

RESOLUTION: 183-15

**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, Inc., of Moorestown, New Jersey is hereby hired to provide offsite soil investigation services for 191 E. Chestnut Street an amount not to exceed \$3,700.00.
2. The term of this contract shall be from October 8, 2015 to October 7, 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 October 8, 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

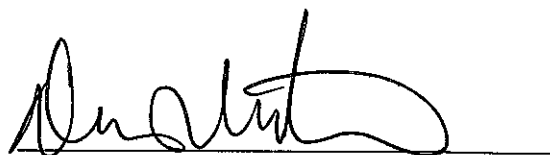
To: Mayor and Council, Borough of Clayton

Re: T&M Associates – Soil investigation – 191 E. Chestnut Street

AMOUNT OF CONTRACT: \$3,700.00

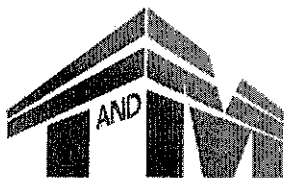
Any expenditures required for the above referred contract are properly chargeable to the 2014 Municipal Budget, Engineering.

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.

A handwritten signature in black ink, appearing to read 'Donna Nestore', is written over a horizontal line.

DONNA NESTORE
Chief Financial Officer
Borough of Clayton

Dated: October 8, 2015



YOUR GOALS. OUR MISSION.

VIA EMAIL AND HARDCOPY

CLAY 00012

September 29, 2015

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

Re: Offsite Soil Investigation at 191 East Chestnut Street
Clayton, Gloucester County, New Jersey

Dear Ms. Miller:

The Borough of Clayton has requested T&M Associates (T&M) prepare a proposal to conduct offsite soil investigation at 191 East Chestnut Street, Clayton, Gloucester County, New Jersey. The purpose of the investigation is to determine if soil contamination exists at this property.

This property owner has communicated his concern regarding his trees. The resident suspects contamination from underground storage tanks at the Clayton Water Treatment Plant, located east of his residence, may be responsible for the trees dying. As discussed with the Borough, and with the resident, groundwater flow and the direction and dip of the underlying clay zones indicate all contaminants will flow to the south east, away from his property. However, the Borough has agreed to conduct this investigation and determine soil conditions at the resident's property.

T&M will conduct the following activities:

Task 1: Offsite Access Assistance

T&M, in conjunction with the Borough of Clayton and the Borough's Solicitor for offsite access, will prepare cover letters that document the required activities. T&M assumes the Borough of Clayton, through their Solicitor, will prepare an access agreement between the Borough and the property owners, to allow T&M to enter and conduct required activities.

Upon completion of all activities, T&M will provide the property owners with results of all sampling.

T&M will conduct this task for a fee of

\$170.00



Task 2: Soil Boring and Sampling

T&M will retain the services of Enviroprobe LLC, to conduct soil borings on the property. No more than six (6) soil borings will be advanced on the property, to depths of 10-12 feet, or to the ground water table. One (1) soil sample will be collected per boring, at the depth of the boring or at the soil/ground water interface. Soil samples will be submitted to Test America Labs, a certified New Jersey laboratory for analysis for gasoline compounds, per NJAC 7:26E-2. Soil sample results will be available approximately two (2) weeks after submission of the samples to the laboratory. The results will be shared with the Borough of Clayton prior to providing them to the property owner.

T&M will conduct this task for a fee of

\$3,000.00

Task 3: Memorandum to property owner

T&M will prepare a memorandum to the resident, to discuss the findings, and provide recommendations for future actions, if needed. The Borough will receive the memorandum first, in draft form, for review and comment before it is sent to the property owner.

T&M will conduct this task for a fee of

\$530.00

The total for this proposal is not to exceed

\$3,700.00

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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