

RESOLUTION NO. A-3-23-1-R

PRETREATMENT PERMIT ACTIONS

PERMIT NUMBERS: 28218 and 14001

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 advertisements were made February 15, 2023, 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) "28218 and 14001" 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>
Renewal	28218	CPV Shore LLC	Woodbridge
Renewal	14001	New Brunswick Plating, Inc.	New Brunswick

1. This Resolution shall take effect immediately.

RESOLUTION NO. WW-3-23-2-R

APPROVING AND RATIFYING THE EMERGENCY PURCHASE FROM SUR-SEAL FOR MOYNO PUMP STATORS FOR THE DEWATERING BUILDING EMERGENCY REPAIRS

WHEREAS, pursuant to N.J.S.A. 40:14B-20(14) 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 Municipal and County Utilities Authorities Law, N.J.S.A. 40:14B-1 et seq. (the “Act”), subject to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, Middlesex County Utilities Authority’s (the “Authority”) General Superintendent advised that there was an urgent need for Moyno pump stators for equipment at the Authority’s dewatering building; and

WHEREAS, the procurement of Moyno pump stators through a bidding process was not feasible under these circumstances because replacement pump stators were needed immediately based on the deteriorating condition of the sludge effluent at the plant; and

WHEREAS, the potential for adverse impacts as a result of sludge backup constituted an immediate threat to the public welfare, health and safety; and

WHEREAS, the Authority’s General Superintendent prepared a memorandum outlining the need for the emergency purchase of Moyno pump stators as detailed in Attachment No. 1 hereto; and

WHEREAS, Sur-Seal provided a quote as set forth in Attachment No. 2 to provide the Moyno pump stators; and

WHEREAS, pursuant to N.J.S.A. 40A:11-6, the Authority may procure emergency goods without the necessity of advertising for bids pursuant to N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, in accordance with N.J.S.A. 40A:11-6, the Authority authorized an emergency purchase from Sur-Seal to provide the Moyno pump stators, which action was authorized by the Authority’s Executive Director; and

WHEREAS, in accordance with N.J.S.A. 40A:11-6, the Authority and its members and Commissioners desire to ratify and approve the emergency purchase from Sur-Seal for the Moyno pump stators; 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 equipment in an amount not to exceed \$19,720.00 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 “Approving and Ratifying the Emergency Purchase from Sur-Seal for Moyno Pump Stators for the Dewatering Building Emergency Repairs”, and all subsequent documents associated with the matters addressed herein shall reference this Title.

2. The Authority hereby approves and ratifies the emergency purchase from Sur-Seal for the Moyno pump stators.

3. Payment not to exceed \$19,720.00 for the Moyno pump stators shall be drawn against the Wastewater Operating Budget.

4. The retainage of Sur-Seal authorized herein was made without public bidding pursuant to the Local Public Contracts Law of the State of New Jersey for the reason that the Board of Commissioners determined that an emergency condition existed consistent with N.J.S.A. 40A:11-6.

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

RESOLUTION WW-3-23-3-R

AUTHORIZING THE REALLOCATION OF FUNDING BETWEEN TWO CONTRACTS AWARDED TO DENALI WATER SOLUTIONS, LLC: BENEFICIAL USE OR DISPOSAL OF WW RESIDUALS 2021-2022(A&B BIOSOLIDS); AND BENEFICIAL USE OR DISPOSAL OF WW RESIDUALS 2021-2022 (DEWATERED SLUDGE)

WHEREAS, the Middlesex County Utilities Authority (“Authority”) previously executed two (2) contracts to and with Denali Water Solutions, LLC (“Denali”), for Contract 21-2-2(AC)/Beneficial Use or Disposal of Wastewater Residuals 2021-2022 (Class A & B Biosolids) (“Contract 1”) and Contract 21-2-1(AC)/Beneficial Use or Disposal of Wastewater Residuals 2021-2022 (Dewatered Sludge) (“Contract 2”) (Contract 1 and Contract 2 collectively, the “Contracts”); and

WHEREAS, the Contracts were both put out to bid by the Authority at the same time (February 2021); bids were received on the same date, March 16, 2021; and the Contracts were both awarded to Denali as the lowest responsible bidder; and

WHEREAS, with respect to the Contracts, the following amounts under each were initially awarded by the Authority to Denali; spent under each thus far; and, remain unspent at this time:

- a. Contract 1: \$12,916,000.00 was initially authorized; no funds have been spent; and \$2,600,000.00 of the initial authorization has been reallocated to Contract 2, as further detailed herein; and
- b. Contract 2: \$2,066,560.00 was initially authorized; \$2,066,560.00 of the initial authorization has been spent; \$2,600,000.00 of funding was reallocated from Contract 1, of which \$2,600,000.00 has been spent; and no funds remain unspent at this time.

