

RESOLUTION NO. 2024- 71

A RESOLUTION AUTHORIZING THE ISSUANCE OF AN AMENDATORY SUPPLEMENTAL CHANGE ORDER NO. 2 TO CONTRACT NO. C21-0070, PURCHASE ORDER NO. 21-03496, ISSUED TO ENVIRONMENTAL STRATEGIES & APPLICATIONS, INC., MIDDLESEX, NJ, IN THE AMOUNT OF \$82,955.00.

WHEREAS, the City Council of the City of Vineland, on April 27, 2021, adopted Resolution No. 2021-191, entitled “A RESOLUTION AUTHORIZING AN AGREEMENT FOR PROFESSIONAL SERVICES WITH ENVIRONMENTAL STRATEGIES & APPLICATIONS, INC., MIDDLESEX, NJ, FOR GROUNDWATER REMEDIATION AT PUBLIC WORKS YARD ON WALNUT ROAD, IN AN AMOUNT NOT TO EXCEED \$2,288,380.00”; and

WHEREAS, N.J.A.C. 5:30-11.1, et seq., sets forth the requirements for the processing of change orders; and

WHEREAS, the City Engineer has requested that an amendment be made to contract awarded to Environmental Strategies & Applications, Inc., Middlesex, NJ, for Groundwater Remediation at Public Works Yard on Walnut Road, as authorized by Resolution No. 2021-191: said amendment is made necessary due to further investigation is needed for groundwater contamination as well as several Monitoring Wells are in need of repair; and

WHEREAS, the City of Vineland desires to comply with said requirements of N.J.A.C. 5:30-11.1, et seq., and to that end herewith files with the governing body a report stating the facts involved and indicating that the proposed change order may be allowed under these regulations; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for the amendatory supplemental change order for which authorization is requested in the amount of \$82,955.00; now, therefore,

BE IT RESOLVED by the Council of the City of Vineland that said amendatory supplemental change order #2 to Contract No. C21-0070, Purchase Order No. 21-03496, issued to Environmental Strategies & Applications, Inc., Middlesex, NJ, in the amount of \$82,955.00, be and the same is hereby ratified and approved.

Adopted:

President of Council

ATTEST:

City Clerk



February 20, 2024

REPORT

TO: THE MAYOR AND COUNCIL
Amendatory Supplemental Change Order No. 2
Contract No. C21-0070
Groundwater Remediation at Public Works Yard on Walnut Road
Environmental Strategies & Applications, Inc., Middlesex, NJ

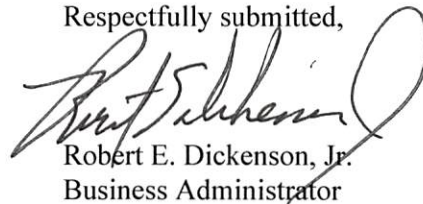
We are requesting that an amendatory supplemental change order be issued to Contract No. C21-0070, Purchase Order No. 21-03496, issued to Environmental Strategies & Applications, Inc., Middlesex, NJ, for the Groundwater Remediation at Public Works Yard on Walnut Road. This contract was authorized by Resolution No. 2021-191, adopted by City Council on April 27, 2021.

The change order requested, in the amount of \$82,955.00, is made necessary due to further investigation is needed for groundwater contamination as well as several Monitoring Wells are in need of repair

This change order, plus change order #1 (\$322,350.00) increases the original amount from \$2,288,380.00 to \$2,693,685.00.

The amendatory supplemental change order for which authorization is herein requested may be authorized in accordance with N.J.A.C. 5:30-11.1 et seq.

Respectfully submitted,



Robert E. Dickenson, Jr.
Business Administrator

RD/rl
Encl.





18-017

REQUEST FOR CHANGE ORDER

FOR:

Walnut Rd DPW Site Remediation (Groundwater Contamination)

PROJECT NAME

TO: BUSINESS ADMINISTRATION

DEPARTMENT: Engineering FROM: Mike Russo

This is a request for change order # 2 to Contract # 21-0070 for:

Project Name Walnut Rd DPW Site Remediation (Groundwater Contamination)

Name/Address of

Contractor: Environmental Strategies & Applications, Inc., 495 Union Ave, Suite 1D, Middlesex, NJ 08846

The change order is necessary because: (use additional pages if necessary to explain your reason and you must attach *documentation to support the necessity of this change order.

*(Documentation from contractor, engineer, etc.)

Further investigation is necessary for groundwater contamination. Several MW are in need of repair.

