

## LEGAL NOTICE-KEARNY MUNICIPAL UTILITIES AUTHORITY

NOTICE IN ACCORDANCE WITH to N.J.S.A. 19:44A-20.4, 20.5 et. seq.

NOTICE IS HEREBY GIVEN, that pursuant to N.J.S.A. 19:44A-20.4, 20.5 et. seq. the KEARNY MUNICIPAL UTILITIES AUTHORITY shall pursue a "Fair and Open Process" in awarding contracts for positions set forth more fully below, and hereby solicit qualifications in the form of resumes and letter applications for the below stated positions of the KEARNY MUNICIPAL UTILITIES AUTHORITY, which shall be submitted to the Executive Director at 39 Central Avenue, Kearny, New Jersey 07032, with documentation showing qualifications and compliance with criteria set forth by the Authority and by State Statute. All qualifications shall be in compliance with criteria set forth by the Authority and by State Statute. All qualifications shall be submitted in a sealed envelope to the Executive Director to be received no later than 10:00 a.m. on January 22, 2014. Interested parties may receive criteria for the various positions from the office of the Executive Director, address above prior to submission of qualifications. Professional services for the following positions are hereby requested:

General Counsel-the Board Attorney acts as General Counsel to the KMUA and as such attends monthly meetings to report on legal activities; acts as counsel for agreements and contracts entered into by the Authority; handles any litigation in which the KMUA might become involved.

Consulting Engineer-acts as expert in engineering, design and construction of projects authorized or considered by the KMUA. Provides technical expertise in those areas and assists in budget planning and bid procurement and awarding as technical adviser. Prepares annual rate study to recommend user rates and connection fees.

Auditor-financial advisor to the board, audits annual budget and reports to State authorities on Authority financial affairs, assisting executive staff in financial planning.

Bond Counsel-legal counsel to represent the authority in connection with bonding and capital investment transactions.

Risk Manager-responsible for placing insurance coverage and responding to claims for employees, liability, vehicle and other risks as approved by the Authority.

**KEARNY MUNICIPAL UTILITIES AUTHORITY**  
**CRITERIA FOR AWARD OF PROFESSIONAL CONTRACTS UNDER THE**  
**FAIR AND OPEN PROCESS**

NOTICE IS HEREBY GIVEN, for all applicants in positions set forth more fully in a notice of publication authorized by the KEARNY MUNICIPAL UTILITIES AUTHORITY by Resolution 12-13-47 of December 18, 2013, for submission of qualifications that shall take into consideration the following factors, which will be weighed by the KEARNY MUNICIPAL UTILITIES AUTHORITY as the basis of an award for professional services most advantageous to the Authority:

I. Resume and letter application for professional position including all documentation that provides the following for evaluation by the Authority:

- a. Experience and reputation in the field for the position sought.
- b. Experience and knowledge of the Town of Kearny and the Kearny Municipal Utilities Authority and the subject matter addressed in the contract.
- c. Availability to accommodate any required meeting of the KEARNY MUNICIPAL UTILITIES AUTHORITY
- d. Compensation proposal. Proposals should be on a time and material basis with either hourly or flat rates for services. Engineering firms should submit proposals consistent with ASCE standard labor categories.

Other factors deemed to be in the best interest of KEARNY MUNICIPAL UTILITIES AUTHORITY

**PROPOSAL DOCUMENT:**

**There is no formal proposal document, but the proposal shall be submitted on the letterhead of the proposing party with a certification of the truthfulness and accuracy of the submission. Proposals should be addressed to the Executive Director, KEARNY MUNICIPAL UTILITIES AUTHORITY, 39 Central Avenue, Kearny, New Jersey 07032 and must be enclosed in a sealed envelope bearing the name and address of the proposing party.**

II. CERTIFICATION:

**Each proposal shall also contain a certification that the proposing party:**

(a) Agrees to comply fully with the terms, provisions and the conditions NJAC 17:27-1 et seq.

(b) Knows of no conflict raised by the proposed retention.

(c) Has a professional malpractice insurance policy in effect in the amount of one million dollars with a company authorized by the Department of Insurance to do business in New Jersey. The proposing party is obligated to notify the KEARNY MUNICIPAL UTILITIES AUTHORITY, if it receives notice of any proposed termination during the term of any Agreement. It shall state an acknowledgment that if the coverage of that policy is terminated during the term of any Agreement, the agreement shall terminate automatically upon termination of such insurance coverage.

So adopted and memorialized as Resolution 12-13-47 at a meeting of the  
KEARNY MUNICIPAL UTILITIES AUTHORITY, on this 18<sup>th</sup> day of December, 2013.

KEARNY MUNICIPAL UTILITIES AUTHORITY

\_\_\_\_\_  
Stephanie Santos, Chairwoman

ATTEST:

  
\_\_\_\_\_  
Kevin O'Sullivan, Secretary/Executive Director