

**CITY COUNCIL**

**The City of Orange Township, New Jersey**

DATE March 24, 2020

NUMBER 138-2020(WO)

**TITLE:**

**A RESOLUTION AUTHORIZING REMINGTON & VERNICK ENGINEERS, 232 KINGS HIGHWAY EAST, HADDONFIELD, NEW JERSEY 08033 TO PROVIDE PROFESSIONAL ENGINEERING ASBESTOS CONTAINING MATERIALS SAMPLING SERVICES FOR CITY HALL IN AN AMOUNT NOT TO EXCEED \$10,405.00.**

**WHEREAS**, the City of Orange Township did duly advertise on October 31, 2019, for Request for Qualifications for Consulting Engineering Services; and

**WHEREAS**, on November 14, 2019, the City of Orange Township received eight (8) qualification proposals; and

**WHEREAS**, pursuant to the fair and open process, and based upon review of the qualifications and recommendations therefore, certain professionals are qualified to provide consulting engineering services on an "as needed" basis by the City of Orange Township; and

**WHEREAS**, the Director of Public Works & Engineering evaluated all proposal submitted based upon qualifications, experience with similar projects, and project understanding; and

**WHEREAS**, Municipal Council of the City of Orange Township did hereby approve by Resolution 425-2019 the eight (8) bidders to provide professional consulting engineering services to the City of Orange Township on an "as needed" basis for the period of January 1, 2020, through December 31, 2020; and

**WHEREAS**, Resolution 425-2019 did not establish a contract and only listed qualified professionals for consideration on future projects; and

**WHEREAS**, a separate resolution is needed to enter into a contract for the City Hall Asbestos Containing Materials Sampling Services; and

**WHEREAS**, the Director of Public Works & Engineering have agreed to select Remington & Vernick Engineers from the approved list of qualified professionals to provide engineering asbestos containing materials sampling services for City Hall; and

**WHEREAS**, the Chief Financial Officer of the City of Orange Township has prepared the necessary Certificate of Availability of Funds, a copy of which is attached hereto, certifying that funds are available for this purpose in Account 0-01-20-165-000-519.

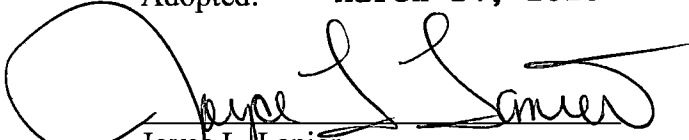
**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Orange Township, New Jersey as follows:

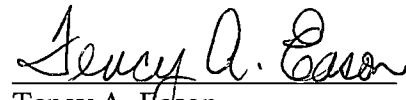
1. The Mayor be and is hereby authorized and directed to execute the attached Agreement with Remington & Vernick Engineers, in an amount not to exceed \$10,405.00.

*Vaughn Richardson on behalf of  
the City Attorney*  
*Vaughn Richardson*

2. Notice of this action shall be printed in the Orange Transcript as required by law within ten (10) days of its passage.
3. The agreement herein and this resolution are contingent upon certification of funds appropriate funding to render payment for services provided within.

Adopted: **March 24, 2020**

  
Joyce L. Lanier  
City Clerk

  
Tency A. Eason  
Council President

**RESOLUTION NO. 138-2020 (WO)**

**OFF CONSENT AGENDA**

**REGULAR MEETING– MARCH 24, 2020**

**MOTION TO WALK ON ITEMS: Williams**

**SECOND: Johnson, Jr.**

**YEAS: Coley, Jackson, Johnson, Jr., Summers-Johnson, Williams, Wooten & Council President Eason**

**NAYS: None**

**ABSTENTIONS: None**

**ABSENCES: None**

**MOTION TO ADOPT: Williams**

**SECOND: Johnson, Jr.**

**YEAS: Coley, Jackson, Johnson, Jr., Summers-Johnson, Williams, Wooten & Council President Eason**

**NAYS: None**

**ABSTENTIONS: None**

**ABSENCES: None**

# AGREEMENT

This is an agreement, made on \_\_\_\_\_, 2020 between the City of Orange Township, "City" with an address at 29 North Day Street, Orange, New Jersey 07050, and Remington & Vernick Engineers, Inc., One Harmon Plaza, Suite 210, Secaucus, New Jersey 07094.

## RECITALS

**WHEREAS**, the City of Orange is a municipal corporation of the State of New Jersey, and has its principal place of business at 29 North Day Street, Orange, New Jersey 07050.

