

RESOLUTION NO. A-12-21-1-R

**ADOPTION OF AMENDED RULES AND REGULATIONS OF
MIDDLESEX COUNTY UTILITIES AUTHORITY WASTEWATER DIVISION**

WHEREAS, the New Jersey Department of Environmental Protection (“NJDEP”) has delegated to the Middlesex County Utilities Authority (“Authority”) the powers and authorities to administer an Industrial Pretreatment Program pursuant N.J.A.C. 7:14A-19.1 et seq.; and

WHEREAS, pursuant to said Industrial Pretreatment Program delegation, the Authority is required to adopt Rules and Regulations to enforce the requirements of the Industrial Pretreatment Program; and

WHEREAS, pursuant to Resolution No. 5 adopted January 26, 1984, the Authority adopted said required Rules and Regulations for the Wastewater Division; and

WHEREAS, the Authority’s Technical Staff and Counsel have determined that it is necessary to amend said Rules and Regulations in order to comply with changes in applicable statute and regulations, and to assure necessary protection of the Authority’s wastewater facilities, processes, and personnel; and

WHEREAS, the Authority publicly advertised amendments to said Rules and Regulations on November 20, 2021, and received public comments on same through December 14, 2021; and

WHEREAS, the Authority’s Board of Commissioners has considered all significant issues raised during said comment period as set forth in the Response to Comment Document therefore; and

WHEREAS, the NJDEP reviewed said amendments to the Authority’s Rules and Regulations for the Wastewater Division and approved said Rules and Regulations by letter dated April 6, 2021; and

WHEREAS, the Authority’s Counsel has reviewed said amendments to the Rules and Regulations for the Wastewater Division; and

WHEREAS, it has been determined to be in the Authority’s best interest to adopt said amendments to the Rules and Regulations for the Wastewater Division as set forth in Attachment #1 hereto, with the exception that there shall be no change to the current fees and charges.

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 Amended Rules and Regulations for the Middlesex County Utilities Authority Wastewater Division, December 2021” and all subsequent documents and Vouchers for payment associated with the matters addressed herein shall reference this Title.

2. This Resolution shall take effect upon the expiration of the Middlesex County Board of County Commissioners’ review period in accordance with law.

RESOLUTION NO. WW-12-21-2-R

PRETREATMENT PERMIT ACTIONS

PERMIT NUMBERS: 24219

WHEREAS, the Middlesex County Utilities Authority ("Authority") has publicly advertised its intent to take certain actions on Non-Domestic Wastewater Discharge Permits pursuant to Federal Pretreatment Regulations 40 CFR Part 403 and N.J.S.A. 58:11-49 et seq.; and

WHEREAS, said advertisement was made November 16, 2021, in the Authority's official newspaper(s) as required by law; and

WHEREAS, public comment has been received related to said actions and considered by the Authority;

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 "Pretreatment Permit Actions on Permit Number(s) "24219" and subsequent documents associated with the matters addressed herein shall reference this Title.
2. The following permit actions on Non-Domestic Wastewater Discharges into the Authority's treatment works are hereby approved:

<u>APPROVED ACTION</u>	<u>PERMIT NUMBER</u>	<u>DISCHARGER</u>	<u>MUNICIPALITY</u>
Termination	24219	Cosette Pharmaceuticals	South Plainfield

1. This Resolution shall take effect immediately.

RESOLUTION WW-12-21-3-R

**APPROVING EXTENSION OF CONTRACT TERM FOR
CONTRACT NO. 20-8-1(AC) WITH UNIVAR SOLUTIONS US, INC.
FOR SUPPLY & DELIVERY OF LIQUID CAUSTIC SODA 2021-2022**

WHEREAS, the Middlesex County Utilities Authority (“Authority”) executed a Contract with Univar Solutions US, Inc. effective on October 27, 2020 and entitled Contract No. 20-8-1(AC)/Supply & Delivery of Liquid Caustic Soda 2021-2022, hereinafter “Contract 20-8-1(AC)”; and

WHEREAS, the provisions of Contract 20-8-1(AC) established a Contract term running from January 1, 2021 to December 31, 2021, subject to extensions through December 31, 2022, by Resolution of the Authority’s Board of Commissioners based upon satisfactory performance of services; and

WHEREAS, the Authority’s technical staff has evaluated the services performed under Contract 20-8-1(AC) and has determined that they have been in substantial compliance with the terms and conditions of Contract 20-8-1(AC); and

