

R-16-209
TOWNSHIP OF MONTCLAIR

RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH H2M ASSOCIATES, LLC FOR PROFESSIONAL SERVICES IN CONNECTION WITH THE PREPARATION OF A REMEDIAL INVESTIGATION PLAN AND REMEDIATION FOR 399 ORANGE ROAD

November 1, 2016

WHEREAS, the Township of Montclair received a Hazardous Discharge Site Remediation Fund (HDSRF) grant from the New Jersey Department of Environmental Protection/Economic Development Authority in the amount of \$111,612 to perform preliminary assessments, site investigations, remedial investigations and remedial actions for 399 Orange Road; and

WHEREAS, the Township issued a Request for Proposals (RFP) to provide the required professional engineering and/or environmental services and, in response to the RFP, the Township received eight proposals; and

WHEREAS, the Township of Montclair entered into an agreement with H2M Associates to conduct a Site Investigation for 399 Orange Road (Block 3904, Lot 57) pursuant to the Scope of Work approved by NJDEP in 2010; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-5, authorizes municipalities to enter into contracts for professional service without public bidding; and

WHEREAS, the Township Council approved a contract with H2M Associates for \$58,217 in 2011 and a contract amendment for \$42,600 in 2013; and

WHEREAS, the Township approved a contract with H2M Associates to serve as the Licensed Site Remediation Professional (LSRP) for the subject property; and

WHEREAS, the Township has received a supplemental grant in the amount of \$38,790 to install three monitoring wells, conduct additional site investigation activities and prepared a Remedial Investigation Report for the property; and

WHEREAS, the contract may be extended without public bidding as an exception to the bidding requirements of the Local Public Contracts Law, as provided in N.J.S.A. 40A:11-5(1)(a)(i) as a professional service because engineering services are rendered by persons authorized by law to practice their recognized profession, whose practice is registered by law and because such services are of a qualitative nature which will not reasonably permit the drawing of specifications or the receipt of competitive bid; and

WHEREAS, this contract is being awarded in accordance with the requirements of the New Jersey "Pay-to-Play" Law, N.J.S.A 19:44a-20.5 et seq.; and

WHEREAS, H2M Associates, Inc. has completed and submitted a Business Entity Disclosure Certification certifying that it has not made any reportable contributions to any political or candidate committee in the Township of Montclair in the previous one year period, and the subject contract will prohibit said corporation from making any reportable contributions during the term of this contract; now therefore,

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that the Mayor and Township Clerk be and are hereby authorized to execute and attest an agreement with H2M Associates, Inc. to provide environmental and other services to the Township in connection with the proposed remedial investigation and remediation of 399 Orange Road, at a total cost not to exceed \$38,790, and in a form approved by the Township Attorney; and

BE IT FURTHER RESOLVED that notice shall be published in the Montclair Times stating the nature, duration, service and amount of the attached agreement and that copies of this Resolution and the agreement are on file and available for inspection in the office of the Township Clerk.