

RESOLUTION: 138-20

**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 Sickels & Associates, Inc., Woodbury, New Jersey is hereby hired to provide the necessary engineering services in connection with the USDA Pre-application submission for water and sewer improvements, for a total amount not to exceed \$8,000.00.
2. The term of this contract shall be from August 13, 2020 to August 12, 2021.
3. Donna Nestore, CFO, for the Borough of Clayton certifies that \$8,000.00 is available through the Water/Sewer Operating Budget, Engineering OE.
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 August 13, 2020.

BOROUGH OF CLAYTON



THOMAS BIANO, Mayor

Attest:



CHRISTINE NEWCOMB, Municipal Clerk

August 5, 2020

Borough of Clayton
125 N. Delsea Drive
Clayton, New Jersey 08312

Attention: Mayor and Council

**RE: PROPOSAL FOR PROFESSIONAL SERVICES
USDA PRE-APPLICATION SUBMISSION
WATER AND SEWER IMPROVEMENTS
BOROUGH OF CLAYTON, GLOUCESTER COUNTY, NEW JERSEY
SICKELS PROPOSAL No. 2020-50**

Dear Mayor and Council:

In response to your request, Sickels & Associates, Inc. is pleased to submit this proposal for the necessary engineering services on the above referenced project.

For ease of review, the proposal is organized in the following manner: Our Understanding of the Project and Scope of Work, Project Schedule, Fee Structure, Annual Fee Schedule and Terms and Conditions.

OUR UNDERSTANDING OF THE PROJECT AND SCOPE OF WORK

We understand that the Borough wishes to submit a revised eligibility determination (pre-application) to the United States Department of Agriculture's (USDA) Rural Development as the initial step toward obtaining funding for improvements to the water and sewer infrastructure. The Borough submitted an eligibility determination in 2017 for water improvements, however the funding terms at the time were not beneficial for the project.

The Borough was recently directed by the USDA to submit a revised eligibility determination for water and sewer improvements. The funding terms may improve if the application includes water and sewer rehabilitation. The water improvements will include the replacement of a portion of the existing 100+ year old water main beneath Delsea Drive (aka NJSH Rt. 47). Sewer improvements may include manhole rehabilitation, a storm water collection system for sump pumps, a sewer extension along Madison Avenue, replacement or rehabilitation of sewer main in Delsea Drive, or some other construction as determined by the Water and Sewer Department.

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August 5, 2020

After review by the USDA, we understand that the Borough will compare the terms of the USDA funding to other sources such as municipal bonding or financing through the New Jersey Infrastructure I-Bank. If the Borough wishes to obtain funding through municipal bonding, an application to the I-Bank would be required to obtain a waiver. Our office will provide a separate proposal for the I-Bank application, if requested. We understand that a waiver for water funding is possible but a waiver for sewer funding may not be granted.

This proposal includes engineering services for investigation, preparation of forms and reports and submission of the pre-application documentation to USDA.

DESCRIPTION OF SERVICES

Based on the above project description, the scope of our services will be limited to the following activities:

PHASE I PREPERATION OF USDA ELIGIBILITY APPLICATION

SECTION 1.0 DOCUMENT PREPARATION

1.1 Prepare the following

- Letter from the Engineer defining project
- Application Form 424C (coordinate with Borough to complete)
- Form AD-1047 (Certification) (for Borough signature)
- RUS Bulletin 1780-22 (Eligibility Certification) (for Borough signature)
- Evaluation of Access to Credit Form
- Site Location Map/Concept Plan
- Conceptual Estimate of Probable Construction Cost
- Coordination with Borough Staff and related Professionals
- Submission to USDA and attendance at pre-application meeting

1.2 Balance sheet, operating budget, debt chart, Form 424C to be completed by Borough using the last three years of financial data (2016, 2017, 2018) as well as the 2019 or current budget. Borough will need to provide DUNS number SAM Registration information.

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SECTION 2.0 WATER AND SEWER ALTERNATIVES

- 2.1 Coordinate and attend a meeting with the water and sewer department to review possible water and sewer projects.
- 2.2 Visit project locations for site observations.
- 2.2 Prioritize projects with the Borough to be included in application.

SECTION 3.0 USDA SUBMISSION

- 3.1 Coordinate with Borough staff to assemble all documents and forward to the USDA for their review and comment.
- 3.2 Coordinate and address any questions the USDA has for the information submitted

SUPPLEMENTAL SERVICES

We believe our proposal as presented is comprehensive to satisfy the requirements of the project. However, if deemed necessary by the client or regulatory agencies, we will offer an addendum to perform additional services beyond those included herein.

CONSULTING FEE FOR SERVICES RENDERED

Based on the understanding of the project and description of service, our total consulting fee to complete the various activities described herein is estimated at \$8,000.00 plus the cost of applicable reimbursable expenses which will be invoiced separately.

Sickels & Associates is prepared to commence work immediately upon receipt of authorization to proceed. The terms and conditions of this proposal shall remain in effect for sixty (60) days.

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Our Terms and Conditions and Annual Fee Schedule have been previously approved and are on file with the clerk's office. If you concur with our Description of Services and Consulting Fee, please execute one copy as our formal authorization to proceed and return same to our office.

Once again, we would like to thank you for the opportunity to offer the services of our firm and we look forward to working with you on this venture.

If you have any questions regarding this matter, please contact our office at (856) 848-6800.

Very truly yours,

SICKELS & ASSOCIATES, INC.



Mark R. Brunermer, P.E., C.M.E.
President

MRB:SAC

cc: Sue Miller, Administrator, *(via email only)*
Donna Nestore, CFO, *(via email only)*
Christine Newcomb, Clerk, *(via regular mail and email)*
Joe Hunt, CPWM., Supt, *(via email only)*
Timothy Scaffidi, Solicitor, *(via email only)*
Patricia Owens, S&A, Inc., *(via email only)*

File: 2020-50


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PROPOSAL ACCEPTANCE & NOTICE TO PROCEED

Having reviewed the proposal for the various planning, surveying and engineering services, including the Terms and Conditions of the Service Agreement, and all sections relating to payment for services, which is on file at the Borough Clerk's office, acceptance of the proposal is hereby confirmed by the signature below. Sickels & Associates, Inc. is authorized to proceed with the work.

Accepted this 13th day of August, 2020

By:  Mayor
SIGNATURE TITLE

Tom Bianco
NAME (PLEASE PRINT OR TYPE)

Clayton Borough
COMPANY

ADDRESS

PHONE NO.

FAX NO.

CLIENT'S E-MAIL ADDRESS