

RESOLUTION

No. _____

Date of Adoption

APR 07 2022

Approved as to form and legality

Factual content certified by

WESLEY BRIDGES, ESQ., DIRECTOR OF LAW

C. ANDRE DANIELS, DIRECTOR OF HOUSING AND ECONOMIC DEVELOPMENT

Councilman /woman

Caldwell-Wilson

presents the following Resolution:

RESOLUTION AWARDING A CONTRACT THROUGH A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44 A-20.4 ET SEQ TO BROWNFIELD REDEVELOPMENT SOLUTIONS, INC. FOR A PERIOD OF ONE (1) YEAR FROM TIME OF AWARD FOR ENVIRONMENTAL PLANNING, GRANT, MANAGEMENT AND TECHNICAL CONSULTING, AND ENVIRONMENTAL PROJECT MANAGEMENT: TRENTON BROWNSFIELD PROGRAM IN AN AMOUNT NOT TO EXCEED \$100,680.00- RFP# 2021-54

WHEREAS, the City of Trenton has a need for Environmental Planning, Grant, Management and Technical Consulting, and Environmental Project Management: Trenton Brownsfield Program for the Department of Housing and Economic Development; and

WHEREAS, the request for proposal was advertised on December 2, 2021 by the Division of Purchasing, and one (1) proposal was received on December 14, 2021, and was evaluated by a committee based on criteria that included, experience, understanding of requirements and cost; and

WHEREAS, the sole proposal received from Brownsfield Redevelopment Solutions, Inc., P.O. Box 2293, Medford Lakes, NJ 08055 was deemed to have the necessary qualifications and expertise for the performance of the services at the rates budgeted; and

WHEREAS, funds in an amount not to exceed \$100,680.00 have been certified to be available in the following account number(s): CY'2022, G-SS-19-60-731B-290 (\$2,760.00), G-FF-14-60-066B-290 (\$5,498.50), G-SS-20-60-731B-290 (\$11,615.00), G-SS-21-60-732B-290 (\$6,095.00), G-SS-21-60-731B-290 (\$4,715.00), G-FF-22-60-063B-290 (\$22,310.00), C-04-16-70-035E-002 (\$1,380.00), T-21-RL-60-4602-301 (\$345.00), C-04-10-60-035B-002 (\$37,791.45), C-04-13-60-018F-002 (\$4,076.44) and C-04-13-60-18G-004 (\$4,093.61).

RESOLUTION

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Trenton,
that:

1. The above recitals are incorporated by reference as if set forth at length herein.
2. This contract is awarded pursuant to the authority set forth in the Local Public Contracts Law at N.J.S.A. 40A:11 4.
3. Mayor is authorized to execute a contract with Brownsfield Redevelopment Solutions, Inc., P.O. Box 2293, Medford Lakes, NJ 08055 in an amount not to exceed \$100,680.00 for Environmental Planning, Grant; Management and Technical Consulting, and Environmental Project Management: Trenton Brownsfield Program for the Department of Housing and Economic Development.
4. A notice of this action shall be printed once in the official newspaper for the City of Trenton and the Resolution and contract shall remain on file in the City Clerk's Office.

	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent
CALDWELL	✓				RODRIGUEZ		✓			MCBRIDE		✓		
WILSON							✓							
HARRISON	✓				VAUGHN		✓							
							✓							
MUSCHAL	✓				WILKINS		✓							

This Resolution was adopted at a Meeting of the City Council of the City of Trenton on APR 07 2022

[Signature]
President of Council

[Signature]
Assistant Municipal Clerk

CITY OF TRENTON
DEPARTMENT OF FINANCE

CERTIFICATION OF AVAILABILITY OF FUNDS

I, Ronald Zinlinski, Chief Financial Officer for the City of Trenton, do hereby certify, to the best of my knowledge and belief that there are now adequate funds to Contract with:

Vendor Name: Brownfield Redevelopment Solutions, Inc.
Address: P.O. Box 2293
City/State/Zip: Medford Lakes, NJ 08055
Contact: Leah Yasenchak, Principal (732)-859-0831

Purpose: Professional Services for environmental project and grant management for the City of Trenton's Brownfields Program

Fund: Two USEPA Grants, four state grants and three capital accounts (one reimbursable)

Account Number:

