

RESOLUTION NO. A-1-22-1-R

RESOLUTION CONFIRMING ESTIMATE OF SEWAGE AND ANNUAL CHARGES TO PARTICIPANTS FOR THE YEAR 2022

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 2022 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 2022 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 2022 adopted by the Authority on December 14, 2021.

2. That the Treasurer is hereby instructed to certify to each such participant on or before February 1, 2022, its respective charges as confirmed herein for the year 2022 Said Certificate shall be mailed to each Participant by Certified Mail - Return Receipt Requested.

RESOLUTION NO. A-1-22-2-R

**RESOLUTION CONFIRMING AMOUNTS OF OVERPAYMENTS OF
ANNUAL CHARGES BY CERTAIN PARTICIPANTS FOR THE TREATMENT
AND DISPOSAL OF SEWAGE FOR THE YEAR 2021**

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 2021, and calculated and computed estimated charges becoming due for each Participant for said period according to the Schedule of Rates for the year 2021, 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 2021 are less than the estimated charges certified to and paid by said Participants by \$3,329,104.01

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 2021 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 2021 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 2021 adopted by the Authority on November 24, 2020.

2. That the Treasurer is hereby instructed to certify to each such Participant on or before February 1, 2022 its actual charges as confirmed herein for the year 2021. Said Certificate shall be mailed to each Participant by Certified Mail - Return Receipt Requested.

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. A-1-22-3-R

RESOLUTION CONFIRMING AMOUNTS OF DEFICIENCY IN PAYMENT OF ANNUAL CHARGES BY CERTAIN PARTICIPANTS FOR TREATMENT AND DISPOSAL OF SEWAGE FOR THE YEAR 2021

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 2021, and calculated and computed estimated charges becoming due for each Participant for said period according to the Schedule of Rates for the year 2021, 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 2021 have exceeded the estimated charges certified to and paid by said Participants by \$1,288,406.74

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 2021 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 2021 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 2021 adopted by the Authority on November 24, 2020.

2. That the Treasurer is hereby instructed to certify to each Participant on or before February 1, 2022 its actual charges as confirmed herein for the year 2021. Said Certificate shall be mailed to each Participant by Certified Mail -Return Receipt Requested.

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. A-01-22-4-A

PRETREATMENT PERMIT ACTIONS

PERMIT NUMBERS: 20050 and 18211

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 December 30, 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) "20050 and 18211" 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>
Modification	20050	DUPONT SPECIALTY PRODUCTS	Sayreville
Renewal	18211	AMNEAL PHARMACEUTICALS	Piscataway

1. This Resolution shall take effect immediately.

RESOLUTION NO. WW-1-22-5-R

**AUTHORIZING CONTRACT AWARD FOR CONTRACT NO. 21-8-5(IPP)
PROVIDE SMR CROMMER COMPLIANT IPP SOFTWARE
LINKO TECHNOLOGY, INC.**

WHEREAS, the Middlesex County Utilities Authority (“Authority”) publicly advertised for bids for a contract entitled “Contract No. 21-8-5(IPP)/Provide SMR Crommer Compliant IPP Software”, hereinafter referred to as the “Contract”; and

WHEREAS, on December 15, 2021, the Authority received and publicly opened one (1) bid submitted for the Contract; and

WHEREAS, the said bid has been reviewed by the Authority’s Counsel and staff who have advised that the bid of Linko Technology, Inc., in the amount of \$86,550.00 for the two-year base as 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*, the Treasurer/Comptroller has certified the availability of sufficient funds for such services in the amount of \$43,275.00 to be paid from the Wastewater Operating Budget for the first year of the base Contract term; and

WHEREAS, funds \$43,275.00 for year two and for the option years three and four of the Contract are subject to and contingent upon such sufficient funds in the applicable budget, at which time certification of available funds shall be made by the Treasurer/Comptroller.

