

**MINUTES OF THE REGULAR MEETING OF THE MIDDLESEX COUNTY UTILITIES AUTHORITY – THURSDAY– JUNE 23, 2016 – 4:00 P.M.**

A Regular Meeting of the Middlesex County Utilities Authority was held at the Authority Board Room, Main Street Extension, Sayreville, New Jersey on Thursday, June 23, 2016.

Notices of the meeting were mailed to the three counties and the News Media - The Courier News, The Star Ledger and The Home News Tribune in compliance with the Open Public Meetings Law and New Jersey Statutes.

The meeting was called to order by Chairman Ted Light at 4:00 P.M.

Present were: Chairman Ted Light; Vice Chairman John Wiley; Commissioners: Jerome Convery, Allan Jacobs, Joseph Juliano, Raymond Murray and James Zullo.

Absent were: Commissioners Linda Carter, Antonio Cruz and Wayne Hamilton.

Also present were: Freeholder Carol Bellante; Executive Director, Richard L. Fitamant; John Hoffman, Esq., Construction/General Counsel; Dan Tanzi, Wastewater Division Manager and Karen Sissick, Comptroller.

**REGULAR MEETING**

The meeting opened with the Pledge of Allegiance.

**APPROVAL OF MINUTES**

Motion for approval of the Minutes of the Regular Meeting of Thursday, May 26, 2016 and Special Meeting of June 15, 2016 was made by Vice Chairman Wiley, seconded by Chairman Light and carried.

Abstain: Commissioner Zullo

**PUBLIC PORTION ON RESOLUTIONS**

Chairman Light asked if anyone wished to address the Board on any of the current Resolutions. There were no members that wished to address the Board

**RESOLUTIONS**

**Resolution No. A-6-16-1-R**

Pretreatment Permit Action Nos.20224, 05208, 24177 and 26145

**Resolution No. WW-6-16-2-R**

Rejection of all Bids - Contract 14-1-4(SPS) Flood Mitigation and Permanent Restoration for Sayreville Pump Station

Mr. Fitamant reported that this resolution is to reject all bids. This matter was discussed during the Engineering Committee meeting. As a result of a deficiency in the lowest bid, the committee elected to recommend to the Board to reject all bids.

Mr. Hoffman further reported that the low bidder did not have an HVAC license which is a fundamental provision of the bid and all bids should be rejected due to the vast difference in price, between the low bidder and the other bidders.

**Resolution No. WW-6-16-3-R**

Contract Award – Contract 14-3-2(EPS) – Restoration and Flood Mitigation for the Edison Pump Station – Walsh Construction Company II, LLC. – Not to Exceed \$26,871,000.00

Mr. Fitamant reported that a total of eight (8) bids were received. Staff has determined that Walsh Construction Company II, LLC. is the lowest responsive and responsible bid and recommends the award.

**Resolution No. WW-6-16-4-R**

Amendment No. 4 to Agreement for Engineering Consultant to Provide Design and Bidding Engineering Services Related to Permanent Restoration and Mitigation Improvements Due to Hurricane Sandy for the Authority's Sayreville Pump Station Mechanical, Electrical and Flood Control Systems – R3M Engineering, Inc. – Not to Exceed \$1,184,445.51

Mr. Fitamant reported that the Fair and Open process of the pay to play act was followed and the MCUA received one response to a Request for Qualifications for the amendment to the Agreement for Engineering Consultant services to provide design and bidding services related to mitigation improvements due to hurricane Sandy for the Authority's Sayreville Pump Station. A proposal was received and MCUA staff recommends this award to R3M Engineering, Inc.

**Resolution No. WW-6-16-5-R**

Contract Award – Continuing Professional Engineering Services to Provide Supplemental FEMA Related Technical Assessment and Reimbursement Services to the Authority for Storm Damage to Authority Facilities – 2016 – Mott MacDonald – Not to Exceed \$75,000.00

Mr. Fitamant reported that the Fair and Open process in accordance with the pay to play act was followed and the MCUA received two (2) responses to a Request for Qualifications for Engineering Services to provide supplemental FEMA Related Technical Assessment and Reimbursement Services. Mott MacDonald was determined to be the most qualified firm for these services and a proposal was received and the MCUA recommends this award to Mott MacDonald.

**Resolution No. WW-6-16-6-R**

Amendment No. 3 to Agreement for Engineering Services Consultant to Provide Design, Bidding and Construction Engineering Services Related to Permanent Restoration and Mitigation Improvements Due to Hurricane Sandy for the Authority's Edison Pump Station Mechanical, Electrical and Flood Control Systems – Mott MacDonald – Not to Exceed \$147,613.60

Mr. Fitamant reported that the Fair and Open process in accordance with the pay to play act was followed. The MCUA received one response from Mott MacDonald for Engineering Consultant Services for Design, Bidding and Construction related to the Edison Pump Station and recommends this award.

