

RESOLUTION NO. 2017-52

A RESOLUTION AUTHORIZING AN AGREEMENT WITH PENNONI ASSOCIATES, INC., HADDON HEIGHTS, NJ, FOR PROFESSIONAL ENVIRONMENTAL CONSULTING SERVICES RELATED TO THE AIR POLLUTION CONTROL OPERATION PERMIT FOR THE CITY OF VINELAND SANITARY LANDFILL, IN AN AMOUNT NOT TO EXCEED \$7,000.00.

WHEREAS, there exists a need for Professional Environmental Consulting Services for Air Pollution Control Permit as required by the New Jersey Department of Environmental Protection in order to continue operating equipment at the Mill Road 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 \$7,000.00 for the contract period February 1, 2017 to January 31, 2018; 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 Chief Financial Officer; 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 Consulting Services related to the Air Pollution Control Operation Permit for the City of Vineland Sanitary Landfill, in an amount not to exceed \$7,000.00.
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 the 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)**

1/9/2017
(DATE)

1. Service (detailed description): Air Pollution Control Operating Permit
City of Vineland Sanitary Landfill, Mill Road

2. Amount to be Awarded: \$ 7,000.00

- Encumber Total Award
- Encumber by Supplemental Release



3. Amount Budgeted: \$ 7,000.00

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: January 2017 - January 2018 *per B. Myers 2-1-17-1-31-18*

7. Date To Be Awarded: January 24, 2017

8. Recommended Vendor and Address: Pennoni Associates, Inc. 515 Grove Street
Haddon Heights, NJ 08035

9. Justification for Vendor Recommendation:(attach additional information for Council review)
Air pollution control permit is required by NJDEP in order to continue
operating equipment at the Mill Road landfill. Please note that the cost has
increased this year compared to last year due to the addition of one inspection
and one more deviation report.

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

10. Evaluation Performed by: MR

11. Approved by: *[Signature]*

12. Attachments:

- Awarding Proposal
- Other: _____

• **Send copies to:**
Purchasing Division
Business Administration *[Signature]*

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

January 9, 2017

PRO - ZZZ1700046

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

**RE: Proposal for Professional Services – Air Permit Compliance Support
City of Vineland Sanitary Landfill
Vineland, New Jersey**

Dear Mr. Myers:

Pennoni has prepared this proposal to the City of Vineland (COV) for environmental consulting services to complete and submit the required six-month deviation reports (pursuant to NJAC 7:27-22.19(c)) and annual compliance certification (Year 2016, pursuant to NJAC 7:27-22.19(f)) for the COV's Sanitary Landfill (Facility) located in Vineland, New Jersey, as part of the Facility's air permit requirements.

Pennoni proposes the following scope of services to complete the required submissions.

SCOPE OF SERVICES

To help ensure compliance with the reporting requirements of the permit, Pennoni proposes to conduct 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 three (3) onsite inspections in this proposal, one (1) in January 2017, one (1) in June 2017 and one (1) in October 2017.

Pennoni will complete the required six-month deviation reports pursuant to NJAC 7:27-22.19(c) and annual compliance certification pursuant to NJAC 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 three (3) six-month deviation reports (Second Half 2016, First Half 2017 and Second Half 2017) as well as two (2) annual compliance certificate statements (Years 2016 and 2017) in this scope of work.

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 a six-month deviation report and the annual compliance certificate statement is required to be submitted by January 30, 2017. 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 **\$7,000**.

The estimated fee above is based on the following assumptions:

- Two (2) copies of each submittal package will be prepared and provided to COV for review prior to submission.
- COV is responsible for any applicable fees to be submitted to the NJDEP.
- COV will designate a *Responsible Person* to sign the reports/certifications for submittal to the NJDEP.
- This proposal does not include any time for response to NJDEP violations.

BILLING AND PAYMENT

An invoice for professional services completed will be presented for payment on a monthly basis. Invoices are due net thirty (30) days after invoice 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

TERMS AND CONDITIONS

A. GENERAL

1. Pennoni Associates Inc. General Terms and Conditions (Form LE01 12/2015) are attached hereto and 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.

B. SPECIAL

1. This proposal is for providing the specific services described within the Scope of Services. Any services provided by Pennoni for this project which are not specifically included in the above Scope of Services are additional services and will be billed as such in addition to the above stated fees. Additional services must be authorized by the Client in writing and in advance of proceeding with the work.
2. The Client shall be responsible for payment of all application / permit / recording fees.

Thank you for the opportunity to provide these professional services. If this proposal is acceptable, please sign and return one (1) copy as our Notice-To-Proceed. This proposal is valid for a period of 30 days. If you have any questions, or if you would like to discuss any of the above, please do not hesitate to contact us.

Sincerely,

PENNONI ASSOCIATES INC.


Daniel C. Leandri
Division Manager


R. Alan Lloyd, CIH, CSP
Associate Vice President

cc: Michael Russo
File
Attachment

Accepted by: _____
Signature Date

Print Name and Title

Company Name