

RESOLUTION NO. 2014-385

A RESOLUTION TO AMEND AND SUPPLEMENT RESOLUTION NO. 2013-422, FOR CONSULTING SERVICES WITH BRINKERHOFF ENVIRONMENTAL SERVICES, INC., MANASQUAN, NJ FOR REMOVAL OF UNDERGROUND STORAGE TANKS.

WHEREAS, the City Council of the City of Vineland, on October 8, 2013, adopted Resolution No. 2013-422, entitled "A RESOLUTION AUTHORIZING AN AGREEMENT FOR PROFESSIONAL ENVIRONMENTAL CONSULTING SERVICES WITH BRINKERHOFF ENVIRONMENTAL SERVICES, INC., MANASQUAN, NJ, FOR REMOVAL OF UNDERGROUND STORAGE TANKS"; and

WHEREAS, there exists a need to amend and supplement the Professional Services contract awarded to Brinkerhoff Environmental Services, Inc., Manasquan, NJ, for Removal of Underground Storage Tanks, as authorized by Resolution No. 2013-422; by change order to Contract No. C13-0091, to provide for unforeseen complications with 3 of the underground storage tanks that were removed, including increased tank size, removal and disposal of heating oil and additional asphalt removal/disposal and replacement; also for soil remediation and possible groundwater investigation due to one leaking tank; and

WHEREAS, the City Comptroller has certified that funds for the amendment requested herein are available; now, therefore,

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

1. THAT Resolution No. 2013-422, entitled "A RESOLUTION AUTHORIZING AN AGREEMENT FOR PROFESSIONAL ENVIRONMENTAL CONSULTING SERVICES WITH BRINKERHOFF ENVIRONMENTAL SERVICES, INC., MANASQUAN, NJ, FOR REMOVAL OF UNDERGROUND STORAGE TANKS"; be and the same is hereby amended and supplemented to increase maximum amount of the contract by \$15,994.80.

2. THAT the Purchasing Agent be and the same is hereby authorized to issue an amendatory supplemental change order to Contract No. C13-0091 in the amount of \$15,994.80.

Adopted:

President of Council

ATTEST:

City Clerk



September 16, 2014

REPORT

TO: THE MAYOR AND COUNCIL

RE: Amendatory Supplemental Change Order No. 1
Contract No. C13-0091 - Removal of Underground Storage Tanks
Brinkerhoff Environmental Services, Inc., Manasquan, NJ

Dear Mayor and Member of Council:

We are requesting that an amendatory supplemental change order be issued to Contract No. C13-0091, issued to Brinkerhoff Environmental Services, Inc., Manasquan, NJ, for Removal of Underground Storage Tanks. This contract was authorized by Resolution No. 2013-422, adopted by City Council on October 8, 2013.

The change order requested in the amount of \$15,994.80 will provide for unforeseen complications with 3 of the underground storage tanks that were removed. This change order will increase the original contract amount from \$19,580.00 to \$35,574.80.

The sites at 103 S. 6th Street (Sr. Center) and ROW in front of 805 E. Landis Avenue had additional charges based on the volume of liquid identified in the tanks. The tank at 103 S. 6th Street was estimated to be 1,000-gallons in size but was confirmed to be 2,000-gallons upon removal. Therefore, the increase is based on the increased volume, additional liquid disposal, and based on its proximity to nearby curbing and the increased size of the tank, additional asphalt removal/disposal and replacement was required.

The tank removed at 1045 E. Butler Avenue (former Butler Ave. School), was confirmed to have pin holes and leaking heating oil into the ground. As required by law, this was reported to the NJDEP. Four soil samples were taken. One sample was determined to be much higher than the limit resulting in the removal and disposal of the soil under the tank. Per regulations, the contractor must confirm that groundwater and/or bedrock is not present within 2 feet below the bottom of the tank. If groundwater is found, more extensive testing will be required including installation of temporary well point, collection of groundwater samples, testing and reporting. The increase is based on the soil remediation and if necessary, groundwater investigation.



The amendatory supplemental change order for which authorization is herein requested may be authorized in accordance with N.J.A.C. 5:34-4.1 et seq.

Sincerely,

A handwritten signature in black ink that reads "Denise Monaco". The signature is written in a cursive style with a large, prominent initial "D".

