



UNION COUNTY UTILITIES AUTHORITY

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RESOLUTION NO.: 40-2014

DATED: April 9, 2014

RESOLUTION OF THE UNION COUNTY UTILITIES AUTHORITY AWARDING A PROFESSIONAL SERVICES CONTRACT FOR LEGAL AND FACT-FINDING SERVICES

APPROVED AS TO FORM:

Joseph C. Bodek
Clerk of the Authority

By: Joseph C. Bodek

APPROVED AS TO SUFFICIENCY OF FUNDS

YES NO NONE REQUIRED
UNION COUNTY UTILITIES AUTHORITY

By: [Signature]

	PRESENT	ABSENT	AYE	NAY	ABSTAIN	MOTION	SECOND
<i>Badri</i>		X					
<i>Eastman</i>	X		X				X
<i>Jackus</i>		X					
<i>Kahn</i>		X					
<i>Kennedy, Secretary</i>	X		X			X	
<i>Kulish</i>	X				X		
<i>People, Treasurer</i>	X		X				
<i>Erdos, Vice Chairwoman</i>	X		X				
<i>Huff, Chairman</i>	X		X				
<i>Bonanno, Alternate</i>		X					
<i>Lombardo, Alternate</i>		X					

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AWARDING A PROFESSIONAL SERVICES CONTRACT FOR
LEGAL AND FACT-FINDING SERVICES**

WHEREAS, pursuant to the Solid Waste Management Act, N.J.S.A. 13:1E-1 et seq. (the "SWMA"), each county within the State of New Jersey is designated a solid waste management district with responsibility for the development of a solid waste management plan setting forth the solid waste disposal strategy to be applied in the district; and

WHEREAS, the Board of Chosen Freeholders of the County of Union (the "County") has adopted the Union County District Solid Waste Management Plan, as amended from time to time (the "County Plan"); and

WHEREAS, the County has designated the Union County Utilities Authority (the "Authority" or "UCUA") as the agency responsible for implementing the County Plan; and

WHEREAS, in order to carry out the stated purposes and goals for which the Authority was created, as well as the powers granted by the Municipal and County Utilities Authorities Law, N.J.S.A. 40:14B-1 et seq., and pursuant to N.J.S.A. 40A:11-1 et seq., the Authority has determined that it will require the provision of certain general and specialized consulting and professional services relating to and in furtherance of its activities; and

WHEREAS, the Authority has determined to undertake a fair and open process in accordance with the New Jersey Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.4, et seq. through the issuance of a Request for Qualifications ("RFQ") for contract awards for such services; and

WHEREAS, the Authority advertised an RFQ for professional legal and fact-finding services on March 28, 2014, in connection with its ongoing efforts to undertake appropriate due diligence and ascertain all material facts relating to payments made to certain Authority employees as remuneration for the additional responsibilities and work they were expected to take on in connection with the Authority's August 21, 2013 Shared Services Agreement with the Union County Improvement Authority, and to make a fully informed decision prior to taking any further action in this matter; and

WHEREAS, on April 8, 2014, the Authority received proposals from various firms in response to the RFQ, which have all been reviewed by the Authority's Counsel and Personnel Procurement and Insurance Committee and which are available for public inspection, and as result of which the Authority adopted a Resolution at its April 9, 2014 Special Meeting qualifying all of those firms meeting the evaluation criteria established in accordance with the Fair and Open Process; and

NOW, THEREFORE, BE IT RESOLVED that the Union County Utilities Authority:

1. A professional services is hereby awarded Pawar Gilgallon & Rudy, LLC ("Contractor") to provide fact-finding and legal services to the Authority, which shall include:

- (a) conducting an appropriate inquiry into the facts surrounding the issuance of the payments referred to above;
 - (b) providing a report to the Board on its findings;
 - (c) providing specific appropriate recommendations to the Authority as to steps it can and should take to assure the propriety of all remuneration to Authority employees; and
 - (d) reporting to the Authority's Labor & Employment Counsel as to the status of the fact-finding.
2. The Authority's officers, commissioners, and employees shall continue to cooperate as required by New Jersey law with the inquiry referred to hereinabove.
3. The Authority's General Counsel and Labor & Employment counsel shall, to the extent needed, provide logistical assistance to the Authority-retained fact-finder and report to the Chairman with respect to the conduct of the fact-finding.
4. Pawar Gilgallon & Rudy, LLC is authorized to commence services, subject to the execution of a professional services contract in substantially the same form as the contract attached hereto, with a total contract amount not to exceed \$17,500.00.
5. The Clerk of the Authority is hereby directed to publish a Notice of Contract Award and make a copy of this resolution available to the public for inspection.
6. This Resolution is adopted and the aforementioned Contracts are hereby awarded pursuant to a Fair and Open Process in accordance with the New Jersey Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.4, et seq.
7. This Resolution shall take effect immediately.