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 Contract Award for Contract No. 21-8-5(IPP)/Provide SMR Crommer Compliant IPP Software – Linko Technology, Inc.", and all subsequent documents concerning the matters addressed herein shall reference this title.
2. The Commissioners hereby find Linko Technology, Inc., to be the lowest responsive and responsible bidder for the Contract.
3. The Commissioners hereby accept the bid of Linko Technology, Inc., as set forth in Exhibit C-1 attached hereto for the Contract, with a Contract term of 4 years.
4. Payment not to exceed \$86,550.00 for the base term of the Contract shall be drawn against the Wastewater Operating Budget.

January 25, 2022

No. 5

5. The Executive Director is hereby authorized and directed to notify Linko Technology, 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.
6. This Resolution shall take effect upon the expiration of the Middlesex County Board of County Commissioners' review period in accordance with law.

RESOLUTION WW-1-22-6-R

**APPROVING EXTENSION OF CONTRACT TERM FOR
CONTRACT NO. 20-10-2(AC) WITH WASTE MANAGEMENT, INC., FOR REMOVAL
& TRANSPORTATION OF MUNICIPAL SOLID WASTE 2021-2022**

WHEREAS, the Middlesex County Utilities Authority (“Authority”) executed a Contract with Waste Management, Inc., effective on January 26, 2021 and entitled Contract 20-10-2(AC)/Removal & Transportation of Municipal Solid Waste 2021-2022, hereinafter “Contract 20-10-2(AC)”;

WHEREAS, the provisions of Contract 20-10-2(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;

WHEREAS, the Authority’s technical staff has evaluated the services performed under Contract 20-10-2(AC) and has determined that they have been in substantial compliance with the terms and conditions of Contract 20-10-2(AC);

WHEREAS, the Authority’s technical staff has recommended the extension of Contract 20-10-2(AC) through December 31, 2022;

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 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. 20-10-2(AC) with Waste Management, Inc., for Removal & Transportation of Municipal Solid Waste 2021-2022” and all subsequent documents associated with the matters addressed herein shall reference this Title.
2. The term of Contract 20-10-2(AC) is hereby extended through December 31, 2022, subject to receipt of current insurance certificates, warranties, indemnifications, and other such documentation as Waste Management, Inc., may be required to furnish pursuant to the terms and conditions of Contract 20-10-2(AC).
3. Extension of Contract 20-10-2(AC) shall be predicated upon the bid prices set forth in Exhibit C-1 attached hereto.
4. Funding for the services under Contract 20-10-2(AC) shall be certified as ordered by the Treasurer/Comptroller, shall not exceed \$15,570.00 for Year Two, and shall be drawn against the Wastewater Operating Budget.

January 25, 2022

No. 6

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-1-22-7-R

**AUTHORIZING THE EXECUTION OF A CONTRACT WITH CERTAIN VENDORS
FOR THE PROCUREMENT OF COMPUTER SOFTWARE AND HARDWARE
THROUGH THE NEW JERSEY COOPERATIVE PURCHASING ALLIANCE
COOPERATIVE PRICING SYSTEM CONTRACT NO. 19-34**

WHEREAS, by Resolution No. WW-8-20-26-R, dated August 25, 2020, the Middlesex County Utilities Authority (“Authority”) authorized participation by the Authority in the New Jersey Cooperative Purchasing Alliance Cooperative BC-BID 19-34 - Bergen (the “Cooperative”); and

WHEREAS, the Authority was added to the Cooperative effective September 24, 2020; and

WHEREAS, participation in the Cooperative allows the Authority to purchase certain goods and services through existing, competitively bid contracts; and

WHEREAS, the Authority desires to procure computer software and hardware from certain vendors that participate in the Cooperative for an amount not to exceed \$550,000.00; 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 said purchase in the amount of \$550,000.00, to be paid from the Wastewater Operating Capital 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 Certain Vendors for the Procurement of Computer Software and Hardware Through the New Jersey Cooperative Purchasing Alliance Cooperative Pricing System – Contract No. 19-34” and all subsequent documents associated with the matters addressed 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 an amount not to exceed \$550,000.00 and any other necessary documents, with certain vendors for the purchases as described herein.