WHEREAS, the Contracts require the same substantive services – that either dewatered sludge or Class A and/or Class B Biosolids, as the case may be, be taken away and disposed of, or put to beneficial use in accordance with a beneficial use plan – under near identical terms and conditions; and

WHEREAS, as to the sludge derived product, which is the subject of the Contracts, dewatered sludge is sludge “cake” which has not been treated, whereas Class A and Class B biosolids have been treated with alkaline to address pathogens and other environmental considerations, but the product and its disposition is otherwise substantially similar in each case; and

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WHEREAS, the tonnage rates bid by Denali across the Contracts are exactly the same (\$129.66/ton for dewatered sludge disposal; and \$129.66/ton for combined Class A and Class B disposal); and

WHEREAS, at the time the Authority entered into the Contracts with Denali, the incremental volume/quantity of sludge product could not have been reasonably anticipated; and

WHEREAS, subsequent to entry into the Contracts and performance by the parties, it became clear that Contract 2 was the preferable means of disposing of sludge derived product, as under Contract 2, Denali was able to dispose of dewatered sludge directly into a composting facility, which results in beneficial use and favorable environmental consequences; and

WHEREAS, absent such use, the dewatered sludge would have had to be disposed of in conventional ways, such as in landfills, and thus, the disproportionate allocation of sludge disposal under Contract 2 was attributable to, and driven by, favorable environmental and similar benefits; and

WHEREAS, in consequence of the foregoing, the authorized funding limit of Contract 2 has been reached, while the funding limit of Contract 1 has not; and

WHEREAS, by Resolution WW-03-22-5-R, adopted on March 22, 2022, the Authority reallocated awarded, funded (but unused) contract capacity from Contract 1 to Contract 2, for an increase to the Authorized Funding of Contract 2 in the amount of \$2,600,000.00, to address both projected and additional sludge product processed due to unforeseen circumstances, and for the aforementioned purposes as set forth herein; and

WHEREAS, in order to cover the payment of invoices for Denali's services through the end of Contract 2's two-year contract term (through May 1, 2023), it is necessary for the Authority to authorize a reallocation of awarded, funded (but unused) contract capacity from Contract 1 to Contract 2, in accordance with the foregoing purposes and the terms of this Resolution; and

WHEREAS, as a result, Authority Staff have determined that it is necessary to approve a reallocation of awarded, funded (but unused) contract capacity from Contract 1 to Contract 2, for an increase to the Authorized Funding of Contract 2 in the amount of \$600,000.00, to address both projected and additional sludge production due to unforeseen circumstances, and for the reasons set forth above; and

WHEREAS, said reallocation has been deemed to be in the best interests of the Authority, the environment, and the general public, all for the forgoing reasons, and to be effectuated in the manner set forth below.

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 Reallocation of Funding Between Two Contracts Awarded to Denali Water Solutions, LLC: Beneficial Use or Disposal of WW Residuals 2021-2022(A&B Biosolids); and Beneficial Use or Disposal of WW Residuals 2021-2022 (Dewatered Sludge)” and all subsequent documents associated with the matters addressed herein shall reference this Title.
2. The foregoing Recitals are incorporated herein by reference as if set forth at length.
3. The Authority hereby approves a reallocation of awarded, funded (but unused) contract capacity from Contract 1 to Contract 2, for an increase to the Authorized Funding of Contract 2 in the amount of \$600,000.00, to address both projected and additional sludge product processed due to unforeseen circumstances, and for the aforementioned purposes as set forth herein. The increase in the amount of \$600,000.00 to Contract 2’s Authorized Funding shall be reallocated from Contract 1 and shall be certified by the Treasurer/Comptroller of the Authority.
4. The appropriate Officers and Staff of the Authority are hereby authorized and directed to execute any and all documents necessary to implement the reallocation of the amounts under the Contracts for the purposes set forth in this Resolution.
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-3-23-4-R

