

RESOLUTION # 23-134

RESOLUTION OF PASSAIC VALLEY WATER COMMISSION

**RESOLUTION FOR BUDGET AMENDMENT, CHANGE ORDER NO. 1 AND CONTRACT
EXTENSION FOR PROJECT NO. 21-P-80, "DEVELOPING BIDDING DOCUMENTS FOR
REMOVAL OF UST AND INSTALLATION OF ASTS AT THE PVWC CLIFTON FACILITY"
WITH REMINGTON & VERNICK ENGINEERS**

DATE OF ADOPTION: JUNE 28, 2023

Introduced by Commissioner: **RIGO SANCHEZ**

Seconded by Commissioner: **CARMEN DE PADUA**

WHEREAS, Contract No. 21-P-80 entitled "Developing Bidding Documents for Removal of UST and Installation of ASTs at the PVWC Clifton Facility" (the "Project") was awarded to Remington & Vernick Engineers ("RVE") of Secaucus, New Jersey (the "Awardee") at PVWC's Commission Meeting dated February 17, 2021 (PVWC Resolution 21-26) in accordance with the authorized scope of work, and with reimbursement to be on a time-and-materials basis, not to exceed \$97,808.00; and

WHEREAS, PVWC directed RVE to assist the Commission with conducting full-time construction management services during construction of the fueling facility at the Clifton Yard by T.R. Weniger, Inc. under Contract No. 22-B-04; and

WHEREAS, additionally PVWC directed RVE to assist the Commission with project management and LSRP services associated with removal of the underground storage tank, tank removal and sampling oversight and soil / groundwater testing and reporting under said contract; and

WHEREAS, it is recommended that PVWC provides RVE with a time extension to December 31, 2023 to allow completion of outstanding work; and

WHEREAS, Proposed Change Order No. 1 will reimburse RVE for all work projected to be completed up to the new expiration date of said contract and increases the total adjusted Contract Price by an additional \$62,300.00 which brings the total adjusted Contract Price to \$160,108.00; and

WHEREAS, the Director of Engineering has reviewed RVE's Proposals in **Exhibit A** and found them to be reasonable, considering the nature and scope of additional Work involved, and has recommended that the said changes to the Project, and additional costs related thereto, be approved; and

WHEREAS, the said changes will be incorporated into an Amendment to Agreement for the Project, the form of which is also attached hereto and made a part hereof as **Exhibit B**; and

WHEREAS, the additional services to be rendered pursuant hereto constitute professional services (or extraordinary unspecifiable services) within the meaning and intent of the Local Public Contracts Law; and

WHEREAS, PVWC’s Chief Financial Officer has certified, with respect hereto, that funds are currently available for said purpose and a copy of the said certification is attached hereto and made a part hereof as **Exhibit C.**

NOW, THEREFORE, BE IT RESOLVED, by Passaic Valley Water Commission, in the County of Passaic, New Jersey;

- 1. That PVWC hereby approves Change Order No. 1 and time extension to the terms as set forth hereinabove; and
- 2. That the appropriate officials of PVWC, and such other officers, employees and officials of PVWC, on behalf of PVWC, are hereby authorized to execute and enter into the said extension to the Agreement, and to perform such other acts and execute such documents as are necessary to implement the terms and intentions of this Resolution; and
- 3. That this matter shall be advertised as required by New Jersey law, in accordance with an appropriate form of notice, and a copy of this Resolution and Agreement shall be placed on file and made available for inspection at the office of the Administrative Secretary of Passaic Valley Water Commission.

RECORD OF COMMISSION VOTE ON FINAL PASSAGE				
	AYE	NAY	ABSTAIN	ABSENT
SANCHEZ, R.	<u>X</u>	___	___	___
COTTON, R.	<u>X</u>	___	___	___
DEPADUA, C.	<u>X</u>	___	___	___
KOLODZIEJ, J.	<u>X</u>	___	___	___
LEVINE, J.	<u>X</u>	___	___	___
VAN RENSALIER, R.	___	___	___	<u>X</u>
FRIEND, G.	<u>X</u>	___	___	___

Adopted at a meeting of Passaic Valley Water Commission.



