

RESOLUTION NO. 2018 – 96

RESOLUTION OF THE TOWNSHIP OF LITTLE EGG HARBOR, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXTENSION OF A LETTER OF AGREEMENT WITH NJ FUTURE

WHEREAS, NJ Future is a nonprofit organization that is aiding storm-damaged municipalities to rebuild quickly and resiliently through its Local Recovery Planning Program (hereinafter, the “Program”); and

WHEREAS, the Township previously approved an Agreement with NJ Future for the Management of the Marsh Restoration and Resiliency Project; and

WHEREAS, NJ Future’s source of funding for the Agreement has run out and has submitted a proposal to the Township for the extension of the Agreement, which will permit NJ Future to pursue alternate sources of funding; and

WHEREAS, pursuant to NJ Future’s proposal, attached hereto and made a part hereof as Schedule “A”, NJ Future will identify potential technical and financial resources and continue to assist the Township with the implementation of the combined dredging and resiliency project; and

WHEREAS, it is the desire of the governing body to authorize the execution of this Letter of Agreement extending the Agreement with NJ Future through December 2018 at a cost not to exceed \$65,000.00.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Township of Little Egg Harbor, County of Ocean, State of New Jersey as follows:

1. That the governing body does hereby authorize the execution of a Letter of Agreement with NJ Future for continued management of the Marsh Restoration and Resiliency Project.

2. That the Township Administrator is hereby authorized to execute an Agreement with NJ Future consistent with the proposal which is attached hereto as Schedule "A".

3. That a certified copy of this resolution be forwarded to NJ Future.

Motion to Approve: *Kehm* Second: *Stevens* Roll Call:

Crea	<u>yes</u>
Gormley	<u>Absent</u>
Kehm	<u>yes</u>
Schlick	<u>yes</u>
Stevens	<u>yes</u>

CERTIFICATION

I, **DIANA K. MCCRACKEN, RMC**, Municipal Clerk of the Township of Little Egg Harbor do hereby certify that the foregoing resolution was duly adopted by the Township of Little Egg Harbor Township Committee at a meeting held on the **8th** day of March, **2018**.

Diana K. McCracken, RMC
DIANA K. MCCRACKEN, Township Clerk
Little Egg Harbor Township



February 28, 2018

16 W. Lafayette Street
Trenton, N.J. 08608
p: (609) 393-0008
f: (609) 360-8478
w: njfuture.org

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Peter Kasahach

Mr. Garrett Loesch
Business Administrator
Township of Little Egg Harbor
665 Radio Road
Little Egg Harbor Township, New Jersey 08087

**SUBJECT: *Proposal for Continued Management of the Marsh
Restoration and Resiliency Project through June, 2018***

Dear Mr. Loesch:

New Jersey Future is pleased to submit this proposal to Little Egg Harbor Township for continuing support in the management and oversight of the Marsh Restoration and Resiliency Project for Little Egg Harbor Township and the Borough of Tuckerton. New Jersey Future has assisted both communities in the capacity of Local Recovery Manager since October, 2013. In this role, we were able to secure funding for a combined dredging and resiliency project from the National Fish and Wildlife Foundation (NFWF). Using funds that were provided to us through private foundations, we were able to assist the Township in implementing this important project. Upon the conclusion of the Local Recovery Manager program New Jersey Future entered into a contract with Little Egg Harbor Township to continue to provide these oversight and management functions. Our work included development of the scope, assistance in the procurement of the design contractor, negotiations with the Trust for Public Land to allow for living shoreline placement on their property adjacent to Iowa Court, discussions with regulators and other adjacent property owners, and seeking additional funding to cover project budget shortfalls.

Because of the extension of the project period, unanticipated level of effort associated with closing the projected budget shortfall, and a greater than expected number of meetings with regulators to advance the permits, the current contract is not sufficient to complete the project. At the same time, the project has reached a point at which New Jersey Future's involvement is even more critical.

New Jersey Future continues to be well-positioned to provide objective and professional oversight to ensure that the project meets the goals of the towns and those of the funding agencies, and negotiate delicate agreements with public sector regulators and landowners. This work complements and remains necessary to the activities for which T&M Associates was retained; it does not duplicate efforts.