WHEREAS, the Authority’s technical staff has recommended the extension of Contract 20-8-1(AC) through December 31, 2022; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.4, the Treasurer/Comptroller 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 “Approving Extension of Contract Term for Contract No. 20-8-1(AC) with Univar Solutions US, Inc. for Supply & Delivery of Liquid Caustic Soda 2021-2022” and all subsequent documents associated with the matters addressed herein shall reference this Title.
2. The term of Contract 20-8-1(AC) is hereby extended through December 31, 2022, subject to receipt of current insurance certificates, warranties, indemnifications, and other such documentation as Univar Solutions US, Inc., may be required to furnish pursuant to the terms and conditions of Contract 20-8-1(AC).
3. Extension of Contract 20-8-1(AC) shall be predicated upon the bid prices set forth in Exhibit C-1 attached hereto.
4. Funding for purchases, supply and delivery under Contract 20-8-1(AC) shall be certified as ordered by the Treasurer/Comptroller, shall not exceed \$21,449.50 for Year Two, and shall be drawn against the Wastewater Operating Budget.

5. This Resolution shall take effect upon the expiration of the Middlesex County Board of County Commissioners' review period in accordance with law.

RESOLUTION WW-12-21-4-R

**APPROVING EXTENSION OF CONTRACT TERM FOR CONTRACT NO. 20-7-1(AC)
WITH THOMAS SCIENTIFIC, LLC FOR LABORATORY CHEMICAL SUPPLIES
2021-2022**

WHEREAS, the Middlesex County Utilities Authority (“Authority”) executed a Contract with Thomas Scientific, LLC effective on September 22, 2020 and entitled Contract No. 20-7-1(AC)/Laboratory Chemical Supplies 2021-2022, hereinafter “Contract 20-7-1(AC)”; and

WHEREAS, the provisions of Contract 20-7-1(AC) established a Contract term running from January 1, 2021 to December 31, 2021, subject to extensions through December 31, 2022, by Resolution of the Authority’s Board of Commissioners based upon satisfactory performance of services; and

WHEREAS, the Authority’s technical staff has evaluated the services performed under Contract 20-7-1(AC) and has determined that they have been in substantial compliance with the terms and conditions of Contract 20-7-1(AC); and

WHEREAS, the Authority’s technical staff has recommended the extension of Contract 20-7-1(AC) through December 31, 2022; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.4, the Treasurer/Comptroller shall certify, in writing, the availability of sufficient funds for such supplies 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 “Approving Extension of Contract Term for Contract No. 20-7-1(AC) with Thomas Scientific, LLC for Laboratory Chemical Supplies 2021-2022” and all subsequent documents associated with the matters addressed herein shall reference this Title.
2. The term of Contract 20-7-1(AC) is hereby extended through December 31, 2022, subject to receipt of current insurance certificates, warranties, indemnifications, and other such documentation as Thomas Scientific, LLC, may be required to furnish pursuant to the terms and conditions of Contract 20-7-1(AC).
3. Extension of Contract 20-7-1(AC) shall be predicated upon the bid prices set forth in Exhibit C-1 attached hereto.
4. Funding for purchases, supply and delivery under Contract 20-7-1(AC) shall be certified as ordered by the Treasurer/Comptroller, shall not exceed \$111,076.14 for Year Two, and shall be drawn against the Wastewater Operating Budget.

RESOLUTION WW-12-21-5-R

**APPROVING EXTENSION OF CONTRACT TERM FOR
CONTRACT NO. 20-7-2(AC) WITH THOMAS SCIENTIFIC, LLC FOR LABORATORY
GLASSWARE 2021-2022**

WHEREAS, the Middlesex County Utilities Authority (“Authority”) executed a Contract with Thomas Scientific, LLC effective on September 22, 2020 and entitled Contract No. 20-7-2(AC)/Laboratory Glassware 2021-2022, hereinafter “Contract 20-7-2(AC)”;

WHEREAS, the provisions of Contract 20-7-2(AC) established a Contract term running from January 1, 2021 to December 31, 2021, subject to extensions through December 31, 2022, by Resolution of the Authority’s Board of Commissioners based upon satisfactory performance of services; and

WHEREAS, the Authority’s technical staff has evaluated the services performed under Contract 20-7-2(AC) and has determined that they have been in substantial compliance with the terms and conditions of Contract 20-7-2(AC); and

