

Resolution of the Demarest Governing Body

Resolution No. 070-25

March 24, 2025

Council Member	Motion	Second	Yes	No	Abstain	Absent
Jiang						✓
Fox	✓		✓			
Marks			✓			
Slowikowski			✓			
Reiss			✓			
Collins		✓	✓			

TITLE: RESOLUTION AUTHORIZING ENGINEERING SERVICES FOR TIER-A ANNUAL REPORTING

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WHEREAS, the Borough of Demarest has a need for engineering services related to requirements for Tier-A Stormwater Annual Reporting; and


WHEREAS, the Borough received a proposal dated March 20, 2025 from Colliers Engineering & Design to provide those services, identified as Task 1.0, attached, for the sum of \$11,00.00; and

WHEREAS, the vendor is the currently appointed 2025 Borough Engineer for the Borough of Demarest and the Mayor and Council awarded said 2025 contract pursuant to the provisions of NJSA 19:44A-20.5; and

WHEREAS, the Chief Financial Officer has certified that funds are available in account C-04-2150-55-106-5009; 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 as Task 1.0 on proposal dated March 20, 2025 herein not to exceed \$11,00.00 a copy of which is annexed to this Resolution.

APPROVED:



Mayor Brian Bernstein

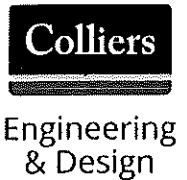
CERTIFICATION

I, Julie Falkenstern, 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 March 24, 2025



Julie Falkenstern, Acting Borough Clerk

400 Valley Road Suite 304
Mt. Arlington, NJ 07856
Main: 973 398 3110



March 20, 2025

Julie Falkenstern, Borough Administrator
Borough of Demarest
118 Serpentine Road
Demarest, NJ 07627

Agreement for Professional Services
Tier-A Municipal Separate Storm Sewer System (MS4) Permitting Annual Reporting
Colliers Engineering & Design Agreement No.: DEB0075P

Dear Ms. Falkenstern;

Colliers Engineering & Design, Inc. (CED) is pleased to submit this agreement to provide professional engineering services for implementing the conditions of the Borough's Tier-A Municipal Storm Sewer Systems (MS4) and New Jersey Pollutant Discharge Elimination System (NJPDDES) permit. The current Tier-A permit was implemented on January 1, 2023, and expires on December 31, 2027. CED will assist the Borough to prepare and submit an Annual Report to the NJDEP which is due May 1 of each year. Annual reporting is required for compliance with the Boroughs Tier-A permit.

As part of our scope of services within this proposal, CED will meet with the necessary municipal personnel, gather the information required for the annual report, review any instances of non-compliance, and submit the finalized report to the DEP.

Also included in this scope of work is the preparation of the Township's Watershed Improvement Plan (WIP) as outlined in the 2023 NJDEP MS4 Tier A Stormwater Permit. This plan requires a multi-year effort on the part of the Township to prepare the WIP in three phases as specified in the permit.

Scope of Services

Based on our previous conversations with the Borough and coupled with the information as noted above, we propose to complete the following three (3) Tasks:

Task 1.0 – Annual Report and Supplemental Questionnaire

CED will Prepare and electronically submit the Annual Report and Supplemental Questionnaire, as required by the Borough's Tier-A permit. CED will review past operational procedures and verify documentation of permit responsibilities. This information will be used to formulate the submission of the Annual Report and Supplemental Questionnaire. To facilitate this task, our office will meet with representatives of the Department of Public Works (DPW) as well as the Clerk's Office, Health Department and various personnel from the Borough to ensure activities required by the permit were addressed.

As in the past, this report and questionnaire will be completed electronically through the New Jersey Department of Environmental Protection's (NJDEP) website. As a result of our coordination with the representatives as noted above, CED will complete and submit the report and questionnaire on the municipality's behalf. Once submitted and confirmation from the NJDEP is received, CED will formalize a package of the submission based off of referenced documentation and provide the same to the municipality for their records.

