RESOLUTION: 137-17

RESOLUTION AMENDING RESOLUTION 97-17 AUTHORIZING AGREEMENT FOR CERTAIN PROFESSIONAL SERVICES ADOPTED BY THE BOROUGH OF CLAYTON

WHEREAS, there exists a need to amend Resolution 97-17 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. T&M Associates of Middletown, New Jersey is hereby hired to provide Site Investigation activities for Wayne's Auto not to exceed $68,034.05 in the Borough of Clayton.

2. The term of this contract shall be from April 13, 2017 to April 12, 2018.

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), 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 Gloucester County 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 8, 2017.

BOROUGH OF CLAYTON

THOMAS BIANCO, Mayor

Attest:

CHRISTINE NEWCOMB, Borough Clerk

CERTIFICATION

I, Christine Newcomb, Borough Clerk of the Borough of Clayton, do hereby certify that the foregoing Resolution was presented and duly adopted by the Borough Council at a regular meeting of the Borough of Clayton Council, held on June 8, 2017.

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 – Site Investigation Activities – Wayne's Auto

AMOUNT OF CONTRACT: $68,034.05

Any expenditures required for the above referred contract are properly chargeable to the 2017 Municipal Budget/Hazardous Discharge Remediation Site Grant – Wayne's.

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 8, 2017

YOUR GOALS. OUR MISSION.

March 9, 2017
(revised June 8, 2017)

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

Re: Proposal for Professional Services
Site Investigation Activities
Wayne's Auto
Clayton, Gloucester County, New Jersey
CLAYOH-16010

Dear Ms. Miller:

T&M Associates (T&M) has prepared this proposal for the completion of a site investigation (SI) for the above referenced site as requested by the Borough. The SI is being performed based on the results of a November 2014 Preliminary Assessment Report (PAR). The PAR was submitted to the New Jersey Department of Environmental Protection (NJDEP) and Hazardous Discharge Site Remediation Fund (HDSRF) in November 2014. The objective of the proposal is to perform a SI to evaluate Areas of Concern (AOCs) requiring additional investigation in the PAR. This proposal incorporates the available HDSF grant money from the original HDSRF approval and the most recent HDSRF approval in May 2017.

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

BACKGROUND

The site is a former gasoline service station. The former owner abandoned the site, and the Borough of Clayton, through municipal tax liens, has taken over the property. To develop a baseline understanding of environmental issues and potential Areas of Concern at the site, T&M Associates conducted a Preliminary Assessment (PA), in accordance with NJAC 7:26E-3. A draft of the PA was submitted to Hazardous Discharge Site Remediation Fund (HDSRF) in November 2014.

The PA identified a total of 14 Areas of Concern, of which the 9 required additional environmental investigations, including:

AOC 1A – Two 275-Gallong Capacity Fuel Oil Tanks, South Side of Structure
AOC 1B – One 275-Gallon Capacity Fuel Oil Tank, East Side of Structure
AOC 2 – Four 4,000-Gallon Capacity Gasoline Tanks at South Portion of Site
AOC 2B – One 550-Gallon Capacity Waste Oil Tank at Exterior West Side of Structure

AOC 2C – One Unknown Capacity "Unknown Contents" Underground Storage Tank at North Side of Structure
AOC 3 – Two Gasoline Product Dispenser Pump Islands/Product Lines
AOC 4 – Rectangular, Grated Floor Drain at Interior Bay of Structure
AOC 5 – Interior Hazardous Material Storage: 5-Gallon Buckets and Parts Washing Caddy
AOC 7 – Two In-Ground, Hydraulic Piston-Type Automobile Lifts at Repair Bay Room of Structure

These environmental investigations will be conducted in conjunction with planned tank and hydraulic lift removal activities, which the Borough is contracting separately from HDSRF. T&M is assisting the Borough with the preparation of the contractor bid specifications for the removal activities.

The Scope of Work presented below is based on removal of tanks and/or hydraulic lifts, assumes a potential for Vapor Intrusion investigation, and preparation of a Site Investigation Report. This Site Investigation Workplan does not take into account any potential Light Non Aqueous Phase Liquids investigation or remediation, offsite impact, remediation, pump out of any potential contaminated ground water

Following is the scope of work (Site Investigation Work plan) to be conducted as part of the planned activities at the site. These activities will be conducted to meet the requirements of NJAC 7:26E-3. All soil samples will be submitted to a Certified New Jersey Laboratory for analysis, and will be submitted for standard turnaround time for analysis. The purpose of the Site Investigation is to document the presence/absence of contaminants, per NJAC 7:26E-3.

Any additional investigation/delineation/remediation will be conducted after completion of the Site Investigation and submission of the Site Investigation/Preliminary Assessment Report, and submission and receipt of additional funds from HDSRF.

