

WHEREAS, on August 19, 2014, the Authority received and publicly opened the single bid submitted for the Contract as follows;

F & S TIRE CORP, INC.

| | |
|---|---------------------------|
| BID ITEM 1.A.1, 29.5 R25 Tire, Unit Price | \$ 3,735.00 |
| BID ITEM 2.A.1, 23.5 R25 Tire, Unit Price | \$ 1,885.00 |
| BID ITEM 3.A.1, Road Service Labor Rate | \$ 78.00 |
| BID ITEM 1.A.2, Extended Price (Item 1.A.1 x 8) | \$ 29,880.00 |
| BID ITEM 2.A.2, Extended Price (Item 2.A.2 x 4) | \$ 7,540.00 |
| BID ITEM 3.A.2, Extended Price (Item 3.A.1 x 50) | <u>\$ 3,900.00</u> |
| TOTAL OF EXTENDED PRICES: | \$ 41,320.00 |

WHEREAS, the said bids have been reviewed by the Authority’s Counsel and staff who have advised that the said bid of F&S Tire Corp, Inc. for minimum, maximum and average quantities as set forth in Exhibit A for the Unit Prices set forth in Exhibit C-1 attached hereto, satisfies, in all material respects, the requirements of the Specifications and Bid Documents and is the lowest responsive and responsible bid; 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 attached excerpt from Exhibit A for the bid items, 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 "Contract Award – Contract No. 14-7SW/ Furnishing Off-Road Tires for Various Heavy Equipment for the Middlesex County Landfill – F&S Tire Corp, Inc." and all subsequent documents concerning the matters addressed herein shall reference this title.
2. The Commissioners hereby find F&S Tire Corp, Inc. to be the lowest responsive and responsible bidder for the Contract.
3. The Commissioners hereby accept the bid of F&S Tire Corp, Inc. as set forth in Exhibit C-1 attached hereto for the Contract.
4. Payment not to exceed \$41,320.00 for year one of the Contract shall be drawn against the Solid Waste Division Operating Budget.
5. An award for the second contract year is not part of this authorization. The second year of the contract shall be awarded, if at all, in accordance with the relevant provisions of the contract documents.
6. The Executive Director is hereby authorized and directed to notify F&S Tire Corp, Inc. of the acceptance of its bid, and the Chairman or Vice Chairman and Secretary are authorized to execute any and all contracts with said bidder as required by the Contract.
7. This Resolution shall take effect immediately following Freeholder review period, pursuant to law.

RESOLUTION NO. SW-8-14-14-R

CONTRACT AWARD - CONTRACT NO.14-8SW
WOOD GRINDING SERVICES
AT THE MIDDLESEX COUNTY LANDFILL

BRITTON INDUSTRIES, INC.

WHEREAS, the Middlesex County Utilities Authority ("Authority") publicly advertised for bids for a contract entitled "Wood Grinding Services at The Middlesex County Landfill," Contract No. 14-8SW, and received six bids on August 22, 2014 including the total extended unit prices stated below:

| | |
|------------------------------|----------------|
| R. J. Doerr And Sons, Inc. | \$ 75,000.00 |
| Britton Industries, Inc. | \$ 82,500.00 |
| L & S Contracting Inc. | \$ 99,300.00 |
| Jersey Mulch Products | \$ 116,055.00 |
| D. J. Mazza Demolition, Inc. | \$ 140,700.00* |
| Green Scape Landscaping | \$ 141,000.00* |

*Bids contained computational errors, amounts are as corrected

WHEREAS, staff and counsel have reviewed the bids and determined that the bid of the mathematically low bidder R. J. Doerr And Sons, Inc. omitted the required disclosure of ownership; and

WHEREAS, pursuant to N.J.S.A. 40A: 11-23.2(c) the omission of the disclosure of ownership is a fatal defect that renders the bid unresponsive and cannot be corrected after bids are opened; and

WHEREAS, staff and counsel have therefore recommended that the mathematically low bid be rejected; and

WHEREAS, the second low bid, that of Britton Industries, Inc. appears to be responsive to the Authority's specifications in all material respects;

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 attached excerpt from Exhibit A for the bid items, 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 "Contract Award - Contract No. 14-8SW/Wood Grinding Services at the Middlesex County Landfill - Britton Industries, Inc." and all subsequent documents concerning the matters addressed herein shall reference this title.
2. The Commissioners hereby award the aforementioned contract to Britton Industries, Inc., 227 Bakers Basin Road, Lawrenceville, NJ 08648 on the basis of the unit prices set forth in its Proposal (as attached). As this contract is for the provision of services only as and when required, certification(s) of funds shall be provided in accordance with applicable regulations of the New Jersey Department of Community Affairs.
3. Payment not to exceed \$82,500.00 for said Project shall be drawn against the Solid Waste Division Operating Budget.
4. The Executive Director is hereby authorized and directed to notify Britton Industries, Inc. of the acceptance of its bid, and the Chairman or Vice Chairman and Secretary are authorized to execute any and all contracts with said bidder as required by the Contract.
5. The Bid Securities of all unsuccessful bidders shall be returned as required and upon receipt, by the Authority, of executed Contracts by the successful bidder and required Certificates of Insurance.
6. This resolution shall take effect upon expiration of the Freeholder review period in accordance with law.

RESOLUTION NO. SW-8-14-15-R

**CHANGE ORDER NO. 1
CONTRACT NO. 14-2SW
CONSTRUCTION OF A CONTACT STORMWATER BASIN
AND APPURTENANCES AT THE MIDDLESEX COUNTY LANDFILL**

KYLE CONTI CONSTRUCTION, LLC

WHEREAS, the Middlesex County Utilities Authority (“Authority”) previously executed a contract with Kyle Conti Construction, LLC for Contract No. 14-2SW/Construction of a Contact Stormwater Basin and Appurtenances 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 to said Contract for an amount not to exceed \$76,590.00 to furnish and install Mirafi 1120N nonwoven, 12 oz. filter fabric over HDPE liner in Contact Stormwater Basin, with six (6) inch laps and perimeter embedment in anchor trench; 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

WHEREAS, said Change Order has been deemed to be in the best interests of the Authority; 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 said Change Order in the amount of \$76,590.00 to be paid from the Solid Waste Division 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 "Change Order No. 1, Contract No. 14-2SW/Construction of a Contact Stormwater Basin and Appurtenances at the Middlesex County Landfill, Kyle Conti Construction, 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: Kyle Conti Construction, LLC

Contract Number: Contract No. 14-2SW

Change Order Number: 1

Description of Work: A Change Order to said Contract for an amount not to exceed \$76,590.00 to furnish and install Mirafi 1120N nonwoven, 12 oz. filter fabric over HDPE liner in Contact Stormwater Basin, with six (6) inch laps and perimeter embedment in anchor trench.

Original Contract Amount: \$3,250,500.00

Change Order Amount: \$76,590.00

3. The appropriate Officers and Staff of the Authority are hereby authorized and directed to execute said Change Order.
4. Payment not to exceed \$76,590.00 for said Change Order shall be drawn against the Solid Waste Division Operating Budget.
5. This Resolution shall take effect following Freeholder review, pursuant to law.