Denise Monaco

Assistant Business Administrator

DM/wr



REQUEST FOR CHANGE ORDER

FOR:

UST Removal Various Locations
PROJECT NAME

TO: BUSINESS ADMINISTRATION

DEPARTMENT: Engineering FROM: Mike Russo

This is a request for change order # 1 to Contract # C13-0091 for: Res # 2013-422

Project Name UST Removal Various Locations

Name/Address of Contractor: Brinkerhoff Environmental Services, Inc
133 Jackson Road, Suite D, Medford, NJ 08055

The change order is necessary because: (use additional pages if necessary to explain your reason and you must attach *documentation to support the necessity of this change order.

*(Documentation from contractor, engineer, etc.)

See Attached Scope of Work

Original Contract Amount:	\$ <u>19,580.00</u>
Amount of this change order:	\$ <u>15,994.80</u>
Previous Change Orders:	\$ <u>0</u>
Total Revised Amount:	\$ <u>35,574.80</u>

APPROVED BY: Brian Myers
Print/type

[Signature]
Signature

NOTE:
CHANGE ORDERS CANNOT EXCEED 20% OF THE ORIGINAL CONTRACT AMOUNT

Please provide the account number that the change order will be charged to:

Account # 021-0-00-00-0000-2-5518001

CC: Purchasing Division

UST (Underground Storage Tank) Removal Project
(Various Locations)

SCOPE OF WORK FOR CHANGE ORDER

Brinkerhoff Environmental Services, Inc. is under contract to remove 5 UST's that were used for heating oil. The tanks have been removed at the following locations.

- Vineland Senior Center – 103 S. Sixth Street, Block 4007, Lot 1
- Former Maurice Fels School – 121 S. Seventh Street, Block 4006, Lot 21
- Former Butler Avenue School – 1045 E. Butler Avenue, Block 7106, Lot 38
- Between curb line and ROW – 19 N. Eighth Street, Block 3022, Lot 1
- Between curb line and ROW – 805 E. Landis Avenue, Block 4004, Lot 1

Unfortunately there were a few unforeseen complications with 3 of the UST's that were removed.

Vineland Senior Center – 103 S. Sixth Street & ROW area – 805 E. Landis Avenue

The Vineland Senior Center tank was uncovered and determined to be twice the size as speculated. This tank was confirmed to be 2000 gallons and was full of heating oil. The contract clearly stated in the proposal that the costs were based on 1000 gallon tanks or less. This large size tank also created a much larger opening, which caused an increase in asphalt removal/disposal and replacement.

The tank that was located in the ROW in front of 805 E. Landis Avenue was found to be larger in size and full to the top with heating oil. However, the area of disturbance was minimized due to the fact that a portion of the tank was under a concrete driveway apron and the contractor was successful at sliding the tank out from under the apron. There was increased amount of heating oil that was pumped out and disposed.

These 2 unforeseen complications is cause for an increase in cost. The additional cost for this work is **\$2,169.80**.

Former Butler Avenue School – 1045 E. Butler Avenue

This tank was removed successfully but was confirmed to have pin holes in it and was leaking heating oil into the ground. By law, this requires the contractor to contact the New Jersey Department of Environmental Protection (NJDEP) spill hotline and a case number 14-05-30-0925-11 was assigned by the NJDEP.

Four soil samples were taken after the extraction of the tank. The soils were submitted for Extractable Petroleum Hydrocarbons (EPH) analysis. Three out of the four samples were determined to be below the NJDEP threshold but the fourth sample (beneath the tank) was determined to be much higher than the limit. Therefore the soil under the tank must be excavated/removed and disposed.

As per NJDEP regulations, the contractor must confirm that groundwater and/or bedrock is or is not present within 2 feet below the bottom of the tank. If groundwater is not encountered then additional investigation will not be required. If groundwater is encountered than more extensive testing will be required including the installation of a temporary well point, groundwater samples collected, tested and reported.

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After all testing and results are established the contractor will generate an NJDEP Site Investigation/Remedial Action (SI/RI) Report and complete the NJDEP Unregulated Heating Oil Tank (UHOT) Questionnaire for NJDEP submittal.

The additional cost for the soil remediation is **\$10,855.00**

The additional cost for the groundwater investigation is **\$2,970.00**. This additional cost may not be necessary unless groundwater is encountered 2 feet below the bottom of the tank.

This change order reflects a positive change order in the amount of **\$15,994.80 (+81.7%)** for an adjusted contract amount of **\$35,574.80**.

We respectfully request that you give this positive change order positive consideration.

