

Resolution 17-161

**RESOLUTION AUTHORIZING 3rd AMENDMENT TO THE AGREEMENT WITH
GENERAL COUNSEL FOR THE ROCKAWAY VALLEY REGIONAL SEWERAGE
AUTHORITY**

WHEREAS, the Rockaway Valley Regional Sewerage Authority retained general counsel to assist, advise, and defend the Authority as necessary regarding all matters, including matters involving industrial pretreatment issues and Jersey City litigation; and

WHEREAS, by Resolution 16-0132, adopted on December 8, 2016, the Authority appointed Joseph J. Maraziti, Jr., Esq., and the law firm of Maraziti Falcon LLP, as legal counsel in an amount not to exceed \$467,000.00; and

WHEREAS, by Resolution 17-086, adopted on July 13, 2017, the Authority amended the Maraziti, Falcon General Counsel Contract in an amount not to exceed \$20,000.00 without prior authorization to address litigation with Refresco US, Inc and other continuing industrial pretreatment issues, and also amended the Maraziti, Falcon General Counsel Contract in an amount not to exceed \$111,000.00 for ongoing Jersey City litigation services, resulting in a new total contract amount not to exceed \$598,000.00; and

WHEREAS, by Resolution 17-099, adopted on August 10, 2017, the Authority amended the Maraziti, Falcon General Counsel Contract in an amount not to exceed \$250,000 without prior authorization, to address ongoing Jersey City litigation services, resulting in a new total contract amount not to exceed \$848,000.00; and

WHEREAS, the Authority is desirous of further increasing the contract value by an additional \$446,600.00, which is needed to address ongoing Jersey City litigation services resulting in a new total contract amount not to exceed \$1,294,600.00, without further approval of the Board; and

WHEREAS, funds are available in line item 01-501-020; and

WHEREAS, the services to be rendered are to be performed by persons authorized by law to practice a recognized profession within the definition of a professional service pursuant to N.J.S.A. 40A:11-5.

NOW, THEREFORE, BE IT RESOLVED by the Rockaway Valley Regional Sewerage Authority, as follows:

1. The Rockaway Valley Regional Sewerage Authority does hereby authorize a third amendment to the Contract between the RVRSA and the law firm of Maraziti Falcon LLP to increase the contract to an amount not to exceed \$1,294,600.00, without the need for further authorization of the Authority, at the professional rates set forth in the proposal on the file dated November 28, 2016.
2. Notice of the nature, duration and amount of the contract shall be published once in the newspaper of general circulation and a copy of this resolution and the agreement shall be on file and available for public inspection in the Office of the RVRSA.

3. This award is subject to the submission of a New Jersey Business Registration Certificate; Certificate of Employee Information Report; proof of professional liability insurance; all documents required by N.J.S.A. 19:44A-20.4 et seq., and any other document required by law to be placed on file with this Resolution.
4. This Resolution shall take effect immediately.

CERTIFICATION

I hereby certify that this Resolution was adopted at a regularly scheduled meeting of the Rockaway Valley Regional Sewerage Authority held on the 14th day of December, 2017

On motion of: Glenn Corbett

Seconded by: John Cegelka

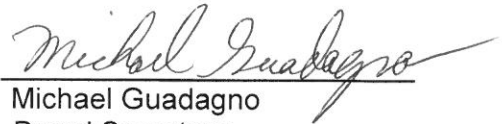
and a Roll Call Vote as Follows:

Yeas: (7) Cegelka, Corbett, Guadagno, Lowell, Recchia, Rossi, Schorno,

Nays: (0) None

Abstain: (2) Andes and Vincitore

Absent: (0) None


Michael Guadagno
Board Secretary