President
GERALD FRIEND



Secretary
RUBY N. COTTON

This Resolution, when adopted, must remain in the custody of the Administrative Secretary.

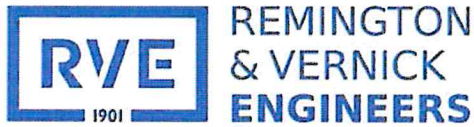
CERTIFICATION

I, LOUIS AMODIO, Administrative Secretary of the Passaic Valley Water Commission in the County of Passaic, and the State of New Jersey do hereby certify that the foregoing Resolution is a true copy thereof of the foregoing Resolution duly passed and adopted by a majority of a legal quorum of the full membership of the Passaic Valley Water Commission at its duly noticed and convened meeting of the said Commission on September 27, 2023.



LOUIS AMODIO
Administrative Secretary

EXHIBIT A



RVE HQ:
2059 Springdale Road
Cherry Hill, NJ 08003
O: (856) 795-9595
F: (856) 795-1882

August 14, 2023

Peter Kania, Project Manager MPM
Distribution System Maintenance
Passaic Valley Water Commission
1525 Main Avenue
Clifton, NJ 07011

**RE: Passaic Valley Water Commission
Project No. 21-P-80: Removal of UST and Installation of ASTs at the Clifton Facility
Change of Scope and Fee Adjustment Request
RVE File: 3797X033**

Dear Mr. Kania:

This letter is intended as a project status and budget update for the above-mentioned project. As of this date, the new AST and Fueling Station have been installed, with the exception of the canopy. Canopy installation is scheduled for the week of August 28th; once the canopy is installed and the station started up, work on the removal of the old underground tank can commence. We anticipate that the project will be completed by approximately September 30, 2023.

As you are aware, RVE was requested by the Passaic Valley Water Commission (PVWC) via email dated June 15, 2023 (copy attached) and phone conversation on June 26, 2023, to provide a resident engineer/inspector service while the Contractor is working on PVWC property.

The original RVE contract included periodic site inspections during critical elements of construction during the AST installation (estimated at an average of approximately 10-15 hours/week). While RVE has endeavored to work as efficiently as possible during the current construction period, the full-time presence of an inspector has meant that the original budget for construction observation has now been exhausted. In order to cover current activities and allow full-time site presence through the projected completion date, we estimate an additional 175 hours will be required. **As such RVE requests an increase in the "Construction Phase Activities" budget of \$29,500**

In addition to the inspection request, PVWC asked RVE to provide a proposal for LSRP services for the removal of the existing diesel fuel storage and dispensing systems. The original contract did not include LSRP services. A proposal for LSRP Services has been developed by RVE and is being submitted concurrently with this letter.

Should you have any questions, do not hesitate to contact Mark Hubal of the Cherry Hill office with any questions or concerns via email at mark.hubal@rve.com or by phone at (856) 795-9595, ext. 1811.

Sincerely,

REMINGTON & VERNICK ENGINEERS

By

Stephanie Cuthbert, PE, CME
Principal / Water Wastewater Division Manager

Cc: Patrick Porcaro, PVWC
Mark Hubal, RVE

Charles Palaia

From: Kania, Peter <Pkania@PVWC.com>
Sent: Thursday, June 15, 2023 7:57 AM
To: Charles Palaia
Cc: Porcaro, Patrick
Subject: RE: 22-B-4 Fueling Facility - Look Ahead Schedule

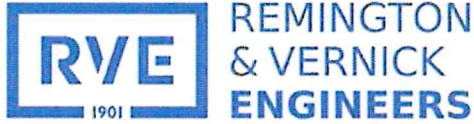
Good morning, Charles.

I spoke with the PVWC director, Pat Porcaro, and he would like to have RVE provide a resident Engineer or Inspector for this work while T.R.Weniger is working on PVWC property. Please let me know availability and if there are any issues that need to be addressed before the work begins. We also would like to receive updates on progress and any changes in the look ahead schedule.