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133 Jackson Road, Suite D
Medford, New Jersey 08055
Tel: (609) 714-2141
Fax: (609) 714-2143
www.brinkenv.com

August 18, 2014

Ms. Yvonne Lewis, RPPO
City of Vineland Purchasing Agent
c/o Mr. Michael Russo, Engineering
640 E. Wood Street, 5th Floor
P.O. Box 1508
Vineland, New Jersey 08360

Re: Proposal Change Order (PO# 13-007130)
Vineland Senior Center and Landis Ave ROW
103 S. Sixth Street – Block 4007, Lot 1
805 E. Landis Avenue – Block 4004, Lot 1
Vineland, Cumberland County, New Jersey
Brinkerhoff Project No. 13MD079

Dear Ms. Lewis:

The following is a Change Order for work associated with Purchase Order (PO) #13-007130, dated November 1, 2013. Brinkerhoff Environmental Services, Inc. (Brinkerhoff) provided underground storage tank (UST) decommissioning services at five (5) sites in Vineland. Two (2) of the sites, identified as the Vineland Senior Center at 103 S. Sixth Street, and a Right of Way area at 805 E. Landis Avenue, had additional charges based on the volume of liquid identified in the tanks. Also, the UST at the Vineland Senior Center site was estimated to be 1,000-gallons in size but was confirmed to be 2,000-gallons in capacity upon removal. Therefore, based on the increased volume, additional liquid disposal was required, and based on its proximity to nearby curbing and the increased size of the tank, additional asphalt removal/disposal and replacement was required.

Based on the additional liquid and asphalt disposal and the additional asphalt replacement, a change order fee of **\$2,169.80** is requested.

If the Change Order request is acceptable, please sign below and return one (1) copy along with the Change Order to our office. If you have questions, please feel free to contact me at (609) 714-2141.

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Vineland, Cumberland County, New Jersey
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Sincerely,

BRINKERHOFF ENVIRONMENTAL SERVICES, INC.



Jennifer M. Taylor
Senior Project Manager

jmt/JMT

CHANGE ORDER APPROVAL

Signature

Date

Printed Name:



133 Jackson Road, Suite D
Medford, New Jersey 08055
Tel: (609) 714-2141
Fax: (609) 714-2143
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August 18, 2014

Ms. Yvonne Lewis, RPPO
City of Vineland Purchasing Agent
c/o Mr. Michael Russo, Engineering Department
640 E. Wood Street, 5th Floor
P.O. Box 1508
Vineland, New Jersey 08360

Re: Proposal – Remediation Services
Former Butler Avenue School
1045 E. Butler Avenue – Block 7106, Lot 38
Vineland, Cumberland County, New Jersey
Brinkerhoff Project No. 13MD079

Dear Mr. Russo:

Brinkerhoff Environmental Services, Inc. (Brinkerhoff) provided underground storage tank (UST) decommissioning services at the following five (5) city-owned properties for the City of Vineland:

- Vineland Senior Center – 103 S. Sixth Street, Block 4007, Lot 1
- Former Maurice Fels School – 121 S. Seventh Street, Block 4006, Lot 21
- Former Butler Avenue School – 1045 E. Butler Avenue – Block 7106, Lot 38
- Between Curb Line and ROW - 19 N. 8th Street – Block 3022, Lot 1
- Between Curb Line and ROW - 805 E. Landis Avenue – Block 4004, Lot 1

A discharge or evidence of discharge (i.e. holes or corrosion on the tank) was not identified for the Vineland Senior Center UST, Former Maurice Fels School UST, 19 N. 8th Street UST or the 805 E. Landis Avenue UST. Holes were identified in the heating oil UST removed from the Former Butler Avenue School and, thus, the New Jersey Department of Environmental Protection (NJDEP) Spill Hotline was contacted as required, and case number 14-05-30-0925-11 was assigned to the site.

Four (4) post-excavation soil samples were collected from the Former Butler Avenue School tank and piping run and submitted for Extractable Petroleum Hydrocarbons (EPH) analysis. The results revealed compliant EPH concentrations for three (3) of the samples, with values of 200, <2.1 and 89 parts per million [ppm]. The fourth sample (from beneath tank) had an EPH concentration of 5,900 ppm which exceeds the NJDEP EPH trigger of 1,000 ppm for contingency analysis. Therefore, contingency analysis of 2-Methylnaphthalene and Naphthalene was performed on that sample. The results revealed compliance for the 2-Methylnaphthalene and Naphthalene contingency analysis.

