



UNION COUNTY UTILITIES AUTHORITY

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RESOLUTION NO.: 20-2022

DATE: March 16, 2022

RESOLUTION OF THE UNION COUNTY UTILITIES AUTHORITY
AUTHORIZING THE EXECUTION OF CONTRACTS WITH, PREVIOUSLY
APPOINTED AND REAPPOINTED PROFESSIONALS AND CONSULTANTS
TO THE AUTHORITY FOR 2022.

APPROVED AS TO FORM:

Joseph C. Bodek, RMC
Clerk of the Authority

APPROVED AS TO SUFFICIENCY OF FUNDS

YES NO NONE REQUIRED
UNION COUNTY UTILITIES AUTHORITY

By: Joseph C. Bodek

By: [Signature]

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

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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 Commissioner (*formerly known as the "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. which included (1) public advertisement of requests for qualifications and proposals on the Authority website for at least ten (10) calendar days, (2) establishment of appropriate evaluation criteria, which was documented in writing and disclosed prior to the solicitation of qualifications and proposals, and (3) public opening; and

WHEREAS, based upon the recommendations of the Authority's evaluation committee and the PPI committee, on February 16, 2022 the Authority adopted Resolution No. 11-2022 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 17, 2022 to the Authority's next reorganization meeting in February 2023; and

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

WHEREAS, the Authority desires to enter into a contract with each such firm as described hereinabove and in Resolution No. 11-2022 to provide the services described therein.

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

1. The Authority authorizes 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. Cleary, Giacobbe, Alfieri, Jacobs, LLC as Solid Waste Counsel to provide legal services in connection with the Authority's solid waste programs and other legal services that may be needed by the Authority for a sum not to exceed \$25,000.00
- B. Jardim, Meisner, Susser, P.C., to provide Litigation Counsel Services, that may be needed by the Authority for a sum not to exceed \$25,000.00
- C. Weiner Law Group to provide Labor Counsel services as needed by the Authority for a sum not to exceed \$25,000.00
- D. Weber Dowd, LLC, to provide General Counsel and Enforcement Counsel and other legal services that may be needed for a sum not to exceed \$100,000.00
- E. NW Financial Group to provide Financial Advisory Services and technical Consultation Services as needed by the Authority for a sum not to exceed \$50,000.00
- F. CME Associates as General Consulting Engineer to provide General Engineering services as needed by the Authority for a sum not to exceed \$75,000.00
- G. BGIA to provide Employee Benefit and Risk Management services, as needed by the Authority 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.
- H. Trinitas Physicians Practice, LLC/CARE EAP to provide Employee Assistance Counseling Services as needed by the Authority for a sum not to exceed \$1,000.00
- I. Suplee Clooney and Company to perform Auditing Services as needed by the Authority for a sum not to exceed \$38,000.00.
- J. Union County Healthcare Associates, to provide Medical Services as needed by the Authority for a sum not to exceed \$2,500.00
- K. Economic Planning Group to provide Retirement Planning Services as needed by the Authority. The Consultant shall receive as compensation the normal commissions paid by the insurance company. No compensation shall be paid to the Consultant by the Authority for any of the services to be provided in connection with this Contract.
- L. Clarity Technologies Group, LLC to perform Informational Technology Services as needed by the Authority for a sum not to exceed \$16,300.00
- M. Rogut McMarthy, LLC to perform Bond Counsel services as needed by the Authority, not to exceed \$25,000.00 except as authorized in connection with any financing, refinancing or related transactions

- N. D&B Engineers to performs Facility Monitoring Services as needed by the Authority for a sum not to exceed \$100,000.00
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 et seq.
 4. The Authority hereby adopts, and shall incorporate into the contracts which are the subject of this Resolution, all of the provisions of New Jersey Public Law 2022, c. 3, concerning persons and entities determined to be engaged in prohibited activities in Russia or Belarus under the subject legislation as though the UCUA were deemed a State agency thereunder.
 5. To the extent not already done so, the Authority shall cause a notice of each of the above-described contract awards to be published according to N.J.S.A. 40A:11-5(1)(a), et seq.

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