RESOLUTION: 220 -12

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., of Woodbury, New Jersey is hereby hired to provide engineering services for the Environmental Infrastructure Trust Fund Assistance – Proposal No. 2012-17B, for the Borough of Clayton in an amount not to exceed $5450.00.

2. The term of this contract shall be from November 8, 2012 to November 7, 2013.

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 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 November 8, 2012.

BOROUGH OF CLAYTON

THOMAS BIANCO, Mayor

Attest:

Christine Newcomb

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: Professional Services – Engineering services for Environmental Infrastructure Trust Fund Assistance – Proposal No. 2012-17B

AMOUNT OF CONTRACT: $5450.00

Any expenditures required for the above referred contract are properly chargeable to the Bond Ordinance 15-10.

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: November 8, 2012

SICKELS & ASSOCIATES, INC.

Engineers • Planners • Surveyors

November 2, 2012

Borough of Clayton
125 North Delsea Drive
Clayton, NJ 08312

Attn: Susan Miller, Administrator

RE: PROPOSAL FOR ENVIRONMENAL INFRASTRUCTURE TRUST FUNDING ASSISTANCE PREPARATION FOR PUBLIC HEARING NEW ELEVATED WATER STORAGE TANK S&A PROPOSAL NO. 2012-17B

Dear Ms. Miller:

Sickels & Associates, Inc. (S&A) is pleased to present this addendum to our February 6, 2012 proposal for responding to the New Jersey Department of Environmental Protection (Department) for the Environmental Infrastructure Trust (EIT) funding. The Borough of Clayton is seeking NJDEP/EIT funding for their proposed 750,000 gallon elevated water storage tank to be located at Little Ease Park. To obtain approval and funding from the Department, the Borough must hold a public hearing to satisfy its Level 2 Environmental Review Requirement.

Our office has already performed several tasks to facilitate the public hearing. The public hearing is the final step of the Level 2 Environmental Review process that is necessary to receive funding from the Department.

The noted work items and fee schedule to prepare and hold the public hearing will be limited to the following activities:

PHASE 1 – COORDINATION AND PUBLIC HEARING NOTICE

As part of a Level 2 Environmental Planning Report for EIT funding requires a public hearing to be held by the project sponsor (Borough of Clayton) as part of the funding approval. The public hearing is held to elicit comments from the neighboring residents and community prior to funding approval. This phase entailed the review of the New Jersey Administrative Code (N.J.A.C.) for the specific requirements and notifications for the hearing, preparation of a draft public notice, coordination with Department staff for content and approval of the public notice, coordination with Borough personnel for recording of the meeting minutes, scheduling of the hearing and advertisement notice. To date, the above items have been performed by this office for the Borough.

Sherwood Mews • 833 Kings Highway
Woodbury, New Jersey 08096-3110
(856) 848-6800 FAX (856) 848-8520
www.sickelsassoc.com

PHASE 2 – PREPARE AND ATTEND PUBLIC HEARING

With the initial notice for the public hearing being postponed, a new date and time needs to be scheduled to hold the public hearing. Please keep in mind that the notice for the public hearing must be advertised for thirty (30) days in the Borough's official newspaper. In addition to re-noticing for the public hearing date, there are provisions for Steven Weber to attend the public hearing to provide a general summary of the project and to assist in answering resident comments and/or questions pertaining to the Borough's new elevated water storage tank located at Little Ease Park.

Coordination with Christine Newcomb and Sue Miller for scheduling the date as well as preparing copies of the NJEIT level 2 Environmental Report, tower construction plans and specifications for the Borough for review by the residents prior to the meeting in accordance with the public hearing notice.

PHASE 3 – SUBMISSION AND APPPROVAL OF HEARING REQUIREMENTS

Following the public hearing meeting, Steven Weber will coordinate with Christine Newcomb to prepare and review the detailed minutes of the hearing. In accordance with N.J.A.C. 7:22-10.10(b)2 where the detailed minutes shall be prepared of the proceedings, including any written comments received on the project and a summary of significant public comments shall be submitted to the Department. After completion of the detailed minutes, Mr. Weber will coordinate with Christine Newcomb, for final submission to the NJEIFP.

Mr. Weber will coordinate with NJEIFP staff to process the necessary documents and letters to obtain authorization to go out to bid. Upon authorization to bid, unless further altered by NJEIFP, our office will utilize Proposal # for the public bid and construction management.

Based upon the above description of service, our consulting fee to complete the various activities described herein is estimated at **$5,450.00** plus the cost of applicable reimbursable items which will be invoiced separately.

Said consulting fee is apportioned in accordance with the following breakdown:

PHASE 1	**COODINATION AND PUBLIC HEARING NOTICE:**	**$**	**1,960.00**
PHASE 2	**PREPARE AND ATTEND PUBLIC HEARING:**	**$**	**2,245.00**
PHASE 3	**SUBMISSION AND APPPROVAL OF HEARING REQUIREMENTS:**	**$**	**1,245.00**
Total Fee		**$**	**5,450.00**

Sickels & Associates is prepared to commence work immediately upon receipt of authorization to proceed. The same Terms and Conditions and Annual Fee Schedule from our February 6, 2012 proposal apply to this proposal. This proposal assumes that said authorization

will be issued within thirty (30) business days from the date of this proposal. The terms and conditions of this proposal shall remain in effect for thirty (30) days.

We have enclosed two (2) signed copies of this proposal. If you concur with our Description of Services and Consulting Fee, Terms and Conditions and Annual Fee Schedule, please execute one copy as our formal authorization to proceed and return same to our office.

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, PE, CME
President

cc: Christine Newcomb, Clerk
Donna Nestore, CFO

File: 2012-17B

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 a part thereof, acceptance of the proposal is hereby confirmed by the signature below. Sickels & Associates, Inc. is authorized to proceed with the work.

Accepted this 8th day of November, 2012

By: _____ Mayor
SIGNATURE TITLE

Thomas Bianco
NAME (PLEASE PRINT OR TYPE)

Borough of Clayton
COMPANY

ADDRESS

PHONE NO. FAX NO.

CLIENT'S E-MAIL ADDRESS