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As per the NJDEP *Protocol For Addressing Extractable Petroleum Hydrocarbons (Version 5.0, August 9, 2010)*, the EPH compliance value for fuel oil for a non-residential property is 54,000 ppm with additional compliance of 2-Methylnaphthalene and Naphthalene. However, in order to leave the impacted material in place if it meets the non-residential requirements, but exceeds the residential requirements, a Deed Notice must be filed for the site, and a Remedial Action Permit for Soil must be obtained from the NJDEP through the Licensed Site Remediation Professional (LSRP) program.

At this time, Brinkerhoff recommends that the localized area of impacted material be excavated/ removed and disposed, in lieu of entering the LSRP program and generating a Deed Notice and Remedial Action Permit for Soil. The area of impact is located beneath a soil surface (and potentially an area of asphalt) and is not situated in a limited access area of the site. Successful removal of the material is anticipated within a one (1) day timeframe. Since the tank was an unregulated heating oil tank, the work can be completed under the NJDEP Unregulated Heating Oil Tank (UHOT) program and will not require LSRP oversight.

SCOPE OF WORK

Brinkerhoff proposes the following follow-up Scope of Work at the site:

Soil Remediation

Brinkerhoff will oversee the excavation and removal of the impacted material. Upon successful removal of the impacted material, based on field screening and photoionization detector (PID) readings, Brinkerhoff shall collect four (4) sidewall and one (1) base soil samples from the tank excavation area for EPH analysis. Additionally, since this work is now under an NJDEP case and will be submitted to the NJDEP for review, the tank piping (located below the adjacent asphalt driveway) that was abandoned in place during the original work, will be removed with one (1) additional sample collected for EPH analysis. Contingency analysis of 2-Methylnaphthalene and Naphthalene will be performed on 25 percent of the samples if EPH is detected greater than 1,000 ppm.

Groundwater Assessment

As per NJDEP regulations, a groundwater investigation must be performed to confirm whether groundwater and/or bedrock are present within two (2) feet of the tank invert. Groundwater was not noted in the excavation at the time of the tank removal; therefore, an evaluation for the presence of groundwater will be performed subsequent to the completion of the soil remediation activities.

The excavation will be extended two (2) feet below the final base depth to screen for the presence of groundwater. If groundwater is not encountered then additional investigation will not be required. If groundwater is encountered, then a temporary well point will need to be installed at a later date and a groundwater sample collected for target compound list (TCL) Volatile Organic Compounds (VOCs +15) and TCL Base Neutral (BN+15) Compounds analyses. A trip and field blank will be collected for TCL VOCs analysis. A field blank will be collected for BNs analysis. If the analytical results are compliant with the NJDEP Class IIA Groundwater Quality Standards for the initial sampling round, then additional groundwater investigation will not be required.

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Reporting

Upon completion of the above assessment, and confirmation of soil and groundwater (as necessary) compliance, Brinkerhoff will prepare an NJDEP Site Investigation/Remedial Action (SI/RA) Report and complete the NJDEP Unregulated Heating Oil Tank (UHOT) Questionnaire for NJDEP submittal. This report will replace the originally proposed "Client-Use Only" report identified in the August 9, 2013 proposal.

COST PROPOSAL ESTIMATE

Brinkerhoff will conduct the above scope of work for the following estimated cost. It is estimate that the timeline for the completion of the remediation work is one (1) day and a groundwater assessment (if deemed necessary) is one (1) day:

TASK 1 - Former Butler Avenue School Soil Remediation

Principal (project review, oversight) Est. two (2) hours @ \$175/hour	\$350.00
Senior Project Manager (calls, coordination, project review, etc.) Est. two (2) hours @ \$135/hour	270.00
Subsurface Evaluator – Field Oversight and Sampling; Est. eight (8) hours @ \$95/hour	760.00
Field Vehicle, PID, Equipment; Est. one (1) day @ \$150/day	150.00
EPH; six (6) samples @ \$100/sample	600.00
2-Methylnaphthalene and Naphthalene – Contingency Analysis Unit Price Only @ \$225/sample	
Excavate impacted material, backfill with clean fill, replace topsoil and cut/dispose/replace asphalt as necessary	4,800.00
Soil Transportation and Disposal; est. 25 tons @ \$85/ton	2,125.00
Prepare UHOT Report, Plans and Certification Form	1,800.00
<i>TASK 1 ESTIMATED TOTAL SOIL REMEDIATION</i>	<i>\$10,855.00</i>

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**TASK 2 - Former Butler Avenue School Groundwater Investigation
(If Deemed Necessary)**

