

**RESOLUTION**  
of the  
**BOROUGH OF NEW PROVIDENCE**  
Resolution No. 2018-093

Council Meeting Date: 03-26-2018

Date Adopted: 03-26-2018

TITLE           RESOLUTION ACCEPTING THE PROPOSAL OF MASER CONSULTING, P.A. FOR PROFESSIONAL ENGINEERING AND PROFESSIONAL ENVIRONMENTAL CONSULTING SERVICES REGARDING EMERGENCY DIESEL GENERATORS

Councilperson Muñoz submitted the following resolution, which was duly seconded by Councilperson Geoffroy.

WHEREAS, the Borough of New Providence acquired Professional Engineering and Professional Environmental Consulting Services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19-44A-20.5; and

WHEREAS, Maser Consulting was awarded a contract with the Borough of New Providence via Resolution 2017-018 to provide professional engineering services; and

WHEREAS, Maser Consulting Services has submitted a proposal dated February 26, 2018 indicating they will provide professional engineering and professional environmental consulting services relating to preparation of a EPA SPCC Plan for the Municipal Center emergency generators, for an amount not to exceed \$7,000.00; and

WHEREAS, the fees assessed with this proposal are contained in said contract; and

WHEREAS, the maximum amount of the proposal is not to exceed \$7,000.00, and said funds are available from the following accounts:

8-01-20-165-281-000000

and have been certified by the Chief Financial Officer; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of New Providence that they hereby approve and authorize the professional services included in the Maser Consulting Services proposal dated February 26, 2018.

APPROVED, this 26th day of March, 2018.

RECORD OF VOTE

	AYE	NAY	ABSENT	NOT VOTING
GENNARO	X			
GEOFFROY	X			
KAPNER	X			
MADDEN	X			
MUÑOZ	X			
ROBINSON	X			
MORGAN			TO BREAK COUNCIL TIE VOTE	

I hereby certify that the above resolution was adopted at a meeting of the Borough Council held on the 26<sup>th</sup> day of March, 2018.

\_\_\_\_\_  
Wendi B. Barry, Borough Clerk

Borough Of New Providence  
County Of Union  
State Of New Jersey

\_\_\_\_\_  
Allen Morgan, Mayor

Funds are hereby certified as available.

\_\_\_\_\_  
Finance Dept.



Engineers  
Planners  
Surveyors  
Landscape Architects  
Environmental Scientists

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February 26, 2018

**VIA E-MAIL**

Douglas R. Marvin, Administrator  
Borough of New Providence  
360 Elkwood Avenue  
New Providence, NJ 07974

Re: Proposal for Professional Environmental Services  
Preparation of EPA SPCC Plan  
Emergency Diesel Generators (EDGs) at the Municipal Complex  
360 Elkwood Avenue  
Borough of New Providence, Union County, New Jersey  
MC Proposal No. NPT-545P

Dear Mr. Marvin:

After a careful review of the property, it now appears that it is subject to the Environmental Protection Agency's (EPA) requirements for spill prevention, control, and countermeasure (SPCC). This is because oil-filled equipment of the two tanks described below collectively exceeds EPA's SPCC Plan regulatory threshold of 1,320 gallons of oil (aggregate above-ground storage capacity) in 40 CFR 112. Because of the aforementioned, an SPCC is required to meet the regulations.

Maser Consulting P.A. (Maser Consulting) is pleased to provide this proposal for professional environmental services for the Municipal Complex. This proposal addresses the Environmental Protection Agency's (EPA) requirements for spill prevention, control, and countermeasure (SPCC) for oil-filled equipment at the subject facility, specifically:

- A fixed EDG used as backup power for the Municipal Building (contains a fuel storage tank with a capacity of 1,300 gallons).
- A mobile EDG used as backup power for the shared dispatch center (contains a fuel storage tank with a capacity of 555 gallons).

To assist your review, we have attached a similar SPCC draft document that was prepared for another client.

**Firm Experience and Qualifications**

Maser Consulting's Environmental Services department has broad and extensive experience with environmental permitting and investigations. Maser Consulting is the engineer-of-record for SPCC



plans for five facilities in New Jersey: a large third-party specialty chemicals/fragrances warehouse, a large industrial park, a large industrial/commercial products warehouse, a large third-party chemical storage warehouse, and a similar municipal complex with EDGs. Our professionals include environmental and chemical engineers, geologists, environmental, and ecological scientists. These professionals are assigned to projects based on the requisite expertise.