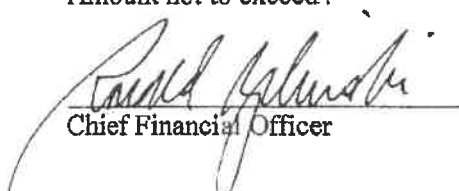
NJ HDSRF grant – Storcella site	G-SS-19-60-731B-290	\$ 2,760.00
USEPA Cleanup grant – Scarpati site	G-FF-14-60-066B-290	\$5,498.50
NJ HDSRF grant – Clinton Comm. Ctr. site	G-SS-20-60-731B-290	\$11,615.00
NJ HDSRF grant – Powerhouse site	G-SS-21-60-732B-290	\$6,095.00
NJ HDSRF grant – Fischer/Pukala site	G-SS-21-60-731B-290	\$ 4,715.00
USEPA Assessment Grant	G-FF-22-60-063B-290	\$22,310.00
Capital – Hetzel Field Green Acres	C-04-16-70-035E-002	\$ 1,380.00
USEPA BCRLF 2 nd gen. funds	T-21-RL-60-4602-301	\$ 345.00
Capital – Environmental Remediation	C-04-10-60-035B-002	\$37,791.45
Capital – Environmental Remediation	C-04-13-60-018F-002	\$ 4,076.44
Capital- Grant Match	C-04-13-60-018G-004	<u>\$4,093.61</u>
Total		\$100,680

Handwritten notes: "OK" and "1/27/12" are written next to the first four rows. "NO" is written next to the Hetzel Field Green Acres row. "NO" and "NO" are written next to the two Environmental Remediation rows. "NO" is written next to the Grant Match row.

Vendor ID:

Requisition Number:

Amount not to exceed: \$100,680


Chief Financial Officer

PROFESSIONAL SERVICES CONTRACT

RFP2021-54

RESOLUTION 22-108

**ENVIRONMENTAL PLANNING, GRANT, MANAGEMENT AND TECHNICAL CONSULTING, AND
ENVIRONMENTAL PROJECT MANAGEMENT: TRENTON BROWNSFIELD PROGRAM AWARDED TO
BROWNFIELD REDEVELOPMENT SOLUTIONS, INC.**

THIS CONTRACT, made this 8TH day of APRIL 2022 by and between the **CITY OF TRENTON, 319 EAST STATE STREET, TRENTON, NEW JERSEY 08608** a Municipal Corporation of the State of New Jersey, ("City") and **BROWNFIELD REDEVELOPMENT SOLUTIONS, INC., P.O. BOX #2293, MEDFORD LAKES, NEW JERSEY 08055** (CONTRACTOR").

WHEREAS, the City has a need **TO PROVIDE ENVIRONMENTAL PLANNING, GRANT, MANAGEMENT AND TECHNICAL CONSULTING, AND ENVIRONMENTAL PROJECT MANAGEMENT: TRENTON BROWNSFIELD PROGRAM** for the City of Trenton, Department of Housing and Economic Development.

WHEREAS, Contractor agrees to provide **TO PROVIDE ENVIRONMENTAL PLANNING, GRANT, MANAGEMENT AND TECHNICAL CONSULTING, AND ENVIRONMENTAL PROJECT MANAGEMENT: TRENTON BROWNSFIELD PROGRAM** for the City of Trenton, Department of Housing and Economic Development accordance with the terms and conditions as set forth hereinafter, and the City being agreeable thereto;

NOW THEREFORE, the parties mutually agree as follows:

TO PROVIDE ENVIRONMENTAL PLANNING, GRANT, MANAGEMENT AND TECHNICAL CONSULTING, AND ENVIRONMENTAL PROJECT MANAGEMENT: TRENTON BROWNSFIELD PROGRAM for the City agrees to retain **BROWNFIELD REDEVELOPMENT SOLUTIONS, INC., P.O. BOX #2293, MEDFORD LAKES, NEW JERSEY 08055** ("the request of and under the general supervision of the City of Trenton, Department of Housing and Economic Development.

1. SCOPE OF SERVICES

SEE ATTACHED SCOPE OF SERVICES

DURATION OF THE CONTRACT:

This contract shall remain in full force and effect for a period of one (1) year from April 8, 2022 to April 7, 2023 in an amount not to exceed \$100,680.00.

- 2. STATUS OF CONTRACTOR:** It is expressly understood by and between the parties hereto that the status of the Contractor retained to carry out the services set forth in this agreement is that of an Independent Contractor. It is further understood by and between the parties that is not intended, nor shall it be construed, that the contractor is an agent, employee, or officer of the City of Trenton.
- 3. NOTICES:** Any notices required to be delivered to either party pursuant to this Contract shall be in writing to their respective addresses. The parties shall be responsible for notifying each other of any change of address.
- 4. INTEGRATION:** **Resolution #22-108** and this contract constitutes the entire agreement between the parties and any representation that may have been made prior to the execution of this Contract are nonbonding, void, and of no effect and neither party has relied on any such prior representations in entering into this Contract with the City of Trenton, Department of Housing and Economic Development.

