

RESOLUTION # 23-116

PASSAIC VALLEY WATER COMMISSION

RESOLUTION TO AWARD CONTRACTS FOR "PROFESSIONAL LEGAL SERVICES"

DATE OF ADOPTION: JULY 26, 2023

Introduced by Commissioner: **RON VAN RENSALIER**

Seconded by Commissioner: **CARMEN DEPADUA**

WHEREAS, the Passaic Valley Water Commission ("PVWC") has solicited for professional services (or extraordinary unspecifiable Services) for the following professional legal services:

1. Project No. 23-PL-01, "Review of Proposed Land Use and Related Matters."
2. Project No. 23-PL-02, "Bond Counsel Services."
3. Project No. 23-PL-03, "Loss Prevention, Insurance, Personal Injury Defense & Related Matters."
4. Project No. 23-PL-04, "Bankruptcy Matters & Other Related Matters."
5. Project No. 23-PL-05, "Employment Law/Personnel & Other Related Matters."
6. Project No. 23-PL-06, "Special Counsel Services: Litigation, Contracts & Regulatory, Legislative & Policy Matters."
7. Project No. 23-PL-07, "Hearing Officer for Personnel Issues."
8. Project No. 23-PL-08, "Real Property Tax Appeals & Related Issues."
9. Project No. 23-PL-09, "Special Labor Counsel for Investigations."

and

WHEREAS, following public advertisement as required by New Jersey law, in accordance with an appropriate form of notice, and placement of the said notice on the official website of PVWC, as well as in the official newspaper of PVWC and any other such publications as may have been deemed appropriate, PVWC has evaluated each response based on criteria as set forth in the request for responses for the Project; and

WHEREAS, based on said evaluation, the law firms listed on the attached Exhibit A (the "Awardee(s)"), were determined to be the most professionally qualified and capable of performing the required services with respect to the afore-mentioned Projects based upon their respective responses received on June 27, 2023 [hereinafter the "Response(s)"]; and

WHEREAS, the Response(s), copies of which are on file in the office of the Administrative Secretary and available for inspection; and

WHEREAS, it is in the best interest of PVWC, its users and constituent municipalities to engage, or continue to engage, the services of the Awardee(s) at this time; and

WHEREAS, the services to be rendered pursuant hereto constitute professional services (or extraordinary unspecifiable services) within the meaning and intent of the Local Public Contracts Law; and

WHEREAS, in the event that a specific not-to-exceed amount has been established in the Response, and PVWC has subsequently accepted the same, PVWC's Comptroller has certified, with respect hereto, that funds are currently available for said purpose; and

WHEREAS, PVWC retains the authority to retain additional outside professional legal counsel should such need be determined.

NOW, THEREFORE, BE IT RESOLVED, by Passaic Valley Water Commission, in the County of Passaic, New Jersey:

1. That PVWC hereby awards the Contract(s) to the Awardee(s) in accordance with N.J.S.A. 40A:11-1 et seq. and N.J.S.A. 19:44A-20.7, and in accordance with said Responses, for services related to the Project; and
2. That an appropriate official of PVWC, on behalf of PVWC, is hereby authorized and directed to execute the Contract(s) hereby awarded to the Awardee(s) and the Secretary of PVWC to attest to the Contract(s) and such other officers, employees and officials of PVWC are hereby authorized to perform such acts and execute such documents as are necessary to implement the terms and intentions of this Resolution, and
3. That this matter shall be advertised as required by New Jersey law, in accordance with an appropriate form of notice, and a copy of this Resolution and Agreement(s) shall be placed on file and made available for inspection at the office of the Administrative Secretary of Passaic Valley Water Commission.

RECORD OF COMMISSION VOTE ON FINAL PASSAGE

	AYE	NAY	ABSTAIN	ABSENT
FRIEND, G.	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
DEPADUA, C.	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
VAN RENSALIER, R.	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
SANCHEZ, R.	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
KOLODZIEJ, J.	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
LEVINE, J.	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
COTTON, R.	<u> </u>	<u> </u>	<u> </u>	<u>X</u>

Adopted at a meeting of Passaic Valley Water Commission.



President
GERALD FRIEND

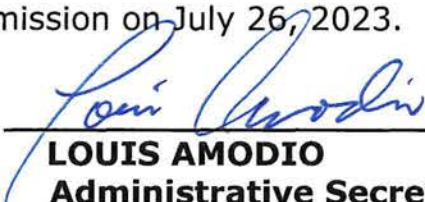


Secretary
RUBY COTTON

This Resolution, when adopted, must remain in the custody of the Administrative Secretary.

CERTIFICATION

I, LOUIS AMODIO, Administrative Secretary of the Passaic Valley Water Commission in the County of Passaic, and the State of New Jersey do hereby certify that the foregoing Resolution is a true copy thereof of the foregoing Resolution duly passed and adopted by a majority of a legal quorum of the full membership of the Passaic Valley Water Commission at its duly noticed and convened meeting of the said Commission on July 26, 2023.



LOUIS AMODIO
Administrative Secretary

EXHIBIT A

PROFESSIONAL LEGAL SERVICES				
Project Number	Project Name	Name of Law Firm	Hourly Rate	Not to Exceed
23-PL-01	Professional Legal Services for Review of Proposed Land Use and Related Matters	Waters, McPherson, McNeill PC	\$190.00	\$19,000.00
23-PL-02	Professional Bond Counsel Services	Dilworth Paxson, LLP	\$210.00	\$21,000.00
23-PL-03	Professional Legal Services Related to Loss Prevention, Insurance, Personal Injury Defense and Related Matters	Dwyer Connell & Lisbona	\$190.00	\$19,000.00
		Bio & Laracca, PC	\$190.00	\$19,000.00
		Law Offices of Matthew Priore	\$190.00	\$19,000.00
		Buglione, Hutton & DeYoe, LLC	\$190.00	\$19,000.00
23-PL-04	Professional Legal Services for Bankruptcy and Other Related Matters	Florio Kenny Raval LLP	\$190.00	\$15,000.00
23-PL-05	Professional Legal Services Related to Employment Law/Personnel Issues and Other Related Matters	Bio & Laracca, PC	\$190.00	\$19,000.00
		Cleary Jacobbe Alfieri & Jacobs	\$190.00	\$19,000.00
23-PL-06	Special Counsel Services: Litigation, Contracts and Regulatory, Legislative & Policy Matters	Weber Dowd Law, LLC	\$190.00	\$38,000.00
		Waters, McPherson, McNeill, PC	\$190.00	\$38,000.00
23-PL-07	Professsinal Legal Services for Hearing Officer For Personnel Issues	Florio Kenny Raval LLP	\$190.00	\$5,000.00
23-PL-08	Professional Legal Services for Real Property Tax Appeals and Related Issues	Florio Kenny Raval LLP	\$190.00	\$10,000.00
23-PL-09	Professional Labor Counsel for Investigations	Cleary Jacobbe Alfieri Jacobs	\$190.00	\$10,000.00