WHEREAS, the Authority’s technical staff has recommended the extension of Contract 20-7-2(AC) through December 31, 2022; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.4, the Treasurer/Comptroller shall certify, in writing, the availability of sufficient funds for such supplies 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 “Approving Extension of Contract Term for Contract No. 20-7-2(AC) with Thomas Scientific, LLC, for Laboratory Glassware 2021-2022” and all subsequent documents associated with the matters addressed herein shall reference this Title.
2. The term of Contract 20-7-2(AC) is hereby extended through December 31, 2022, subject to receipt of current insurance certificates, warranties, indemnifications, and other such documentation as Thomas Scientific, LLC, may be required to furnish pursuant to the terms and conditions of Contract 20-7-2(AC).
3. Extension of Contract 20-7-2(AC) shall be predicated upon the bid prices set forth in Exhibit C-1 attached hereto.
4. Funding for purchases, supply and delivery under Contract 20-7-2(AC) shall be certified as ordered by the Treasurer/Comptroller, shall not exceed \$133,748.01 for Year Two, and shall be drawn against the Wastewater Operating Budget.

5. This Resolution shall take effect upon the expiration of the Middlesex County Board of County Commissioners' review period in accordance with law.

RESOLUTION NO. WW-12-21-6-R

AUTHORIZING APPROVAL OF AGREEMENT WITH CONCORD ENGINEERING GROUP, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR 30% DESIGN AND PRE AWARD ADVISORY SERVICES FOR A DESIGN-BUILD OF A NEW COGENERATION FACILITY

WHEREAS, pursuant to N.J.S.A 40A:11-5 of the Local Public Contracts Law (“LPCL”), the Middlesex County Utilities Authority (“Authority”) may procure professional services without competitive bid for such services ; and

WHEREAS, although such services do not have to be competitively bid under the LPCL, the Authority must follow the requirements set forth in N.J.S.A. 19:44A-20.4 et seq. (the “Act”) of the Act in awarding professional services contracts if the anticipated value is in excess of \$17,500, unless the services are procured pursuant to a fair and open process; and

WHEREAS, the Authority determined to solicit qualifications, under a fair and open process in accordance with N.J.S.A. 19:44A-20.7 of the Act for Professional Engineering Services; and

WHEREAS, based on a review of the qualifications submitted in response to the solicitation, the Authority determined that Concord Engineering Group, Inc. was qualified to render Professional Engineering Services; and

WHEREAS, the Authority subsequently requested a proposal from Concord Engineering Group. with respect to such services; and.

WHEREAS, Concord Engineering Group, submitted a proposal and schedule of rates and services as required by N.J.A.C. 5:34-4.5(c) and as set forth in Attachment No. 1 which shall be the basis for payment for Professional Engineering Services; and

WHEREAS, the Authority and its members and Commissioners desire to retain Concord Engineering Group, Inc. for Professional Engineering Services; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.4, the Treasurer/Comptroller has certified, in writing, the availability of sufficient funds for such Professional Services in the amount of \$977,120.00 to be paid from the Wastewater Operating Budget.

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

1. For all future reference the title of this Resolution shall be “Authorizing Approval of Agreement with Concord Engineering Group Inc., For Professional Engineering Services for 30% Design and Pre Award Advisory Services for a Design-Build of a New Cogeneration Facility”, and all subsequent documents concerning the matters addressed herein shall reference this title.

2. Concord Engineering Group shall be and is hereby retained to perform Professional Engineering Services for the 30% Design and Pre Award Advisory Services for a Design-Build of New Cogeneration Facility to the Wastewater Division for and on behalf of the Authority for the services set forth in Attachment No. 1.

3. The Authority's Counsel and Staff are hereby authorized to prepare the necessary contract documents which will incorporate substantially the terms set forth in Attachment No. 1 hereto, and the Chairman or Vice Chairman and Secretary are hereby authorized to execute a Contract for said services.

4. Total payment not to exceed \$977,120.00 or said Engineering Services shall be drawn against the Wastewater Operating Budget.