CED will review the Municipality's current Tier-A Permit and supporting documentation to ensure compliance with the current regulations. We will identify areas where current operations and measures may be at risk of being out of compliance and identify where additional measures may be needed to comply with the updated regulations. A review of the municipality's Public Education and Outreach Program will be conducted in accordance with Attachment A of the Permit. A summary report detailing areas of concern and corrective actions will be prepared and submitted for the municipality's use and review. We will coordinate with the DPW and other Borough Personnel to make recommendations on training material to ensure that training is being conducted and documented.

Task 2.0 Facility Inspections – Outfalls

The NDJEP MS4 Tier A Permit requires that all outfalls are inspected a minimum of once every five years. CED proposes to inspect a minimum of 20% of the outfalls each year on a rotating basis to achieve compliance with this requirement.

CED will perform inspections of each stormwater outfall using a GIS based inspection form created with the ArcGIS Survey123 software and mobile application. The outfall inspections will be completed in accordance with the criteria outlined in Chapter 3.6 of the Tier A Municipal Stormwater Guidance Document (October 2018) and will focus on identifying potential illicit discharges or stream scouring associated with stormwater outfalls. The outfall inspection will be performed during dry-weather conditions (less than 0.1 inch of rain is observed across a minimum of 72 hours). The following information will be captured during our inspection:

- What is the type of outfall?
- Where does the outfall discharge?
- Is the outfall suspended?
- What is the outfall cover?
- What is the type of protection at the outfall?
- What is the shape of the pipe?
- What is the material?
- Measured pipe height
- Measured pipe width
- Is there flow during dry conditions?
- Is there intermittent flow?
- Is there an odor emanating from the outfall?
- What color is the discharge?
- What is the turbidity?
- What kind of floatables are found in the discharge?
- Has the discharge stained the discharge point?
- What is the amount of vegetation?
- Is there any damage?
- Does the outfall have possible illicit connections?
- What is the overall condition of the outfall?
- Photo of outfall
- Outfall ID

Outfall inspection results will be stored as "related records" that are linked to the outfall GIS point data within the GIS. Utilizing GIS for outfall inspections will allow the Borough to view current and

historic outfall inspections from within the GIS. These outfall inspection results will also be printed to a digital portable document format (PDF) file. Complete outfall inspections will be provided to the Borough for review.

Water sampling necessary to identify potential illicit discharges has not been included in this agreement. Our team will prepare a list of outfalls that we recommend for water sampling. Outfalls will be recommended for water sampling if dry weather flow combined with one potential illicit discharge indicator, such as odor or floatables are observed.

The New Jersey Department of Environmental Protection (NJDEP) requires that each municipal separate storm sewer system (MS4) permit holder develop, update, and maintain an outfall pipe map showing the location of the end of all MS4 pipes that are owned or operated by the municipality. Our team will use this data information as the basis in which to perform our outfall inspections. Please note that as per the most recent NJDEP definition for outfalls there are a total of approximately 38 outfalls in the Borough of Demarest. This agreement includes the inspection and reporting of up to ten (10) outfalls.

Outfalls that are submerged in water or have restricted access may not be able to be inspected or completed. Our team will notify the Borough of any outfalls that cannot be accessed due to heavy vegetation, locked gates, etc. and request assistance with accessing these outfall locations. We have assumed that we will revisit these outfalls one (1) additional time after the outfall has been made accessible.

Task 3.0 Watershed Improvement Plan

The 2023 NJDEP MS4 Tier A Stormwater Permit includes a requirement for the preparation of a Watershed Improvement Plan (WIP). This plan will be prepared in accordance with the guidance contained within the permit.

The development of the WIP is a three (3) year implementation schedule with portions of the plan due each year. This includes:

- The Watershed Inventory Report – Due December 31, 2025
- The Watershed Assessment Report – Due December 31, 2026
- The Watershed Improvement Plan Report – Due December 31, 2027

The Goals of the WIP are as follows:

- Improve water quality by reducing the contribution of pollutant parameters for all receiving waters within and bordering the Township that have percent reductions listed for stormwater in the Total Maximum Daily Loads;
- Improve water quality by reducing the contribution of pollutant parameters for all receiving waters within and bordering the Township that have water quality impairments as per the Department's Integrated Report.; and
- Reduce and/or eliminate stormwater flooding in the municipality, prioritizing the areas of flooding for corrective actions based on threat to human health and safety, environmental impacts, and frequency of occurrence.

