

**MAYOR AND COUNCIL
BOROUGH OF DEMAREST**

WORK SESSION MEETING AGENDA

July 10, 2023

7:30 PM

The notice requirements of the Open Public Meetings Act of the State of New Jersey, P.L. 1975, Chapter 231, have been satisfied by the inclusion of the date, time and place of this regular meeting in the amended annual schedule of meetings of this Governing Body. Such amended schedule of meetings is posted at Borough Hall, on the Borough website and was published in the Record and Star Ledger on February 16, 2023 and was filed in the office of the Borough Clerk.

Pledge of Allegiance

Mayor Bernstein, Council President Slowikowski, Councilmember Fox, Councilmember Hamilton, Councilmember LaPira, Councilmember Marks, Councilmember Jiang

Roll Call:

Present:

Absent:

Also Present:

**Public Hearing on the 2023 Municipal Budget Amendment introduced June 26, 2023
by resolution 94-23 (full resolution attached)**

Mayor Bernstein asks for a motion to open the public hearing on the 2023 Municipal Budget Amendment

A motion was made by _____ and seconded by _____

Roll Call:

**Resolution 93-23 SELF- EXAMINATION OF 2023 MUNICIPAL BUDGET
(Full Resolution Attached)**

A motion was made by _____ and seconded by _____

Roll Call:

**Resolution 99-23 ADOPTION OF 2023 MUNICIPAL BUDGET AS AMENDED
(Full Resolution Attached)**

A motion was made by _____ and seconded by _____

Roll Call:

Consent Agenda

Mayor Bernstein asks if any member would like to have any resolution removed from the consent agenda and voted on separately.

Mayor Bernstein asks if any member would like to abstain from voting on any resolution on the consent agenda.

Mayor Bernstein asks for a motion to accept the consent agenda (with any abstentions noted)

Consent Agenda:

Resolution No. 100-23

Authorizing Drainage Improvements – Pine Terrace

Resolution No. 101-23

Authorizing Colliers Design/Bidding – Madison Ave.

Items for Discussion:

Borough Engineer's Report

Meeting Open to the Public

Closed Session

Adjournment

	<u>From</u>	<u>To</u>
Total Operations Within "CAPS"	\$ 7,756,452	\$ 7,856,452
Detail: Salaries and Wages	4,270,344	4,370,344
Total General Appropriations for Municipal Purposes Within "CAPS"	9,004,802	9,104,802
Subtotal General Appropriations	11,657,390	11,757,390
Total General Appropriations	<u>\$ 12,187,390</u>	<u>\$ 12,287,390</u>

BE IT FURTHER RESOLVED, that a certified copy of this resolution be filed forthwith in the Office of the Director of the Division of Local Government Services for certification of the 2023 local municipal budget so amended, and this complete amendment, in accordance with NJSA 40:4-9 be published in The Record in the issue of July 3, 2023, and that said publication contain notice of a public hearing on said amendment to be held at Borough Hall on July 10, 2023 at 7:30 PM.

It is hereby certified that this is a true copy of a resolution amending the budget, adopted by the Borough Council on the 26th day of June, 2023.

Introduced by: Council President Slowikowski

Seconded by: Councilman Jiang

Approved: June 26, 2023

ATTEST:

Certified by me

Lee Campbell
Acting Borough
Lee Campbell

Brian Bernstein
Mayor
Brian Bernstein

It is hereby certified that the approved budget amendment annexed hereto and hereby made a part is an exact copy of the original on file with the Municipal Clerk of the Governing Body, that all additions are correct. All statements contained herein are in proof and the total of anticipated revenues equal the total of appropriations.

Certified by me, this 26th day of June, 2023.