5. This Resolution shall take effect upon the expiration of the Middlesex County Board of County Commissioners' review 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-12-21-7-R

**AUTHORIZING THE AWARD OF A CONTRACT PURSUANT TO N.J.S.A. 19:44A-20.4
TO EVOQUA WATER TECHNOLOGIES, US FOR LABORATORY EQUIPMENT
REPAIR SERVICES AND PARTS AT THE WASTEWATER DIVISION LABORATORY**

WHEREAS, pursuant to N.J.S.A. 40:14B-20(14) of the Municipal and County Utilities Authorities Law, N.J.S.A. 40:14B-1 et seq. (the “Act”), a county utilities authority is empowered to enter into any and all agreements or contracts, execute any and all instruments and do and perform any and all acts or things necessary, convenient or desirable for the purposes of the Authority or to carry out any power given in the Act, subject to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. (the “LPCL”); and

WHEREAS, there is a need to procure laboratory equipment repair services and parts; and

WHEREAS, the Authority's Qualified Purchasing Agent has determined and certified in writing that the value of the laboratory equipment parts and services to be procured will exceed \$17,500.00 but will not exceed the threshold requiring competitive bid under the LPCL; and

WHEREAS, the Authority desires to award a contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 et seq. to Evoqua Water Technologies, US (“Evoqua”), 10 Technology Drive, Lowell, MA in the amount of \$25,000.00, as a non-fair and open contract; and

WHEREAS, Evoqua has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the County of Middlesex in the previous one (1) year, and that the Contract to be awarded here will prohibit Evoqua from making any reportable contributions through the term of the Contract; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.4, the Treasurer/Comptroller has certified, in writing, the availability of sufficient funds for such purchase in the amount of \$25,000.00, to be paid from the Wastewater Operating Budget.

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

1. For all future reference the title of this Resolution shall be “Authorizing the Award of a Contract Pursuant to N.J.S.A. 19:44A-20.4 to Evoqua Water Technologies, US for Laboratory Equipment Repair Services and Parts at the Wastewater Division Laboratory” and all subsequent documents associated with the matters herein shall reference this title.

2. The appropriate Officers and Staff of the Authority are hereby authorized to execute a Contract and any other necessary documents with Evoqua for laboratory equipment repair services as described herein.
3. This Contract is awarded pursuant to N.J.S.A. 19:44A-20.4 et seq., and adequate funds are available for this purchase.
4. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this Resolution.

RESOLUTION NO. WW-12-21-8-R

**RESOLUTION AUTHORIZING A SHORT TERM AGREEMENT WITH VERIZON
FOR VALUEPOINT WIRELESS SERVICES**

WHEREAS, the Middlesex County Utilities Authority (“Authority”) is a public body corporate and politic of the State of New Jersey organized pursuant to N.J.S.A. 40:14B-1 et seq.; and

WHEREAS, the Authority seeks to enter into a short term agreement for continued ValuePoint Wireless services with Verizon through their contract with the National Association of State Procurement Officials (“NASPO”), in an amount not to exceed \$35,000.00; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.4, the Treasurer/Comptroller shall certify, in writing, to the availability of sufficient funds for such services in the amount of \$35,000.00 to be paid from the Wastewater Operating Budget; and

WHEREAS, staff intends to take subsequent action to commence the process for future subsequent purchases and services for such additional phones and services through a nationally recognized and accepted cooperative purchasing agreement on a longer term basis pursuant to N.J.S.A. 52:34-6.2(b)(3), and will present the appropriate resolutions in that regard to the Authority.

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 “Resolution Authorizing a Short Term Agreement with Verizon for Valuepoint Wireless Services”, and all subsequent documents associated with the matters addressed herein shall reference this Title.
2. The aforementioned recitals are incorporated herein as though fully set forth at length.
3. The Commissioners hereby authorize the Authority to enter into a short term agreement for continued ValuePoint Wireless services with Verizon through their contract with NASPO in an amount not to exceed \$35,000.00, and to commence the process for use of a nationally recognized and accepted cooperative for future purchases and services.
4. Funding for this short term agreement shall be certified as ordered by the Treasurer/Comptroller and shall be drawn against the Wastewater Operating Budget.
5. A copy of this Resolution shall be available for public inspection at the office of the Middlesex County Utilities Authority.
6. This Resolution shall take effect upon the expiration of the Middlesex County Board of County Commissioners’ review period in accordance with law.

