

RESOLUTION NO. 2013-43

A RESOLUTION AUTHORIZING AN AGREEMENT WITH PENNONI ASSOCIATES, INC., HADDON HEIGHTS, NJ, FOR PROFESSIONAL ENVIRONMENTAL CONSULTING SERVICES RELATIVE TO THE AIR POLLUTION CONTROL OPERATION PERMIT FOR THE CITY OF VINELAND SANITARY LANDFILL.

WHEREAS, there exists a need for Professional Environmental Consulting Services to complete necessary Inspections and Reports/Certifications for Submission to the NJDEP & the EPA in connection with the Air Pollution Control Operation Permit for the Sanitary Landfill; and

WHEREAS, the City of Vineland has a need to acquire such professional environmental consulting services as a Non-Fair and Open Contract pursuant to N.J.S.A. 19:44A-20.5; and

WHEREAS, Pennoni Associates, Inc., Haddon Heights, NJ, has submitted a proposal indicating they will provide the professional services in an amount which will not exceed \$3,780.00 for the contract period January 1, 2014 to December 31, 2014; and

WHEREAS, Pennoni Associates, Inc. has completed and submitted a Business Entity Disclosure Certification and the Political Contribution Disclosure Form for Non-Fair and Open Contract which certifies that Pennoni Associates, Inc. has not made any reportable contributions to a political or candidate committee in the City of Vineland in the previous one year and that the contract will prohibit Pennoni Associates, Inc. from making any reportable contributions through the term of the contract to a political or candidate committee in the City of Vineland; and

WHEREAS, the availability of funds for said Professional Services Contract to be awarded herein have been certified by the City Comptroller; and

WHEREAS, the Local Public Contract Law (N.J.S.A. 40A:11-1, et seq) requires that the Resolution authorizing the award of contract for Professional Services without competitive bidding and the contract itself must be available for public inspection.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Vineland as follows:

1. That the Mayor and Clerk are hereby authorized and directed to execute a Non-Fair and Open Agreement pursuant to N.J.S.A. 19:44A-20.5 with Pennoni Associates, Inc., Haddon Heights, NJ, for Professional Environmental Services relative to the Air Pollution Control Operation Permit for the City of Vineland Sanitary Landfill, in an amount not to exceed \$3,780.00.
2. That this Agreement is awarded without competitive bidding as a Professional Service in accordance with N.J.S.A. 40A:11-5 (1) (a) of the Local Public Contracts Law because said services to be rendered or performed require knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction distinguished from general academic instruction or apprenticeship and training.
3. That the Business Disclosure Entity Certification and the Political Contribution Disclosure Form be placed on file with this Resolution.
4. That a Notice of this action shall be printed once in the Daily Journal.

Adopted:

President of Council

ATTEST:

City Clerk

**REQUEST FOR RESOLUTION FOR CONTRACT AWARDS
UNDER 40A:11-5 EXCEPTIONS
(PROFESSIONAL SERVICES, EUS, SOFTWARE MAINTENANCE, ETC)**

1/7/14

(DATE)

1. Service (detailed description): 2014 Air Pollution Control Operating Permit - Mill Rd.
Landfill - Semi-Annual & Annual Reporting - Per NJDEP Requirement

2. Amount to be Awarded: \$ 3,780.00

- Encumber Total Award
- Encumber by Supplemental Release



3. Amount Budgeted: \$ 3,780.00

4. Budgeted: By Ordinance No. _____
Or Grant: Title & Year _____

5. **Account Number to be Charged: 021-0-00-00-0000-2-5510416

6. Contract Period: 1 Year

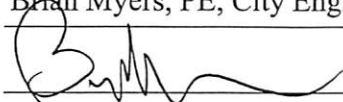
7. Date To Be Awarded: 1/28/14

8. Recommended Vendor and Address: Pennoni Associates, Inc., 515 Grove Street,
Suite 2C, Haddon Heights, NJ 08035-1756

9. Justification for Vendor Recommendation:(attach additional information for Council review)
Consultant has continually completed this contract for the past several years.