AUTHORIZING AMENDMENT NO. 1 WITH ALAIMO GROUP TO PROVIDE PROFESSIONAL ENGINEERING CONSULTING SERVICES FOR DEMOLITION OF ABOVEGROUND STORAGE TANK (AST) AT THE CENTRAL TREATMENT PLANT

WHEREAS, the Middlesex County Utilities Authority (“Authority”) executed an Agreement with Alaimo Group for Professional Engineering Services, effective on May 24, 2022 (hereinafter the “Original Agreement”); and

WHEREAS, the Authority has determined that there is a need to amend the Original Agreement to revise the scope of work to add Construction Administration and Engineering Support During Demolition of the Aboveground Storage Tank, to increase the Original Agreement’s Authorized Funding by \$5,000.00 for a revised Authorized Funding Limit of \$47,054.00; and to extend the contract term to December 31, 2023.

WHEREAS, Alaimo Group, has agreed to provide professional engineering services at the schedule of rates set forth in the Original Agreement as required by *N.J.A.C. 5:30-11.6*, which shall be the basis for payment for the revised Scope of Work; and

WHEREAS, the engineering services provided by Alaimo Group, are professional services within the definition contained in *N.J.S.A. 40A:11-2*; and

WHEREAS, pursuant to *N.J.A.C. 5:30-5.4 et seq.*, the Treasurer/Comptroller has certified, in writing, the availability of sufficient funds for such professional services in an additional amount not to exceed \$5,000.00 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 Amendment No. 1 with Alaimo Group for Professional Engineering Consulting Services for Demolition of Aboveground Storage Tank (AST) at the Central Treatment Plant”, and all subsequent documents associated with the matters addressed herein shall reference this title.
2. Alaimo Group shall be, and is hereby retained to perform continuing professional engineering services related to the Wastewater Division and is hereby retained for and on behalf of the Authority.
3. The Authority’s Counsel and Staff are hereby authorized to prepare the necessary agreement amendment documents which will incorporate substantially the terms set forth above, and the Chairman and Secretary are hereby authorized to execute an Amendment to the Original Agreement for said services.

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

5. Payment for these continuing services shall not exceed the revised Authorized Funding Limit of \$5,000.00 for said professional services which shall be drawn against the Wastewater Operating Budget as necessary.

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

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.

RESOLUTION NO. WW-3-23-5-R

AUTHORIZING AGREEMENT WITH DEWBERRY ENGINEERS, INC. FOR
PROFESSIONAL ENGINEERING SUPPORT SERVICES FOR THE WIND TURBINE
PROJECT

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”) 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 solicited 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 Dewberry Engineers, Inc. was qualified to render Professional Engineering Services; and

WHEREAS, the Authority subsequently requested a proposal from Dewberry Engineers, Inc. with respect to such services; and

WHEREAS, Dewberry Engineers, Inc. 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 Dewberry Engineers, Inc. for Professional Engineering Services; and

WHEREAS, the Professional Engineering Services provided by Dewberry Engineers, Inc. are Professional Services within the definition contained in N.J.S.A. 40A:11-2; 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 Engineering Services in the amount of \$56,330.00 to be paid from the Wastewater Operating Budget.

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

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1. For all future reference the title of this Resolution shall be "Authorizing Agreement with Dewberry Engineers, Inc. for Professional Engineering Support Services for the Wind Turbine Project" and all subsequent documents concerning the matters addressed herein shall reference this title.
2. Upon review of the firms that submitted qualifications, it was determined that Dewberry Engineers, Inc. was the most qualified firm for the services mentioned herein.
3. Dewberry Engineers, Inc. shall be and is hereby retained to provide Engineering Services for the Wind Turbine Project to the Wastewater Division for and on behalf of the Authority as set forth in Attachment No. 1.
4. 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.
5. Total payment not to exceed \$56,330.00 for said Engineering Services shall be drawn against the Wastewater Operating Budget.
6. The retainage of Dewberry Engineers, Inc. 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 Dewberry Engineers, Inc. is licensed to provide Professional Engineering Services which profession is recognized by law.
7. This Resolution shall take effect upon the expiration of the Middlesex County Board of County Commissioners' review period in accordance with law.
8. The Executive Director of the Authority is hereby authorized and directed to cause notice of this Resolution as required by N.J.S.A 40A:11-5(1)(a) to be published in an appropriate newspaper.