RESOLUTION NO. WW-12-21-9-R

AUTHORIZING THE AWARD OF A CONTRACT PURSUANT TO N.J.S.A. 19:44A-20.4 TO BUSINESS TRAINING LIBRARY, LLC FOR ONLINE TRAINING SERVICES FOR THE WASTEWATER AND SOLID WASTE DIVISIONS

WHEREAS, pursuant to N.J.S.A. 40:14B-20(14) of the Municipal and County Utilities Authorities Law, N.J.S.A. 40:14B-1 et seq. (the “Act”), a county utilities authority is empowered to enter into any and all agreements or contracts, execute any and all instruments and do and perform any and all acts or things necessary, convenient or desirable for the purposes of the Authority or to carry out any power given in the Act, subject to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. (the “LPCL”); and

WHEREAS, there is a need to procure online training services for the Wastewater Division and the Solid Waste Division; and

WHEREAS, the Authority's Qualified Purchasing Agent has determined and certified in writing that the value of the training services to be procured will exceed \$17,500.00 but will not exceed the threshold requiring competitive bid under the LPCL; and

WHEREAS, the Authority desires to award a contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 et seq. to Business Training Library, LLC (“BizLibrary”), 14500 S Outer Forty Road #500, Town and County, MO in the amount of \$32,500.00, as a non-fair and open contract; and

WHEREAS, BizLibrary has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the County of Middlesex in the previous one (1) year, and acknowledging that the Contract to be awarded here will prohibit BizLibrary from making any reportable contributions through the term of the Contract; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.4, the Treasurer/Comptroller has certified, in writing, the availability of sufficient funds for such purchase in the amount of \$32,500.00, to be paid from the Solid Waste and Wastewater Operating Budgets.

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

1. For all future reference the title of this Resolution shall be “Authorizing the Award of a Contract Pursuant to N.J.S.A. 19:44A-20.4 to Business Training Library, LLC for Online Training Services for the Wastewater and Solid Waste Division” and all subsequent documents associated with the matters herein shall reference this title.

2. The appropriate Officers and Staff of the Authority are hereby authorized to execute a Contract and any other necessary documents with BizLibrary for the online training services as described herein.
3. This Contract is awarded pursuant to N.J.S.A. 19:44A-20.4 et seq., and adequate funds are available for this purchase.
4. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this Resolution.

RESOLUTION NO. SW/WW-12-21-10-R

**2022 AUTHORIZATION TO EXECUTE SOLID WASTE AND WASTEWATER
PURCHASE ORDERS UNDER VARIOUS NEW JERSEY STATE CONTRACTS**

WHEREAS, the Middlesex County Utilities Authority (“Authority”) has determined that in order to conduct required activities, the Authority’s Solid Waste and Wastewater Divisions must purchase adequate materials, equipment and supplies; and

WHEREAS, the Authority’s staff evaluates all options in order to recommend the purchase of materials, equipment and supplies that represent the best value and cost available to the Authority; and

WHEREAS, the Authority desires, whenever practicable and advantageous, to utilize the type of New Jersey State Contracts available to local contracting units; and

WHEREAS, pursuant to N.J.S.A. 40A:11-11 the Authority may, without advertising for bids, or having rejected all bids obtained pursuant to advertising therefore, purchase any materials, supplies or equipment under any contract or contracts for such materials, supplies or equipment entered into on behalf of the State of New Jersey by the Division of Purchase and Property in the Department of the Treasury (“State Contracts”); and

WHEREAS, the Authority currently subscribes to the New Jersey Purchase Bureau, Cooperative Purchasing Program which provides numerous State Contracts for use by public entities for various, materials, equipment, goods and services; and

WHEREAS, for reasons of efficiency and economy, the Authority’s Purchasing Agent recommends a blanket resolution authorizing the use of the New Jersey State Contracts for the State “M Numbers, G Numbers and T Numbers” set forth in Attachment No. 1 hereto; and

WHEREAS pursuant to N.J.A.C. 5:34-7.1 et seq., the Treasurer/Comptroller has certified, in writing, the availability of sufficient funds in the Solid Waste Operating Budget and the Wastewater Operating Budget in the amounts not to exceed those set forth for said purchases for each State Contract as set forth in Attachment No. 1 hereto.

NOW THEREFORE BET 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 “2022 Authorization to Execute Solid Waste and Wastewater Purchase Orders Under Various New Jersey State Contracts,” and all subsequent documents associated with the matters addressed herein shall reference this title.

2. 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 purchase of materials, supplies and equipment under State Contracts as set forth in Attachment No. 1 hereto.