TASK 3.1 – Watershed Inventory Report (Due 12/31/25)

Utilizing the GIS MS4 Infrastructure Map prepared in Phase 1 above our office with work with the Township to prepare a report and supplemental mapping identifying the following items:

- Prepare electronic map of the following:
 - Drainage Areas of MS4 Outfalls and Interconnections;
 - Identifications of receiving waterbodies for MS4 outfalls;
 - Water quality classification of waterbody segments within the Township;
 - Areas associated with Total Maximum Daily Loads (TMDLs) for waters within or bordering the Township;
 - Overburdened communities within the Township;
 - Impervious areas within the Township;
 - Location and ownership of privately owned stormwater facilities.
- Prepare report summarizing the electronic map:
 - Provide basic statistics regarding sub-watersheds delineated by electronic mapping;
 - Identify candidate sub-watersheds for water quality improvement projects;
 - Identify potential sources of pollutant loading within candidate sub-watersheds;
 - Identify candidate sub-watersheds for flood control projects;
 - Identify potential locations for flood damage prevention projects.
- Conduct semi-annual public information sessions in order to solicit feedback related to stormwater runoff, erosion or repeated fluvial and/or intermittent areas of flooding in the Township.

Deliverable: Provide report and supporting mapping to the NJDEP for review and approval prior to introduction and adoption by the Township Committee.

Task 3.2 – Watershed Assessment Report (Due 12/31/26)

Following the preparation of the Watershed Inventory Report, further analysis shall be conducted in order to prepare the Watershed Assessment Report. This work will include a review of the mapping and relevant impairments and known areas of intermittent and fluvial flooding and erosion in the Township. Additionally, the Township and our office will hold additional public information sessions with stakeholders in the Township including residents, watershed associations and various Township Boards and Committees to review and discuss potential projects which can be implemented to address flooding, erosion and water quality impairments impacting the Township. These items are outlined as follows:

- Prepare a report addressing the following:
 - Assessment of potential water quality improvements by sub-watershed and parameter;
 - Identify potential projects to be constructed to address the goals of the Watershed Improvement Plan
 - Estimate the reduction in TMDL loading or impaired parameters from potential projects;
 - Summarize the feedback received from public information sessions;



Engineering
& Design

- Estimate funding needs for potential projects;
- Identify funding sources for potential projects;
- Prepare preliminary implementation schedule.
- Conduct semi-annual public information sessions in order to solicit feedback related to the goals of the Watershed Assessment report, including conceptual capital projects which could be implemented by the Township to address flooding, erosion and water quality impairments.
- Provide a 60-day public comment period on the Watershed Assessment Report.

Deliverable: Provide report and supporting documentation to the NJDEP for review and approval prior to introduction and adoption by the Township Committee.

Task 3.3 – Watershed Improvement Plan Report (Due 12/31/27)

Upon completion of the Watershed Inventory Mapping and Report, and Watershed Assessment Report the final task of the Watershed Improvement Plan shall summarize the conclusions and determinations made during the prior two years of efforts.

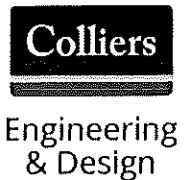
The Watershed Improvement Plan Report will identify and outline the proposed projects that the Township, along with all stakeholders, have determined are the most feasible to implement and have the greatest impact upon flooding, erosion and the water quality impairments identified. Further, conceptual projects will be developed. Permitting and implementation schedules shall be established along with funding sources identified in order to complete the improvements decided upon by the Township in the course of the preparation of the Watershed Improvement Plan. These items are outlined as follows:

- Prepare report including the following:
 - Summarize proposed locations and load reductions of water quality improvement projects to be implemented;
 - Summarize public comments received during comment periods;
 - Summarize changes to the plan resulting from public comments;
 - Prepare a permitting approach for the proposed projects;
 - Prepare an implementation schedule for the proposed projects;
 - Summarize feedback received during public information sessions;
 - Identify any problems outside of Township jurisdiction;
 - Summarize annual costs;
 - Summarize funding sources for projects;
 - Describe how stormwater problems in overburdened communities were prioritized/addressed.