- Non-Fair & Open (Pay-to-Play documents required)
- Fair & Open: How was RFP advertised? _____

10. Evaluation Performed by: Mike Russo

11. Approved by: Brian Myers, PE, City Engineer


12. Attachments:

- Awarding Proposal
- Other: _____

- Send copies to:
Purchasing Division
Business Administration

** If more than one account #, provide break down



January 06, 2014

PRO 14-00425

Mr. Brian Myers, PE
Engineering Department, City Engineer
640 East Wood Street
Post Office Box 1508
Vineland, New Jersey 08210

**RE: SEMI-ANNUAL & ANNUAL REPORTING
AIR POLLUTION CONTROL OPERATING PERMIT
CITY OF VINELAND SANITARY LANDFILL
VINELAND, NEW JERSEY**

Dear Mr. Myers:

Pennoni Associates Inc. (Pennoni) is pleased to present this proposal for environmental consulting services to complete the necessary reports/certifications for submission to the New Jersey Department of Environmental Protection (NJDEP) and the United States Environmental Protection Agency (USEPA). Pennoni has developed this proposal based on our knowledge of the Title V regulations and our involvement with the operating permit from 2005 through 2013. In order to maintain compliance with the reporting requirements of the current Operating Permit for 2014 Pennoni proposes the following scope of services.

SCOPE OF SERVICES

To ensure regulatory compliance with the reporting requirements of the permit, Pennoni proposes to conduct the semi-annual inspections of the operating equipment and landfill vents as well as review any documentation and forms completed by City of Vineland (COV) personnel (i.e. operating logbook). We have included up to two (2) onsite inspections in our fee, one in January 2014 and one in June 2014.

Pennoni will complete the required six-month deviation reports pursuant to N.J.A.C. 7:27-22.19(c) and annual compliance certification pursuant to N.J.A.C. 7:27-22.19(f) relating to operating conditions at the facility. In addition, we will note any deviations observed or reported to us, the probable cause of the deviations, and subsequent corrective actions. We have included the completion of two (2) six-month deviation reports (January 2014 and June 2014) and one (1) annual compliance certificate statement in our fee (January 2014). Pennoni will prepare and submit the required compliance reports using NJDEP Online.

Pennoni will send electronic notification to the COV responsible official to certify the compliance reports prior to submission to the NJDEP and USEPA.

SCHEDULE

Pennoni is prepared to begin working on this project upon receipt of Notice to Proceed and will endeavor to complete the work in accordance with your operating permit and scheduling needs. Please note that the combined report, including the first six-month deviation report and the annual compliance certificate

statement is required to be submitted by January 30, 2014. This proposal does not include any meetings and/or negotiations with the NJDEP over any potential violations or enforcement actions.

FEE

Pennoni will complete the professional services as identified above for the lump sum fee of **\$3,780.00**.

The fee indicated above is based on the following assumptions:

- COV is responsible for any applicable fees to be submitted to the NJDEP.
- COV will designate a responsible person to certify electronically for submittal to the NJDEP.
- This proposal does not include any time for response to NJDEP violations or ANOCOPA orders nor does it include any type of sampling, permit modifications, or permit renewals. Pennoni can provide these services, as needed, under a separate proposal.

BILLING AND PAYMENT

An invoice for professional services completed will be presented for payment on a monthly basis. Payments are due upon receipt. The Client acknowledges that the method of billing and payment has been discussed in detail, that the terms agreed upon can only be changed by a written addendum agreed to by both parties, and that work may be stopped until payment is made in accordance with the agreement.

TERMS AND CONDITIONS

Pennoni's General Terms and Conditions (Form LE01 11/2006) are attached hereto and are considered as part of the scope of services. The Client indicates by the execution of this proposal that they have reviewed and understand the General Terms and Conditions.

We look forward to continue working with you on this project. If you have any questions regarding this submittal or require additional information, please feel free to contact this office.

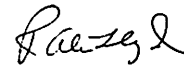
Sincerely,

PENNONI ASSOCIATES INC.



Jennifer L. Higgins
Project Environmental Scientist

JLH/ral



R. Alan Lloyd, CIH, CSP
Division Manager

Attachments

Please indicate your acceptance of this proposal by signing and returning a copy of this proposal as our authorization to proceed. In signing this proposal, the Client authorizes Pennoni to complete the professional services outlined in this proposal in accordance with the attached terms and conditions.

Accepted By:

(Authorized Representative of the Client)

(Print Name & Title)

(Date)