3. Payment for the purchase of materials, supplies and equipment under said State Contracts shall be drawn from the Solid Waste Operating Budget and the Wastewater Operating Budget in amounts not to exceed those set forth in Attachment No. 1 hereto.

4. This Resolution shall take effect upon the expiration of the Middlesex County Board of County Commissioners' review period in accordance with law.

RESOLUTION NO. WW-12-21-11-R
AUTHORIZING THE EXECUTION OF A CONTRACT WITH
INDUSTRIAL CONTROLS DISTRIBUTORS, LLC FOR THE PURCHASE OF
INSTRUMENTATION AND MISCELLANEOUS EQUIPMENT THROUGH
THE NORTH JERSEY WASTEWATER COOPERATIVE PRICING SYSTEM
CONTRACT B295-7

WHEREAS, N.J.S.A. 40A:11-11 of the Local Public Contracts Law authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Passaic Valley Sewerage Commission serves as the lead agency of the North Jersey Wastewater Cooperative Pricing System (the “NJWCPS”), and is specifically authorized to establish cooperative purchasing programs pursuant to N.J.A.C. 5:34; and

WHEREAS, the NJWCPS has advertised and awarded contracts for a variety of goods and equipment; and

WHEREAS, the Authority is authorized to utilize contracts that have been awarded and entered into by NJWCPS as part of the cooperative purchasing program; and

WHEREAS, Industrial Controls Distributors, LLC, 17 Christopher Way, Eatontown, New Jersey 07724 (the “Vendor”), has been awarded NJWCPS Contract No. B295-7 for the purchase of Instrumentation and Miscellaneous Equipment by the NJWCPS for a twelve-month period, from December 2021 to December 2022 (the “Contract”); and

WHEREAS, the Authority desires to purchase instrumentation equipment under this Contract; and

WHEREAS, the total amount of the purchase from the Vendor is not to exceed the amount of \$55,000.00; and

WHEREAS, pursuant to N.J.A.C. 5:34-5.1 et seq., the Treasurer/Comptroller has certified, in writing, the availability of sufficient funds for the Contract in the amount of \$55,000.00 to be paid from the Wastewater 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 “Authorizing the Execution of a Contract with Industrial Controls Distributors, LLC. for the Purchase of Instrumentation and Miscellaneous Equipment through the North Jersey Wastewater Cooperative Pricing System - Contract No. B295-7,” and all subsequent documents associated with the matters herein shall reference this title.

2. The appropriate Officers and Staff of the Authority are hereby authorized to execute a contract/purchase order(s) in the amount not to exceed \$55,000.00, along with any other necessary documents, with Industrial Controls Distributors, LLC, 17 Christopher Way, Eatontown, NJ 07724 as described herein.

3. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-11 of the Local Public Contracts Law.

4. This Resolution shall take effect upon the expiration of the Middlesex County Board of County Commissioners' review period in accordance with law.

RESOLUTION NO. SW/WW-12-21-12-R

**RESOLUTION FIXING AND DETERMINING THE
APPOINTMENT, CLASSIFICATION AND SALARY RANGE
FOR EMPLOYEES OF THE
MIDDLESEX COUNTY UTILITIES AUTHORITY**

BE IT RESOLVED by the Middlesex County Utilities Authority and the Commissioners thereof:

1. The Middlesex County Utilities Authority hereby authorizes the attached positions and determines and fixes the 2022 salary ranges and compensation of the Authority personnel for the calendar year in accordance with the Schedules attached.

2. Each employee of the Authority shall be accorded such insurance coverages as are accorded the highest salaried class of employee as required by law.

3. The Executive Director is empowered to fix the salary of personnel within the ranges specified on the Schedule based on their performance and cost of living adjustment. Such salary determinations shall be considered effective beginning January 1, 2022 for employees not represented by a recognized collective bargaining unit.

4. Salaries and compensations for employees represented by a recognized collective bargaining unit are to be provided pursuant to an agreement approved by the Board of Commissioners.

5. This Resolution shall take effect upon the expiration of the Middlesex County Board of County Commissioners' review period in accordance with law.

