

RESOLUTION NO. 2024-145

RESOLUTION OF THE TOWNSHIP OF LITTLE EGG HARBOR, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF A CHANGE ORDER ADDENDUM WITH BARNEGAT BAY PARTNERSHIP TO REFLECT A REDUCTION IN THE AMOUNT TO CONTINUE MONITORING THE IOWA COURT LIVING SHORELINE PROJECT

WHEREAS, the Township of Little Egg Harbor submitted an application for a Coastal GP 24 for a project entitled "Little Egg Harbor Tuckerton Marsh Resiliency Project"; and

WHEREAS, the goal of the Coastal GP 24 is to create a living shoreline within the area of Iowa Court that will re-establish a portion of the shoreline back to the 1977 tidelands claim line; and

WHEREAS, the project has been constructed and, pursuant NJDEP WQR 319h grant the Township received for this project, post-construction monitoring is required; and

WHEREAS, Barnegat Bay Partnership, through Ocean County College, has been performing the required monitoring on behalf of the Township; and

WHEREAS, Barnegat Bay Partnership requested to modify the scope of work and budget for the post-construction monitoring of the nature-based shoreline resiliency projects at Iowa Court (Little Egg Harbor Township) and So. Green Street (Tuckerton Borough) by the Barnegat Bay Partnership (BBP); and

WHEREAS, four years of post-construction monitoring (2020 through 2023) have been completed by the BBP at both sites; and

WHEREAS, monitoring was originally planned for one more year, through September 2024 and BBP is proposing that the remaining monitoring work be modified, with

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ATTORNEYS AT LAW

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monitoring to focus on erosional areas at Iowa Ct. immediately, and an informal report provided to guide the Township on next steps for adaptive management; and

WHEREAS, the reduction of one year of annual monitoring will result in \$11,940 in budget savings from the original budget of \$81,200 (PO # 20-00320) and these savings to the Township can then be applied to the costs of adaptive management activities; and

WHEREAS, the governing body wishes to authorize a change order to the agreement with Barnegat Bay Partnership to monitor the Iowa Court Living Shoreline Project on behalf of the Township, so as to reduce the amount of the Agreement by Addendum by \$11,940.00 in accordance with the attached proposal, Schedule A.

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 authorize the execution of an addendum to the Agreement with Barnegat Bay Partnership so as to amend the scope of work and reduce the contract amount by \$11,940.00 to \$69,260.00.
2. That the Mayor is authorized to execute and the Township Clerk to attest to the Addendum and any and all documents deemed required, in a form acceptable to the Township Attorney, in accordance with the provisions of this resolution.
3. That a certified copy of this resolution, together with a copy of the Addendum shall be forwarded to the Chief Financial Officer, Township Engineer and Barnegat Bay Partnership.

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CERTIFICATION

I, **KELLY LETTERA, CMC, 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 **13th** day of **June, 2024**.



KELLY LETTERA, CMC, RMC
Township Clerk
Little Egg Harbor Township

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CERTIFICATE OF AVAILABILITY OF FUNDS

I, **RODNEY R. HAINES**, Chief Financial Officer for the Township of Little Egg Harbor, do hereby certify that adequate funds are available for an addendum to the Agreement with Barnegat Bay Partnership so as to amend the scope of work and reduce the contract amount by \$11,940.00 to \$69,260.00.

The funds which are available for this contract are found in the following line item appropriations or ordinances:

602 40 417 148



RODNEY R. HAINES, Chief Financial Officer
Township of Little Egg Harbor

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ADDENDUM TO CONTRACT

THIS ADDENDUM made this _____ day of _____, 202,

by and between the **TOWNSHIP OF LITTLE EGG HARBOR**, a municipal corporation of the State of New Jersey, having its principal offices located at 665 Radio Road, Little Egg Harbor, New Jersey, 08087, hereinafter referred to as "Township," and **BARNEGAT BAY PARTNERSHIP**, having an address at Ocean County College, College Avenue, P.O. Box 2001, Toms River, New Jersey 08753, hereinafter referred to as "Contractor."