Gary J. Vinci

Registered Municipal Accountant

Resolution of the Demarest Governing Body

Resolution No. 93-23

July 10, 2023

Council Member	Motion	Second	Yes	No	Abstain	Absent
Jiang						
Fox						
Marks						
Slowikowski						
Hamilton						
LaPira						

TITLE: SELF- EXAMINATION OF 2023 MUNICIPAL BUDGET

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination, and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997, and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 thru 7.5 the Borough of Demarest has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Borough meets the necessary conditions to participate in the program for the 2023 budget year.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Demarest that the 2023 municipal budget be examined in accordance with N.J.A.C. 5:30-7.6a & band based upon the Chief Financial Officer's certification. The Borough Council has found the budget has met the following requirements:

1. That with reference to the following items, if applicable, the amounts have been calculated pursuant to law and appropriated as such in the budget.
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.

2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A.

40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met.

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate, and correctly stated.
 - b. Items of appropriations are properly set forth.
 - c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced, publicly advertised, and adopted in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

APPROVED:

Brian Bernstein, Mayor

CERTIFICATION

I, Lee Campbell, Acting Borough Clerk, of the Borough of Demarest, in the County of Bergen and the State of New Jersey do hereby certify that the foregoing Resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting on July 10, 2023.

Lee Campbell
Acting Borough Clerk

CERTIFICATION OF APPROVED BUDGET

It is hereby certified that the 2023 Approved Budget complies with the requirements of law and approval is given pursuant to N.J.S.A. 40A:4-78(b) and NJAC 5:30-7.

It is further certified that the Borough has met the eligibility requirements of NJAC 5:30-7.4 and 7.5, and that I, Cameron Keng, Chief Financial Officer at the Borough of Demarest, have completed the local examination in compliance with NJAC 5:30-7.6.

By:

Cameron Keng
Chief Financial Officer

**Resolution of the Demarest Governing Body
Resolution No. 99-23
July 10, 2023**

Council Member	Motion	Second	Yes	No	Abstain	Absent
Jiang						
Fox						
Marks						
Slowikowski						
Hamilton						
LaPira						

TITLE: BUDGET ADOPTION FOR THE YEAR 2023

Be it Resolved by the **COUNCIL MEMBERS** of the **BOROUGH**
of DEMAREST, County of BERGEN that the budget hereinbefore set forth is hereby
adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

- (a) \$ 8,622,799.00 (Item 2 below) for municipal purposes, and
- (b) \$ - (Item 3 below) for school purposes in Type I School Districts only (N.J.S.A. 18A:9-2) to be raised by taxation and,
- (c) \$ - (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in
Type II School Districts only (N.J.S.A. 18A:9-3) and certification to the County Board of Taxation of
the following summary of general revenues and appropriations.
- (d) \$ 69,110.00 (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy
- (e) \$ - (Sheet 44) Arts and Culture Trust Fund Levy
- (f) \$ 588,052.00 (Item 5 Below) Minimum Library Tax

1. General Revenues		SUMMARY OF REVENUES	
Surplus Anticipated	08-100	\$	100,000.00
Miscellaneous Revenues Anticipated	13-099	\$	2,826,539.00
Receipts from Delinquent Taxes	16-499	\$	150,000.00
2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6(a), Sheet 11)	07-190	\$	8,622,799.00
3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY:			
Item 6, Sheet 42	07-196	\$	-
Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14)	07-191	\$	-
TOTAL AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY		\$	-
4. To Be Added TO THE CERTIFICATE FOR THE AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY:			
Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14)	07-191	\$	-
5. AMOUNT TO BE RAISED BY TAXATION MINIMUM LIBRARY TAX	07-192	\$	588,052.00
Total Revenues	13-299	\$	12,287,390.00

5. GENERAL APPROPRIATIONS:		XXXXXX	XXXXXXXXXXXXXX
Within "CAPS"		XXXXXX	XXXXXXXXXXXXXX
(a & b) Operations Including Contingent	34-201	\$	7,855,452.00
(e) Deferred Charges and Statutory Expenditures - Municipal	34-209	\$	1,248,350.00
(g) Cash Deficit	46-885	\$	-
Excluded from "CAPS"		XXXXXX	XXXXXXXXXXXXXX
(a) Operations - Total Operations Excluded from "CAPS"	34-305	\$	1,329,180.00
(c) Capital Improvements	44-999	\$	30,600.00
(d) Municipal Debt Service	45-999	\$	1,087,808.00
(e) Deferred Charges - Municipal	46-999	\$	205,000.00
(f) Judgments	37-480	\$	-
(n) Transferred to Board of Education for Use of Local Schools (N.J.S.A. 40:48-17.1 & 17.3)	29-405	\$	-
(g) Cash Deficit	46-885	\$	-
(k) For Local District School Purposes	29-410	\$	-
(m) Reserve for Uncollected Taxes	50-899	\$	530,000.00
6. SCHOOL APPROPRIATIONS - TYPE I SCHOOL DISTRICT ONLY (N.J.S.A. 40A:4-13)	07-195		
Total Appropriations	34-499	\$	12,287,390.00