5. **ENFORCEABILITY:** If any term or condition of this Contract or its application to any party or circumstances shall be deemed invalid or unenforceable, the remainder of the Contract and its application to other parties and circumstances shall not be affected.

6. **GOVERNING LAW:** This Contract shall be governed by the laws of the State of New Jersey.

7. **MISCELLANEOUS PROVISIONS:**

- a. Contractor, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, sex, gender identity or expression, affectional or sexual orientation, disability or nationality. Contractor will take affirmative action to ensure that such applicants are recruited and employed and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, sex, affectional, gender identity or expression, sexual orientation. Such action shall include, but is not 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. 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;
- b. Contractor, 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, sex, gender identity or expression, affectional or sexual orientation.
- c. Contractor, where applicable, agrees to comply with the regulations promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time and the American with Disabilities Act.
- d. Contractor, where applicable, agrees to attempt to schedule minority and female workers consistent with the applicable county employment goals prescribed by N.J.A.C. 17:27-5.2 promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time or in accordance with a binding determination of the applicable county employment goals determined by the Affirmative Action Office pursuant to N.J.A.C. 17:27-5.2, amended and supplemented from time to time.
- e. Contractor, where applicable, agrees to inform in writing appropriate recruitment agencies in the area, including employment agencies, placement bureaus, colleges, universities, labor unions that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status, sex, gender identity or expression, affectional, sexual orientation, disability or nationality and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.
- f. Contractor, where applicable, 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, sex, gender identity or expression, affectional, sexual orientation, disability or nationality. Contractor will conform these employment goals consistent with statutes and court decisions of the State of New Jersey, and applicable Federal law and Federal court decisions.

- Familiarity with New Jersey Local Procurement Law.

Work to be completed under this contract will be under the direct oversight of the Division of Economic Development's Brownfields Coordinator and, ultimately, the Director of the Department of Housing & Economic Development.

The technical contact and Brownfields Program Manager for the City of Trenton is:

J.R. Capasso, C.P.G.
 Department of Housing and Economic Development
 Division of Economic Development
 319 E. State Street
 Trenton, NJ 08608
 (609) 989 – 3501
jcapasso@trentonnj.org

2.0 Scope of Work

Work may include all phases of the following project categories or tasks:

2.1 Brownfield Grant Coordination and Management

The City of Trenton's Brownfields Program relies heavily on competitive funding obtained from various sources. As part of this contract, the consultant will be responsible for:

- Preparation and submittal of Federal, State and other applications for brownfields and related (economic development, planning, open space, trails, other environmental) grants, including but not necessarily limited to the following grants or grant programs:
 - USEPA Brownfield grants (Assessment, Cleanup, Multi-site, other);
 - NJDEP/NJEDA HDSRF grants;
 - NJDEP Section 319(h) grants;
 - USED A grants;
 - FEMA grants
- Preparation of legal documentation required for grant applications and award acceptance;
- Grant Management including, but not limited to, technical and professional consulting on all matters relating to brownfields and related grants including correspondence, compliance, cooperative agreements, record-keeping and financial monitoring;
- Grant Reporting in accordance with applicable requirements;
- Track grant and programmatic metrics;
- Prepare and submit award applications as directed;
- Additional Brownfields Financing Assistance
 - Identification of grants, tax incentives, and other financial assistance;
 - Application writing for grants and other incentives;
 - Fulfillment of administrative requirements of incentives; and
 - Serve as a communication link between Trenton and funding agencies.

Currently active grants being managed by the Brownfields Program include the following:

<u>Grant</u>	<u>Balance or Budget</u>
USEPA Assessment Grant (2022)	\$300,000
USEPA Cleanup Grant: Scarpatti (2014)	\$ 11,498
USEPA Brownfield Revolving Loan Fund (2021 2 nd gen)	~\$475,000
HDSRF Grant: Magic Marker BDA (old)	\$117,904
HDSRF Grant: Storcella site (pending)	\$523,782
HDSRF Grant: Fisher/Pukala site (2019)	\$383,743
HDSRF Grant: Clinton Commerce Center (2020)	\$1,034,788
HDSRF Grant: New Method Cleaners (2022)	\$150,272
HDSRF Grant: Powerhouse (2021)	\$141,199
HDSRF Grant: Greenway Sites	\$122,781
HDSRF Grant: Assunpink Daylighting (2022)	\$222,763
HDSRF Grant: Scarpatti site (pending)	\$886,249

The City may apply for additional USEPA, HDSRF or other funding, or technical assistance, during the contract period, such as a new USEPA Cleanup Grant application for New Method Cleaners. Some grants will also be closed out in 2022 requiring submittal of closure documentation.

