

RESOLUTION NO. 2019-130

WHEREAS, the Township Council of the Township of Aberdeen is in need of professional LSRP engineering services associated with the former South River Metal Site; and

WHEREAS, CME Associates submitted a proposal on August 20, 2019 for aforementioned LSRP engineering services for a cost not to exceed the sum of \$326,500.00, \$97,950.00 is the Township responsibility and \$228,550.00 is RPM/Aberdeen Enviro LLC responsibility; and

WHEREAS, to date, RPM/Aberdeen Enviro LLC has paid a total of \$30,000.00.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Aberdeen that the Manager and Clerk are authorized to execute an agreement with CME Associates for a cost not to exceed the sum of \$127,950.00, in accordance with a proposal dated August 20, 2019, 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 the Director of Finance has certified to the Township Manager that there are available sufficient funds for the purpose of award of this contract in the Capital Budget under the following line item appropriation of said budget to which this contract will be properly charged: X-03-4-100-402.



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JOHN J. HESS, PE, PP, CME

August 20, 2019

Mr. Dan Mason, Acting Township Manager
Township of Aberdeen
One Aberdeen Square
Aberdeen, New Jersey 07747

**Re: Proposal – LSRP Services
Remedial Action Monitoring
Former South River Metal Products Site
Block 39 Lot 1.01
Our File: PAB00501.18**

Dear Mr. Mason:

CME Associates (CME) is pleased to submit this proposal for Licensed Site Remediation Professional (LSRP) services related to remediation of the former South River Metal Products site (Block 39 Lots 1.01, 1.02 & 1.03). Specifically this cost proposal is for activities related to ongoing groundwater remediation and wetland mitigation monitoring.

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 LSRP services pursuant to the *Administrative Requirements for the Remediation of Contaminated Sites* (N.J.A.C. 7:26C) 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 both the residential and conservation lots are complete. Site-wide groundwater remediation activities are ongoing. Additionally, onsite mitigation of wetland and riparian zones disturbed by the soil remedial actions was previously conducted and annual monitoring is required in accordance with the permit conditions.

SCOPE OF SERVICES

Task 1: Groundwater Remediation

Groundwater remediation is being conducted in accordance with the December 2014 RAW and the *Technical Requirements for Site Remediation* (N.J.A.C. 7:26E). The remedial action includes eight (8) quarters of groundwater and surface water monitoring to evaluate contaminant concentrations and trends following completion of the site-wide soil remediation. The monitoring program for the



Mr. Dan Mason, Acting Township Manager
August 20, 2019
Page 2

conservation and residential lots is being jointly implemented. Monitoring wells were installed in September 2018 and the first quarterly sampling round was completed in November 2018.

- 1.1 CME will retain a licensed driller to seal and decommission the out-of-service wells pursuant to the requirements at N.J.A.C. 7:9D. It is assumed that 12 wells will be sealed following completion of the monitoring program.
- 1.2 Quarterly Monitoring: Seven (7) quarterly groundwater and surface water sampling events remain (1st Quarter 2019 through 3rd Quarter 2020). Based on the specific contaminants of concern at each well location, groundwater samples will be collected using either a low-flow purging and sampling methodology or a conventional volume-based technique. Field water quality parameters including temperature, pH, conductivity, dissolved oxygen, oxidation-reduction potential, and turbidity will be measured during well purging. Each well will be sampled for metals and volatile organic compounds (VOCs; TCL VO+10). Certain samples will also be analyzed for ammonia, nitrate, sulfate, and chemical oxygen demand. For each sampling event, appropriate duplicate, field blank, and trip blank samples will be collected and analyzed in accordance with NJDEP technical guidance.

The number of wells and sampling parameters in the monitoring program are projected to decrease after the first year, as the sampling is expected to confirm that groundwater quality is acceptable in certain areas of the site. Therefore the sampling scope for the final 4 quarters of monitoring has been reduced by approximately 40%.

Field and laboratory data will be evaluated on a quarterly basis to assess post-remedial contaminant trends. Based on the ongoing quarterly results, the target parameters may be adjusted at the program proceeds.

In conjunction with the quarterly groundwater monitoring, surface water samples will be collected at seven (7) locations in Gravelly Brook and two (2) locations in the offsite swale. Surface water samples will be analyzed for VOCs, metals, and hardness.