RESOLUTION NO. WW-3-23-6-R

AUTHORIZING AGREEMENT WITH LIRO ENGINEERS, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR THE ASSESSMENT OF THE SCALEHOUSE

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”) 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 solicited 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 LiRo Engineers, Inc. was qualified to render Professional Engineering Services; and

WHEREAS, the Authority subsequently requested a proposal from LiRo Engineers, Inc. with respect to such services; and

WHEREAS, LiRo Engineers, Inc. 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 LiRo Engineers, Inc. for Professional Engineering Services; and

WHEREAS, the Professional Engineering Services provided by LiRo Engineers, Inc. are Professional Services within the definition contained in N.J.S.A. 40A:11-2; 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 Engineering Services in the amount of \$29,837.56 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 Agreement with LiRo Engineers, Inc. for Professional Engineering Services for the Assessment of the Scalehouse” and all subsequent documents concerning the matters addressed herein shall reference this title.
2. Upon review of the firms that submitted qualifications, it was determined that LiRo Engineers, Inc. was the most qualified firm for the services mentioned herein.
3. LiRo Engineers, Inc. shall be and is hereby retained to provide Engineering Services for the Assessment of the Scalehouse to the Wastewater Division for and on behalf of the Authority as set forth in Attachment No. 1.
4. 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.
5. Total payment Not to Exceed \$29,837.56 for said Engineering Services shall be drawn against the Wastewater Operating Budget.
6. The retainage of LiRo Engineers, Inc. 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 LiRo Engineers, Inc. is licensed to provide Professional Engineering Services which profession is recognized by law.
7. This Resolution shall take effect upon the expiration of the Middlesex County Board of County Commissioners’ review period in accordance with law.
8. The Executive Director of the Authority is hereby authorized and directed to cause notice of this Resolution as required by N.J.S.A 40A:11-5(1)(a) to be published in an appropriate newspaper.

RESOLUTION NO. SW/WW-3-23-7-R

**AUTHORIZING THE EXECUTION OF A CONTRACT WITH GARDEN STATE
HIGHWAY PRODUCTS, INC. FOR THE PURCHASE OF MESSAGE BOARDS
THROUGH THE SOMERSET COUNTY COOPERATIVE PURCHASING CONTRACT
BID CC-0099-22**

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, Somerset County has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services; and

WHEREAS, Garden State Highway Products, Inc., 301 Riverside Drive, Millville, NJ has been awarded Bid No. CC-0099-22, under which a contract commenced on September 27, 2022, for a 24-month period; and

WHEREAS, the Middlesex County Utilities Authority (the “Authority”) desires to purchase Message Boards under this Contract; and

WHEREAS, the total amount of the purchase from Garden State Highway Products, Inc. is in an amount not to exceed \$65,000.00; 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 \$65,000.00, to be paid from the Solid Waste and Wastewater Division Operating Budget and subsequently reimbursed through American Rescue Plan Act (ARPA) funding, disbursed by Middlesex County.

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 Garden State Highway Products, Inc. for the Purchase of Message Boards Through the Somerset County Cooperative Purchasing Contract Bid No. CC-0099-22” 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 \$65,000.00 and any other necessary documents, with Garden State Highway Products Inc., 301 Riverside Drive, Millville, NJ 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. CC-0099-22.
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-3-23-8-R

**AUTHORIZING CONTRACT AWARD FOR CONTRACT NO. 23-1SW
FURNISHING MAINTENANCE, PARTS AND REPAIRS
FOR TWO (2) VOLVO A40G ARTICULATED DUMP TRUCKS
FOR THE MIDDLESEX COUNTY LANDFILL**

HOFFMAN INTERNATIONAL, INC. D/B/A HOFFMAN EQUIPMENT

WHEREAS, the Middlesex County Utilities Authority (“Authority”) publicly advertised for bids for a contract entitled “Contract No. 23-1SW/Furnishing Maintenance, Parts and Repairs for Two (2) Volvo A40G Articulated Dump Trucks for the Middlesex County Landfill”, hereinafter referred to as the “Contract”; and