**Resolution No. WW-6-16-7-R**

Middlesex County Utilities Authority – Wastewater Division – NJEIT Loan – NJDEP Project No. S340699-12 and 13 – Twenty-Third Supplemental Resolution Authorizing the Issuance of Not to Exceed \$35,000,000 Junior Lien Sewer Revenue Bonds, Series 2017A and Series 2017B, and Not to Exceed \$35,000,000 Sewer Project Notes, Series 2016 of the Middlesex County Utilities Authority

Mr. Fitamant Reported that Resolution Nos. WW-6-16-7-R and WW-6-16-8-R pertain to financing through the NJEIT for the Sayreville Pump Station Flood Mitigation Project and the Restoration and Flood Mitigation for the Edison Pump Station. These 2 projects totaling \$121 million of which grants will be provided through FEMA, with long term permanent financing of \$35 million, not covered with grants. In addition to the permanent financing, MCUA will receive a bridge loan for the total cost for the portion of both projects at 0% interest. This will allow payments to continue for expenses until grant funds are received from FEMA.

**Resolution No. WW-6-16-8-R**

Resolution of the Middlesex County Utilities Authority, Determining the Form and other Details of its "Note Relating to the Construction Financing Program of the New Jersey Environmental Infrastructure Trust", to be Issued in the Principal Amount of up to \$35,000,000, and Providing for the Issuance and Sale of Such Note to the New Jersey Environmental Infrastructure Trust, and Authorizing the Execution and Delivery of Such Note by the Middlesex County Utilities Authority in Favor of the New Jersey Environmental Infrastructure Trust, all Pursuant to the New Jersey Environmental Infrastructure Trust Construction Financing Program

**Resolution No. WW-6-16-9-R**

Authorization to Extend Contract Term to August 31, 2017 – Contract 15-6-1(AC)/Compressed Gasses & Supplies 9/1/2015-8/31/2017 – AGL Welding Supply Co., Inc. – Not to Exceed \$20,152.00

**Resolution No. SW/WW-6-16-10-R**

Change Order No. 2 to Contract No. 13-8-1(AC) – Prequalified Security Guard Services 2015-2016 – DMS Systems, Inc. – Not to Exceed \$100,958.84

Mr. Fitamant reported that this is for a Change Order to the MCUA's security guard contract. This time extension will cover the services through November while the prequalification process continues to procure a new security guard services contract.

**Resolution No. WW-6-16-11-R**

Authorization to Execute Wastewater Purchase Orders Under New Jersey State Contract T-1372 – HVAC, Refrigeration and Boiler Services

**Resolution No. SW-6-16-12-R**

Contract Award – Contract No. 16-1SW(Rebid) Furnishing Maintenance, Parts and Repairs for Leachate Pumping Stations, Controls and Pumps at the Middlesex County Landfill – Pumping Services, Inc. – Not to Exceed \$106,600.00

Mr. Fitamant reported that this resolution was discussed during the Engineering Committee Meeting. The apparent low bidder was deemed nonresponsive with the award recommended to the second low bidder, Pumping Service, Inc.

Mr. Hoffman further reported that the low apparent bidder was disqualified from submitting a bid because it was convicted of falsifying records.

**Resolution No. SW-6-16-13-R**

Change Order No. 1 Contract No. 15-10SW – Landfill Exit Improvements and Construction of a Wheel Wash at the Middlesex County Landfill - Vollers Excavating and Construction, Inc. – Not to Exceed \$99,659.70

Mr. Fitamant reported that a Change Order is necessary due to extra cost associated with additional excavation of poor soil and replacement with a stable processed stone material and additional filter fabric in area of new roadway.

The above resolutions were presented and moved for adoption by Commissioner Murray. The motion was seconded by Vice Chairman Wiley and the following members voted Aye:

Chairman Light; Vice Chairman Wiley; Commissioners: Convery, Jacobs, Juliano, Murray and Zullo.

Nays: None

A copy of the Wastewater Division and Solid Waste Division Bill Lists were distributed to the Commissioners.

**COMMITTEE REPORTS**

Commissioner Murray reported that an Engineering Committee Meeting took place today at 3:00. Discussed at the meeting were the resolutions and change orders on the meeting agenda.

**NEW BUSINESS**

Mr. Fitamant reported that a Worker's Compensation Matter has been resolved.

Mr. Daniel Hornickel, MCUA's Human Resources Supervisor explained to the Board that special council negotiated the settlement within the range approved by the Commissioners.

**PUBLIC**

Mr. Donald DeAugustine, member of local 715 and resident of Hillside, NJ questioned if the additional Engineering costs approved today will change the amount of the construction contract.

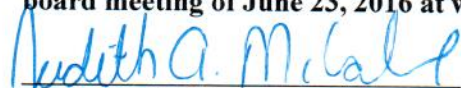
Vice Chairman Wiley responded stating that is not part of the Bids.

Mr. Fitamant further commented that those resolutions were for Design Services, not future work.

Chairman Light reported that the next board meeting will be held on July 28, 2016 at 4:00 p.m.

There being no further business, Chairman Light called for a motion to adjourn. Motion was made by Commissioner Murray at 4:30 p.m., seconded by Commissioner Jacobs and carried.

**I hereby certify that these minutes are a true and accurate summary of that which transpired at the MCUA board meeting of June 23, 2016 at which I was present.**

  
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Judith A. McCabe