SCOPE OF WORK

The proposed scope of work includes activities necessary to remove USTs present at the site, soil sampling, well installation and groundwater sampling, vapor intrusion sampling and preparation of a SI report. These scope of work will be performed in the following tasks listed below.

Task 1: On-Site Oversight and Sampling
Task 2: Monitoring Well Installation and Sampling
Task 3: Baseline Ecological Evaluation/Receptor Evaluation
Task 4: Well Search
Task 5: Vapor Intrusion Investigation
Task 6: Site Investigation Report

A detailed description of each task is provided on the following pages.

Task 1 – On-site Oversight and Sampling

T&M will provide oversight and collect samples during the removal of existing USTs, floor drains, trenches, piping, hazardous materials storage and the hydraulic lifts. These activities are listed below.

UNDERGRUOND STORAGE TANKS

AOC-1-A Two (2) 275-gallon capacity fuel oil tanks, south side of structure

The 2007 PA identified two (2) ASTs mounted on concrete blocks on unpaved ground surface along the exterior, south side of the Site structure. T&M observed these two (2) ASTs during the Site visit conducted for this current PA. One (1) AST had an open fill port and was partially filled with a petroleum fluid, based on odor.

AOC-1-A Recommendation: T&M also recommends environmental investigation at the edge of the concrete pad at the location of the AST in order to confirm or deny the presence of contamination above the current NJDEP remediation standards. Four (4) soil samples shall be collected from the 0-2' depth around the edge of the concrete pad. One (1) soil sample shall be collected from each side of the concrete pad. Samples shall be submitted to a Certified New Jersey Laboratory for Extractable Petroleum Hydrocarbon (EPH) analysis in accordance with NJAC 7:26E-3, Table 2-1. 25% of all soil samples over 1000 parts per million (ppm) for 2 – Methyl Naphthalene and Naphthalene.

AOC-1-B One (1) 275-gallon capacity fuel oil tank, east side of structure

T&M observed this AST during the Site visit conducted for the PA. The AST did not have any open ports and the presence of liquid contents was not determined.

AOC-1-B Recommendation: T&M recommends removal of the AST and AST contents from the Site by qualified personnel for appropriate off-Site disposal and recycling. T&M also recommends environmental investigation at the edge of the concrete pad at the location of the AST to confirm or deny the presence of contamination above the current NJDEP remediation standards. Four (4) soil samples shall be collected from the 0-2' depth around the edge of the concrete pad. One (1) soil sample shall be collected from each side of the concrete pad. Samples shall be submitted to a Certified New Jersey Laboratory for Extractable Petroleum Hydrocarbon (EPH) analysis in accordance with NJAC 7:26E-3, Table 2-1. 25% of all soil samples over 1000 parts per million (ppm) for 2 – Methyl Naphthalene and Naphthalene.

AOC-2-A Four (4) 4,000-gallon capacity gasoline tanks at south portion of Site

The NJDEP UST Facility Questionnaires indicate that four (4) 4,000-gallon capacity unleaded and leaded gasoline USTs are situated at the Site. The NJDEP UST records list the tanks as inactive under UST Facility ID/PI 000323. It is unclear if any oil, sludge or water are in the tank.

AOC-2-A Recommendation: Based on a Geophysical Survey previously conducted, the four (4) gasoline tanks are located within one (1) tankfield. As such, upon removal of the USTs, soil samples will be collected at the edge of the tankfield, at the soil/water interface, and/or based on visual observations of staining, or high Photo Ionization readings from a Photo Ionization Detector (PID). For purposes of this Site Investigation Work plan, and assuming ground water is located at the bottom of the excavation, T&M anticipates two (2) soil samples along each length of the tankfield, for a total of eight (8) soil samples. Each soil sample will be submitted to a Certified New Jersey Laboratory for Volatile

Organics + Tentatively Identified Compounds including 1,2 dichloromethane and 1,2 dichloroethane, tert butyl alcohol and lead. These compounds meet the site investigation requirements per NJAC 7:26E-3 Table 2-1.

AOC-2-B One (1) 550-gallon capacity waste oil tank at exterior west side of structure
The NJDEP UST Facility Questionnaires indicates one (1) 550-gallon capacity waste oil UST is situated at the Site. The NJDEP UST records list the tanks as inactive under UST Facility ID/PI 000323. It is unclear if any oil, water or sludge remain in the UST.

AOC-2-B Recommendation: Upon removal of the UST, four (4) soil samples shall be collected along the centerline of the former USTs. Should ground water be encountered, one (1) soil sample will be collected from each length, and each edge of the tank excavation. Soil samples will be submitted for EPH, with 25% of the soil samples showing any EPH detection will be submitted for Volatile Organics plus Tentatively Identified Compounds, Semi Volatile Organics plus Tentatively Identified Compounds, PolyChlorinated BiPhenyls, and Target Analyte List Metals.

