

RESOLUTION NO. 2018-74

WHEREAS, the Township Council of the Township of Aberdeen is in need of professional engineering and LSRP services associated with the remediation of "Residential Lots" at the Former South River Metals Products site.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Aberdeen that the Mayor And Clerk are Authorized to execute an agreement with CME Associates for a cost not to exceed the sum of \$280,398.00, in accordance with a proposal dated April 6, 2018, attached hereto and made part of this resolution.

This agreement is made without competitive bidding as a "professional service" under the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)a(I).

BE IT FURTHER RESOLVED that this resolution is subject to the Township Manager's certification of availability of Township of Aberdeen funds.



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April 6, 2018

Ms. Holly Reycraft, Township Manager
Township of Aberdeen
One Aberdeen Square
Aberdeen, New Jersey 07747

**Re: Proposal – LSRP Services
 Remedial Action – Residential Lots
 Former South River Metal Products Site
 Block 39, Lots 1.02 & 1.03
 Our File: PAB00501.14**

Dear Ms. Reycraft:

CME Associates (CME) is pleased to submit this proposal for additional Licensed Site Remediation Professional (LSRP) services related to remediation of the Residential Lots at the former South River Metal Products site (Block 39 Lots 1.01 & 1.02). CME has been providing the Township with LSRP services for the site pursuant to the Administrative Requirements for the Remediation of Contaminated Sites (N.J.A.C. 7:26C).

BACKGROUND

Aberdeen Township and RPM Development (Aberdeen Enviro, LLC) are jointly conducting site remediation activities pursuant to a redevelopment agreement. The site is being remediated in accordance with the December 24, 2014 Remedial Action Workplan (RAW) and the November 25, 2015 RAW Addendum. CME has been providing construction oversight and LSRP services to ensure that the project complies with applicable regulations and permit conditions. Behram Turan, P.E., LSRP of CME is the LSRP of record for the site. Field activities related to soil remediation on the residential lot are ongoing in coordination with the residential construction activities. Soil excavation and disposal operations are complete, and the final capping is scheduled to be completed in early 2018. A remedial action report for soils is under preparation. Actual remediation and LSRP oversight costs have exceeded the projected costs, mainly due to increased quantities for contaminated soil and water disposal. Further action is required to issue a response action outcome (RAO) for soils and implement a remedial action for groundwater.

The remedial action is being funded in part through a Hazardous Discharge Site Remediation Fund (HDSRF) grant. The NJDEP and NJEDA previously approved \$1,549,521 toward remediation of the residential site. In November 2017, the NJDEP recommended approval of an additional \$989,390 in grant funds toward completion of the Residential Lot remediation. Note that separate grants were awarded for the adjacent Conservation Lot.



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SCOPE OF SERVICES

The scope of services includes tasks to complete the soil remedial action and implement a groundwater remedial action on the Residential Site.

Task 1: LSRP Services – Residential Lot

RPM Development will retain a contractor to remediate contaminated soils in the "Residential Area" in accordance with the December 2014 RAWP. As the LSRP for the site, CME will direct, oversee, and document the remediation. This task includes the following activities:

- 1.1 LSRP Oversight and Coordination: Field remedial tasks for soil that remain to be completed are the completion of the engineering controls, including the cap and fencing. The LSRP will coordinate with the developer to implement the remaining remedial activities in accordance with the RAW. The remedial plans will be updated as needed based on changing field conditions. CME will review all contractor invoices and track all remedial quantities.
- 1.2 Field Observation: CME will observe and document the remaining field work to ensure it is completed in accordance with the RAW and applicable permit conditions.
- 1.3 Remedial Action Report (RAR) - Soils: The remedial action report for soils will be finalized and filed with NJDEP pursuant to the requirements at N.J.A.C. 7:26E-5.7. The Case Inventory Document (CID) for the residential site will be updated in accordance with the requirements at N.J.A.C. 7:26E-1.6.
- 1.4 Receptor Evaluation: The receptor evaluation for the residential site will be updated pursuant to the requirements at N.J.A.C. 7:26E-1.12.
- 1.5 Deed Notice: Because soil contamination will remain onsite beneath the engineered cap, a deed notice will be filed for the residential lots in accordance with the requirements at N.J.A.C. 7:26C-7.2.
- 1.6 Remedial Action Permit - Soils: At the completion of the soil remedial action for the residential site and filing of the deed notice, an application for a Remedial Action Permit (RAP) for soils on the residential lots will be prepared and submitted to the NJDEP pursuant to N.J.A.C. 7:26C-7.5. The RAP will specify the monitoring, maintenance, and certification requirements for the institutional and engineering controls.
- 1.7 Response Action Outcome (RAO): Following receipt of the Remedial Action Permit for soils, the LSRP will issue a RAO for the soils Areas of Concern (AOCs) on the residential lots. A RAO for groundwater will be issued separately at the conclusion of the groundwater remedial action.