WITNESSETH:

WHEREAS, the Township of Little Egg Harbor submitted an application for a Coastal GP 24 for a project entitled "Little Egg Harbor Tuckerton Marsh Resiliency Project"; and

WHEREAS, the goal of the Coastal GP 24 is to create a living shoreline within the area of Iowa Court that will re-establish a portion of the shoreline back to the 1977 tidelands claim line; and

WHEREAS, the project has been constructed and, pursuant NJDEP WQR 319h grant the Township received for this project, post-construction monitoring is required; and

WHEREAS, Barnegat Bay Partnership, through Ocean County College, has been performing the required monitoring on behalf of the Township; and

WHEREAS, Barnegat Bay Partnership requested to modify the scope of work and budget for the post-construction monitoring of the nature-based shoreline resiliency projects at Iowa Court (Little Egg Harbor Township) and So. Green Street (Tuckerton Borough) by the Barnegat Bay Partnership (BBP); and

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WHEREAS, four years of post-construction monitoring (2020 through 2023) have been completed by the BBP at both sites; and

WHEREAS, monitoring was originally planned for one more year, through September 2024 and BBP is proposing that the remaining monitoring work be modified, with monitoring to focus on erosional areas at Iowa Ct. immediately, and an informal report provided to guide the Township on next steps for adaptive management; and

WHEREAS, the reduction of one year of annual monitoring will result in \$11,940 in budget savings from the original budget of \$81,200 (PO # 20-00320) and these savings to the Township can then be applied to the costs of adaptive management activities; and

WHEREAS, the governing body wishes to authorize a change order to the agreement with Barnegat Bay Partnership to monitor the Iowa Court Living Shoreline Project on behalf of the Township, so as to reduce the amount of the Agreement by Addendum by \$11,940.00 in accordance with the attached proposal, Schedule A.

NOW THEREFORE, be it agreed between the parties as follows:

1. The Township and the Contractor do hereby amend the original contract between the parties to authorize a change order to the agreement with Barnegat Bay Partnership to monitor the Iowa Court Living Shoreline Project on behalf of the Township, so as to reduce the amount of the Agreement by Addendum by \$11,940.00 in accordance with the attached proposal, Schedule A, as set forth on Schedule A, attached hereto and made a part hereof.

2. That the parties do hereby authorize the execution of this addendum.

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WITNESS & ATTEST:

TOWNSHIP OF LITTLE EGG HARBOR

KELLY LETTERA, RMC
Township Clerk

By _____
BLAISE SCIBETTA, Mayor

BARNEGAT BAY PARTNERSHIP

Secretary
(Seal)

By _____
President

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March 6, 2024

Mr. Rodney R. Haines, Township Administrator
665 Radio Rd.
Little Egg Harbor Township, New Jersey 08087

Dear Mr. Haines,

This letter follows up on conversations with BRS with regard to modifying the scope of work and budget for the post-construction monitoring of the nature-based shoreline resiliency projects at Iowa Court (Little Egg Harbor Township, LEHT) and So. Green Street (Tuckerton Borough) by the Barnegat Bay Partnership (BBP). This monitoring is part of an NJDEP WQR 319h grant to Little Egg Harbor Township.

Four years of post-construction monitoring (2020 through 2023) have been completed by the BBP at both sites; in addition, three annual reports (2020 through 2022) have been submitted to BRS and LEHT. Monitoring was originally planned for one more year, through September 2024. As a result of our monitoring results to date and our discussions with Ms. Jen Taylor at BRS, we are proposing that the remaining monitoring work be modified, with monitoring to focus on erosional areas at Iowa Ct. immediately, and an informal report provided to guide the township on next steps for adaptive management. Sediment sampling will be performed if the remaining plugs planted in 2023 exhibit reduced success in the 2024 growing season. After completion of the targeted monitoring report, a final analysis of the four years of monitoring data will be performed and the results compiled into a final report that will be submitted to BRS and LEHT. The reduction of one year of annual monitoring will result in \$11,940 in budget savings from the original budget of \$81,200 (PO # 20-00320). These savings to the township can then be applied to the costs of adaptive management activities to be undertaken by BRS and/or the Township.

It continues to be a pleasure to work on this project for BRS and LEHT. Please don't hesitate to contact me (shales@ocean.edu; 732-255-0472, ext. 3) or Ms. Ceili Pestalozzi (cpestalozzi@ocean.edu; ext. 4), our Wetlands and Watershed Coordinator who has managed the contract, with any questions.

Sincerely,

L. Stanton Hales, Jr., Ph.D.
Director

ONE OF 28 NATIONAL ESTUARY PROGRAMS ADMINISTERED BY THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY.

Ocean County College | College Drive | PO Box 2001 | Toms River, NJ 08754
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barnegatbaypartnership.org