**WHEREAS**, the City hereby retains and employs the services of **Remington & Vernick Engineers to provide professional engineering asbestos containing materials sampling services as per Resolution # \_\_\_\_\_-2020 in an amount not to exceed \$10,405.00.**

**WHEREAS**, the "Consultant" is duly licensed to practice in the State of New Jersey and desires to render engineering services for the City as provided in the agreement.

**NOW, THEREFORE**, the City engages the services of the Consultant", and in consideration of the recitals and the mutual promises contained in this agreement, the parties agree as follows:

1. This agreement shall be effective commencing on the date approved by Resolution No. \_\_\_\_\_-2020 of the City Council of the City, and shall continue in effect until completion of the project, unless sooner terminated by the City by giving ten (10) days written notice to the other party.

duties under this agreement as is reasonably necessary for a satisfactory performance. Should the City require additional services not included in this agreement, the “**Consultant**”, shall subject to Paragraph 5, make a reasonable effort to perform these additional services without decreasing the effectiveness of the performance of the duties requires by this agreement.

### **INSURANCE**

7. The “**Consultant**” (1) shall be an independent contractor and not an employee of the City under this agreement; (2) shall maintain a policy of liability insurance in the minimum amount of \$1,000,000.00 to cover any claims arising out of the performance of the services under this agreement; and (3) shall further indemnify, save harmless, and defend the City from any claims arising from negligent of any act or omission of the “**Consultant**” of the agents.

### **NON-DISCRIMINATION AND AFFIRMATIVE ACTION**

8. Non-Discrimination and Affirmative Action – The Consultant shall comply with the requirements of all statutes, laws and regulations regarding non-discrimination and affirmative action in the employment of workers. In particular, the Consultant will be required to comply with the requirements of New Jersey P.L. 1975, c. 127. (N.J.A.C.17:27).

### **PRIOR AGREEMENT SUPERSEDED**

9. This agreement constitutes the sole agreement of the parties and supersedes any and all prior understandings or written or oral agreements between the parties to this agreement with respect to its subject matter. No other agreement, statement, or

acts or omissions of Consultant with this contract.

This indemnification includes, the Contract, including, without limitation, expenses, judgments, fines, settlements and other amounts actually and reasonably incurred in connection with any liability, suit, action, loss, or damage arising or resulting from the “**Consultant’s**” participation in the Contract.

**ATTORNEY’S FEES**

13. If any action at law or in equity is brought to enforce or interpret the provisions of this agreement, the prevailing party shall be entitled to reasonable attorney’s fees in addition to any other relief that may be available.

**GOVERNING LAW**

14. The validity of this agreement and of any of its terms or provisions, as well as the rights and duties of the parties to this agreement, shall be governed by and construed in accordance with the laws of the State of New Jersey.

**AMENDMENT**

15. This agreement only be amended or modified by writing executed by both parties to this agreement.

**LEGAL CONSTRUCTION**

16. In case any one or more of the provisions contained in this agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, the invalidity, illegality, or unenforceability shall not effect any other provision of this agreement and this agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained in it.

CITY OF ORANGE TOWNSHIP  
FINANCE DEPARTMENT

CERTIFICATION OF FUNDS  
NEXT BUDGET

I, Chief Financial Officer for the City of Orange Township, do hereby confirm that based on the Quote or RFP, RFQ, bid results or "extraordinary unspecifiable services" without competitive bids for 2020 service contract, and the resolution presented to the Council for approval, and contingent upon Council approval and inclusion of said item in the Temporary Budget and adopted 2020 Budget, there will be sufficient funds to contract with:

Vendor Name: Remington & Vernick Engineers

Address: 232 Kings Highway East

City: Haddonfield

State: New Jersey

Zip Code: 08033

Purpose: Professional engineering services for buildings

Vendor ID: REMIN010

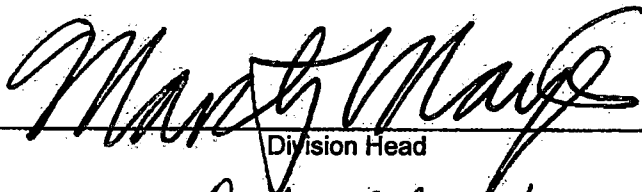
Fund: Current Fund

Line Description DPW - Professional Services

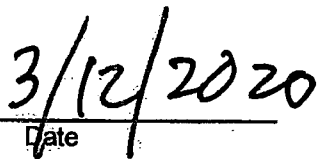
Account Numbers(s): CY'20                      0-01-20-165-000-519                      \$    10,405.00