Original Contract Amount:	\$ 2,288,380.00
Amount of this change order:	\$ 82,955.00
Previous Change Orders:	\$ 322,350.00
Total Revised Amount:	\$ 2,693,685.00

APPROVED BY: David J. Maillet, City Engineer
Print/type

Signature

NOTE: CHANGE ORDERS CANNOT EXCEED 20% OF THE ORIGINAL CONTRACT AMOUNT

Please provide the account number that the change order will be charged to:

Account # C-04-00-000-2223-78006

CC: Purchasing Division

(Handwritten initials)



ENVIRONMENTAL STRATEGIES & APPLICATIONS, INC.
495 Union Avenue, Suite 1D, Middlesex, NJ 08846

phone: 732.469.8888
fax: 732.369.1120
email: info@askESA.com
web: askESA.com

CHANGE ORDER FORM

CHANGE ORDER #: ^2804rev1
ESA PROJECT #: X4243
DATE: 12/18/2023

CLIENT:

Mr. David J. Maillet P.E.
City Engineer
City of Vineland Division of Engineering
640 E. Wood Street
PO Box 1508
Vineland, NJ 08362-1508

PROJECT:

City of Vineland Department of Public Works Facility
1086 East Walnut Road
Cumberland County, NJ 08362-1508
Contract #21-0070 / PO #21-03496

Dear Mr. Maillet:

Environmental Strategies and Applications, Inc. (ESA) respectfully submits this Change Order Request (COR) to the City of Vineland (Client) Division of Engineering for additional professional consulting & New Jersey Department of Environmental Protection (NJDEP) Licensed Site Remediation Professional (LSRP) regulatory compliance services to address newly identified ground water contamination at the 1086 East Walnut Road, City of Vineland Department of Public Works (DPW) facility (Site).

The remedial activities and investigation services summarized below will be performed by 40-hour Hazardous Waste Operations and Emergency Response (HAZWOPER) trained personnel in compliance with State and Federal regulations, and in accordance with ESA's LSRP Terms & Conditions, Client and ESA's Professional Services Agreement, and PO #21-03496 & Contract #21-0070 issued by City of Vineland.

BACKGROUND

ESA has been monitoring the progress of the remediation at the Site and increasing ground water contaminant concentrations have been identified in monitoring well MW-1DR over the last year, specifically the last two sampling events conducted in August and November of this year. In fact, toluene, ethylbenzene, xylenes, and total tentatively-identified volatile organic compounds ("VOC TICs") were found at the highest concentrations at this location, inclusive of former monitoring well MW-1D, dating back to 2006. Our LSRP's immediate reaction to the finding was that this is a new discharge. The remediation of the soil that occurred with the large excavation in 2021 upgradient of MW-1DR demonstrated that ground water has also been remediated in association with NJDEP Incident #96-11-19-1219-50, as observed from the data obtained from the many other monitoring wells at this site over the last two years. After a more thorough evaluation our team has concluded that the increase in concentrations in well MW-1DR are attributable to a new discharge. Based on our LSRP's conclusion that a new discharge has occurred, the City of Vineland was notified and NJDEP Hotline was called pursuant to N.J.A.C. 7:26C-1.7(b).

Additionally, on November 28, 2023, during our most recent ground water sampling event, ESA observed what appeared to be a petroleum like product and odor within the MW-5D well headspace and purged groundwater. ESA purged three (3) well volumes and the petroleum like product was no longer observed, however specks of sheen were noted during the sampling process. In monitoring wells MW-5 and MW-5VD petroleum like odors and broken sheen were observed during groundwater sampling. Similarly, petroleum like odors were noted within the well headspace of monitoring wells MW-10R and MW-14. The results of the concurrent ground water sampling did not appear to indicate an increase in contaminant concentrations as a result of the unknown product at this time.

It is possible the petroleum like odors observed in the above-mentioned wells and petroleum like product observed in MW-5D are related to the recent asphalt paving at the Department of Public Works. Upon further inspection of MW-5D it appears the new well covers were not properly set and there is a gap between the bottom of water valve box cover and the base of the well itself, which is causing potential infiltration of surficial stormwater runoff to the well head space and well. These well heads will require replacement and proper covers installed to adequately seal off the wells from runoff.