The tasks we hope to be able to continue to perform are described below:

Task 1: Grant Management

New Jersey Future will continue to perform the grant management and administration tasks to remain compliant with NFWF grant requirements as well as the NJDEP 319(h) grant that was secured for this project. This includes preparing necessary progress reports, quarterly and annual financial reports, and technical submittals. This line item also includes advance payment submission requests to NFWF to ensure the ability of the Township to pay invoices in a timely manner, as well as the no cost time extension request to extend the project period to the end of December and the modification and closeout of the NFWF project.

Task 2: Liaison with Stakeholder Groups

Stakeholder groups include interested residents and town leaders in Little Egg Harbor and Tuckerton; surrounding property owners who represent locations for resiliency projects such as the NJ Natural Lands Trust, and private owners; as well as regulatory agencies such as the NJ Department of Environmental Protection, and the US Army Corps of Engineers. New Jersey Future will continue to provide regular updates to interested parties, and attend periodic stakeholder meetings to ensure that residents and town officials remain informed about the project's progress. New Jersey Future will also provide project representation at NJDEP Joint-Application Permit Meetings, and will continue to work behind the scenes to ensure that permit conditions are reasonable and achievable to the extent possible. Finally, we will continue communication with adjacent property owners to ensure that project needs are met and relationships with public entities are strengthened.

Task 3: Contract Management

This task includes design and construction phase contract management, and consists of the following:

- Managing project budget and schedules.
- Reviewing deliverables and process project invoices and change order requests.
- Coordinating with the project engineer to ensure design incorporates project goals and meets expectations of LEH, Tuckerton, and project stakeholders.
- Working with the project engineer to prepare final Bid Specification package and assist Township in posting and managing bid process.
- Preparing for and attending the pre-bid site meeting.
- Responding to requests for information from prospective bidders and preparing contract addenda.
- Reviewing and scoring bid proposals and providing recommendations to Township for selection of a project contractor.
- Providing construction phase administrative services including: review and approval of pay applications; processing requests for information from the contractor; coordinating between the engineer, contractor, and other project subcontractors; developing project punch lists and assisting at project close-out.

Cost Estimate

New Jersey Future proposes the following price schedule to perform the above referenced work. This covers the period ending December, 2018.

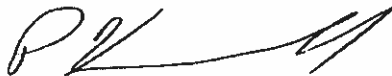
Task	Estimated Hours	Task Total
Task 1: Grant Management	19	\$2,305
Task 2: Liaison with Stakeholder Groups	175	\$23,390
Task 3: Contract Management	296	\$38,680
Subtotal	490	\$64,375
Direct costs		\$1,025
Total		\$65,400

New Jersey Future Cost Estimate Assumptions and Conditions

1. This project period ends on December 31, 2018. This proposal assumes person-hours per task as outlined in the cost proposal. Activities conducted in addition to the contracted person-hours will constitute a contractual out of scope. Little Egg Harbor will only be invoiced for actual hours worked.
2. New Jersey Future's hourly rate will remain the same for performance period of the contract and will not be subject to increase during this time.
3. This Agreement may be modified with the mutual consent of both parties. All modifications must be made in writing and must be signed by authorized representatives of Little Egg Harbor Township and New Jersey Future.
4. The obligation to provide services under this Agreement may be terminated by either party upon five days written notice. In the event of termination, New Jersey Future will be paid for all services rendered and reimbursable expenses incurred to the date of the termination.
5. New Jersey Future and subcontractors shall be entitled to use, for promotional purposes, Little Egg Harbor Township's name, a general description of the services performed, and a general description of the project, unless requested by the Township not to do so.
6. New Jersey Future will generate project invoices on a monthly basis. Payment is due upon receipt of invoice. Invoices past due for 45 days or more may be subject to a 5% finance charge.

We look forward to continuing our work with you on this critical project. Please feel free to reach out to me or David Kutner, Planning Manager, if you require additional information.

Sincerely,



Peter Kasabach
Executive Director

Cc: Jenny Gleghorn, Tuckerton
David Kutner, NJF
Leah Yasenchak, BRS