Thank you,

Peter Kania
NJDEP T4/W4
Project Manager
Distribution System Maintenance
Passaic Valley Water Commission
1525 Main Ave
Clifton, NJ 07011
P: (973) 340-4365
C: (201) 803-3563
Email: pkania@pvwc.com





RVE HQ:
2059 Springdale Road
Cherry Hill, NJ 08003
O: (856) 795-9595
F: (856) 795-1882

July 19, 2023

Mr. Peter Kania
NJDEP T4/W4
Project Manager MPM
Distribution System Maintenance
Passaic Valley Water Commission
1525 Main Ave
Clifton, NJ 07011

**Re: Proposal for Environmental Services
Passaic Valley Water Commission
1525 Main Avenue
Clifton, Passaic County, New Jersey 07011
NJDEP Preferred ID # 006104**

Dear Mr. Kania,

REMINGTON & VERNICK ENGINEERS (RVE) is pleased to provide you the following scope of services and cost proposal for environmental services for the oversight and management of the removal and closure of one (1) underground storage tank (UST) at the Passaic Valley Water Commission's Water Filtration Plant facility located at 1525 Main Avenue, Clifton, NJ 07011.

It is our understanding that the Passaic Valley Water Commission is looking to have their 6,000-gallon diesel fuel UST removed.

Since this tank is regulated by the New Jersey Department of Environmental Protection (NJDEP), the tank is required to be properly decommissioned. Additionally, NJDEP regulations require this work be performed under the direction of a NJ Licensed Site Remediation Professional (LSRP).

SCOPE OF WORK DESCRIPTION

Our office proposes the following three (3) phased approach for the professional services required.

Task 1 – Project Management and LSRP Services

This phase of the project will consist of the project coordination and project management associated with the removal of the UST. In addition, LSRP Administration Services (LSRP Retention, UST Closure Notification, Public Notification & Update UST Facility Questionnaire).

Task 2 – Tank Removal and Sampling

During this phase our office will oversee the removal of the existing UST including tank emptying, tank cleaning, tank removal and proper disposal. Additionally, a subsurface evaluation and sampling will be performed to meet the NJDEP UST closure requirements. A total of eight (8) soil samples associated with the 6,000-gallon diesel fuel UST will be collected and analyzed for extractable petroleum hydrocarbons (EPH) with two (2) potential contingency analysis of 2-Methyl Naphthalene and Naphthalene if EPH results are above 1,000 milligrams per kilogram (mg/kg) in accordance with NJDEP regulations.

In addition, if groundwater is encountered, two (2) groundwater samples will be collected and analyzed for volatile organic compounds (VOCs) and semivolatile organic compounds (SVOCs) in accordance with NJDEP regulations.

Task 3 – Soil/Groundwater Testing and Report Preparation

The samples shall be submitted to a NJDEP-certified analytical laboratory for analysis; the laboratory analytical results shall be evaluated based on a comparison to the NJDEP Site Remediation Standards (SRS). Once the lab data is received and tabulated, our office will prepare a UST Closure Report & Site Investigation Report (SIR) for submission to the NJDEP. If no contamination is encountered, an Unrestricted Use Response Action Outcome (RAO) will be issued by the LSRP.

If contamination is encountered, the Passaic Valley Water Commission and contractor will be notified that additional work/sampling must be performed. Additional oversight, soil testing and a Remedial Action Report will be required. Associated costs will be presented in a separate proposal, if needed.

ESTIMATE OF COSTS

RVE proposes to complete the services outlined above on a time and material basis in accordance with our current contract with the Passaic Valley Water Commission:

Professional Services

Task 1 – Project Management & LSRP Services

Task 2 – UST Closure Oversight, Subsurface Evaluation & Sample Collection

Task 3 – Soil/Groundwater Sample Testing, UST Closure/Site Investigation Report and RAO

Professional Services Cost..... \$29,800.00

Outside Services (including contracted & analytical services, equipment, etc.)

Lab Testing

Mileage/Sampling Equipment Rental/Sampling Expendables/Etc.

