

**RESOLUTION TO AUTHORIZE AN AMENDMENT TO THE AGREEMENT WITH
KLEINFELDER FOR THE PERFORMANCE OF JERSEY CITY LITIGATION
EXPERT SUPPORT SERVICES**

WHEREAS, there exists a need to engage the services of a professional engineer to perform litigation expert support services in the matter of Jersey City Municipal Utilities Authority, et. al. v. Town of Dover et. al., Docket No. MRS-L-1313-10; and

WHEREAS, the firm of Kleinfelder, 150 College Road West, Suite 100, Princeton, NJ 08540, submitted a proposal for 2020 Wastewater Engineering Consulting Services, dated November 18, 2019, which proposal is on file at the offices of the Rockaway Valley Regional Sewerage Authority ("RVRSA"); and

WHEREAS, by Resolution 19-118, adopted December 12, 2019, the RVRSA authorized the firm of Kleinfelder, to undertake 2020 Wastewater Engineering Consulting Services including litigation expert support services, in an amount not to exceed \$192,500.00, without prior authorization; and

WHEREAS, the RVRSA desires to authorize the firm of Kleinfelder to undertake additional litigation expert support services, in an amount not to exceed \$27,000.00 without prior authorization, in accordance with Kleinfelder proposal dated June 29, 2020; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40:11-1 et seq.) authorizes contracts for the provision of "Professional Services," which may be awarded without public advertising and competitive bidding therefore, provided a brief notice of the nature, duration, service and amount of contract is published, and that the Resolution and contract are kept on file and available for public inspection; and

WHEREAS, funds are available for this purpose in Budget Line Item in Professional Services 01-501-020.

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

1. The Rockaway Valley Regional Sewerage Authority recognizes that Kleinfelder has an established reputation in the field of engineering, particularly with respect to matters relevant to municipalities, sewerage authorities and public entities, and possesses the specialized abilities and resources to provide expert witness services necessary to meet the Authority's needs.
2. That the Executive Director is hereby authorized to execute an amendment to the professional services agreement between Kleinfelder and the Rockaway Valley Regional Sewerage Authority, for litigation expert support services in the matter

entitled Jersey City Municipal Utilities Authority, et. al. v. Town of Dover et. al., Docket No. MRS-L-1313-10, at the rates set forth in the letter proposal from Kleinfelder November 18, 2019, in an amount not to exceed \$27,000.00 without prior authorization, for a new total contract amount of \$219,500.00.

3. This agreement is awarded based on a non-fair and open process and is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law, N.J.S.A. 40:11-5, because the service is of such a nature that it will not reasonably permit the drawing of specifications or the receipt of competitive bids.
4. Notice of the within action shall be provided in accordance with N.J.S.A. 40A:11-5(1)(a)(i) and a copy of this resolution shall be available for public inspection at the offices of the RVRSA at 99 Green Bank Road, Township of Parsippany-Troy Hills, Morris County, New Jersey.
5. This Resolution shall take effect immediately.

I hereby certify that this Resolution was adopted at a meeting of the Rockaway Valley Regional Sewerage Authority on 9th of July, 2020.

On motion of Commissioner Corbett

Second by Commissioner Guadagno


And a roll call vote as follows:

Yeas: (8) Cegelka, Corbett, Guadagno, Isselin, Farrell, Recchia, Rossi, Schorno

Nays: (0)

Abstain: (1) Zuppa

Absent: (1) Andes



Michael Guadagno
Board Secretary