3. This contract is authorized pursuant to the authority set forth in the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and as set forth under Resolution No. WW-8-20-26-R.

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-1-22-8-R

**AUTHORIZING THE EXECUTION OF A CONTRACT WITH STAVOLA
CONSTRUCTION MATERIALS, INC. FOR THE PURCHASE OF STONE
THROUGH THE MIDDLESEX COUNTY COOPERATIVE PRICING
SYSTEM
BID #B-21-096**

WHEREAS, N.J.S.A. 40A:11-11 et seq., 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 County of Middlesex has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services; and

WHEREAS, Stavola Construction Materials, Inc., 175 Drift Road, Tinton Falls, New Jersey 07724, has been awarded Bid No. B-21-096, under Resolution which contract will commence on July 21, 2021, for a 12-month period; and

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

WHEREAS, the total amount of the purchase from Stavola Construction Materials, Inc. is in an amount not to exceed \$75,000.00; 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 the Contract in the amount of \$75,000.00, 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 Stavola Construction Materials, Inc. for the Purchase of Stone through the Middlesex County Cooperative Pricing System – Bid #B-21-096” 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 \$75,000.00 and any other necessary documents, with Stavola Construction Materials, Inc., 175 Drift Road, Tinton Falls, New Jersey 07724 as described herein.

3. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11 et seq. of the Local Public Contracts Law and Bid No. B-21-096.

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-1-22-9-R

**AUTHORIZING THE AWARD OF A CONTRACT PURSUANT TO N.J.S.A. 19:44A-20.4
TO WELLNESS COACHES FOR COVID TESTING 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 Covid-19 testing 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 testing 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 Wellness Coaches, **14500 S Outer Forty Road #500, Town and County, MO** in the amount of \$44,000.00, as a non-fair and open contract; and

WHEREAS, Wellness Coaches 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 Wellness Coaches 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 \$44,000.00, 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:

5. 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 Wellness Coaches for Covid-19 Testing Services for the Wastewater and Solid Waste Division” and all subsequent documents associated with the matters herein shall reference this title.

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-1-22-10-R

**AUTHORIZING EXECUTION OF TIER ONE AGREEMENTS FOR
SOLID WASTE DISPOSAL SERVICES WITH
VARIOUS 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 \$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 government 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 municipalities in Middlesex County that currently have existing Solid Waste Disposal Agreements for their consideration to accept; and

WHEREAS, MCUA staff has received a signed agreement from the Township of North Brunswick, and recommends that the Middlesex County Utilities Authority Board of Commissioners authorize execution of said Agreement; and

WHEREAS, the MCUA Board of Commissioners has determined that entering into Agreements with these government entities 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 Tier One Agreements for Solid Waste Disposal Services with Various 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 Agreement accepted and submitted by the Township of North Brunswick to become effective January 1, 2022 through December 31, 2026.
3. This Resolution shall take effect following the Middlesex County Commissioners’ review period, pursuant to law.

RESOLUTION NO. SW-1-22-11-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 Pinto Brothers Disposal, 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 Pinto Brothers Disposal, 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. SW-1-22-12-R

**AUTHORIZING EXECUTION OF AGREEMENTS FOR
TIER TWO 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 \$73.00 per ton for 2022, \$74.25 per ton for 2023, \$75.50 for 2024, \$76.75 for 2025 and \$78.00 per ton for 2026 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 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 Tyler Truck Repair, Inc. 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 Two 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 Tyler Truck Repair, Inc. effective January 1, 2022 through December 31, 2026.
3. This Resolution shall take effect following the Middlesex County Commissioners’ review period, pursuant to law.

RESOLUTION NO. SW-1-22-13-R

**AUTHORIZATION TO EXTEND CONTRACT TERM (YEAR TWO)
FOR CONTRACT NO. 21-1SW
SUPPLY ODOR CONTROL PRODUCTS FOR THE
MIDDLESEX COUNTY LANDFILL**

CHEMSTATION PHILADELPHIA, LTD.

