

RESOLUTION AUTHORIZING EXECUTIVE SESSION

WHEREAS, this Authority is authorized, pursuant to N.J.S.A. 10:4-12 to exclude the public from that portion of this meeting for purposes of discussing specific matters as permitted by N.J.S.A. 10:4-12; and,

WHEREAS, this Authority intends to discuss certain matters which are deemed confidential pursuant to N.J.S.A. 10:4-12, in Executive Session:

WHEREAS, at this time the Authority cannot determine the time when the discussion to be held in Executive Session will be made public, but will disclose the minutes of the Executive Session when the need for confidentiality no longer exists.

NOW, THEREFORE, be it resolved by the Sussex County Municipal Utilities Authority that this meeting shall be adjourned to an Executive Session (closed session) and the public will be excluded in order that the Authority may discuss the items listed below, and upon reconvening this public meeting the Chairman will announce, if possible, the time when and the circumstances under which the discussion conducted in Executive Session will be disclosed to the public. This resolution is authorized and allowed by and pursuant to N.J.S.A. 10:4-13.

(1) Any matter which, by express provision of federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of subsection a. of this section.

The general nature of the subject to be discussed per N.J.S.A. 10:4-13(a):

(2) Any matter in which the release of information would impair a right to receive funds from the Government of the United States.

The general nature of the subject to be discussed per N.J.S.A. 10:4-13(a):

(3) Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any

individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.

The general nature of the subject to be discussed per N.J.S.A. 10:4-13(a):

(4) Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.

The general nature of the subject to be discussed per N.J.S.A. 10:4-13(a):

(5) Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.

The general nature of the subject to be discussed per N.J.S.A. 10:4-13(a):

(6) Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations or possible violations of the law.

The general nature of the subject to be discussed per N.J.S.A. 10:4-13(a):

(7) Any pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein in which the public body is, or may become a party.

The general nature of the subject to be discussed per N.J.S.A. 10:4-13(a):

Access Agreement with County of Sussex, Mt. Creek Bankruptcy, and Contract #454 Microfilter

Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.

The general nature of the subject to be discussed per N.J.S.A. 10:4-13(a):

(8) Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

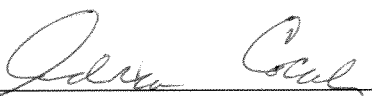
The general nature of the subject to be discussed per N.J.S.A. 10:4-13(a):

(9) Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act or omission for which the responding party bears responsibility.

The general nature of the subject to be discussed per N.J.S.A. 10:4-13(a):

NOW, THEREFORE, be it further resolved by the Sussex County Municipal Utilities Authority that pursuant to N.J.S.A. 10:4-13(b) the time when and the circumstances under which the discussion conducted in closed session of the public body can be disclosed to the public is when the need for confidentiality no longer exists.

Certified as a true copy of the
Resolution adopted by the Authority
at their Regular Authority Meeting held
on Wednesday, May 2, 2018.



Andrea Cocula, Secretary

RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH MOTT MACDONALD RELATIVE TO THE SCMUA LEACHATE PUMPING STATION AND FORCE MAIN PROJECT

WHEREAS, the Sussex County Municipal Utilities Authority (SCMUA) has a need for wastewater consulting engineering services incidental to its proposed Leachate PS/FM Project; and

WHEREAS, SCMUA on November 15, 2017 had duly noticed and solicited a Request for Qualifications/Request for Proposals (RFQ/RFP) for general wastewater consulting engineering services utilizing a "Fair and Open" Process pursuant to N.J.S.A. 19:44 – 20.4 et seq.; and

WHEREAS, Mott MacDonald of 111 Wood Avenue South, Iselin, NJ 08830-4112, responded to said RFQ/RFP with a Proposal including 2018 Rate Schedule, and possesses a staff having requisite training, expertise and experience required to provide such services; and

WHEREAS, SCMUA reviewed the RFQ/RFP proposals and thereby awarded a contract for general wastewater consulting engineering services to Mott MacDonald for 2018 with optional one year extensions for 2019 and 2020; and

WHEREAS, the Authority is further desirous of retaining Mott MacDonald for necessary design and bid phase engineering services relative to its proposed Leachate PS/FM Project; and

WHEREAS, Mott MacDonald has submitted a cost proposal and Scope of Work, dated March 27, 2018, revised May 2, 2018, regarding the Leachate PS/FM Project, including Field Investigations, Design Services, Permitting, NJEIT/NJIB Loan Assistance, and Bidding Phase Assistance; and

WHEREAS, Mott MacDonald, has in its employ, individuals possessing the requisite licensure, knowledge and skills with which to perform the services encompassed by the proposed Agreement; and

WHEREAS, a proposed form of Professional Services Agreement has been drafted, a true copy of which is annexed hereto as Attachment A, for the provision of engineering consulting services by Mott MacDonald to the Authority regarding the Leachate PS/FM Project; and

WHEREAS, the local public contracts law requires that the Resolution authorizing the award of a contract for Professional Services and the Agreement itself, must be available for public inspection.

WHEREAS, the Treasurer has certified that there are sufficient funds in the Cell Closure Escrow Account in the amount of \$782,000.

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

1. That the Chairman and Secretary of the Authority be and are hereby authorized and directed to execute a Professional Services Agreement with Mott MacDonald for provision of necessary consulting engineering services incidental to the SCMUA Leachate PS/FM Project, a true copy of which contract is annexed hereto as Attachment A, contingent upon SCMUA attorney review/approval.
2. That said contract be and is hereby awarded utilizing the "Fair and Open" process pursuant to N.J.S.A. 19:44 – 20.4, et seq.
3. That one (1) copy of this Resolution, together with the contract itself, upon the execution thereof, shall be made available at the SCMUA's offices for public inspection during the normal business hours of said office.
4. That Mott Macdonald is hereby authorized to proceed with the Work Scope Tasks referenced in their 3/27/18 – 5/2/18 proposal, as directed by SCMUA.
5. That said Resolution and Engineering Agreement is to be submitted to NJDEP/NJEIT/ NJIB for review and approval.

Certified as a true copy of the Resolution
adopted by the Authority at their Regular Authority Meeting
held on Wednesday, May 2, 2018



Andrea Cocula, Secretary