Blanket PO#: 20-00665

Amount not to exceed: \$    10,405.00



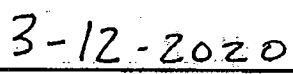
Division Head



Date



Chief Financial Officer



Date



**REMINGTON  
& VERNICK  
ENGINEERS**

The Presidential Center, Lincoln Building  
Suite 600, 101 Route 130  
Cinnaminson, NJ 08077  
O: (856) 303-1245  
F: (856) 303-1249

March 2, 2020

Mr. Marty Mayes, Director, Planning, Economic  
Development and Public Works / Engineering  
City of Orange Township  
29 N. Day Street  
Orange, New Jersey 07050

**Re: City of Orange Township  
Scope of Service and Cost Proposal for the Asbestos Containing Materials Sampling at  
the City Hall Building  
M2020-065**

Dear Mr. Mayes:

**REMINGTON & VERNICK ENGINEERS (RVE)** is pleased to submit this proposal to perform an assessment of asbestos containing materials (ACMs) and presumed asbestos containing materials (PACM) including the collection and laboratory analysis of bulk samples within the accessible interior areas of the City Hall building located at 29 N. Day Street.

On January 24, 2020 the New Jersey Department of Labor and Workforce Development (NJDLWD), Office of Public Employees' Occupational Safety and Health (OPEOSH) issued a *Notice of Order to Comply (NOC)* (Inspection # 1440703).

Please note, this proposal is being submitted to specifically address Citation 1, Item 1 of the NOC which states: "records were not available for review concerning the presence, location, and quantity of asbestos containing materials (ACM) and presumed asbestos containing materials (PACM) in the building". RVE will submit additional recommendations to satisfy the remaining items of the NOC under a separate letter.

Accordingly, RVE will provide the following scope of services to satisfy the requirements of Citation 1, Item 1:

- Inspect, identify, sample, qualify, and quantify ACM's and PACM's with in the interior offices, common areas, storage closets, and maintenance areas.
- All samples will be submitted to and tested by the International Asbestos Testing Laboratories (IATL), and American Industrial Hygiene Association (AIHA) accredited laboratory. RVE assumes that no more than 100 samples will be collected.
- Prepare a summary report of findings including sample analytical results. The summary report will include Site Drawings depicting sample locations and locations of confirmed ACM in all surveyed areas. Site Drawings used for the summary report shall show general outline of the subject building/structure footprint and sample locations only.

RVE estimates that no more than two (2) site visits by our certified, two-person sampling team will be required for the proper inspection and sampling of ACM's & PACM's identified during our survey within the building. RVE shall perform the ACM and PACM survey, including all bulk sampling, during non-business hours, such as on a weekday after the building is closed for business and closed to the public.



Page 2  
March 2, 2020  
City of Orange Township  
Scope of Service & Cost Proposal for the Asbestos Containing Material Sampling at  
The City Hall Building  
M2020-065

Please note, that a representative of the City will be required during sampling in order to gain access to all proposed sampling locations.

**COST OF SERVICE**

Our fee for these efforts shall not exceed \$10,405.00, which will be billed on a time & material basis, detailed as follows:

Phase I: Inspection & Sample Collection:	\$ 4,540.00
Phase II: Preparation of Summary Report	\$ 3,985.00
Estimated Outside Services (Laboratory Testing):	<u>\$ 1,880.00</u>
<b>Total Professional Services Costs:</b>	<b>\$ 10,405.00</b>

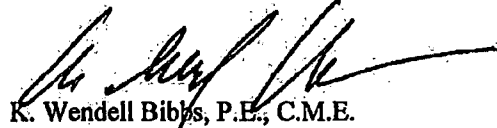
**SCHEDULE**

We anticipate the project can be completed in five (5) to six (6) weeks after authorization to proceed.

We look forward to working with the City of Orange Township on this project. Should you have any questions or concerns regarding the proposal, please do not hesitate to contact Joe Barbadoro at (201) 624-2137.

Sincerely,

**REMINGTON & VERNICK ENGINEERS**



K. Wendell Bibbs, P.E., C.M.E.  
Executive Vice President

cc: Christopher Hartwyk, Business Administrator  
Ellie Serrano, Department of Public Works  
Joseph Barbadoro, RVE  
Marco Carulli, RVE

**CITY COUNCIL**

**The City of Orange Township, New Jersey**

DATE December 17, 2019

NUMBER 425-2019

**TITLE: A RESOLUTION APPROVING QUALIFIED CONSULTANT ENGINEERS TO PROVIDE CONSULTING ENGINEERING ON AN "AS NEEDED" BASIS FOR ONE (1) YEAR COMMENCING JANUARY 1, 2020 THROUGH DECEMBER 31, 2020.**