Well Point Installation; Geoprobe and Operator	1,000.00
Well Point Materials	150.00
Geologist to Coordinate with Subcontractors (Lab and Driller), Oversee Well Point Installation and Collect Sample; Est. six (6) hours @ \$95/hour	570.00
Vehicle, PID and Equipment; one (1) day @ \$150/day	150.00
TCL VOCs; three (3) @ \$150/sample	450.00
TCL BNs; two (2) @ \$325/sample	650.00
<i>TASK 2 ESTIMATED TOTAL GW INVESTIGATION</i>	<i>\$2,970.00</i>

The fees for a groundwater assessment will only be applied if a groundwater investigation is deemed necessary during the soil remediation work.

A signed proposal and Purchase Order are required in order to initiate services on this project. Payment for services is due net 30 days. Brinkerhoff can initiate work upon receipt of written authorization and PO.

EXCLUSIONS

The following tasks are specifically excluded from this agreement but may be performed by Brinkerhoff upon a written notice to proceed:

1. The above charges are estimated, and hours in exceedence of those above or outside the scope of work will be billed at the following rates:

Principal/LSRP	\$175 per hour
Senior Project Manager	\$135 per hour
Geologist/Project Consultant	\$105 per hour
Environmental Scientist/Subsurface Evaluator	\$95 per hour
Administrative	\$55 per hour
Materials	Cost plus 20 percent

2. Authorization to access the sites must be provided by the Client/property owner.

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3. The pricing is based on the assumption that sheeting/shoring of nearby structures/buildings will not be required, and excavation dewatering is not required.
4. Brinkerhoff will obtain a New Jersey One Call (NJOC) utility markout. This is a free service provided by the State of New Jersey. In many instances, markouts of some utilities are only identified at the curb line of the property or not identified at all. Water, sewer and electrical lines installed by the property owner are usually not identified by the markout system. **It is the Client's responsibility to identify the location of utilities not marked by the NJOC call service.**
Brinkerhoff can hire an outside firm to conduct a supplemental markout of the utilities not identified by NJOC for an additional fee. If the Client does not have the additional markout service completed, Brinkerhoff will not be held responsible for damage to unmarked utilities or the cost to repair such damage.
5. If unforeseen project delays increase the estimated time required to conduct the proposed scope of work, then additional costs will be incurred at the above stated rates. Efforts will be made to minimize damage to curbs, driveways or landscaping; however, we are not responsible for damage occasioned by the ingress or egress of excavating equipment to and from the excavation location.
6. Brinkerhoff assumes the excavation areas are free and clear of underground utilities and overhead utilities which would require the use of specialized equipment. If site conditions warrant specialized equipment, additional cost will be incurred.
7. Site restoration shall consist of backfilling of the expanded excavation area with clean fill material and the capping of the excavation with topsoil since the tank was located beneath grass. The piping run area will be replaced with asphalt. Any additional asphalt replacement (if necessary based on the remediation required) will be at a rate of \$29/sf.
8. Proposal does not include NJDEP fees as they are the responsibility of the Client.
9. The proposal and associated pricing shall be valid for 60 days from the proposal date.
10. Pricing for the soil disposal is an estimate and shall be invoiced based on actual tonnage removed/disposed.
11. The amount of clean back fill is an estimate and will be invoiced on the actual amount required upon completion of the remediation work. Additional clean fill will be provided at an additional fee of \$30/ton.
12. If contingency analysis is required based on the EPH analysis, then the additional fees will be added to the project cost, as required, at the unit rates provided.
13. The fees for a groundwater assessment will only be applied if a groundwater investigation is deemed necessary during the soil remediation work. If additional groundwater sampling is required beyond the initial round, and/or a well must be installed, a follow-up proposal shall be prepared for that work.
14. If additional topsoil is needed, an additional fee of \$32 per cubic yard will apply.

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Vineland, Cumberland County, New Jersey
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If the attached Scope of Work is acceptable, please sign below and return one (1) copy of the proposal along with the PO to our office by fax and hardcopy. Brinkerhoff appreciates the opportunity to submit this proposal and looks forward to working with you on this important project. If you have questions, please feel free to contact me at (609) 714-2141.

Sincerely,

BRINKERHOFF ENVIRONMENTAL SERVICES, INC.


Jennifer M. Taylor
Senior Project Manager

jmt/JMT

AUTHORIZATION TO PROCEED

Signature

Date

Printed Name: