

Resolution of the Demarest Governing Body

Resolution No. 081-26

March 23, 2026

Council Member	Motion	Second	Yes	No	Abstain	Absent
Slowikowski			✓			
Carmeli		✓	✓			
Collins			✓			
Fox			✓			
Marks			✓			
Reiss	✓		✓			

TITLE: A RESOLUTION AUTHORIZING ENGINEERING SERVICES FOR DAVIES ARBORETUM DAM

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WHEREAS the Borough of Demarest has a need for engineering services related to the STORM DAMAGE TO THE Davies Arboretum Dam; and

WHEREAS, the Borough received a proposal dated March 5, 2026 from Colliers Engineering & Design to provide those services, attached, for the sum of \$12,500.00; and

WHEREAS, the appointment and the contract are exempted from the competitive bidding requirements of the Local Public Contracts Law, (NJSA 40A:11-1 et. Seq.) as "Professional Services", pursuant to NJSA 40A:11-5(1)(a); and

WHEREAS, the vendor is the currently appointed 2026 Borough Engineer for the Borough of Demarest; and

NOW, THEREFORE, BE IT RESOLVED by the Borough of Demarest that the Borough Administrator is authorized to execute the agreement to authorize Colliers Engineering & Design to perform the work described herein not to exceed \$12,500.00, a copy of which is annexed to this Resolution.

APPROVED:



Andrea Slowikowski, Council President

CERTIFICATION OF CFO

I, Andrea Diekmann Johe, do hereby certify the availability of funds for the expenditure referenced herein.



Andrea Diekmann Johe, CFO

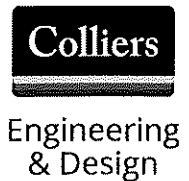
CERTIFICATION

I, Julie Falkenstern, Registered Municipal Clerk, of the Borough of Demarest, in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing Resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting on March 23, 2026.



Julie Falkenstern, RMC

400 Valley Road Suite 304
Mt. Arlington, NJ 07856
Main: 877 627 3772



March 5, 2026

Julie Falkenstern, Borough Administrator
Borough of Demarest
118 Serpentine Road
Demarest, New Jersey 07627

Davies Arboretum Dam Decommissioning
Professional Engineering Services
Borough of Demarest, Bergen County
Colliers Engineering & Design Proposal No. DEB039P

Dear Ms. Falkenstern,

Colliers Engineering & Design Inc. (CED) is pleased to present this agreement for professional services associated with the Davies Arboretum Dam Decommissioning project. The "Unnamed Dam", hereafter referred to as the Davies Arboretum Dam, is located on Lot 1, Block 88 within the Arboretum lands of the above-mentioned Lot, on the west side of Anderson Avenue between Orchard Road and Robin Road, within the Borough of Demarest. As you are aware, the storm event that reached New Jersey on September 1, 2021, also known as Hurricane Ida, caused severe damage to the Davies Arboretum Dam. The Dam failed and was compromised when remnants from Hurricane Ida traversed through the immediate area and flooded out several streams and properties located within the Borough. The Dam was temporarily stabilized as an emergency effort. It is our understanding that the Borough wishes to decommission the Davies Arboretum Dam at this time.

The required due diligence and engineering can vary significantly for these project types; therefore, this agreement is for the preparation and attendance at a New Jersey Department of Environmental Protection (NJDEP) pre-application meeting.

Accordingly, services include the engineering leading up to and including an NJDEP pre-application meeting.

CED will provide the following services:

SCOPE OF SERVICES

TASK 1.0 NJDEP PRE-APPLICATION MEETING

This Task includes site visits by various CED staff to assess existing conditions of the dam, as well as existing conditions upstream and downstream of the dam. CED will prepare the required meeting items and attend one (1) pre-application meeting with the NJDEP Bureau of Dam Safety and the NJDEP Division of Land Use Regulation (DLUR) to review the proposed improvements in relation to NJDEP jurisdiction under the Dam Safety Act (N.J.S.A. 58:4), Dam Safety Standards (N.J.A.C. 7:20), Freshwater Wetlands Protection Act Rules (N.J.A.C. 7:7A) and Flood Hazard Area Control Act Rules



Engineering
& Design

(N.J.A.C. 7:13). These submittal items will include a schematic plan, location maps, site photographs, a written project description, available environmental mapping, and a proposed meeting agenda with goals and objectives.

This phase includes attendance by the CED Municipal Representative as well as technical staff experienced with NJDEP permitting and stream modeling. Information and questions gathered during this task will be presented and discussed with the attending NJDEP representatives at the pre-application meeting. In addition, meeting minutes to document the discussion and outcome will be prepared and distributed following the meeting. We expect that the Borough will wish to also have representation at this meeting in order to provide historical context regarding the project area and to discuss possible scoped options. CED recommends and encourages such attendance.

PROJECT SCHEDULE

The following is the anticipated project schedule:

	<u>Anticipated Duration</u>
Award of Professional Services	Anticipate March-April 2026
Due Diligence	To be completed within 60 days of Authorization
NJDEP Pre-Application Meeting	To be submitted within 60 days of Authorization

FEE SCHEDULE

TASK 1.0 NJDEP PRE-APPLICATION MEETING	\$12,500.00
TOTAL LUMP SUM FEE	\$12,500.00

The above services will be provided on a lump sum basis not to exceed the listed amount unless otherwise authorized. This Contract and Fee Schedule are based upon the Borough Engineering Contract authorized by the Borough of Demarest (Resolution #016-26).

REIMBURSABLE EXPENSES

Reimbursable expenses including delivery, printing, copying, postage and other reproducible costs for the project are included within this agreement and are included in the project cost.

PLAN REVISIONS AND EXTRA SERVICES

Any revisions requested by the Borough of Demarest or review agencies that require a major redesign or is not an error or omission on the part of CED will be billed on an hourly basis in accordance with our current contract.

EXCLUSIONS

If any item listed herein, or otherwise not specifically mentioned within this agreement or the Borough Engineering Agreement is deemed necessary, then CED may prepare an addendum to this agreement for your review, outlining the scope of additional services and associated professional fees with regard to the extra services. These excluded services include, but are not limited to:

- Boundary Survey;
- Flood Hazard Area Verification;
- Design Services;
- Hydraulic and/or hydrologic analyses;
- NJDEP Wetlands and Flood Hazard Area permitting.

Unanticipated additional services will be in accordance with the Schedule of Hourly Rates for the number of hours of effort required. No extra services will be performed without authorization from the Borough.

Please forward a copy of the Resolution of Approval and/or Approved Purchase Order for this agreement to this office. This will constitute approval of the proposed services.

We thank you very much for the opportunity to offer our services and look forward to working with you on this and future projects. In the meantime, should you have any questions regarding this agreement, please feel free to contact me.

Sincerely,
Colliers Engineering & Design



Nick Chelius, P.E., C.M.E.
Borough Engineer Representative

cc: Andrea Johe, CFO (via email)
Carl O'Brien, CED (via email)
Patrick Jamieson, CED (via email)

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