Outside Services Cost.....\$ 3,000.00

Total Project Cost..... \$32,800.00

EXCLUSIONS:

The following work items are specifically excluded:

1. If soil and/or contamination is reported above the NJDEP Remediation Standards, additional sampling collection, investigation, and (potential) remediation may be required.
2. The scope of work excludes NJDEP fees.
3. The scope of work assumes that the UST closures, subsurface evaluation, and sampling activities can be completed in three (3) days.
4. If unforeseen and/or unanticipated work items arise, our office can provide a separate scope of services and cost proposal for consideration and approval by the Passaic Valley Water Commission.

RVE will proceed with the work described above upon receipt of your written authorization to proceed. We reserve the right to re-allocate budget between in-scope project tasks, as necessary, to provide the required deliverables. Based on the findings and results of the above tasks, a more comprehensive proposal can be provided.

We trust the information provided meets your requirements for this project. Should you have any questions or require additional information, please do not hesitate to contact Mr. Damon Kline, RVE's Environmental Services Department Manager, at 856-795-9595, Extension 1102. We look forward to the opportunity of working with you on this project.

Sincerely,

REMINGTON & VERNICK ENGINEERS



Stephanie Cuthbert, PE, CME
Principal / Water & Wastewater Division Manager

cc: Mark A. Hubal, PE, BCEE, RVE (via email)
Charles Palaia, PE, RVE (via email)
Damon Kline, PE, PMP, RVE (via email)
David Daniels, LSRP, RVE (via email)

EXHIBIT B

**PASSAIC VALLEY WATER COMMISSION
AMENDMENT TO AGREEMENT FOR PROFESSIONAL SERVICES
(PROJECT 21-P-80)**

THIS AMENDMENT TO AGREEMENT (hereinafter "AMENDMENT") made as of _____, 20__ between PASSAIC VALLEY WATER COMMISSION ("PVWC"), a Public Utility Company organized pursuant to its enabling statute (N.J.S.A. 40:62-108 et seq.), having its principal place of business at 1525 Main Avenue, Clifton, New Jersey 07011, and Remington & Vernick Engineers, a professional firm (hereinafter "PROFESSIONAL" and/or "contractor") having a place of business at One Harmon Plaza, Suite 210, Secaucus, New Jersey 07094.

WHEREAS, this AMENDMENT hereby modifies the original signed and executed agreement (the "AGREEMENT") with PVWC and PROFESSIONAL who was awarded Project 21-P-80 entitled "Developing Bidding Documents for Removal of UST and Installation of ASTs at the PVWC Clifton Facility" (hereinafter the "PROJECT") at PVWC's Commission Meeting dated February 17, 2021 (PVWC Resolution 21-26); and

WHEREAS, the previously approved not-to-exceed total amount of \$97,808.00 for the PROJECT (Resolution No. 21-26) is hereby increased by \$62,300.00 for a revised not-to-exceed total amount of \$160,108.00; and

WHEREAS, the PROFESSIONAL will be reimbursed (on a time-and-materials, not-to-exceed basis) for the said additional professional services; and

All other provisions of the AGREEMENT remain in full force and effect.

Witness or Attest

REMINGTON & VERNICK ENGINEERS

By: _____
Secretary

By: _____
Authorized Signatory

(Seal)

PASSAIC VALLEY WATER COMMISSION

By: _____
LOUIS AMODIO
Administrative Secretary

By: _____
GERALD FRIEND
President

EXHIBIT C

OFFICE OF THE COMPTROLLER

CERTIFICATION OF AVAILABILITY OF FUNDS

It is hereby certified that subject to Commission approval of future Budgets, with respect to multi-budget year contracts, there are or will be sufficient available funds for expenditures to be incurred as result of any contract or commitment to be entered into by Passaic Valley Water Commission as follows:

Description of Project or Contract:	Remington & Vernick Engineers “Developing Bidding Documents of Removal of UST and Installation of ASTS at the PVWC Clifton Facility”
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Professional Services for Project # 21-P-80 - Change Order #1

Amount of Project or Contract: \$62,300.00 increase for a new total adjusted price of \$160,108.00

1. Acct: # 001-3002-424-72-21

Other comments: Change Order # 1 increase of \$160,108.00

Date of Certification: September 27, 2023

Amount Certified: \$160,108.00

Yitzchak Weiss
Comptroller and Chief Financial Officer

YW:lb