

RESOLUTION: 124-15

**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 Environmental services for continued remedial investigation of Water Treatment Plant at 39 East Chestnut Street, for the Borough of Clayton, in an amount not to exceed \$3,000.00.
2. The term of this contract shall be from June 11, 2015 to June 10, 2016.
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 June 11 2015.

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

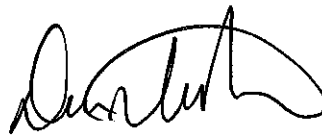
To: Mayor and Council, Borough of Clayton

Re: T&M Associates – LSRP – 39 E. Chestnut Street

AMOUNT OF CONTRACT: \$3000.00

Any expenditures required for the above referred contract are properly chargeable to the 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: June 11, 2015



YOUR GOALS. OUR MISSION.

VIA EMAIL

CLAY 00012

June 9, 2015

Borough of Clayton
125 North Delsea Drive
Clayton, New Jersey 08312
Ms. Sue Miller, Borough Administrator

Re: Continued Remedial Investigation
Clayton Water Treatment Plant
39 East Chestnut Street
Clayton, Gloucester County, New Jersey

Dear Ms. Miller:

T&M Associates (T&M) has prepared this proposal for Continued Remedial Investigations at the Clayton Water Treatment Plant located at 39 East Chestnut Street, Clayton, New Jersey. The Borough of Clayton had authorized a proposal dated March 19, 2014 by T&M to delineate ground water offsite. The scope of work associated with that proposal included the installation of two (2) ground water monitoring wells in Chestnut Street, sampling of these ground water monitoring wells, disposal of drill cuttings and surveying. The total fee for the proposal was \$24,000.

The results of two (2) rounds of ground water sampling conducted on the wells confirmed residual gasoline contaminant are offsite. To delineate ground water contamination, T&M, under the existing approved proposal installed one (1) ground water monitoring well to delineate ground water. This well, and the other two (2) wells installed previously, were sampled in May 2015. This well was also surveyed, per New Jersey Department of Environmental Protection (NJDEP) requirements, and drill cuttings were disposed by a contractor retained by T&M.

The additional well installation, sampling, disposal of drill cuttings and well surveying were outside the original scope of the project, however, they were required to be conducted to meet NJDEP regulatory requirements. T&M utilized as much of funds available from the existing approved proposal. However, increased costs from the drilling company, disposal firm and sampling increased the total costs above the existing fee of \$24,000. As such, the project requires additional fees of **\$3,000.00**.

T&M requests the Borough of Clayton authorize an additional fee of **\$3,000.00** for the additional work completed to meet the NJDEP regulatory requirements.



We thank you for the opportunity to provide these services to the Borough of Clayton. Should you have any questions, please feel free to contact us at your convenience.

Very truly yours,

T & M ASSOCIATES

ROHAN TADAS, CHMM, LSRP
SUPERVISING ENVIRONMENTAL SCIENTIST

EDWIN STECK, PE, CME
SENIOR VICE PRESIDENT

LIMITING CONDITIONS/ASSUMPTIONS

- This proposal does not include costs for further environmental investigation.
- T&M bases our proposal on our review of available information. Should site conditions differ, T&M reserves the right to modify our proposal.
- 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.
- 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 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.
- In the event that the Borough of Clayton chooses not 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.



- The Borough of Clayton agrees that this project will not be conducted under Attorney-Client privilege, except as stated in the Site Remediation Reform Act.
- 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 with the authority to sign these documents.

RT:rt

C: Tim Kinsella, CPG, T&M Associates

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