

RESOLUTION NO. 2021-349

A RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH KEY ENGINEERS, INC., BERLIN, NJ, FOR THE COMPLETION OF UNION HEIGHTS DRAINAGE INVESTIGATION, IN AN AMOUNT NOT TO EXCEED \$8,000.00.

WHEREAS, there exists a need for professional services for the completion of Union Heights Drainage Investigation; and

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

WHEREAS, the purchasing agent has determined and certified in writing that the value of said services will exceed \$17,500.00; and

WHEREAS, the City Engineer has recommended that a contract for the required services be awarded to Key Engineers, Inc., Berlin, NJ, based upon the proposal indicating they will provide the professional services; and

WHEREAS this contract is awarded in an amount not to exceed \$8,000.00 for specified services, for a contract period of one year from date of award; and

WHEREAS, Key Engineers, Inc. has completed and submitted a Business Entity Disclosure Certification for Non-Fair and Open Contract which certifies that Key Engineers, 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 Key Engineers, 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 Key Engineers, Inc., Berlin, NJ, for Professional Services for the Completion of Union Heights Drainage Investigation, in an amount not to exceed \$8,000.00.
2. That this Agreement is awarded without competitive bidding as a Professional Services 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, the Political Contribution Disclosure Form and the Determination of Value be placed on file with the Resolution.
4. That a Notice of this action shall be printed once in the Daily Journal.

Adopted:

Vice President of Council

ATTEST:

City Clerk

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



7/6/21

(DATE)

1. Service (detailed description): Union Heights Drainage Investigation Completion

2. Amount to be Awarded: \$ 8,000.00

- Encumber Total Award
 Encumber by Supplemental Release

3. Amount Budgeted: \$ _____

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

5. **Account Number to be Charged: 1-01-20-165-1109

6. Contract Period: 1 year

7. Date To Be Awarded: _____

8. Recommended Vendor and Address: Key Engineers, Inc.
80 S. White Horse Pike, Berlin, NJ

9. Justification for Vendor Recommendation:(attach additional information for Council review)
Key Engineers (KEI) had been contracted to perform this work previously.
The work had progressed to a point, but fell off through the transition from
previous City Engineer to today. The amount of this contract will bring the
overall cost below the original estimate and complete the work.

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

10. Evaluation Performed by: David J. Maillet, PE

11. Approved by:
David J. Maillet, PE

12. Attachments:

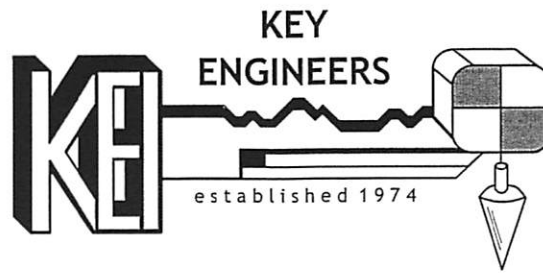
- Awarding Proposal
 Other: _____

- Send copies to:
Purchasing Division
Business Administration

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

ENGINEERING & PLANNING

Municipal
Consulting
Construction
Residential
Commercial
Industrial
Construction Management



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SURVEYING

Residential
Commercial
Industrial
Governmental
Construction

May 10, 2021

MAY 18 2021

City of Vineland
640 E. Wood Street
Vineland, New Jersey 08360

ATTN:Mr. David Maillet, P.E.
City Engineer

RE: **UNION HEIGHTS DRAINAGE INVESTIGATION**
Coleen Johnson vs. City of Vineland and A&C Flaim, LLC
City of Vineland, Cumberland County, New Jersey
(KEI #10-1481)

Dear Mr. Maillet:

Thank you for meeting with me to discuss the requirements that will be necessary for our office to complete the final investigation report for the above referenced project.

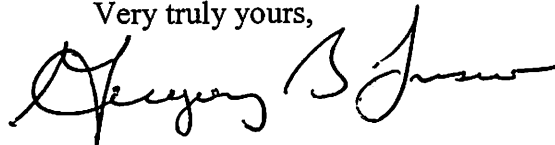
Our original proposal for the project estimated that \$24,480.00 would be required to complete the drainage study work. I have attached our original proposal for your review. Our office had invoiced \$10,500.00 for survey fieldwork, site reconnaissance regarding the estimated drainage area, evaluating the watershed drainage areas and performing the stormwater drainage analysis. As we discussed, I was scheduled to meet with Mr. Brian Myers to review the results of our work, but our meeting never took place.

In order to complete the work, our office will need approximately two or three weeks to finalize the drainage calculations and prepare the final drainage report. The time that remains to be billed will total approximately \$8,000.00.

Unless I hear from you otherwise, I will schedule to complete the work and submit the final report to you within the next 30 days.

If you have any questions or comments in this regard, please contact me at this office.

Very truly yours,

A handwritten signature in black ink, appearing to read "Gregory B. Fusco". The signature is fluid and cursive, with a long horizontal stroke at the end.

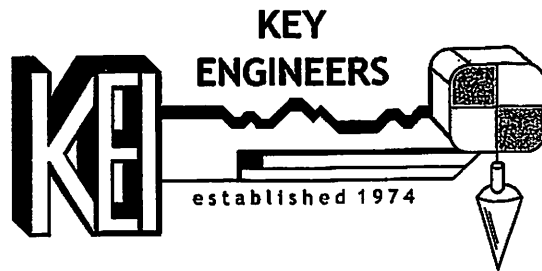
Gregory B. Fusco, P.E., P.P., C.M.E.
President

GF:jr

Jrd/Proposals/Vineland/UnionHeights5-10-21

ENGINEERING & PLANNING

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September 14, 2015

City of Vineland
640 E. Wood Street
Vineland, New Jersey 08360

ATTN: Mr. Brian Myers, City Engineer

RE: REQUEST FOR PROFESSIONAL ENGINEERING SERVICES

Union Heights Drainage Investigation
Coleen Johnson vs. City of Vineland
And A&C Flaim, LLC
City of Vineland, Cumberland County, NJ

Dear Mr. Myers:

Thank you for considering Key Engineers, Inc. to provide the City of Vineland with professional engineering services in regard to the above referenced matter.

Based on the information discussed in our meeting with Mr. Benson, our recent discussion regarding your conversation with the New Jersey Department of Environmental Protection and my review of the information you have provided to me regarding the complaints from Ms. Johnson, it is my opinion that a hydrologic/hydraulic analysis be performed on the watershed that effects Union Heights to determine the past and present impact the overall drainage area has on the two residential properties in question. Primary analysis points that should be evaluated include the culvert near Independence Court, the discharge at the downstream side of Old Union Road and the culverts within the farm fields.

After the analysis of the existing conditions is complete, I recommend that our office meet with you and other representatives of the City Engineer's Office to evaluate the information generated and to develop a list of recommendations which can be considered to satisfy the possible impacts to Ms. Johnson's property, as well as the concerns raised by the NJDEP Stormwater Section.

Our office will perform the drainage analysis utilizing the mapping and information provided by you, as well as our own site inspection and reconnaissance. The TR55 Method of analysis will be

utilized using HydroCad Stormwater Modeling Software. The estimated cost for our office to document the existing drainage conditions, develop the watershed analysis and run the HydroCad Model is \$24,480.00

Meetings and telephone conversations with Vineland City staff, Mr. Benson and the NJDEP will be charged at a rate of \$175.00 per hour, plus expenses.

Should you have any questions or comments in this regard, please contact me at this office.

Very truly yours,



Gregory B. Fusco, P.E., P.P., C.M.E.

GBF:jb

cc: Mr. Michael E. Benson, Esq., Buonadonna and Benson, PC, 1138 Chestnut Avenue,
Suite 2A, Vineland, NJ 08360

D:\Proposals\Vineland\Union Heights