

**RESOLUTION #16-132**

**RESOLUTION GRANTING AUTHORIZATION TO RETAIN PROFESSIONAL SERVICES THE COST OF WHICH IS ANTICIPATED NOT TO EXCEED \$17,500 IN ACCORDANCE WITH THE LOCAL PUBLIC CONTRACTS LAW  
TTI ENVIRONMENTAL, INC. – WOODBURY PUBLIC WORKS**

**WHEREAS**, *N.J.S.A.* 40A:11-1, *et seq.* known as the Local Public Contracts Law, requires that all contracts or agreements for the performance of any work, shall not be made or awarded unless Public advertising for Bids and bidding, therefore, is solicited; and

**WHEREAS**, *N.J.S.A.* 40A:11-5 provides that any contract or agreement may be made, negotiated or awarded without public advertising for bids and bidding, therefore, if the subject matter, therefore, consists of professional services, are rendered or performed by a person authorized by law to practice a recognized profession; and

**WHEREAS**, the City of Woodbury has need for such professional services, which said services will be performed by persons authorized by Law to practice a recognized professional as non-fair and open contracts pursuant to the provisions of *N.J.S.A.* 19:44A-20.5; and

**WHEREAS**, the City of Woodbury is in need of professional environmental engineering services to assist the City of Woodbury with evaluation of potential tetrachloroethylene contamination of the groundwater at the Woodbury Public Works building; and

**WHEREAS**, the City of Woodbury has determined that TTI Environmental, Inc. has the requisite experience and expertise to provide such services; and

**WHEREAS**, the City Administrator has determined and certified in writing that the value of the aforementioned contract is anticipated not to exceed \$17,500.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Council of the City of Woodbury as follows:

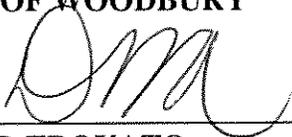
A. That the Mayor and/or Administrator are hereby authorized to execute a contract with TTI Environmental, Inc. substantially in accordance with the attached contract.

B. A notice of this award shall be printed in the Official Newspaper of the City of Woodbury.

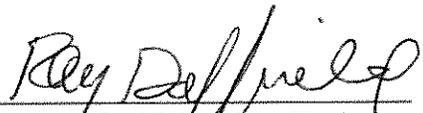
**ADOPTED** at a regular meeting of the Mayor and City Council of the City of Woodbury held on September 13, 2016.

**CITY OF WOODBURY**

By:

  
\_\_\_\_\_  
**DAVID TROVATO,**  
**President of Council**

**ATTEST:**

  
\_\_\_\_\_  
Roy A. Duffield, City Clerk

**CITY OF WOODBURY**  
**CERTIFICATION AS TO THE AVAILABILITY OF FUNDS**  
**CHIEF FINANCIAL OFFICER**

I CERTIFY AS CHIEF FINANCIAL OFFICER, THAT WITH RESPECT TO THE AWARD OF A CONTRACT OR EXPENDITURE OF FUNDS TO:

TTI Environmental, Inc.

FOR:

Evaluation of potential tetrachloroethylene contamination of groundwater at Public Works Building

RESOLUTION #	<u>16-132</u>	<u>9/13/2016</u>	AMOUNT:	<u>\$ 5,860.00</u>	Not-to-exceed
ORDINANCE #	<u>                    </u>				

THAT FUNDS ARE AVAILABLE, AS OF THE DATE OF THIS RESOLUTION, FROM THE FOLLOWING:

	<u>Amounts Funded</u>
TEMPORARY BUDGET APPROPRIATION:	
ADOPTED BUDGET APPROPRIATION:	Reimbursement from E- JIF Funds \$ 5,860.00 6-01-25-285-299
DEDICATION BY RIDER:	
RESERVE FOR FEDERAL & STATE GRANT:	
CAPITAL ORDINANCE:	

Dated: September 13, 2016

  
\_\_\_\_\_  
ROBERT LAW  
CHIEF FINANCIAL OFFICER



**TTI ENVIRONMENTAL, INC.**

www.ttienv.com

Corporate Office

1253 North Church Street, Moorestown, NJ 08057

o 856-840-8800 f 856-840-8815

Consulting | Contracting | Engineering

August 31, 2016

Mr. Michael P. Theokas, City Administrator  
City of Woodbury  
33 Delaware Street  
P.O. Box 180  
Woodbury, NJ 08096

Reference: Licensed Site Remediation Professional Services  
Woodbury Public Works Garage  
TTI Proposal #16-1328

Dear Mr. Theokas:

In response to your request, TTI Environmental, Inc. (TTI) is pleased to provide the City of Woodbury this proposal to perform Licensed Site Remediation Professional (LSRP) services and to evaluate information developed from the investigation of the Aeroplating facility located at 675 South Evergreen Avenue in Woodbury Heights. Information developed during the investigation of the Aeroplating facility conducted by Princeton Geoscience, Inc., alleges the City of Woodbury Public Works Department garage at 663 South Evergreen Avenue is the source of tetrachloroethylene (PCE) contamination of the groundwater.

