

RESOLUTION: 87-19

**RESOLUTION AUTHORIZING AGREEMENT FOR CERTAIN
PROFESSIONAL SERVICES ADOPTED BY THE BOROUGH OF
CLAYTON**

WHEREAS, there exists a need for specialized services on behalf of the Borough of Clayton; and

WHEREAS, funds are or will be available for this purpose; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 requires that notice with respect to contracts for Professional Services awarded without competitive bids must be publicly advertised.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Clayton, County of Gloucester, and State of New Jersey as follows:

1. That T & M Associates, of Middletown, New Jersey is hereby hired to provide Preliminary Site Assessment Report Submittal services for Clevenger Glass site, for the Borough of Clayton, in an amount not to exceed \$2,800.00.
2. The term of this contract shall be from March 28, 2019 to March 27, 2020.
3. Donna Nestore, CFO, for the Borough of Clayton certifies the above referenced dollar amount is available through the 2019 Municipal Budget, Environmental Engineering O&E.
4. The Contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-11-5(1)(a), and the Fair and Open Process because it is for services performed by persons authorized by law to practice a recognized profession.
5. A copy of this resolution as well as the Contract shall be placed on file with the Clerk of the Borough of Clayton.
6. A notice in accordance with the Local Public Contracts Law of New Jersey shall be published in The Sentinel or South Jersey Times.

7. The Mayor and Clerk of the Borough of Clayton are hereby authorized to execute a Contract outlining the above on behalf of the Borough of Clayton.

ADOPTED at a meeting of the Mayor and Council of the Borough of Clayton, County of Gloucester, and State of New Jersey on March 28, 2019.

BOROUGH OF CLAYTON



THOMAS BIANCO, Mayor

Attest:



CHRISTINE NEWCOMB, Clerk



YOUR GOALS. OUR MISSION.

March 22, 2019

Susan Miller
Borough Administrator
Borough of Clayton
125 North Delsea Drive
Clayton, New Jersey 08312

**Re: Proposal for Professional Services
Preliminary Site Assessment Report Submittal
Clevenger Glass
Address, Block 1203: Lot 14
Clayton, Gloucester County, New Jersey**

Dear Ms. Miller:

T&M Associates (T&M) has prepared this proposal to complete the preliminary environmental site assessment (PA) for the above referenced site as requested by the Borough. The site is subject to the New Jersey Department of Environmental Protection (NJDEP) Industrial Site Recovery Act (ISRA), N.J.A.C. 7:26B, due to historic glass blowing/manufacturing on the property. T&M prepared the existing draft PA Report in August 2017. The objective of this proposal is to finalize the draft PA Report, including; (1) performing a site reconnaissance to identify any changes to site conditions and (2) updating the draft PA Report as necessary for submittal to the NJDEP.

Provided below is a brief environmental history of the site followed by our scope of work and cost estimate, schedule.

PROJECT BACKGROUND

Previous environmental investigations have been performed at the site in accordance with ISRA. These investigations were performed in 1999 for the potential sale of the property. A General Information Notice (GIN) was filed with the NJDEP on April 7, 1999 and the site is listed in the NJDEP database with Program Interest (PI) number G000038599. According to the database this project is closed.

A PA Report was submitted to the NJDEP on April 7, 1999 along with the GIN. The PA identified eight AOCs associated with the site. The PA recommended a Site Investigation (SI) for five of the AOCs. The SI was performed on May 27, 1999 and included the collection and laboratory analysis of surficial soil samples. Laboratory results did not identify any concentrations above the NJDEP Soil Cleanup Criteria. The SI Report recommended No Further Action for the site, which the NJDEP granted in a NFA dated August 2, 1999.

T&M performed a site visit on July 23, 2014 again in anticipation of the sale of the site. T&M observed previously identified AOCs as well as new AOCs. T&M prepared an Area of Concern Memorandum dated July 30, 2014 identifying all AOCs and recommendations. T&M identified twelve AOCs associated with the site and recommended investigation of several of these AOCs.



T&M met with the Borough on February 17, 2017 to discuss the site and performed a second site visit. As a result, the existing draft PA was performed.

PRELIMINARY ASSESSMENT SCOPE OF SERVICES

T&M will perform a site visit to confirm that site conditions have not changed since the last site visit conducted on July 17, 2017. If any changes to site conditions are observed, the draft PA Report will be updated accordingly. T&M will review the draft PA Report in accordance with the NJDEP 7:26E-3.1-3.2 *Preliminary Assessment Report* procedure as presented by the NJDEP's *Technical Requirements for Site Remediation* (last amended August 6, 2018). Since all relevant sections of the PA Report will be reviewed and may be revised, we have included a summary of the scope of work and components is as follows:

- Present a Site history of ownership and operations of the properties from the time the property was naturally vegetated without limitation, or as early as possible based on available historical resources;
- Present a brief description of any past industrial/commercial operations conducted on the Site by each owner and operator;
- List all raw materials, finished products, formulations and hazardous substances, hazardous wastes and pollutants which are or were present at the Site, including intermediates and by-products;
- Present and past production processes, including dates and their respective water uses, including ultimate and potential discharge and disposal points, and how and where materials are or were received on-Site;
- Identify all former and current containers, container or bulk storage areas, above and below ground tanks, above and below ground waste and product delivery lines, surface impoundments, landfills, septic systems and other structures, vessels, conveyances or units that contain or previously contained hazardous substances, hazardous waste, and pollutants;
- Present an interpretation of the aerial photographic history of the Site based on available current and historical color, black and white and infrared aerial photographs (scale 1:18,000 or less) of the Site and surrounding area at a frequency which provides a historical perspective of Site activities. Evaluate the photographic history back to 1932 or earliest photograph available;
- Identify any data or information concerning known discharges that have occurred on the Site;
- Identify remediation activities previously conducted or currently underway at the site including dates of discharges, remedial actions, and all existing sampling data concerning contaminants at the Site. If a government agency was involved, the name of the lead government agency, case identification number, and current case status;
- Identify all remedies previously approved by the NJDEP in a remedial action work plan or equivalent document to determine if remedy remains protective of public health, safety and the environment;
- Identify all existing environmental sampling data concerning contaminants at the Site;



- Identify any known changes in Site conditions or new information developed since completion of previous sampling or remediation;
- Identify all Federal, state and local environmental permits including permits for all previous and current owners or operators, applied for or received, or both, for the Site;
- Identify all administrative, civil, or criminal enforcement actions for alleged violations of environmental laws concerning the Site;
- Identify all areas where non-indigenous fill materials were used to replace soil or raise the topographic elevation of the Site, including the dates of emplacement;
- Identify all waste disposal records for any on-Site landfill that describes the nature, quantity, location and date of the placement in the landfill, including waste disposal records for all wastes, drums tanks, pressurized gas cylinders and all hazardous wastes;
- Identify all permit requirements pursuant to a Solid Waste Operating Permit, or Disruption and Closure Permit granted pursuant to NJAC 7:26;
- Conduct a Site visit to confirm the findings of the review of historic information obtained through diligent inquiry;
- The PA report will include copies of the U.S.G.S. 7.5 minute topographic quadrangle which depict the Site as well as an accurately scaled Site Map detailing lot and block, location of current and former buildings, fill areas, and any areas of concern identified through diligent inquiry;
- The PA report will include a *Case Inventory Document* prepared pursuant to the NJDEP guidance;
- For each AOC at the site for which a final remediation document was filed or issued, the PA will include a comparison of contaminant concentrations remaining in the AOC with the NJDEP's current remediation standards; and
- Prepare an PA Report which presents a summary of the data and information evaluated by areas of concern (AOCs) identified during performance of the PA. As required at N.J.A.C. 7:26E-3.2(a)6, the PA Report shall include "A recommendation for each area of concern identified at the Site, supported by a written rationale, that either:
 1. Additional investigation is necessary because:
 - a) The area of concern is potentially contaminated; or
 - b) There is an order of magnitude change in an applicable remediation standard and the prior remediation is no longer protective of the public health and safety and the environment because it is not in compliance with the standard applicable at the time of the comparison; or
 1. Additional remediation is not necessary because the area of concern is not suspected to contain contaminants above any applicable remediation standard or criterion.

CLIENT RESPONSIBILITIES

The Client will provide all information in its possession, custody, or control that may relate to the project. This information includes, but is not limited to prior environmental assessment and investigation reports



and appraisals.

The Client will be fully responsible for obtaining the necessary authorization to allow the consultant, its agents, subcontractors and representatives to have access to the subject site and structures thereon at reasonable times throughout the term of this agreement. The Client will be responsible for making arrangements to allow its other consultants to be available to T&M for consultation regarding proper coordination of the project.

COMPENSATION

We will provide the scope of services described above at a not to exceed cost of **\$2,800**.

Invoices for our services will be submitted monthly and will include the manhours and costs incurred for each task. Invoices will also show a summary of the contract value, completion percentage, amount previously billed, and contract value remaining.

LIMITATIONS

The scope of the PA is limited to the tasks listed above and does not include any Phase II/Site Investigation activities such as soil, groundwater, surface water or air sampling, test pits or geophysical surveys. Recommendations for Phase II/Site Investigation activities may be presented in the PA Report.

CLOSING

The terms and conditions of this proposal are subject to the attached T&M Associates (T&M) Standard Terms and Conditions. This proposal is submitted solely and exclusively for the use of the Borough of Clayton for consideration of the professional services of T&M. Disclosure of this proposal's content to any third party without prior written authorization from T&M is expressly prohibited.

Please indicate your acceptance of this proposal by providing T&M with a resolution and/or purchase order for these services.

We thank you for the opportunity to submit this proposal. Please feel free to contact me directly with any questions or comments regarding the scope, sequence or fees as indicated at 856-722-6700, or rminarovic@tandmassociates.com.

Very truly yours,

T&M ASSOCIATES

RAYMOND MINAROVIC, PG, LSRP
SUPERVISING ENVIRONMENTAL SCIENTIST

EDWIN STECK, PE, CME
SENIOR VICE PRESIDENT