

RESOLUTION: 171 -14

**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 Moorestown, New Jersey is hereby hired to provide Licensed Site Remediation Professional (LSRP) services for remedial investigation of the Clayton Water Treatment Plant, 39 Chestnut Street, for the Borough of Clayton, in an amount not to exceed \$24,000.00.
2. The term of this contract shall be from August 14, 2014 to August 13, 2015.
3. 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.
4. A copy of this resolution as well as the Contract shall be placed on file with the Clerk of the Borough of Clayton.
5. A notice in accordance with the Local Public Contracts Law of New Jersey shall be published in The Sentinel or South Jersey Times.
6. 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 August 14, 2014.

BOROUGH OF CLAYTON



THOMAS BIANCO, Mayor

Attest:



CHRISTINE NEWCOMB, Borough Clerk

CERTIFICATE OF AVAILABILITY OF FUNDS

From: Donna Nestore, Chief Financial Officer, Borough of Clayton

To: Mayor and Council, Borough of Clayton

Re: T&M Associates – LSRP – Remedial Investigation
Clayton Water Treatment Plant - 39 Chestnut Street

AMOUNT OF CONTRACT: \$24,000.00

Any expenditures required for the above referred contract are properly chargeable to the Bond Ordinance 8-2014.

I hereby certify that, as of this date, adequate funds have been appropriated in said line and are available to satisfy the expenditure required for the above referenced contract.



DONNA NESTORE
Chief Financial Officer
Borough of Clayton

Dated: August 14, 2014

- This proposal does not include environmental investigations beyond what is presented.
- This proposal does not include any NJDEP fees. The Borough of Clayton will be assessed those fees by the NJDEP and agrees to pay those fees directly.
- In the event that any condition is observed by T&M that warrants a notification to the NJDEP in accordance with 7:1E-5.3 and/or NJAC 7:26E-1.4, T&M will notify the Borough of Clayton prior to notification to the NJDEP.



Re: Proposal for Professional Services
Site Investigation Report
Clayton Water Treatment Plant
39 Chestnut Street
Clayton, Gloucester County New Jersey

- The Borough of Clayton agrees that the Licensed Site Remediation Professional (LSRP) will have final decision on all remedial activities, including but not limited to, revisions to previously identified remedial approaches, updating previously conducted activities to meet current regulatory standards, and report language.
- The Borough of Clayton agrees to adhere to all regulatory and mandatory timeframes established by the NJDEP and as directed by the LSRP.
- The Borough of Clayton agrees that this project will not be conducted under Attorney-Client privilege.
- In the event that Borough of Clayton refuses to implement remedial actions, and/or comply with timeframes or other requirements established by regulation, statute, or law, the Borough of Clayton agrees that the LSRP may choose to remove him/herself from the project. In the event that the LSRP chooses to remove him/herself, the Borough of Clayton will be provided one (1) week advance notice.
- T&M assumes the Borough of Clayton will provide legal access to all areas of the site where field activities to be completed.
- The Borough of Clayton agrees to provide signatory for all documents and forms that are required to be submitted to the NJDEP as part of the remedial activities. The Borough of Clayton agrees that this individual will be the person with the highest level of authority within the Borough of Clayton to sign these documents.

If you have any questions concerning this proposal, please do not hesitate to contact us at (856) 722-6700.

Very truly yours,

T & M ASSOCIATES

EDWIN STECK, P.E., C.M.E.
SENIOR VICE PRESIDENT

ROHAN TADAS, CHMM, LSRP
SUPERVISING ENVIRONMENTAL SCIENTIST

RT:rt