For cost estimating purposes, it is estimated that 176 **professional hours** will be required to complete the requirements of this task. This task typically requires management by the Technical Resource Manager with assistance from Project Managers and Administrative personnel. A further breakdown of labor hours by task, sub-task, project and project activity is included in **Attachment D**.

2.2 Brownfield Site (Project) Coordination and Management

The City of Trenton's Brownfields Program currently manages approximately 30 active brownfields sites in various stages of assessment, investigation, remediation, development planning and development. As part of this contract, the consultant will be responsible for ongoing, continuous management of scope, schedule and budget for up to 15 active projects, project details for which are included in Attachment A. The consultant will be required to perform the following duties on the following sites or groups of sites:

- Assunpink Greenway – a long-term, multi-site project to create a 99+-acre greenway and park running through the City of Trenton from the Trenton Train Station to the City's northeastern border.
 - Oversee assessment, investigation and remediation activities at various individual Assunpink Greenway sites, including the coordination of work with development activities, application and management of grant funds, development of work scopes for assessments, investigations, and remedial activities and oversight of activities, and coordinating with DEP and LSRP to obtain a remedial action outcome (RAO) letter, as appropriate. Sites include:
 - Fisher site on Hart Avenue
 - Pukala site on Poplar Street

- George Page Park/Hetzel Field/Milner sites
 - Powerhouse/Freightyards site
 - Scarpati Site
 - Clinton Commerce Center site
 - Storcella site
 - Assist in compliance with New Jersey's Green Acres Program requirements
 - Support and outreach work;
 - Identify sources of, and acquire, funding for investigation, remediation, planning and development; and
 - Manage grants as appropriate, to include NJDEP 319(h) and HDSRF grants, and EPA grants.
- Assunpink Daylighting Project at Broad and Warren Street – a project that kicked off in October 2017 and was completed in June 2020 to return a covered and channelized portion of the Assunpink Creek into a more natural environment and more useable space in the City's Downtown. Final work tasks include:
 - Coordinate with the Army Corps of Engineers for matters relating to project closeout and return of residual financial resources, if any;
 - Oversee remaining work at site, if required;
 - Manage existing 319(h) grant, including close out;
 - Assist in coordination of community outreach work;
 - Serve as liaison between the city and various agencies to include Army Corps of Engineers, Mercer County Soil Conservation District, NJDEP and USEPA.

See **Attachment A** for current status of active sites.

Licensed Site Remediation Professional (LSRP) Services – for certain projects, the City may require that the subcontractor provide the services of an LSRP, and/or act as the LSRP of record. This service is being used in special circumstances in order to streamline the site closure process when and if applicable.

It is estimated that approximately **360 professional hours** will be required to complete the requirements of this task and include the services of Project Managers, Site Managers, Engineers, Environmental Scientists/Planners, the Technical Resource Manager and Administrative Assistance. A further breakdown of labor hours by task, sub-task, project and project activity is included in **Attachment D**.

2.3 Technical Resources

In addition to the management and staffing of projects listed in section 2.2, the consultant will also provide technical resources to support other projects being managed by the City's Brownfields Coordinator. Recent and current technical resource needs include the following technical specializations and/or tasks:

- Preparation and review of Engineering bid specifications for remediation
- Preparation and review of demolition bid specifications

- Permitting associated with remediation and demolition
- Green Acres compliance
- Site Management and subcontractor oversight
- Provide Project oversight as LSRP of record for the following sites:
 - P&G Trading Co. (remediation oversight and regulatory closure)
 - Pattern Machine & Foundry (Issue RAO)
 - Other sites as may be required
- Provide support for project steering committees
- Provide support for economic development, redevelopment and real estate projects

This task will also include participation in new projects, emergency actions or other short-term actions as directed by the Brownfields Coordinator. It is estimated that approximately **58 professional hours** will be required to complete the requirements of this task. Levels of support would include LSRPs, the Technical Resource Manager, Project and Site Managers, Engineers and other technical staff, and support staff. A further breakdown of labor hours by task, sub-task, project and project activity is included in **Attachment D**.