**WHEREAS**, the City of Orange Township did duly advertise on October 31, 2019, for Request for Qualifications for Consulting Engineering Services; and

**WHEREAS**, on November 14, 2019, the City of Orange Township received eight (8) qualification proposals; and

**WHEREAS**, pursuant to the fair and open process, and based upon review of the qualifications and recommendations therefore, certain professionals are qualified to provide consulting engineering services on an "as needed" basis by the City of Orange Township; and

**WHEREAS**, the Director of Public Works & Engineering having evaluated all proposals submitted based upon qualifications, experience with similar projects, and project understanding; and

**WHEREAS**, this is not a contract and is only a list of qualified professionals. Another resolution shall be needed to enter a contract setting forth the rates and terms.

**NOW, THEREFORE, BE IT RESOLVED** that the Municipal Council of the City of Orange Township does hereby approve those listed below to provide professional consulting engineering services to the City of Orange Township on an "as needed" basis for the period of January 1, 2020 through December 31, 2020:

Remington & Vernick Engineers  
One Harmon Plaza, Suite 210  
Secaucus, New Jersey 07094

Maser Consulting, PA  
331 Newman Springs Road, Suite 203  
Red Bank, New Jersey 07701

T&M Associates  
1455 Broad Street, Suite 250  
Bloomfield, New Jersey 07003

Boswell Engineering  
330 Phillips Avenue  
South Hackensack, New Jersey 07606-1722

CME Associates  
3141 Bordentown Avenue  
Parlin, New Jersey 08859

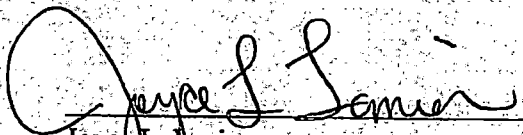
Matrix New World Engineering  
442 State Route 35  
Eatontown, New Jersey 07724

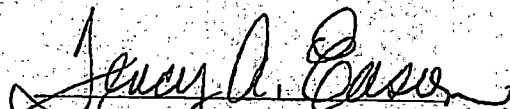
Grant Engineering & Construction Group, LLC  
211 Warren Street, Suite 420  
Newark, New Jersey 07103

Engenuity Infrastructure  
12 Broad Street, Suite 203  
Red Bank, New Jersey 07701

**BE IT FURTHER RESOLVED** that a copy of this resolution shall remain on file in the Office of the Municipal Clerk of the City of Orange Township.

Adopted: December 17, 2019

  
Joyce L. Manier  
City Clerk

  
Tency A. Eason  
Council President

**MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE**  
**N.J.S.A. 10:5-31 et seq. (P.L. 1975, C. 127)**  
**N.J.A.C. 17:27**

**GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS**

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will ensure that equal employment opportunity is afforded to such applicants in recruitment and employment, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such equal employment opportunity shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

The contractor or subcontractor will send to each labor union, with which it has a collective bargaining agreement, a notice, to be provided by the agency contracting officer, advising the labor union of the contractor's commitments under this chapter and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to meet targeted county employment goals established in accordance with N.J.A.C. 17:27-5.2.

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, and labor unions, that it does not discriminate on the basis of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the targeted employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one of the following three documents:

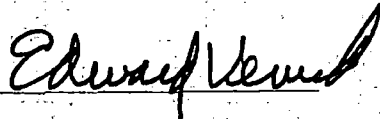
Letter of Federal Affirmative Action Plan Approval

Certificate of Employee Information Report

Employee Information Report Form AA302 (electronically provided by the Division and distributed to the public agency through the Division's website at [www.state.nj.us/treasury/contract\\_compliance](http://www.state.nj.us/treasury/contract_compliance))

The contractor and its subcontractors shall furnish such reports or other documents to the Division of Public Contracts Equal Employment Opportunity Compliance as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Division of Public Contracts Equal Employment Opportunity Compliance for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.

Vendor Signature: \_\_\_\_\_



Date: 11/11/2019

Edward Vernick, PE, CME, President  
Remington & Vernick Engineers

REQUIRED EVIDENCE  
AFFIRMATIVE ACTION REGULATIONS  
P.L. 1975, C. 127 (N.J.A.C. 17:27-3.2)

Before being awarded a contract, bidders are required to comply with the requirements of P.L. 1975, C.127, (N.J.A.C. 17:27-3.2). Within seven (7) days after receipt of the notification of intent to award the contract or receipt of the contract, whichever is sooner, the contractor should present one of the following to the Purchasing Agent:

1. A photocopy of a valid letter from the U.S. Department of Labor that the contractor has an existing federally-approved or sanctioned Affirmative Action Plan (good for one year from the date of the letter);  
OR
2. A photocopy of approved Certificate of Employee Information Report issued in accordance with N.J.A.C. 17:24-4;  
OR
3. An initial Employee Information Report (Form AA302) provided by the Affirmative Action Office and completed by the bidder in accordance with N.J.A.C.17:27-4;  
OR
4. All successful construction contractors must submit within three days of the signing of the contract an Initial Project Workforce Report (AA201) for any contract award that meets or exceeds the Public Agency bidding threshold (available upon request) in accordance with N.J.A.C.17:27-7.