CERTIFICATION

I, Lee Campbell, Acting Borough Clerk, of the Borough of Demarest, in the County of Bergen and the State of New Jersey do hereby certify that the foregoing Resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting on July 10, 2023.

Lee Campbell
Acting Borough Clerk

CERTIFICATION OF APPROVED BUDGET

It is hereby certified that the 2023 Approved Budget complies with the requirements of law and approval is given pursuant to N.J.S.A. 40A:4-78(b) and NJAC 5:30-7.

It is further certified that the Borough has met the eligibility requirements of NJAC 5:30-7.4 and 7.5, and that I, Cameron Keng, Chief Financial Officer at the Borough of Demarest, have completed the local examination in compliance with NJAC 5:30-7.6.

By:

Cameron Keng
Chief Financial Officer

Resolution of the Demarest Governing Body

Resolution No. 100-23

July 10, 2023

Council Member	Motion	Second	Yes	No	Abstain	Absent
Jiang						
Fox						
Marks						
Slowikowski						
Hamilton						
LaPira						

TITLE: RESOLUTION AUTHORIZING THE ENGINEERING SERVICES FOR DESIGN AND BIDDING SERVICES

WHEREAS, the Borough of Demarest has a need to acquire professional engineering services related to resurfacing of Madison Ave from Knickerboacker Rd. to Stelfox St.; and

WHEREAS, the Borough received a proposal dated March 23, 2023 from Colliers Engineering & Design to provide those services, attached, for the sum of \$38,500.00; and

WHEREAS, the appointment and the contract are exempted from the competitive bidding requirements of the Local Public Contracts Law, (NJSA 40A:11-1 et. Seq.) as "Professional Services", pursuant to NJSA 40A:11-5(1)(a); and

WHEREAS, the vendor is the currently appointed 2023 Borough Engineer for the Borough of Demarest and the Mayor and Council awarded said 2023 contract pursuant to the provisions of NJSA 19:44A-20.5; and

WHEREAS, the Chief Financial Officer has certified that funds are available; and

NOW THEREFORE, BE IT RESOLVED, by the Borough of Demarest that the Borough Administrator is authorized to execute the agreement to authorize Colliers Engineering & Design to perform the work described herein not to exceed \$38,500.00 a copy of which is annexed to this Resolution.

APPROVED:

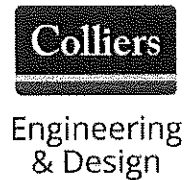
Brian Bernstein, Mayor

CERTIFICATION

I, Lee Campbell, Acting Borough Clerk, of the Borough of Demarest, in the County of Bergen and the State of New Jersey do hereby certify that the foregoing Resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting on July 10, 2023.

**Lee Campbell
Acting Borough Clerk**

400 Valley Road
Suite 304
Mt. Arlington, NJ 07856
Main: 877 627 3772



March 23, 2023

Julie Falkenstein, Borough Administrator
Mayor and Council
Borough of Demarest
118 Sepentine Road
Demarest, NJ 07627

Proposal for Professional Services
NJDOT FY2023 – Madison Avenue
Professional Design and Bidding Engineering Services
Borough of Demarest, Bergen County, NJ
Colliers Engineering & Design Proposal No.: DEB0055p

Dear Mayor and Council,

Colliers Engineering & Design, Inc. (CED) is pleased to present this proposal for professional engineering services in regards to the New Jersey Department of Transportation (NJDOT) FY2023 – Madison Avenue roadway improvements. Specifically, the identified limits of the roadway improvements are as follows:

- **Madison Avenue** (from Knickerbocker Road to the Stelfox Street) – Approximately 1,985 linear feet

It is our understanding that Madison Avenue is under the Borough's jurisdiction. It is also our understanding that this roadway is generally in poor condition. Improvements to the roadway will include milling, base repair, spot curb repair, inlet grates, curb pieces, ADA compliant curb ramps with detectable warning surfaces, resurfacing, striping and restoration.