Deliverable: Provide final report to the NJDEP for review and approval prior to introduction and adoption by the Township Committee.

ASSUMPTIONS

CED assumes that throughout the Tasks as listed above, access to various municipal records will be made available for inspection and Borough personnel will be made available in order to complete the necessary reporting and documentation for the Tier-A Permit. Additionally, it is assumed that the



Borough will provide any necessary assistance for accessing any facility and/or structure, including but not limited to outlet structures and basins both Borough owned and private facilities. This assistance includes providing police traffic control, opening of manholes and inlets when needed and clearing of debris so that certain aspects of the various facilities may be properly inspected.

SCHEDULING

The following is the scheduling for completion of the tasks noted above:

Facility Inspections	Summer/Fall 2025
MS4 Tier A – Annual Report and Supplemental Questionnaire	May 2025
Watershed Improvement Plan – Inventory Report	By December 31, 2025
Watershed Improvement Plan – Assessment Report	By December 31, 2026
Watershed Improvement Plan – Improvement Plan	By December 31, 2027

Note, completion dates may vary depending on availability of information and access to facilities and personnel as well as authorization dates on part or all the tasks noted.

SCHEDULE OF FEES

For your convenience, we have broken down the total estimated cost of the project into the categories identified within the scope of services as provided above.

Task Name	Fee
Task 1.0 – Annual Report and Supplemental Questionnaire	\$11,000.00
Task 2.0 – Facility Inspections - Outfalls	\$3,500.00
Task 3.0 – Watershed Improvement Plan	
3.1: Watershed Inventory Report	\$22,500.00
3.2: Watershed Assessment Report	\$32,500.00
3.3: Watershed Improvement Plan Report	\$22,500.00
TOTAL Lump Sum Fee	\$92,000.00

The above services will be provided on a lump sum basis not to exceed the listed amount unless otherwise authorized. This Contract and Fee Schedule is based upon the Borough Engineering Contract authorized by the Borough of Demarest (Resolution #016-25).

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 AND UNDERSTANDINGS

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. Therefore, any service associated with the following items is specifically excluded from the scope of professional services within this agreement:

- Services not specifically outlined in the above tasks;
- Modifications of or additions to the completed reports and documents after distribution;
- Preparation of additional or other associative Tier-A MS4 permit requirements or tasks not included within this agreement;
- Applications or submissions to any Jurisdictional Agencies other than the NJDEP;
- Traffic safety costs.
- Professional and/or Expert Testimony;
- Public Meeting attendance and/or presentations; and
- Permit application fees.

Unanticipated additional services or revisions that is not an error or omission on the part of CED shall be in accordance with the authorized 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.

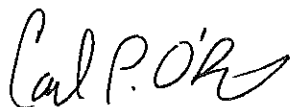
We thank you very much for the opportunity to offer our services and look forward to working with you on this and future projects. In the meantime, should you have any questions regarding this agreement, please feel free to contact me.

Sincerely,

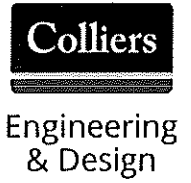
Colliers Engineering & Design, Inc.
(DBA Maser Consulting)



Nick Chelius, P.E.
Borough Engineer Representative



Carl O'Brien, P.E.
Geographic Discipline Leader



cc: Michael Greco, Deputy Borough Clerk (via email)
Deena Rosendahl, Esq. Borough Attorney (via email)
Peter Suh, Borough CFO (via email)
Ken DeGennaro (CED via email)
Robert Culvert (CED via email)
Julia Wolanski (CED via email)
James Priolo (CED via email)

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