



UNION COUNTY UTILITIES AUTHORITY

1499 US Highway One, Rahway, New Jersey 07065

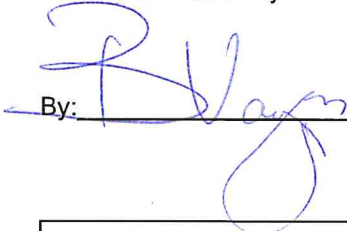
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RESOLUTION NO.: 28 -2023

DATE: April 19, 2023

RESOLUTION OF THE UNION COUNTY UTILITIES AUTHORITY AUTHORIZING AN AMENDMENT TO THE PREVIOUSLY AWARDED CONTRACT FOR FINANCIAL ADVISORY SERVICES.

APPROVED AS TO FORM:
Bianka Vargas
Clerk of the Authority

By: 

APPROVED AS TO SUFFICIENCY OF FUNDS
 YES NO NONE REQUIRED
UNION COUNTY UTILITIES AUTHORITY

By: 

	PRESENT	ABSENT	AYE	NAY	ABSTAIN	MOTION	SECOND
Eastman, Treasurer	✓		✓				
Jackus	✓		✓				
Holder	✓		✓				✓
Kahn		✓					
McManus, Secretary	✓		✓				
People	✓		✓			✓	
Rachlin	✓		✓				
Scutari, Vice Chairperson	✓		✓				
Szpond, Chairperson	✓		✓				
Alma, Alternate No. 1	✓		✓				
Scott-Bey, Alternate No. 2	✓						

RESOLUTION OF THE UNION COUNTY UTILITIES AUTHORITY AUTHORIZING AN AMENDMENT TO THE PREVIOUSLY AWARDED CONTRACT FOR FINANCIAL ADVISORY SERVICES.

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 County Commissioners 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 professional 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 15, 2023 via Resolution No. 12-2023 and March 15, 2023 via Resolution No. 23-2023, respectively, the Authority authorized the award of a contract to, and the execution of a form of contract with, RBC Capital Markets, LLC ("RBC") to provide Financial Advisory Services and technical Consultation Services as needed by the Authority for the time period covering February 15, 2023 to the Authority's next reorganization meeting in February 2024; and

WHEREAS, the parties wish to modify the proposed form contract, consistent with the proposals set forth in RBC's March 31, 2023 letter of intent.

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

1. The Authority authorizes the Acting Executive Director to execute a Contract with RBC in a form substantially similar to the form of Contract previously approved on March 15, 2023, as supplemented by the aforementioned letter of intent, including, but not limited to, a modification of the compensation terms which shall be on a contingency fee basis as set forth therein.
2. The subject contract is 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 appointee is 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 said firm possesses.
3. The Contract, although exempt from formal public bidding, has been awarded as part of a "Fair and Open" process in accordance with N.J.S.A. 19:44A-20.4 et seq.
4. To the extent not already done so, the Authority shall cause a notice of the above-described contract award to be published according to N.J.S.A. 40A:11-5(1)(a), et seq.
5. This Resolution shall take effect immediately.