Design documents will be prepared as part of this effort, bid services provided, and an allocation is also included for prior due diligence and grant administration efforts.

The Borough has received an NJDOT FY2023 grant in the amount of \$112,840.00. CED will provide the design of improvements and incorporate the project into one (1) bid package. Please note that the construction project is currently estimated at approximately \$350,000.00 but depends on the final infrastructure necessary to construct the roadway improvements. It is our understanding that the Borough will supplement the grant amount to complete the project. Funding may be provided through current bond ordinance(s) and/or the anticipated capital bond ordinance for capital improvements.

Scope of Services

Based on our conversations and information noted above, we propose to complete the following:



Engineering
& Design

TASK 1.0 – DESIGN & BIDDING SERVICES

The proposed improvements will be for the upgrading of a roadway that is in need of repair and is included within the FY2023 NJDOT Grant Application.

A base map will be prepared utilizing available tax maps, aerial mapping, and site observation. Our office will perform a site visit and assess existing conditions in detail. Upon completion of data collection, plans will be prepared for submittal use as the base mapping.

The improvements will include upgrading curb ramps to ADA standards with detectable warning surfaces, curbing, drainage structures as needed, milling, paving, replacement of inlet grates and curb pieces, reconstruction of storm inlets to remain, pavement base repair as needed, striping and restoration of landscape areas. During design it may be necessary for us to recommend tree removal(s). We will advise accordingly.

Upon completion of the design, an Engineer's Construction Cost Estimate will be prepared. This will determine the necessary funds that will be required for the ultimate construction. As this design develops, status updates will be provided to the Borough so that alternate bids can be determined as necessary, to remain within the budget established.

CED will prepare the Base Mapping, Title Sheet, General Notes and Legends, Estimate of Quantities, Construction Plans, Soil Erosion and Sediment Control Plans (if necessary), and the Construction Details. CED will also prepare the Supplemental and Technical specifications for the proposed site improvement items that are specified on our construction drawings for incorporation into the overall bid package. The specifications will be prepared in accordance with the latest NJDOT format, as amended.

Regulatory Agency Approvals – CED will contact the regulatory agencies listed below to confirm whether permits will be required. The preparation and submittal of the applications and supporting information required to apply for the approvals and/or permits is indicated in this phase. The completed construction plans as described below will be packaged, along with the required applications, for permit review submission to the following agencies:

- Bergen County Soil Conservation District for Soil Erosion and Sediment Control Plan Certification.

Depending on the progress of the project, this application may be submitted during the Construction Document Phase.

Construction Drawings – The following construction drawings will be included in the Construction documents:

- **Title Sheet** – A Title Sheet will be prepared that will indicate the location of the property within the Borough. This sheet will list the name of the project and the appropriate Borough officials. The Title Sheet also lists the drawings included within the design plan set.



Engineering
& Design

- **General Notes and Legends** – A plan will be developed incorporating a list of general notes and legends that pertain to this specific project.
- **Estimate of Quantities** – The Total Estimate of Quantities will be tabulated and inserted onto the General Notes and Legends Plan. The breakdown of each item will be labeled on the appropriate plan; e. g. Dimension and Layout Plan or Landscape and Lighting Plan.
- **Site Dimension Plan** – A plan will be prepared that will indicate both the existing site conditions and the proposed site improvements to be removed and/or relocated to accommodate the proposed roadway improvements. The Site Dimension Plan will indicate the horizontal location and relationship of the site improvements relative to the existing site features.
- **Soil Erosion and Sediment Control Plan** – A plan will be prepared in accordance with the County Soil Conservation District standards. The limit of disturbance and the extent of impact anticipated will be depicted. It is the intent of CED to minimize the limit of disturbance and impact to the immediate area. The plan will include applicable notes, soil erosion and sediment control measure details, as well as the sequence of construction.
- **Construction Details** – Plans will be provided including specific construction details applicable to the site improvements.