AOC-2-C One (1) unknown capacity "unknown contents" underground storage tank at north side of structure
During the Site visit conducted for this current PA, T&M identified the unknown contents UST pad with typical fuel oil UST fill port cap at the north side of the Site. Based on geophysical survey completed on the site, the UST is estimated at 4,000 gallons in volume.

AOC-2-C Recommendation: Upon removal of the UST, four (4) soil samples shall be collected along the centerline of the tank. Should ground water encountered, one (1) soil samples will be collected from each length, and each edge of the tank excavation. Soil samples will be submitted for EPH, Target Compound List + Target Analyte List, pH, Hexavalent Chromium.

AOC-3 Two (2) gasoline product dispenser pump islands/product lines
T&M identified two (2) former gasoline product dispenser pump islands on the western portion of the site. The dispenser islands are connected to the four (4) 4000-gallon gasoline storage tanks via 20 feet of piping.

AOC-3 Recommendation: Upon removal of all piping, concrete and remaining hardware associated with the former dispensers one (1) soil sample will be taken underneath any pea gravel or backfill found under each dispenser island. This should be a total of two (2) samples under the product dispenser islands. One (1) soil sample will be taken per 15 linear feet of product line from the tank to the dispenser island. Based on measurements taken in the field, the total length is 20 feet. T&M assumes that all the product lines are in one (1) product line trench. The samples will be positively biased to connections and/or fittings, per NJAC 7:26E and NJAC 7:14B.

FLOOR DRAINS, TRENCHES, PIPING AND SUMPS

AOC-4 Rectangular, grated floor drain at interior bay area of structure
During the Site visit conducted for this current PA, T&M identified standing liquid within the floor drain.
AOC-4 Recommendation: T&M will collect a total of four (4) soil samples directly beneath the floor drain, after its removal from the concrete slab floor. The soil samples will be biased to the floor drain

grate and at the exit point of the floor drain from the building. Samples will be analyzed for EPH TCL/TAL, pH, Hexavalent Chromium.

HAZARDOUS MATERIAL STORAGE

AOC-5 Interior hazardous material storage: 5-gallon buckets and parts washing caddy
T&M identified four (4) 5-gallon buckets of hydraulic fluid at the boiler room/bathroom/storage room of the Site structure.

AOC-5 Recommendation: One (1) soil sample will be collected from this area, underneath any concrete that appears cracked. The soil sample area will be accessed by the contractors during the removal of the USTs. Soil samples will be analyzed for EPH, with 25% of samples exhibiting EPH over 100 ppm will be analyzed for 2-Methyl Naphthalene and Naphthalene per NJAC 7:26E-3 Table 2-1.

HYDRAULIC LIFTS

AOC-7 Two (2) in-ground, hydraulic piston-type automobile lifts at repair bay room of structure
Two (2) below-grade piston type hydraulic lifts at the repair bay room of the Site structure.
AOC-7 Recommendation: One (1) soil sample will be collected from under each lift, and submitted for EPH analysis, with 25% of the samples exhibiting EPH impacted over 100 ppm will be further analyzed for Poly Aromatic Hydrocarbons.

Task 2: Monitoring Well Installation and Sampling
Should soil contamination exceed the NJDEP Impact to Ground Water Soil Screening Criteria (IGWSCC), or should evidence of contamination (sheen) be identified in ground water in UST excavations, T&M will oversee the installation of one (1) ground water monitoring well within ten (10) feet in an assumed downgradient position of the AOC that exhibits soil impact above the NJDEP IGWSCC or where contamination is identified in ground water.

Based on regional hydrogeological information, ground water is expected to be between 9-12 feet below grade. Regional groundwater flow is to the Southeast.

Each ground water monitoring well will be constructed as a 2-inch diameter well, with an estimated 5-8 feet of screen, with 4 feet of riser. Each monitoring well will be completed as a flush mount well. The wells will be surveyed by a New Jersey Licensed Surveyor. All drill cuttings will be disposed by a licensed waste hauler at a facility approved by NJDEP.

Upon completion of the installation and surveying of the wells, two (2) rounds of ground water sampling and analysis will be conducted by licensed New Jersey laboratory. For purposes of this Site Investigation Work plan, T&M assumes ground water sampling will be conducted for all known contaminants identified in the Preliminary Assessment. These include Volatile Organics plus tentatively identified compounds, tert-butyl alcohol, 1, 2 dibromoethane and 1,2 dichloroethane, Semi-Volatile Organic Compounds plus tentatively identified compounds, Target Analyte Metals. All samples will be submitted for standard (2 week) turnaround time.