2.4 Brownfield Program Capacity-Building

The Brownfields Program is an award-winning program that continues to evolve, grow, inform Federal and State Brownfields policy, and mentors other communities trying to establish brownfields programs in their communities. Capacity-building activities includes:

- Better Environmental Solutions for Trenton Committee, the steering and advisory committee to the Brownfields Program.
 - Serve as staff to the Brownfield Stakeholder committee
 - Develop meeting agendas, topics, minutes, outreach to members
 - Identify and schedule speakers for meetings
 - Develop annual brownfields tour
 - Serve on the BEST Executive Committee
- Assist in updating quadrennial Brownfields Action Plan and reporting to the Mayor (expected to be completed in December 2022)
- Support the Brownfields Program's work with the NJDEP's Community Collaborative Initiative.
- Provide notification and coordination of outside activities that may provide a means of increasing the performance, capability or notoriety of the Brownfields Program, including conferences, marketing events, technical sessions, webinars, safety training and award opportunities.
- Support programmatic initiatives with State and Federal partners to obtain Technical Assistance and other mutually beneficial tasks.
- Collaborate to inform state and federal brownfields policy, including working with other established brownfields communities for mutual benefit.

It is estimated that approximately **180 professional hours** will be required to complete the requirements of this task. Levels of support would include the Project/Program Manager,

other technical staff, and support staff. A further breakdown of labor hours by task, sub-task, project and project activity is included in **Attachment D**.

Note: This scope of work requires the selected consultant to participate in the writing of requests for proposals for, and selection and oversight of, environmental, engineering and remediation contractors. **The company selected for this contract will be disqualified from bidding on any City of Trenton environmental, engineering or remediation work for the period of these contracts.**

3.0 Submittal Requirements, Evaluation and Selection Criteria, and Contract Awards


Proposals will be evaluated based on the following information to be submitted:

- Documentation of Experience - The City of Trenton reserves the right to consider the Subcontractor's experience in awarding the contract. The Subcontractor shall submit a summary of relevant work experience documenting completion of work of similar character to that required in the specification. Depth of experience obtaining and managing environmental grants for municipalities.

In addition to the requested summary, the following specific information is to be submitted to document specific experience:

- A list of all Federal grant applications prepared for and submitted to USEPA in the last 5 years, with grant name, submittal date, and site name and location. Include notations on whether those grant applications were awarded, denied or pending;
- A list of all State applications for environmental-related grants (HDSRF, other) that were prepared, submitted in the last 5 years, with grant name, submittal date, and site name and location. Include notations on whether those grant applications were awarded, denied or are pending;
- Summaries (or case studies) of three projects completed or largely completed in the last 5 years that used Federal and/or State environmental grants. The summary is to include environmental issues (Areas of concern, contamination, media, etc.); funding; remedial actions; innovative techniques employed; project-specific challenges and development outcomes.
- Meeting threshold skills requirements as stated above for the proposed Technical Resource Manager. Proposals must contain comprehensive resume of proposed Technical Resource Manager.
- Subcontractor shall provide proof of adequate insurance including professional liability and workmen's compensation. Upon award of contract, subcontractor shall name the City of Trenton as an additional insured when applicable;
- Methodology – As part of the proposal, the Subcontractor shall submit a written plan briefly describing how the work will be completed. At a minimum, this plan shall include the work methodology and relevant NJDEP regulations. Please provide assumptions on assigned staff, hours, tasks etc.
- Include a breakdown of wage rates and job titles for various professional labor categories.

- g. Contractor, where applicable, shall furnish such reports or other documents to the Affirmative Action Office as may be requested by the office from time to time in order to carry out the purposes of these regulations. Contractor shall furnish such information as may be requested by the Affirmative Action Office for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code (N.J.A.C. 17:27).
- h. Contractor, shall submit along with the signed contract one of the following as evidence of compliance with N.J.A.C. 17-27:
1. Appropriate evidence that the independent contractor is operating under an existing Federally approved or sanctioned affirmative action program.
 2. A certificate of employee information report approval issued in accordance with N.J.A.C. 17:27-4.
 3. An initial employee information report (Form AA #302) provided by the Affirmative Action Office and completed by the contractor in accordance with N.J.A.C. 17:27-4


BROWNFIELD REDEVELOPMENT SOLUTIONS, INC.,
P.O. BOX #2293
MEDFORD LAKES, NEW JERSEY 08055

February 10, 2023
DATE

Seal: _____

Attest: 

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year above written.

ATTEST:

CITY OF TRENTON

Brandon L. Garcia, RMC
MUNICIPAL CLERK

W. REED GUSCIORA, ESQ.
MAYOR

DATE _____

DATE _____