Project Presentation – At the completion of the initial horizontal alignment preparation, Colliers Engineering & Design will present this plan to representatives of the Borough of Demarest to identify the encroachments and impacts to surrounding properties.

Specifications – CED will prepare Specifications, both Supplemental and Technical, for all site improvement items that are specified on our site plan drawings for incorporation into the overall bid package. The specifications will be prepared in the latest NJDOT format, as amended. The bid specifications will include the standard Borough front end along with the site proposal sheet and supplemental project-specific information, as required.

Construction Cost Estimate – CED will finalize the Construction Cost Estimate (CCE) based on the completed construction drawings.

Final Bid Documents – Upon completion of the final contract documents (Construction Plans, Specifications, and Construction Cost Estimate), CED will furnish the Borough with two (2) signed and sealed complete sets of the bid package with full size design drawings for their use.

PROJECTED SCHEDULE

<u>Task</u>	<u>Approximate Start Date</u>	<u>Approximate End Date</u>
Design Contract Award by Borough	April 2023	
Design Services	April 2023	May 2023
Submission to NJDOT	May 2023	June 2023
Bidding Services	June-July 2023	
Contract Award	July-August 2023	
Construction Administration	TBD (CA Services proposal to be issued)	
Project Closeout	TBD (As part of the CA Services proposal)	

Please note that the goal is to coordinate with the NJDOT regarding the anticipated bidding and contract award and construct the entirety of the project during the Fall of the 2023 construction season. Please note that this project is weather dependent. Please also note that there is a deadline for awarding the construction contract in regard to the NJDOT FY2023 Municipal Aid program, which is unknown at this time but likely in or around November 2024.

EXHIBIT 1 - Madison Avenue (Knickerbocker Road to Stelfox Street)



Knickerbocker
Road

Stelfox
Street

Schedule of Fees

Task Name	Fee
TASK 1.0 - DESIGN AND BIDDING SERVICES	\$38,500.00
TOTAL LUMP SUM FEE	\$38,500.00

The above design services will be provided on a lump sum basis not to exceed the listed amount unless otherwise authorized.

Please note this agreement does not include Construction Administration Services, which will be the subject of a future agreement at the appropriate time. This Contract and Fee Schedule is based upon the Borough Engineering Contract Authorized by the Borough of Demarest.

The Borough CFO should also review and discuss this agreement with the appropriate Borough Staff regarding allocation of the appropriate funding and/or bond ordinance for said engineering services.

Project Deliverables

During the design process, CED will provide the Borough with one (1) set of drawings for review during the design phase. Bid packages will be distributed and coordinated through our Mt. Arlington office. Two (2) final bid documents will be provided prior to bidding.

Reimbursable expenses

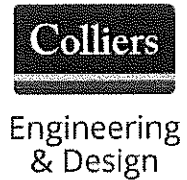
Reimbursable expenses including delivery, printing, copying, postage, and other reproducible costs for the above-mentioned deliverables are included within this agreement and are included in the project cost.

Exclusions

Any service associated with the following items is specifically excluded from the scope of professional services within this agreement:

- Survey Services;
- Construction stakeout services;
- Wetland delineation, reports, or surveys;
- Traffic evaluation and/or reports;
- Permitting services;
- Construction Administrative Services (to be provided at a later time under separate proposal cover)

If any item listed herein, or otherwise not specifically mentioned within this agreement or the Borough Engineering Agreement, is deemed necessary, then CED may prepare an addendum to this agreement for your review, outlining the scope of additional services and associated professional fees with regard to the extra services. Unanticipated additional services will be in accordance with the Schedule of Hourly Rates. No extra services will be performed without authorization from the Borough.