## **1.0 BACKGROUND/PURPOSE**

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An environmental investigation, for Industrial Site Recovery Act (ISRA) compliance, conducted by Princeton Geoscience, Inc., on the Aeroplating facility identified groundwater contamination by chlorinated solvents. In association with the groundwater investigation, a vapor intrusion investigation was conducted on properties east and in the presumed hydraulic downgradient direction of the Aeroplating facility. The vapor intrusion investigation reportedly showed a tetrachloroethylene concentration, above the New Jersey Department of Environmental Protection (NJDEP) Non-residential Soil Gas Screening Level, in a sub-slab soil gas sample, taken from within the City of Woodbury Public Works Department garage. Investigation conducted on the Spoken Word Church property, between the Aeroplating facility and City of Woodbury Public Works Department reportedly did not exhibit tetrachloroethylene contamination. With this information, Princeton Geoscience, Inc., and NJDEP concluded that the tetrachloroethylene detected in the soil gas below the City of Woodbury Public Works Department garage is not related to the release at the Aeroplating facility.

The NJDEP informed the City of Woodbury of this information and communicated to the City of Woodbury of the need to hire a Licensed Site Remediation Professional (LSRP) to investigate the tetrachloroethylene detected in the soil gas below the Public Works Department garage.

## **2.0 SCOPE OF WORK**

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TTI will contact Mr. James L. Peterson, Princeton Geoscience, Inc., Licensed Site Remediation Professional (LSRP) retained for the Aeroplating facility and request the information developed from the investigation of the facility. TTI will review the information and assess the conclusions made regarding the source of the

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tetrachloroethylene detected in the sub-slab soil gas sample collected from the City of Woodbury Department of Public Works property.

A discharge on the City of Woodbury Department of Public Works property was called into the NJDEP Hotline and assigned a communication center number 14-02-11-0857-11. Since there is an open Site Remediation Program (SRP) case associated with the property, a LSRP must be retained for the investigation of the case. A TTI LSRP will perform the retention process on the NJDEP portal as required. After the retention process is completed, an automatically generated e-mail will be sent to the City of Woodbury contact identified as the person responsible for conducting the remediation. An annual fee form must also be completed for the case on the NJDEP portal. As with the retention process, an automatically generated e-mail will be sent to the City of Woodbury contact identified as the invoicing contact. Unless otherwise instructed, TTI will identify Mr. Michael Theokas, City Administrator, as the person responsible for conducting the remediation, for the retention and annual fee form.

Since the case was not closed by February 11, 2015, within one year of the date the case was initiated, i.e. February 11, 2014, an initial receptor evaluation is required to be submitted. TTI will complete the initial receptor evaluation on the forms required by the NJDEP. Submission of the initial receptor evaluation will require an original signature on a cover certification form by the City of Woodbury contact identified as the person responsible for conducting the remediation. TTI will complete the receptor evaluation form and the cover certification form and provide the forms via e-mail in Adobe file format for signature. The City of Woodbury must return the original signed cover certification form to TTI for signature by the retained LSRP for submission of the initial receptor evaluation to the NJDEP.

### **3.0 TIMING, REPORTING AND COSTS**

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Timing - TTI is prepared to begin this project immediately after the receipt of authorization to proceed. The City of Woodbury may authorize TTI to conduct this work by signing this original proposal or issuing a purchase order. TTI will complete the LSRP retention and annual fee form upon receipt of a notice to proceed. The receptor evaluation will be completed within two (2) weeks of receipt of a notice to proceed.

Reporting - TTI will issue a summary letter report within four (4) weeks of receiving the information from Princeton Geoscience, Inc. The report will assess the information developed from the investigation of the Aeroplating facility and provide an opinion on the validity of the allegation that the City of Woodbury Public Works Department garage is the source of tetrachloroethylene contamination of the groundwater on the City of Woodbury property. The report will identify recommendations for additional investigative efforts and the need to conduct soil, groundwater and/or vapor intrusion sampling and analysis to support the opinion provided.