- 1.3 Remedial Action Report (RAR) – Groundwater: Following completion of the quarterly monitoring program, a remedial action report for groundwater and surface water will be prepared pursuant to the requirements at N.J.A.C. 7:26E-5.7. The report will include an evaluation of the success of the soil remediation and post-remedial natural attenuation with respect to improving groundwater quality at the site. The RAR will address site-wide groundwater including both the residential and conservation areas. The Case Inventory Document (CID) for the site will be updated in accordance with the requirements at N.J.A.C. 7:26E-1.6.
- 1.4 Remedial Action Permit – Groundwater: Following completion of the Remedial Action Report, if post-remedial groundwater and surface water quality is improving and monitored natural



Mr. Dan Mason, Acting Township Manager
August 20, 2019
Page 3

attenuation (MNA) is determined to be a suitable long-term 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.

- 1.5 Receptor Evaluation: At the completion of the groundwater remedial action, the site-wide receptor evaluation will be updated pursuant to the requirements at N.J.A.C. 7:26E-1.12 & 1.14.
- 1.6 Response Action Outcome (RAO) – Groundwater: Assuming MNA is a suitable long-term remedy, the LSRP will issue a RAO for groundwater following receipt of the Remedial Action Permit. The RAO will be issued for site-wide groundwater including both the residential and conservation areas.

Task 2: Annual Mitigation Monitoring

This task includes environmental services for conducting annual monitoring of the mitigation project in accordance with the requirements of the NJDEP land use permit, including the conservation lot and offsite swale adjacent to the Henry Hudson Trail.

- 2.1 Pursuant to the land use permit conditions for the redevelopment project, annual site inspections of the mitigation areas, including a vegetation survey, must be performed during the growing season for a period of five (5) years following the project completion. The first inspection was performed in 2018. Annual inspections will also be conducted from 2019 through 2022.
- 2.2 An Annual monitoring report will be prepared and submitted to the NJDEP Bureau of Land Use Regulation. The first Annual Monitoring Report covers the 2018 growing season and was submitted to NJDEP in February 2019. Four (4) annual reports remain (2019 through 2022), including the final report and confirmatory wetland survey.

BUDGET ESTIMATE

Based on the March 18, 2016 Remediation Agreement between the Township of Aberdeen and the developer (Aberdeen Enviro, LLC and RPM Development), the site-wide groundwater remediation costs are split based on a ratio of 70% for the Residential Lots (Lot 1.02 & Lot 1.03) and 30% for the Conservation Lot (Lot 1.01). The cost breakdown is thus as follows:



Mr. Dan Mason, Acting Township Manager
August 20, 2019
Page 4

Task	Cost
Task 1: Groundwater Remediation (Total)	\$294,000
Groundwater Remediation – Residential	<i>BPM</i> \$205,800
Groundwater Remediation - Conservation	<i>Aber</i> \$88,200
Task 2: Annual Mitigation Monitoring (Total)	\$32,500
Mitigation Monitoring - Residential	<i>BPM</i> \$22,750
Mitigation Monitoring - Conservation	<i>Aber</i> \$9,750
Total	\$326,500

This budget includes an estimated ~~\$92,790~~ for sub-contractor costs (licensed driller, State certified laboratory, and rental field equipment).

The proposed budget for the Conservation Lot is estimated, based on a ratio of 70% for the Residential Lots (Lot 1.02 & Lot 1.03) and 30% for the Conservation Lot, at \$97,950 as follows:

Task	Cost
Task 1: Groundwater Remediation	\$88,200
Task 2: Annual Mitigation Monitoring	\$9,750
Total	<u>\$97,950</u>

This budget authorization request is therefore \$97,950.

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 applicant will directly pay all applicable fees. Based on the groundwater monitoring results, additional work might be required to comply with applicable regulations. This proposal does not include any corrective action work for the wetland and riparian zone mitigation project.

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Mr. Dan Mason, Acting Township Manager
August 20, 2019
Page 5

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.
- 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
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cc: Sandra Caceres, Director of Public Works/ Township of Aberdeen
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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,
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Behram Turan, PE, LSRP
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cc: Sandra Caceres, Director of Public Works/ Township of Aberdeen
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Page 6

**Re: Proposal – LSRP Services
Remedial Action Monitoring
Former South River Metal Products Site
Block 39 Lot 1.01, 1.02 & 1.03
Our File: PAB00501.18**

The estimated budget for the Licensed Site Remediation Professional (LSRP) services related to remediation of the former South River Metal Products site (Block 39 Lots 1.01, 1.02 & 1.03) is **\$326,500.**

ACCEPTED BY:

TOWNSHIP OF ABERDEEN

PROPOSED BY:

CME ASSOCIATES

Behram Turan, PE, LSRP
Principal