

RESOLUTION: 48-13

**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

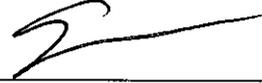
WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 requires that notice with respect to contracts for Professional Services awarded without competitive bids must be publicly advertised.

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 Licensed Site Remediation services for the underground storage tank closure reporting project, for the Borough of Clayton in an amount not to exceed \$1,500.00.
2. The term of this contract shall be from February 14, 2013 to February 13, 2014.
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 February 14, 2013.

BOROUGH OF CLAYTON



THOMAS BIANCO, Mayor

Attest:



CHRISTINE NEWCOMB, Borough Clerk

TMOH-13111

February 4, 2013

Hon. Tom Bianco and Council
Borough of Clayton
125 N. Delsea Drive
Clayton, New Jersey 08312

**Re: Proposal for Licensed Site Remediation Professional Services
Underground Storage Tank Closure Reporting
Clayton Water Dept., 39 E. Chestnut St.**

Dear Mayor and Council:

T&M Associates is pleased to submit this proposal for Licensed Site Remediation Professional Services and file review for the above referenced site.

Background:

Clayton Borough removed several underground fuel storage tanks at the above referenced site in 1993. Correspondence from NJDEP to the Borough dated January 10, 2013 indicated that a "No Further Action" letter pertaining to the closure of a 1,000 gallon gasoline UST tank on this property was never issued, and directed Clayton to retain an LSRP to complete the remedial investigation. Tasks T&M will perform to address the NJDEP requirements follow:

Task-1 LSRP Retention

T&M will complete an on-line LSRP Notice of Retention to meet the NJDEP requirement to "immediately" retain an LSRP.

Task- 2 File Review

Based on review of documents on file with the Borough, additional investigation was apparently performed by the Borough engineer (Land Engineering) at the time of closure. However, it is unclear whether a report was ever submitted to the NJDEP. T&M will submit an Open Public Records Act request to NJDEP to review all files concerning the UST closures at this site in their possession. We have also contacted Land Engineering for access to any files concerning this site they may have. After the review, we will determine the administrative status of the case.

If the case does in fact remain open, T&M will prepare a detailed proposal describing those tasks that will be required to move the case toward closure. Please note that if contamination was detected and not remediated during the UST closure, additional



**Mayor and Council
Borough of Clayton**

**Re: Proposal for LSRP Services,
39 E. Chestnut Street**

investigation will be required. If the site was technically closed and not issued a "No Further Action" through an administrative oversight, we will file a LSRP "Notice of Dismissal", and petition the NJDEP to waive annual remediation fees.

Schedule

As a courtesy to the Borough, we will file a LSRP Notice of Retention immediately. T&M will initiate work on the remaining scope of services immediately upon receipt of authorization. We anticipate that scheduling an OPRA request and completing a file review can be completed within 30 days of authorization.

Estimate of Probable Costs

T&M estimates its fee for filing a LSRP Notice of retention, performing a file review, and developing a remedial investigation scope of services to be \$1,500.00.

NJDEP fees are not included in our cost estimate, and are the responsibility of the Borough. Document reproduction fees charged by NJDEP will be billed to the Borough at cost.

If you should have any questions or require additional information, please do not hesitate to contact our office.

Very truly yours,
T&M ASSOCIATES

William H. Matulewicz, LSRP
Hydrogeologist

Douglass G. Hill, V.P.

Cc Susan Miller, Administrator
Christine Newcomb, Clerk
Donna Nestore, CFO

WHM:whm

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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 – Underground Storage Tank Closure

AMOUNT OF CONTRACT: \$1,500.00

Any expenditures required for the above referred contract are properly chargeable to 2013 Water/Sewer Budget.

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: February 14, 2013