Costs – The cost to conduct the review of the information, produce the summary letter report, perform the LSRP retention and annual fee form, and submit the receptor evaluation is an estimated cost of **\$5,860.00**.

The costs are summarized on the enclosed proposal table.

The cost to conduct additional work outside of this Scope of Work will be billed at the following rates:



Labor Category	Hourly Rate
LSRP (Senior Environmental Scientist)	\$130.00
Senior Project Manager *	\$130.00
Project Manager	\$110.00
Assistant Project Manager	\$85.00
Environmental Scientist	\$75.00
Field Technician	\$65.00
CAD Operator	\$60.00
Clerical	\$60.00

\* Registered Geologist or Professional Engineer

TTI's standard terms and conditions will apply.

Weekend/Holidays – All work related to this project shall be performed Monday through Friday during normal business hours, 8:00 AM to 5:00 PM, excluding holidays. Work requested to be performed on weekends, holidays or outside normal business hours shall be invoiced at 1.5 times the hourly rate.

Deliverables – The above quoted price includes delivery of one (1) electronic copy of the summary letter report in Adobe file format, and one (1) unbound original copy of the report. Additional copies of the report can be supplied at a cost to be determined.



#### 4.0 GENERAL TERMS AND CONDITIONS

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##### Warranty

TTI warrants that its services are performed in accordance with the standards for professional services at the time those services are rendered. TTI warrants that it is familiar with the State, Federal and local laws and regulations governing the services to be provided under this contract and further warrants that it will comply fully with all such laws and regulations, including obtaining any required permits or making any required filings, in the performance of the work covered by this contract. TTI agrees to notify The City of Woodbury immediately of any occurrence or condition associated with its performance of services that might require notification to regulatory authorities. Except as provided herein, no other warranty or representation, either express or implied is included or intended in its proposals, contracts, and reports.

##### Liability

TTI's pollution/professional liability insurance shall not exceed \$5,000,000 for total allowable losses.

TTI's liability for bodily injury and property damage insurance shall not exceed \$5,000,000 per occurrence/\$5,000,000 aggregate.

TTI's automobile liability for bodily injury/property damage insurance shall not exceed \$5,000,000 per occurrence.

##### Payment Terms – Invoicing

Invoices will be issued at the completion of work, delivery of materials and/or the end of each month, payable net ten (10) days from the date of the invoice.

TTI Environmental, Inc. offers clients the convenience and ability to use credit cards (MasterCard, Visa and American Express) to pay for the services ordered and performed by TTI. For this service a fee of 3% of the total to be invoiced will be added to the bill. Information required to utilize this service includes the name of the credit card, credit card number, date of expiration and the name on the credit card (account holder). All information regarding a client's credit card will be held in the strictest confidence by the Accounting Department of TTI.

Interest of 1 1/2% per month (but not exceeding the maximum rate allowable by law) will be payable on any amount not paid within 30 days, payment thereafter to be applied first to accrued interest and then to the principal unpaid amount. Any attorney's fees or other costs in collecting any delinquent amount shall be paid by the client.



In the event that the client requests termination of the work prior to the completion of a report, TTI reserves the right to complete such analyses and records as are necessary to place its files in order and where considered by it necessary to protect its professional reputation, to complete a report on the work performed to date. A termination charge to cover the cost thereof in an amount not to exceed 30% of all charges incurred up to date of the stoppage of the work may, at the discretion of TTI be made.

The pricing quoted herein will remain in effect for a period of 60 days from the date of this quotation. After this time period, TTI reserves the right to revise the quotation. This proposal is based on regulations currently in effect. Should any regulations change, TTI reserves the right to amend this proposal.

Confidentiality

TTI proposes to perform these services on a confidential basis on behalf of The City of Woodbury. Our personnel and/or subcontractors involved in these studies would be instructed about the confidential nature of these tasks, such that neither the nature of our work nor our findings would be disclosed to others without your permission or unless legally required.

Your acceptance and authorization to proceed with this project may be accomplished by signing this original proposal and returning it to us. We appreciate the opportunity for allowing TTI to provide you with professional services. If you have any questions, please feel free to contact us at any time.

Respectfully submitted,

TTI ENVIRONMENTAL, INC.

  
Robert Kowalczyk, P.E., LSRP  
Project Manager

  
Timothy Popp  
Vice President of Consulting



Proposal Total:	\$5,860.00
Accepted and Authorized by:	City of Woodbury
 Signature	9/28/16 Date
Michael Theodros Print Name	Administrator Title
Mtheodros@woodbury.nj.us Email	856 845 1300 x120 Office Phone
856 812 1519 Cell Phone	856 845 1309 Fax Number