As part of the post-soil remediation ground water sampling and in association with the permit-by-rule (PBR) discharge to ground water authorization dated December 17, 2020, ESA has monitored the ground water for parameters associated with the authorized discharge including chloride and total dissolved solids (TDS), as well as others. Ground water sampling results have identified that the ground water quality does not meet the Ground Water Remediation Standards ("GWRS") found at N.J.A.C. 7:26D for parameters monitored for the NJDEP-authorized discharge of a mixture of the TPH Bacterial Consortium EZT-A2™, Enzyme Accelerator EZT-EA™ - together, PetroBac™, and clean municipal water.

Upon further evaluation, ESA has concluded that the monitored parameters' elevated concentrations may be naturally occurring or the result of a former discharge unrelated to the authorized PBR discharge. As a result, it represents contamination unknown to the NJDEP, and would require a call to the Hotline.

The following scope of work is recommended to address the above conditions:

DESCRIPTION OF CHANGES

Project Management & Coordination

ESA will provide a requisite amount of project management to effectively execute this project including communication and coordination with Client, engineers, the development team, subcontractors, vendors, and laboratory.

LSRP Services/Consultation

As mentioned above, the newly discovered discharge at MW-1DR was recently reported to the NJDEP hotline by ESA's LSRP and spill case #23-11-14-1218-20 was assigned. ESA has also retained one of its LSRPs for the new incident # and submitted a Confirmed Discharge Notification ("CDN"). Costs for this work will be reflected in this Change Order.

The elevated ground water concentrations associated with the PBR monitored parameters will require another call to the NJDEP Hotline, but the cases will be combined with the recently established incident number, at minimal cost to the Client, since the timeframes would be almost the same.

Field Services

The following field activities are anticipated and are based on current estimations on the additional work needed at this time:

Site Investigation of the Unknown Discharge at MW-1DR

To investigate for the potential of an unknown on-Site source of ground water contamination associated with the increased contaminant concentrations at MW-1DR, ESA shall perform the following:

- Install one (1) soil boring to a depth up to 75 feet bgs using a truck-mounted drill rig;
- Install up to fourteen (14) soil borings proximate to MW-1DR to a depth up to 35 feet bgs using a track-mounted drill rig;

- Field screen and log the soils and collect up to one (1) sample per boring to be submitted for volatile organic compounds (VOCs), tentatively identified compounds (TIC), and naphthalene analyses;
- Install up to five (5) temporary well points up to a depth of 35 feet bgs in the most impacted soil boring locations;
- Collect up to one (1) ground water sample from each of the temporary well points to be submitted for VOC, TIC, and naphthalene analyses;
- Backfill and seal all boreholes and restore the surface cover at the drilling locations in-kind. Where existing ground surface is covered with hot mix asphalt less than five (5) years old, infrared methods shall be used to provide seamless restoration of borehole locations;
- ESA will be prepared to collect up to one (1) fingerprint analysis sample in the event that measurable petroleum product is encountered within the temporary well points and/or existing monitoring wells; and
- Collect QA/QC samples including field blank, trip blank, and field duplicate samples in accordance with the NJDEP Field Sampling Procedures Manual.

MW-1DR Impacted Ground Water Recovery:

To mitigate the migration of highly impacted ground water in the MW-1DR monitoring well, ESA shall perform the following:

- Mobilize an approximate 3,000-gallon poly containment tank and establish an exclusion zone around the MW-1DR monitor well;
- Provide labor and equipment to recover up to 2,500 gallons of impacted ground water and contain in poly tank;
- Mobilize a vacuum truck to empty the poly tank, transport and dispose of the recovered water at an NJDEP licensed disposal facility; and
- Perform up to two (2) additional ground water sampling and elevation gauging events approximately four and eight weeks following the ground water recovery event. This includes the collection of QA/QC samples.

Monitoring Well Repairs/Upgrades

ESA will be prepared to repair up to fifteen (15) of the flush mount monitoring well covers and associated well head seals at the Site as a result of alterations performed during the recent paving event. Where existing ground surface is covered with hot mix asphalt less than five (5) years old, infrared methods shall be used to provide seamless restoration at the monitoring well locations. Also, due to the suspicion that increased contaminant concentrations discovered in monitoring well MW-1DR and to provide an additional level of security to the integrity of the monitoring wells, ESA will upgrade all on-Site wells with lockable J-plugs to prevent authorized access.

