

**RESOLUTION**  
of the  
**BOROUGH OF NEW PROVIDENCE**  
Resolution No. 2018-264

Council Meeting Date: 10-09-2018

Date Adopted: 10-09-2018

TITLE           RESOLUTION ACCEPTING THE PROPOSAL OF MASER  
CONSULTING, P.A. FOR PROFESSIONAL ENGINEERING AND  
PROFESSIONAL ENVIRONMENTAL CONSULTING SERVICES  
REGARDING ABOVE GROUND STORAGE TANKS AT PARK PLACE

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

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 October 3, 2018, 2018 indicating they will provide professional engineering and professional environmental consulting services relating to preparation of a EPA SPCC Plan for the Department of Public Works aboveground storage tank partition for diesel fuel and gasoline, for an amount not to exceed \$5,500.00; 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 \$5,500.00, 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 October 3, 2018.

APPROVED, this 9<sup>th</sup> day of October, 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 9<sup>th</sup> day of October, 2018.

Wendi B. Barry, Borough Clerk



Engineers  
Planners  
Surveyors  
Landscape Architects  
Environmental Scientists

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October 3, 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  
Aboveground Storage Tank – Partitioned for Diesel Fuel & Gasoline  
Department of Public Works Facility  
4 Park Place (off of Commonwealth Avenue)  
Borough of New Providence, Union County, New Jersey  
MC Proposal No. NPT-621P

Dear Mr. Marvin:

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 for an aboveground partitioned tank containing:

- Gasoline (capacity of 4,500 gallons)
- Diesel fuel (capacity of 1,500 gallons)

The above oil-filled equipment exceeds EPA's SPCC Plan regulatory threshold of 1,320 gallons of oil (aggregate aboveground storage capacity) in 40 CFR 112.1(d)(2)(ii).

**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 multiple facilities in New Jersey, including the New Providence Municipal Complex as well as: 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 another municipal complex. 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 Zelle, 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 tasks 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 and excludes design and construction of a secondary containment should Maser Consulting determine that the subject oil-filled equipment lacks secondary containment and it is required.

**Task 1.0 Lump Sum Fee (not to exceed) \$ 5,500.00**

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

Services accomplished under this task 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 | NOT TO EXCEED \$5,500.00 |
| 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-605P  
August 29, 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', with a long horizontal flourish extending to the right.

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

A handwritten signature in black ink, appearing to read 'Donald Bowman', with a long horizontal flourish extending to the right.

Donald F. Bowman, P.E., CHMM  
Senior Project Manager

ARH/dfb

cc: Robert L. Zelle, P.G., LSRP, Maser Consulting P.A. (via e-mail)  
Kurt A. Martin, P.G., LSRP, Maser Consulting P.A. (via e-mail)  
Michael O'Krepky, P.E., CME, Maser Consulting P.A. (via e-mail)  
Wendi Barry, New Providence Borough Clerk (via e-mail)