Please forward a copy of the Resolution of Approval or approved Purchase Order to this office. This will constitute approval of the proposed services and we shall initiate the engineering design services as discussed within this correspondence.

We thank you very much for the opportunity to offer our services and look forward to working with you on this and future projects. In the meantime, should you have any questions regarding this agreement, please feel free to contact me.

Sincerely,

Colliers Engineering & Design, Inc.
(DBA Maser Consulting)

A handwritten signature in black ink, appearing to read "C. Zimmermann". The signature is written over a horizontal line.

Craig Zimmermann, P.E.
Project Manager

CPO/csz

cc: Lee Campbell, Borough Clerk (via email)
Deena Rosendahl, Esq., Borough Attorney (via email)
Cameron Keng, Borough CFO (via email)
Carl O'Brien, PE, COLLIERS ENGINEERING & DESIGN (via email)
Patrick Jamieson, COLLIERS ENGINEERING & DESIGN (via email)
James Priolo, PE, COLLIERS ENGINEERING & DESIGN (via email)



State of New Jersey

DEPARTMENT OF TRANSPORTATION
P.O. Box 600
Trenton, New Jersey 08625-0600

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

DIANE GUTIERREZ-SCACETTI
Commissioner

November 23, 2022

The Honorable Melinda Iannuzzi
Mayor, Demarest Borough
118 Serpentine Road
Demarest Borough, NJ 07627

Dear Mayor Iannuzzi,

I am pleased to inform you that Demarest Borough has been selected to receive funding from the New Jersey Department of Transportation's (NJDOT) Fiscal Year 2023 Municipal Aid Program for LA-2023 MA Demarest Borough Madison Avenue Roadway Project 02 in the amount of \$112,840.00.

NJDOT's Municipal Aid Program is a very competitive program. This year the Department received 611 applications requesting more than \$389 million. There is \$161.25 million available in funds for this program from the Transportation Trust Fund (TTF) supported by the State gas tax.

As part of the Department's Commitment to Communities, NJDOT provides statewide assistance for local governments for improvements to and preservation of the local transportation network. This network makes up about 90 percent of New Jersey's roadways. The successful completion of your project will help achieve this goal and provide your constituents and everyone that uses local roads a transportation system that provides the mobility they deserve.

Should you have any questions regarding your grant, please contact the NJDOT Local Aid District Office in your area.

District 1 - Mt. Arlington - 973-810-9120 District 3 - Trenton - 609-963-2020
District 2 - Newark - 862-350-5730 District 4 - Cherry Hill - 856-414-8414

Again, thank you for your support of this program and good luck with your project.

Sincerely,

Handwritten signature of Diane Gutierrez-Scaccetti in cursive.

Diane Gutierrez-Scaccetti
Commissioner

cc: Municipal Clerk; Municipal Engineer

Resolution of the Demarest Governing Body

Resolution No. 101-23

July 10, 2023

Council Member	Motion	Second	Yes	No	Abstain	Absent
Jiang						
Fox						
Marks						
Slowikowski						
Hamilton						
LaPira						

TITLE: RESOLUTION AUTHORIZING THE DRAINAGE IMPROVEMENTS ON PINE TERRACE

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WHEREAS, the Borough of Demarest has a need to acquire professional services related to Drainage Improvements along Pine Terrace; and

WHEREAS, the Borough received a proposal dated June 19, 2023, from National Water Main Cleaning; and

WHEREAS, in compliance with requirements of the Local Public Contracts Law, additional quotes were solicited; and

WHEREAS, others solicited declined to provide quotations; and

WHEREAS, the Borough Engineer has recommended that the work is necessary and should be authorized; and

NOW THEREFORE, BE IT RESOLVED, by the Borough of Demarest that the Borough Administrator is authorized to execute the agreement to authorize National Water Main Cleaning to perform the work described herein not to exceed \$26,637.20 a copy of which is annexed to this Resolution.

APPROVED:

Brian Bernstein, Mayor

CERTIFICATION

I, Lee Campbell, Acting Borough Clerk, of the Borough of Demarest, in the County of Bergen and the State of New Jersey do hereby certify that the foregoing Resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting on July 10, 2023.