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Task 2: Groundwater Remediation – Residential Area

CME will implement a groundwater remedial action in accordance with the December 2014 RAW, including the following activities:

- 2.1 Monitoring Well Installations: The monitoring well plan and well specifications presented in the RAW will be revised according to the as-built conditions, including the presence of underground utilities related to the new residential construction. A licensed well driller will be retained to install the monitoring wells in accordance with the requirements at N.J.A.C. 7:9D.
- 2.2 Quarterly Monitoring: Following installation of the new wells, quarterly groundwater and surface water sampling will be conducted to evaluate the post-remedial groundwater quality. This proposal includes eight (8) quarters of sampling. The monitoring program for the conservation and residential lots will be jointly implemented. Groundwater samples will be collected using low-flow methodology with appropriate measurement of field parameters. The laboratory analytical parameters will be as specified in the RAW monitoring program. Field and laboratory data will be evaluated on a quarterly basis to assess Monitored Natural Attenuation (MNA) as a feasible remedy in accordance with NJDEP technical guidance.
- 2.3 Remedial Action Report (RAR) – Groundwater: Following completion of the quarterly groundwater sampling, a remedial action report for groundwater will be prepared pursuant to the requirements at N.J.A.C. 7:26E-5.7. The Case Inventory Document (CID) for the residential site will be updated in accordance with the requirements at N.J.A.C. 7:26E-1.6. The RAR will be prepared for site-wide groundwater including both the residential and conservation areas.
- 2.4 Remedial Action Permit – Groundwater: Following completion of the quarterly groundwater sampling to evaluate MNA, and assuming MNA is determined to be a suitable remedy, an application for a Remedial Action Permit (RAP) for groundwater will be prepared and submitted to the NJDEP pursuant to the requirements at N.J.A.C. 7:26C-7.5. The RAP will apply to site-wide groundwater including both the residential and conservation areas.
- 2.5 Receptor Evaluation: At the completion of the groundwater remedial action, the receptor evaluation for groundwater will be updated pursuant to the requirements at N.J.A.C. 7:26E-1.12 & 1.14.
- 2.6 Response Action Outcome (RAO) – Groundwater: Following receipt of a Remedial Action Permit for Groundwater, the LSRP will issue a RAO for groundwater. The RAO will be issued for site-wide groundwater including both the residential and conservation areas.



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BUDGET

The cost to complete the Scope of Services specified above is as follows:

Task	Cost
Task 1: Remedial Action LSRP Services – Residential Area	\$14,294
Task 2: Groundwater Remediation – Residential Area	\$266,105
Total	\$280,398

Note that a percentage of the proposed consulting costs will be reimbursable through the approved HDSRF grant. The proposed budget includes an estimated \$132,000 for sub-contractor costs (licensed driller, State certified laboratory, and rental field equipment).

LIMITATIONS

The Scope of Services is limited to the tasks defined above. Remediation and permit fees are not included in this cost proposal and it is assumed that the Township will directly pay all applicable fees. The Scope of Services does not include activities or services directly related to construction.

SPECIAL CONDITIONS FOR LSRP SERVICES

- The enactment of the Site Remediation Reform Act (SRRA; N.J.S.A. 58:10C-1 et seq) on May 7, 2009, and the adoption of the Administrative Requirements for the Remediation of Contaminated Sites (ARRCS; N.J.A.C. 7:26C) on November 4, 2009 require that all new remediation cases follow the provisions of SRRA. A key requirement of these rules is that a Licensed Site Remediation Professional (LSRP) must oversee all new remediation cases.
- The ARRCs requires the person responsible for conducting a remediation to notify the NJDEP of any confirmed discharges of contaminants or condition of Immediate Environmental Concern ("IEC"). Please note that being an LSRP, as a State licensed professional, I will thus have the obligation to report any such conditions to the NJDEP without obtaining any prior approval from the client.
- LSRP will provide the required services in accordance with SRRA and has the obligation to submit, maintain and preserve the relevant documents.
- LSRP is not responsible for client's failure to disclose relevant information, perform SRRA obligations, fund remediation, and follow LSRP's recommended actions. Client's failure to perform these obligations may result in fines/penalties by the NJDEP.
- The issuance of RAO by LSRP is not a guarantee or warranty that the site is free of contamination, or that it will be accepted by the NJDEP.



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- NJDEP may audit the RAO within three (3) years after the date the LSRP filed the RAO with the NJDEP. LSRP is not responsible for additional requirements imposed by NJDEP after review/audit, except to the extent they arise out of LSRP's negligence.

We look forward to working with the Township on this important project. Should you have any questions regarding this matter, please do not hesitate to contact this office,

Very truly yours,
CME Associates

Behram Turan, PE, LSRP
Principal

cc: Sandra Caceres, Director of Public Works / Township of Aberdeen
Michael J. McClelland, P.E., P.P., C.M.E. / CME Associates