WHEREAS, on March 21, 2023 the Authority received and publicly opened the single bid submitted for the Contract; and

WHEREAS, the said bid has been reviewed by the Authority’s legal counsel and staff who have advised that the said bid of Hoffman International, Inc. d/b/a Hoffman Equipment (“Hoffman”) for services and 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*, the Treasurer/Comptroller shall certify, in writing, to the availability of sufficient funds for such services in the amount of \$141,200.00 to be paid from the Solid Waste Division Operating Budget for year one of 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 Contract Award for Contract No. 23-1SW/Furnishing Maintenance, Parts and Repairs for Two (2) Volvo A40G Articulated Dumps Trucks for the Middlesex County Landfill - Hoffman International, Inc. d/b/a Hoffman Equipment” and all subsequent documents concerning the matters addressed herein shall reference this title.
2. The Commissioners hereby find Hoffman to be the lowest responsive and responsible bidder for the Contract.
3. The Commissioners hereby accept the bid of Hoffman as set forth in Exhibit C-1 attached hereto for the Contract.

4. Funding for year one of the Contract not to exceed \$141,200.00 shall be certified as ordered by the Treasurer/Comptroller and shall be drawn against the Solid Waste Division Operating Budget.
5. A contract for the second year is not being awarded at this time. At the Authority's discretion, year two of the Contract will be awarded by a separate resolution and in accordance with the Specifications and Contract documents.
6. The Executive Director is hereby authorized and directed to notify Hoffman 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 upon the expiration of the Middlesex County Board of County Commissioners' review period, in accordance with law.

RESOLUTION NO. SW-3-23-9-R

**RESOLUTION AUTHORIZING AMENDMENT NO. 1
TO THE TIER TWO SOLID WASTE DISPOSAL AGREEMENT
BETWEEN TYLER TRUCK REPAIR AND
THE MIDDLESEX COUNTY UTILITIES AUTHORITY**

WHEREAS, the Middlesex County Utilities Authority (“Authority”) previously executed a Tier Two Solid Waste Disposal Agreement (the “Agreement”) with Tyler Truck Repair (“Tyler”), as authorized by Resolution No. SW-1-22-12-R and

WHEREAS, the Agreement contained an Annual Delivery Obligation (“ADO”) for Tyler; and

WHEREAS, Tyler has requested that the Agreement be amended to provide for an increase to the ADO for 2023, 2024, 2025 and 2026 in an amount not to exceed 5,000 tons; and

WHEREAS, the Authority’s Board of Commissioners has determined that Amendment No. 1 to the Agreement is in the best interests of the Authority.

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

1. The title of this Resolution shall be “Resolution Authorizing Amendment No. 1 to the Tier Two Solid Waste Disposal Agreement between Tyler Truck Repair and the Middlesex County Utilities Authority”.
2. The appropriate Officers and Staff of the Authority are hereby authorized and directed to execute said Amendment.
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-3-23-10-R

AUTHORIZING THE EXECUTION OF A CONTRACT WITH HOFFMAN INTERNATIONAL, INC. FOR THE PURCHASE OF A VOLVO A40G ARTICULATED DUMP TRUCK AT THE MIDDLESEX COUNTY LANDFILL THROUGH THE SOURCEWELL COOPERATIVE PURCHASING CONTRACT

WHEREAS, the Middlesex County Utilities Authority (“Authority”) authorized the Authority’s participation in the Sourcewell Cooperative Purchasing Contract (the “Cooperative”); 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 a Volvo Dump Truck for the Middlesex County Landfill through the Cooperative from Hoffman International, Inc., a company that participates in the Cooperative, for an amount not to exceed \$675,192.00; 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 \$675,192.00 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 Execution of a Contract with Hoffman International, Inc., for the Purchase of a Volvo A40G Articulated Dump Truck at the Middlesex County Landfill through the Sourcewell Cooperative Purchasing Contract” 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) with Hoffman International, Inc., for an amount not to exceed \$675,192.00 and any other necessary documents for the procurement 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.
4. This resolution shall take effect upon the expiration of the Middlesex County Board of County Commissioners’ review period, in accordance with law.