



UNION COUNTY UTILITIES AUTHORITY

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RESOLUTION NO.: 24-2013

DATED: March 20, 2013

RESOLUTION OF THE UNION COUNTY UTILITIES AUTHORITY AUTHORIZING THE EXECUTION OF CONTRACTS WITH PREVIOUSLY APPOINTED AND REAPPOINTED PROFESSIONALS AND CONSULTANTS TO THE AUTHORITY.

APPROVED AS TO FORM:

Joseph C. Bodek
Clerk of the Authority

APPROVED AS TO SUFFICIENCY OF FUNDS

YES NO NONE REQUIRED
UNION COUNTY UTILITIES AUTHORITY

By:

By:

| | PRESENT | ABSENT | AYE | NAY | ABSTAIN | MOTION | SECOND |
|---------------------------------|---------|--------|-----|-----|---------|--------|--------|
| <i>Badri</i> | ✓ | | ✓ | | | | ✓ |
| <i>Eastman</i> | ✓ | | ✓ | | | | |
| <i>Erdos</i> | | ✓ | | | | | |
| <i>Huff</i> | ✓ | | ✓ | | | | |
| <i>Kennedy, Secretary</i> | ✓ | | ✓ | | | ✓ | |
| <i>Kulish</i> | ✓ | | ✓ | | | | |
| <i>People, Treasurer</i> | | ✓ | | | | | |
| <i>Kahn, Vice Chairman</i> | ✓ | | ✓ | | | | |
| <i>Jackus, Chairman</i> | ✓ | | ✓ | | | | |
| <i>Bonanno, Alternate No. 1</i> | ✓ | | ✓ | | | | |
| <i>Lombardo, Alternate No.2</i> | ✓ | | ✓ | | | | |

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AUTHORIZING THE EXECUTION OF CONTRACTS WITH PREVIOUSLY
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THE AUTHORITY.

WHEREAS, the County of Union, New Jersey has previously adopted, and amended from time to time, the Union County District Solid Waste Management Plan in accordance with the New Jersey Solid Waste Management Act for the purpose of managing the disposal and/or recycling of solid waste generated in Union County; and

WHEREAS, the Union County Board of Chosen Freeholders has designated the Union County Utilities Authority (the "Authority"), in accordance with the Solid Waste Management Act, to serve as the implementing agency for its District Solid Waste Management 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 Utilities Authorities Law, N.J.S.A. 40:14B-1 et seq., the Authority has determined that it will require the provision of certain general and specialized consulting and profession services relating to and in furtherance of its activities and operations; and

WHEREAS, based upon said determination, and following the Authority's use of a fair and open process to solicit proposals from qualified firms and individuals pursuant to N.J.S.A. 19:44A-20.4, et seq., on February 13, 2013 the Authority adopted Resolution No. 12-2013 appointing and reappointing certain professionals listed herein below to provide general and specialized consulting and professional services to the Authority during the time period covering February 13, 2013 to the Authority's next reorganization meeting in February 2014.

WHEREAS, the Authority has previously determined that each of the below-listed firms and individuals is qualified to perform the consulting services and professional services described in the applicable attached form of Contract; and

WHEREAS, the Authority desires to enter into a contract with each such firm and individual as described in Resolution No. 12-2013 to provide the services described therein.

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

1. The Authority authorizes the Chairman and the Executive Director to execute a Contract with each firm and individual listed below in a form substantially similar to the forms of Contracts attached hereto as follows:
 - A. DeCotiis, FitzPatrick & Cole, LLP as Special Counsel to provide general and specialized legal services in connection with the Authority's solid waste programs and activities, for a sum not to exceed \$135,000.
 - B. Vijayant Pawar, Esq. as Special Counsel to provide legal services for enforcement and other legal services that may be needed, for a sum not to exceed \$25,000.00.
 - C. Weber Dowd Law, LLC, as General Counsel, lead enforcement counsel, and to provide other legal services that may be needed, for a sum not to exceed \$115,000.00.

- D. NW Financial Group as Financial Advisor to provide financial services and technical consultation services, for a sum for a sum not to exceed \$15,000.00.
 - E. CME Associates as General Consulting Engineer to provide general engineering services, for a sum not to exceed \$25,000.00.
 - F. Arcadis/Malcolm Pirnie as Special Monitoring Engineer to provide monitoring engineering and other engineering services as needed, for a sum not to exceed \$120,000.00.
 - G. Suplee, Clooney & Company as Auditor to provide outside auditing services as required by law, for a sum not to exceed \$34,000.00.
 - H. Comprehensive Assistance & Referral--Trinitas Hospital to provide employee counseling services, for a sum not to exceed \$1,000.00.
 - I. Brown & Brown Metro, Inc. to provide insurance brokerage services in connection with the Authority's participation in the New Jersey Utilities Authorities Joint Insurance Fund (the "JIF"), to be paid by the JIF in an amount not to exceed \$3,000.00; and to provide additional such services for other Authority purposes as set forth in the attached form of contract.
 - J. Winning Strategies to provide Public Relations Services for a sum not to exceed \$6,000.00.
 - K. Kologi Simitz to provide legal services in connection with personnel matters and other legal services that may be needed for a sum not to exceed \$10,000.00.
 - L. Bauch Zucker Hatfield to provide legal services in connection with personnel matters and other legal services that may be needed for a sum not to exceed \$25,000.00.
2. These appointments are each an award for professional and consulting services not subject to the public bidding requirements of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., inasmuch as the appointees are each authorized and regulated by law to provide the aforementioned services and/or the services are specialized in nature and require knowledge and training of an advanced type, which each of said firms and/or individuals possesses.
 3. These Contracts, although exempt from formal public bidding, are each awarded as part of a "Fair and Open" process in accordance with N.J.S.A. 19:44A-20.4.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.