**NO FIRM MAY BE ISSUED A CONTRACT UNLESS IT COMPLIES WITH THE AFFIRMATIVE ACTION REGULATIONS OF P.L. 1975, C.127.**

The following questions must be answered by all bidders:

1. Do you have a federally-approved or sanctioned Affirmative Action Program?

Yes \_\_\_\_\_ No  X

If yes, please submit a copy of such approval

2. Do you have a Certificate of Employee Information Report Approval?

Yes  X  No \_\_\_\_\_

If yes, please submit a copy of such certificate

The undersigned contractor certifies that he is aware of the commitment to comply with the requirements of P.L. 1975, C.127 and agrees to furnish the required documentation pursuant to the law.

Company: Remington & Vernick Engineers

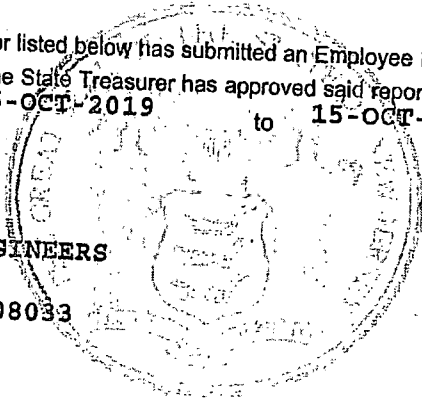
Signature: Edward Vernick

Title: Edward Vernick, PE, CME, President

Certification 61809

**CERTIFICATE OF EMPLOYEE INFORMATION REPORT**  
**INITIAL**

This is to certify that the contractor listed below has submitted an Employee Information Report pursuant to N.J.A.C. 17:27-1.1 et. seq. and the State Treasurer has approved said report. This approval will remain in effect for the period of **15-OCT-2019** to **15-OCT-2022**



**REMINGTON & VERNICK ENGINEERS**  
**232 KINGS HIGHWAY EAST**  
**HADDONFIELD NJ 08033**



*Elizabeth Maher Muoio*  
**ELIZABETH MAHER MUOIO**  
State Treasurer

10/03/16

Taxpayer Identification# 813-351-834/000

Dear Business Representative:

Congratulations! You are now registered with the New Jersey Division of Revenue.

Use the Taxpayer Identification Number listed above on all correspondence with the Divisions of Revenue and Taxation, as well as with the Department of Labor (if the business is subject to unemployment withholdings). Your tax returns and payments will be filed under this number, and you will be able to access information about your account by referencing it.

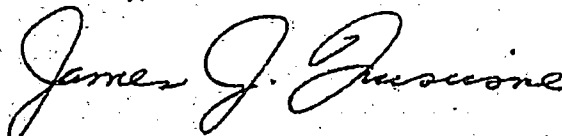
Additionally, please note that State law requires all contractors and subcontractors with Public agencies to provide proof of their registration with the Division of Revenue. The law also amended Section 92 of the Casino Control Act, which deals with the casino service industry.

We have attached a Proof of Registration Certificate for your use. To comply with the law, if you are currently under contract or entering into a contract with a State agency, you must provide a copy of the certificate to the contracting agency.


If you have any questions or require more information, feel free to call our Registration Hotline at (609)292-9292.

I wish you continued success in your business endeavors.

Sincerely,



James J. Fruscione  
Director  
New Jersey Division of Revenue

STATE OF NEW JERSEY BUSINESS REGISTRATION CERTIFICATE		DEPARTMENT OF TREASURY/ DIVISION OF REVENUE PO BOX 252 TRENTON, NJ 08646-0252
TAXPAYER NAME: REMINGTON & VERNICK ENGINEERS II, INC.	TRADE NAME:	
ADDRESS: 232 KINGS HIGHWAY EAST HADDONFIELD, NJ 08033	SEQUENCE NUMBER: 2078851	
EFFECTIVE DATE: 09/30/16	ISSUANCE DATE: 10/03/16	
	 Director New Jersey Division of Revenue	