Lee Campbell
Acting Borough Clerk



**NATIONAL WATER
MAIN CLEANING**
A Carylton Company

1806 Newark Turnpike
Kearny, NJ 07032
p: (973) 483-3200
f: (973) 483-5065
www.nwmcc.com
NYC BIC License #468

Monday, June 19, 2023

COLLIERS ENGINEERING & DESIGN
400 Valley Road Suite 304
Mt. Arlington, NEW JERSEY 07856

Business #: 877 627 3772, Mobile #: 973 810 5961

RE: Clean and TV Proposal

Dear Ms. Melissa Tumminello,

In accordance with your request, we are pleased to submit the following proposal:

SCOPE OF WORK

National Water Main Cleaning Co. will utilize a combined jetter/vactor to clean and remove silt, sand and other debris from 1,190 linear feet of up to 30-inch storm sewers located in your Pine Terrace Borough of Demarest, NJ Drainage Improvements project. A TV Rig will then be utilized to pass a CCTV camera through the pipe to record the structural integrity. All non-hazardous materials will be disposed of at a licensed disposal facility and weight tickets will be mailed to the customer with the invoice.

NATIONAL WATER MAIN CLEANING COMPANY SHALL FURNISH

1. All necessary personnel and equipment to perform the work
2. All necessary supervision of our personnel
3. Confined Space Equipment (if required)
4. Transportation of men and equipment to and from the job site
5. Two computer generated inspection reports and one digital video (CD/DVD) copy with our findings upon completion of the work; and
6. Disposal of non-hazardous debris (if requested).

COLLIERS ENGINEERING & DESIGN AND/OR OWNER SHALL FURNISH

1. Access and rights of way to all openings; including coordination with other contractors
2. All necessary work permits
- ~~3. Maintenance and protection of traffic and/or police details (if required)~~ NOT REQUIRED
- ~~4. Water supply from local fire hydrants for sewer cleaning~~ WATER SUPPLY TO BE OBTAINED FROM
- ~~5. Hydrant use permits and water meters supplied by customer~~ NATIONAL WATER MAIN VIA VEOLIA
- ~~6. Local craft responsibilities (if necessary)~~ NOT APPLICABLE
7. Numbering system and map of structures to be inspected prior to starting the inspection (if requested)
8. Payment for removal of protruding taps or hardened material adhering to pipe walls such as mineral deposits, cementitious grout, asphalt, etc.
9. Responsibility of environmental impact of this work in its surroundings
10. Payment for disposal of debris; and
11. By-pass pumping of flows and/or dewatering (if necessary).

PRICE

The price for our services will be as follows:

1. Clean and televise 3-6" (494 LF)	\$15.40/LF	\$7,607.60
2. Clean and televise 24-30" (696 LF)	\$16.35	\$11,379.60
3. Disposal of non-hazardous debris (35 Tn)	\$190/ton	\$6,650.00

• For all work in NJ, 6.625% Sales Tax will be added to the total invoice amount unless a Sales Tax Exempt Certificate is provided.

This job is estimated to be completed within the course of 5 days. Please note that this is only a Conservative Estimate based on given information/our field investigation and actual charges will vary depending on field conditions.

NOTES

1. During the progress of our services, should we encounter structural defect or failure in the pipeline, such will be reported to the owner, but under no condition are we to be held responsible for any correction or repair.
2. A four (4) hour minimum shall apply
3. These rates are charged on a portal to portal basis from our Kearny, NJ facility
4. If customer chooses to supply water, National Water Main Cleaning Company would need written documentation from the water company authorizing the customer to access fire hydrants with appropriate permits and meters
5. Copies of hydrant use permits need to be provided prior to crew mobilization.
6. NWMCC is an open-shop company and shall not be subject to any union requirements or agreements and will not enter into any Project Labor Agreement or any such similar agreement for this Project. Where required by the Contract Documents, NWMCC will pay the prevailing wages then in effect for the Project and will submit Certified Payroll Reports in a timely manner.