RESOLUTION NO. A-12-21-13-R

**REVISIONS TO THE 2010
PERSONNEL POLICIES AND PROCEDURES MANUAL**

WHEREAS, pursuant to Resolution No. A-9-10-12-R, the Middlesex County Utilities Authority (Authority) formally adopted comprehensive Authority Personnel Policies and Procedures hereinafter known as the “Personnel Manual;” and

WHEREAS, subsequent to initial adoption, the Board of Commissioners has revised the Personnel Manual by formal Resolution and incorporated said revisions in the publication and reissuance of the Personnel Manual each year thereafter; and

WHEREAS, revisions to the Personnel Manual are necessary relating to employee benefits, federal and state law, and Authority Policy and Procedure; and

WHEREAS, based upon further review by Authority Counsel and Staff it has been determined to be appropriate and necessary to make certain amendments to the 2010 Personnel Manual as set forth in Attachment #1 hereto;

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 “Revision No. 00-4 to the 2010 Personnel Manual” and all subsequent documents associated with the matters addressed herein shall reference this title.

2. The revisions to the 2010 Personnel Manual are hereby adopted as set forth substantially in the form in Attachment #1.

3. This Resolution shall take effect upon the expiration of the Middlesex County Board of County Commissioners’ review period in accordance with law.

RESOLUTION NO. SW-12-21-14-R

**AUTHORIZING EXECUTION OF 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 \$70.00 per ton for 2022, \$71.25 per ton for 2023, \$72.50 per ton for 2024, \$73.75 per ton for 2025 and \$75.00 per ton for 2026 for entities agreeing to dispose of all of their Acceptable Solid Waste (“ASW”), generated in Middlesex County, at the MCLF over a five (5) year period beginning January 1, 2022 and ending December 31, 2026; 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 a signed Agreement from Dave’s Suburban Disposal Service, LLC and recommends that the Board of Commissioners authorize execution of said Agreement; 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 MCUA 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 “Authorizing Execution of 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 Agreement accepted and submitted by Dave’s Suburban Disposal Service, LLC, effective January 1, 2022 through December 31, 2026.
3. This resolution shall take effect upon the expiration of the Middlesex County Board of County Commissioners’ review period, in accordance with law.

RESOLUTION NO. WW-12-21-15-R

**AUTHORIZING THE AWARD OF A CONTRACT PURSUANT TO N.J.S.A. 19:44A-20.4
TO DUBLIN MAINTENANCE CONTRACTORS, INC. FOR JANITORIAL AND
WINDOW CLEANING SERVICES AT THE MIDDLESEX COUNTY LANDFILL**

WHEREAS, pursuant to N.J.S.A. 40:14B-20(14) of the Municipal and County Utilities Authorities Law, N.J.S.A. 40:14B-1 et seq. (the “Act”), a county utilities authority is empowered to enter into any and all agreements or contracts, execute any and all instruments and do and perform any and all acts or things necessary, convenient or desirable for the purposes of the Authority or to carry out any power given in the Act, subject to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. (the “LPCL”); and

WHEREAS, there is a need to procure janitorial and window cleaning services; and

WHEREAS, the Authority's Qualified Purchasing Agent has determined and certified in writing that the value of the cleaning services to be procured will exceed \$17,500.00 but will not exceed the threshold requiring competitive bid under the LPCL; and

WHEREAS, the Authority desires to award a contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 et seq. to Dublin Maintenance Contractors, Inc. (“Dublin”), 3565 Kennedy Road, South Plainfield, NJ in the amount of \$29,720.00, as a non-fair and open contract; and

WHEREAS, Dublin has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the County of Middlesex in the previous one (1) year, and acknowledging that the Contract to be awarded here will prohibit Dublin from making any reportable contributions through the term of the Contract; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.4, the Treasurer/Comptroller has certified, in writing, the availability of sufficient funds for such purchase in the amount of \$29,720.00, to be paid from the Solid Waste Operating Budget.

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

1. For all future reference the title of this Resolution shall be “Authorizing the Award of a Contract Pursuant to N.J.S.A. 19:44A-20.4 to Dublin Maintenance Contractors, Inc. for Janitorial and Window Cleaning Services at the Middlesex County Landfill” and all subsequent documents associated with the matters herein shall reference this title.

2. The appropriate Officers and Staff of the Authority are hereby authorized to execute a Contract and any other necessary documents with Dublin for the janitorial services as described herein.
3. This Contract is awarded pursuant to N.J.S.A. 19:44A-20.4 et seq., and adequate funds are available for this purchase.
4. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this Resolution.