Task 3: Baseline Ecological Evaluation/Receptor Evaluation

Per NJAC 7:26E-1.12, NJAC 7:26E-1.13, NJAC 7:26E-1.14 and NJAC 7:26E-1.16, T&M will conduct a receptor evaluations for land use, ground water and ecological receptors, as warranted by the results of the soil and ground water sampling conducted as part of the Site Investigation activities. For purposes of this Site Investigation Workplan, T&M will conduct baseline evaluations to meet the requirements of Site Investigation per NJAC 7:26E-3.

Task 4: Well Search

If ground water contamination is confirmed, T&M will conduct a baseline (computer) well search for the site, to determine if any potable or irrigation wells are located within a ½ mile radius of the site. Per NJAC 7:26E-1.14(a)(1), this activity will be completed within 90 days of confirmation of contaminated ground water. Note that sampling that may be required, per NJAC 7:26E-1.13 (a)(1)(ii) will be conducted under separate work scope and submission.

Task 5: Vapor Intrusion Investigation

Based on the type of contamination (residual petroleum) that is anticipated at this site, and the anticipated trigger distance of 30 feet, T&M has included an estimate for conducting two (2) sub slab and two (2) indoor air samples for TO-15. The number of sub slab and indoor air samples is based on the NJDEP Vapor Intrusion Guidance (March 2013). T&M will provide oversight of sampling, coordinate lab efforts, and provide NJDEP required documentation.

The NJDEP does have exclusions for vapor intrusion based on the use of the property as a retail gasoline service station. However, since the site is not currently active, and the future use is unknown, a vapor intrusion investigation is prudent to determine potential vapor issues for redevelopment of the property in the future.

Task 6: Site Investigation Report

T&M will prepare a Site Investigation Report (SIR), which will include the Preliminary Assessment as an appendix. The SIR will document soil and, potentially, ground water sampling activities. Any areas of concern that require further investigation will be discussed, and any areas of concern that do not require further action will be identified. T&M will prepare the SIR in accordance with NJAC 7:26E-3.13. T&M will also update the Case Inventory Document with the submission of the SIR.

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 Lump Sum fee of **$68,034**.

Invoices for our services will be submitted monthly and will show the percentage of our fee billed for the month based on the percentage of our work completed. Invoices will also show a summary of the contract value, completion percentage, amount previously billed, and contract value remaining.

The table below provides a breakdown of costs for each task.

Task	Task Subtotal	Task Total
Task 1 – On-Site Oversight and Sampling		
T&M Labor	$10,207	**$30,027**
Equipment/Expenses	$820	
Subcontractor		
Laboratory	$19,000	
Task 2 – Monitoring Well Installation and Sampling		
T&M Labor	$4,200	**24,350**
Equipment/Expenses	$210	
Subcontractor		
Driller	$9,300	
Certified Sampling Crew	$2,500	
Laboratory	$6,600	
Disposal of Investigative Derived Waste	$690	
Surveyor	$850	
Task 3 – Baseline Ecological Evaluation/Receptor Evaluation		
T&M Labor	$1,800	**$1,800**
Task 4 – Well Search		
T&M Labor	1,500	**$1,500**
Task 5 – Vapor Intrusion Investigation		
T&M Labor	$1,500	3,257
Equipment/Expenses	$250	
Subcontractor		
Laboratory	$1,507	
Task 6 – Site Investigation Report		**$7,100**
T&M Labor	$7,000	
Equipment/Expenses	$100	
	Total Project Cost:	**$68,034**

Cost Assumptions:

1. T&M will have full access to all sampling locations and will not be delayed due to factors beyond our control (e.g., inclement weather, site access conditions, etc.). We have assumed that legal counsel will prepare any necessary access agreements.
2. All Site activities will be conducted in Modified Level D Personal Protective Equipment (PPE) unless otherwise determined by T&M and PRPs.

3. Laboratory analyses assume standard turnaround time of two weeks.
4. No potable well samples will be collected as part of the well search.
5. Cost includes the installation of 6 monitoring wells.
6. Cost assumes 2 rounds of groundwater sampling from monitoring wells.
7. Cost assumes 4 air samples (2 sub-slab and 2 indoor air).

LIMITATIONS

The scope of the SI is limited to the tasks listed above and does not include any Remedial Investigation or Remedial Action activities.

CLOSING

The terms and conditions of this proposal are subject to the T&M Associates (T&M) Standard Terms and Conditions approved by the Borough. 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
JSM/RM:hn

ACCEPTED BY:

NAME: [signature] Tom Biaco

Signature Print Name

TITLE: Mayor

COMPANY: Borough of Clayton

DATE: 6-8-17

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