GENERAL TERMS AND CONDITIONS

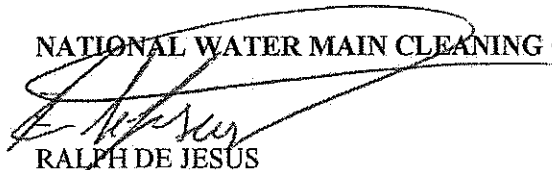
- I. **GENERAL CONDITIONS:** These general conditions are incorporated by reference into the proposal and are part of the Agreement under which services are to be performed by the Contractor for the Customer.
- II. **CUSTOMER SUPPLIED LABOR:** Where the Customer supplies labor for the Contractor, the Customer will indemnify the Contractor for liability, loss or expense for work related injuries to the Customer's employees. The Customer agrees to waive all rights of subrogation against the Contractor arising out of the work in this Agreement.
- III. **DAMAGE LIMITATIONS:** Under no circumstances will the Contractor be responsible for indirect, incidental or consequential damages. The Contractor also is not responsible for the rendering of or failure to render architectural, engineering or surveying professional services.
- IV. **PREEXISTING CONDITIONS:** The Contractor will not be responsible for liability, loss or expense (including damage caused by the backup of basement sewers) where the primary cause of the claim or damage is preexisting conditions including faulty, inadequate or defective design, construction, maintenance or repair of property or contamination of the subsurface where the condition existed prior to the start of the Contractor's work. Customer is responsible for loss of service caused by the preexisting conditions at the jobsite.
- V. **ENVIRONMENTAL CONDITIONS:** The Customer will indemnify the Contractor for liability, loss and expense caused by discharge, escape, release of liquids, gases or any other material, contaminant or pollutant into the atmosphere or into or onto land, water or property. The Customer holds clear title to all waste debris or other materials that the Contractor might handle, process or transport and Customer agrees to supply all necessary manifests and indemnify Contractor for claims based on the handling, processing, transportation, disposal, or release of these materials.
- VI. **INDEMNIFICATION:** The Customer and Contractor will each indemnify the other for liability, loss and expense incurred by the other party resulting from a negligent act or omission in performance of work under this Agreement. If both parties are jointly at fault, each will indemnify the other in proportion to their relative fault. The Customer will also indemnify Contractor for liability, loss and expense resulting from Contractor's services if the Contractor is acting at the direction or instruction of the Customer, or where the primary cause of any damages is due to information provided by the Customer.
- VII. **PAYMENT/CREDIT POLICY:**

Regular Terms are Net 30 Days. The company may charge interest at the rate of 1.5% per month on all invoices outstanding 60 days past invoice date. New customers will be asked for a prepayment with a credit card or check. Completing a credit application is also available and may take up to 10 days to process.
- VIII. **ENTIRE AGREEMENT:** This proposal together with any written documents which may be incorporated by specific reference herein, constitutes the entire agreement between the parties and supersedes all previous communications between them, either oral or written. The waiver by contractor of any term, condition or provision herein stated shall not be construed to be a waiver of any other term, condition or provision hereof.

If this proposal is acceptable, please sign where indicated below and return with your order so that we may schedule the work.

Sincerely yours,

NATIONAL WATER MAIN CLEANING CO.



RALPH DE JESUS
Project Manager

Accepted By:

By signing this you agree to our terms and prices.

Print Name

Title

Signature

Date (Signed)

CONFIDENTIALITY NOTICE: This document is confidential. If you are not the intended recipient of this document, please contact the sender immediately and do not use or disclose the contents of this document for any purpose.

Water Usage Authorization Form (please print or type)

Name of Water Company

Billing Address

Contact

Phone #

Permit #

Meter Serial #

Customer's Name

COLLIERS ENGINEERING & DESIGN

Job #

Billing Address

400 Valley Road Suite 304, Mt. Arlington, NEW JERSEY 07856

Customer's Representative

Melissa Tumminello

Phone #

Business #: 877 627 3772, Mobile #: 973 810 5961

Signature of Customer