Quality Assurance Project Plan

A Quality Assurance Project Plan ("QAPP") shall be prepared. A QAPP is a detailed workplan that explains how information will be collected (such as soil and ground water samples) and/or activities will be planned, implemented, and evaluated. A QAPP is required to be prepared pursuant to N.J.A.C. 7:26E-1.6(a)4 for each remedial phase report or workplan (except for a preliminary assessment report and remedial action report). Since the investigation is being conducted towards the completion of a Site Investigation Report ("SIR"), the QAPP is required by NJDEP. The QAPP shall be prepared in accordance with N.J.A.C. 7:26E-2.2 and the NJDEP's "Quality Assurance Project Plan Technical Guidance" (Version 1.0, April 2014).

Site-Specific Health and Safety Plan

A site-specific Health and Safety Plan (“HASP”) is required by OSHA to be prepared and maintained at the work site. The HASP addresses the safety and health hazards of each phase of planned fieldwork and includes the requirements and procedures for ESA worker protection during oversight and sample collection. The HASP shall be prepared in accordance with OSHA federal regulations (40 CFR 1910.120) and shall be available on-site when ESA is present performing the field activities.

Reporting

Initial Receptor Evaluation Update:

An initial receptor evaluation is required to be conducted pursuant to N.J.A.C. 7:26E-1.12 for the new spill case. A receptor evaluation includes land use, ground water, vapor intrusion and ecological components. The requirements specific to each of these components are presented in N.J.A.C. 7:26E-1.13 through 1.16 as well as various technical guidance documents. Initial receptor evaluations were previously completed for the Site.

The following tasks shall be completed:

- Land use: contact municipal clerk and file a government records request for land use changes planned within 200 feet of the site; prepare a table and figure showing the current and proposed land uses
- Ground water: conduct and refine an electronic well search for the wells found within one mile of the site; contact NJDEP for the wells that cannot be refined based on the information provided and obtain the well permits and records (for a fee); it is assumed that a door-to-door survey will not be required and that no potentially potable wells will require sampling
- Vapor intrusion (“VI”): based VI trigger distances and current isopleth concentration evaluations, no VI sampling is proposed at this time.
- Ecological: no ecological receptors appear to be present at or adjacent to the Site; it is assumed that sampling of the ecological receptors will not be required.

Site Investigation Report (SIR)

ESA will evaluate the laboratory analytical data and summarize the findings and field observations. ESA will subsequently prepare a NJDEP-compliant Site Investigation Report (SIR) for the newly established spill case number.

PRICE:

The total estimated price for services as described herein is as follows:

• Scope Development	\$3,500
• Project Management & Coordination	\$7,840
• LSRP Retention/CDN	\$675
• Field Services	\$56,996
• QAPP Preparation	\$1,550
• HASP Preparation	\$455
• Receptor Evaluation	\$3,985
• Data Evaluation/SI Reporting	<u>\$7,954</u>

Total Estimated Price: \$82,955

Please note, this COR is written on a Time & Materials basis for professional services conducted during normal business hours Monday through Friday. The City of Vineland has not incurred any overtime charges. The prices

outlined will be applied as supplemental budget to Contract #21-0070. All work activities have been conducted under the previously approved ESA Standard Terms & Conditions for project # X4243 and CLIENT Contract #21-0070 / PO #21-03496.

Change Order #2804 Acceptance

ESA appreciates the opportunity to provide these professional services to CLIENT. ESA requests CO approval, pending invoice approval & processing via the existing X4243 project budget established under CLIENT Contract #21-0070. Kindly return an executed copy of this CO to the undersigned as approval. All work included herein has and/or will be performed under the previously executed Terms and Conditions as specified in the original Professional Services contract, unless otherwise stipulated. If you have any questions, please feel free to contact me at (732) 469-8888 or adaher@askesa.com.

WE AGREE to the change(s) specified above to be completed at the additional price of: \$82,955



ESA Authorized Signature

12/18/2023

Date

ACCEPTANCE: The above prices and specifications of this CHANGE ORDER are satisfactory and are hereby accepted. All work will be performed under the same terms and conditions as specified in the original contract unless otherwise stipulated.

CLIENT Authorized Signature

Date

ESA ENVIRONMENTAL CONSULTANTS
RATE SCHEDULE
EFFECTIVE January 1, 2024

Principal	\$320
LSRP 3	\$290
LSRP 2	\$265
LSRP 1	\$240
Senior Director	\$270
Director	\$240
Senior Project Manager	\$220
Project Manager	\$195
Associate Project Manager	\$175
Environmental Scientist II	\$130
Environmental Scientist I	\$120
Environmental Technician	\$110
Project Coordinator	\$95

All rates are per hour.
Personnel are billed portal to portal.
Rates for expert preparation, depositions, and testimony are 2 times those listed.
Rates subject to change upon 30 days' notification.