Donald Bowman, P.E., C.H.M.M., will be the project manager and lead professional for this project. Don has been conducting site remediation, environmental compliance assessment, and environmental permitting projects for over twenty years and is a licensed Professional Engineer in New Jersey. Mr. Robert Zelley, P.G., LSRP, who has over 30 years of experience, and is Director of the firm's environmental services department, will be the principal-in-charge.

This proposal is divided into two sections as follows:

- Section I – Scope of Services
- Section II – Client Contract Authorization

The following scope of services has been separated into tasks so that it may be more easily reviewed. The order in which the phases are presented generally follows the sequence in which the project will be accomplished. However, depending on the project, the various authorized services contained in this proposal may be performed in a sequence as deemed appropriate by Maser Consulting to meet project schedules.

### **SECTION I – SCOPE OF SERVICES**

Based on our conversations and information noted above, we propose to complete the following:

#### **TASK 1.0 EPA SPCC PLAN PREPARATION**

Maser Consulting will review the layout of the subject oil-filled equipment, associated containment systems, site drainage systems, and standard operating procedures (SOPs). We will then use this information to prepare an SPCC Plan required by EPA regulations (40 CFR 112) to be maintained by the Borough with Maser Consulting as the engineer-of-record.

The scope of the SPCC plan covers the above equipment only.

**Task 1.0 Lump Sum Fee** **\$ 7,000.00**

#### **TASK 2.0 ADDITIONAL SERVICES**

Services accomplished under this phase will be billed hourly in accordance with the Schedule of Hourly Rates in effect at the time the service is accomplished and will include revisions or extra services requested by the various review agencies and/or the client that differ from the original



scope of service, or revisions required, as conditions of approval and are not an error or omission on the part of Maser Consulting. Additional services will not be advanced without providing notice to you of the need for additional services and obtaining your approval of the additional scope of services and fees.

**Task 2.0 Fees**

**Hourly**

**SCHEDULE OF FEES**

For your convenience, we have broken down the total estimated cost of the project into the categories identified within the scope of services.

TASK 1.0	EPA SPCC PLAN PREPARATION	\$7,000.00
TASK 2.0	ADDITIONAL SERVICES	HOURLY

Maser Consulting will invoice this project at the hourly rates established in our 2018 Rate Schedule with the Borough.

**PROJECT SCHEDULE**

Maser Consulting anticipates completing Task 1.0 within one month of authorization by the Borough.

**ADDITIONAL SERVICES**

If additional services beyond the scope presented herein are required and authorized, then such work shall be provided. Additional services may include, but are not limited to, preparation of permit applications, reproduction costs for plans, additional specifications, reports, etc. Additional services may also include special studies not indicated herein as well as revisions and/or supplemental work, if required, after review of the prepared documents by the Borough and review agencies.

**EXCLUSIONS**

If any item listed herein, or otherwise not specifically mentioned within this agreement or the Borough Engineering Agreement, is deemed necessary, Maser Consulting may prepare an addendum to this agreement for your review, outlining the scope of additional services and associated professional fees regarding the extra work. All unanticipated additional work shall be in accordance with the Schedule of Hourly Rates for the number of hours performed. No extra work will be performed without authorization from the Borough.



Mr. Douglas R. Marvin, Administrator  
MC Proposal No. NPT-545P  
February 26, 2018  
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**SECTION II – CLIENT CONTRACT AUTHORIZATION**

If you find this proposal acceptable, please forward a copy of the Resolution of Approval for this proposal to this office. This will constitute approval of the proposed services.

We appreciate the opportunity of submitting this proposal and look forward to performing these services for you.

Very truly yours,

MASER CONSULTING P.A.

A handwritten signature in blue ink, appearing to read 'A. Hipolit', is written over the company name.

Andrew R. Hipolit, P.E., P.P., C.M.E.  
Borough Engineer

ARH/KAM/dfb/dlp

Enclosures: SPCC Plan (Montvale DRAFT example)

cc: Robert L. Zelley, P.G., LSRP, Maser Consulting P.A. (via e-mail [rzelley@maserconsulting.com](mailto:rzelley@maserconsulting.com))

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