WHEREAS, the Middlesex County Utilities Authority (“Authority”) executed a Contract with Chemstation Philadelphia, Ltd. effective on April 1, 2021, entitled Contract No. 21-1SW/Supply Odor Control Products for the Middlesex County Landfill, hereinafter referred to as Contract No. 21-1SW; and

WHEREAS, the Authority’s staff has determined this service to be an effective and efficient method to ensure ongoing compliance with operating responsibilities in conjunction with the Authority’s Permits; and

WHEREAS, the provisions in Contract No. 21-1SW provides for a Contract Term Extension from April 1, 2022 through March 31, 2023, by Resolution of the Authority’s Board of Commissioners based upon satisfactory performance of services; and

WHEREAS, the Authority’s staff has recommended the continuance of Contract No. 21-1SW through March 31, 2023; 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 Services in an amount not to exceed \$179,450.00 to be paid from the Solid Waste Division 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 to Extend Contract Term (Year Two) for Contract No. 21-1SW/Supply Odor Control Products for the Middlesex County Landfill – Chemstation Philadelphia, Ltd.” and all subsequent documents associated with the matters addressed herein shall reference this Title.

2. The term of Contract No. 21-1SW is hereby extended from April 1, 2022 through March 31, 2023, subject to receipt of current insurance certificates, indemnifications and other such documentation as Chemstation Philadelphia, Ltd. may be required to furnish pursuant to the terms and conditions of Contract No. 21-1SW.

3. Extension of Contract No. 21-1SW shall be predicated upon the bid prices set forth in Exhibit C-1 attached hereto.

4. Payment not to exceed \$179,450.00 for said Services shall be drawn against the Solid Waste Division Operating Budget.

5. This Resolution shall take effect immediately following the Middlesex County Board of County Commissioners' review period, pursuant to law.

RESOLUTION NO. WW-1-22-14-R

**AUTHORIZING NEGOTIATIONS FOR CONTRACT AWARD FOR
CONTRACT 21-6-4(AC)
STANDBY GENERATOR SERVICE, REPAIR, AND APPURTENANT WORK**

WHEREAS, the Middlesex County Utilities Authority (“Authority”) publicly advertised for bids on July 20, 2021 for a contract entitled “Contract 21-6-4(AC)/ Standby Generator Service, Repair, and Appurtenant Work” hereinafter referred to as the “Contract”, and received no bids on the bid opening date of August 17, 2021; and

WHEREAS, the Authority’s engineering consultant, R3M Engineering, Inc. (“R3M”) recommended modifications to various bid items and an increase in the overall bid period based on feedback received from plan holders; and

WHEREAS, the bid documents for the Contract were revised to incorporate R3M’s recommended modifications; and

WHEREAS, on November 10, 2021, the Authority publicly rebid the Contract and again, received no bids on the bid opening date of January 11, 2022; and

WHEREAS, the Local Public Contracts Law, *N.J.S.A. 40A:11-5(3)* (the “LPCL”) authorizes the negotiation of a contract where on two (2) occasions no bids have been received; and

WHEREAS, R3M, in a letter dated January 20, 2022 to the Authority and the Authority’s Counsel have recommended that the Authority proceed to negotiate the Contract at this time based on the receipt of no bids on two occasions; and

WHEREAS, in accordance with the requirements of the LPCL, the Authority desires to solicit quotes in anticipation of commencing negotiations with respect to the award of the Contract.

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 Negotiations for Contract Award for Contract 21-6-4(AC)/ Standby Generator Service, Repair, and Appurtenant Work” and all subsequent documents concerning the matters addressed herein shall reference this title.
2. The Commissioners hereby authorize the Authority’s staff and Counsel to negotiate Contract 21-6-4(AC) in accordance with the LPCL.
3. This Resolution shall take effect upon the expiration of the Middlesex County Board of County Commissioners’ review period in accordance with law.