

**Resolution of the Demarest Governing Body**

**Resolution No. 197 -24**

**November 25, 2024**

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

**TITLE: RESOLUTION AUTHORIZING ENGINEERING SERVICES FOR TREE SURVEY**

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**WHEREAS**, the Borough of Demarest has a need for topographic tree surveying related to Borough Compost Site Compliance; and

**WHEREAS**, the Borough received a proposal dated November 21, 2024 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 2024 Borough Engineer for the Borough of Demarest and the Mayor and Council awarded said 2024 contract pursuant to the provisions of NJSA 19:44A-20.5; and

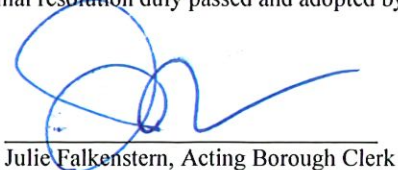
**WHEREAS**, the Chief Financial Officer has certified that funds are available in account 4-01-2010-23-220-2091; and

**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.

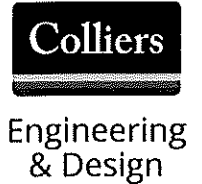
**APPROVED:**   
\_\_\_\_\_  
Mayor Brian Bernstein

**CERTIFICATION**

I, Julie Falkenstern, Acting Borough 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 November 25, 2024

  
\_\_\_\_\_  
Julie Falkenstern, Acting Borough Clerk

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



November 21, 2024

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

Professional Engineering Services  
The Woodlands Tree Survey  
Borough of Demarest, Bergen County  
Colliers Engineering & Design Proposal No.: DEB0069P

Dear Ms. Falkenstern,

Colliers Engineering & Design Inc. DBA Maser Consulting (CED) is pleased to present this agreement to provide Survey services as well as a Tree Analysis and Determination of Property Lines for a portion of the property currently associated with the Woodlands development project located in the Borough of Demarest. It is our understanding that the Borough intends to purchase a portion of the subject property to satisfy NJDEP tree requirements associated with the ongoing Compost Facility actions. The survey will determine the location and diameter of trees within the subject area. Once the survey is prepared, an evaluation will be performed to determine how many existing trees are necessary to satisfy the NJDEP requirements. Proposed lot lines will be located to create a "new" parcel for the Borough's negotiation with the Developer. Please note the deliverable will be an AutoCAD file with the proposed lot lines. This file will be provided to the Borough and Developer so the remaining subdivision work can be completed by the Developer's surveyor; therefore, the subdivision plan, as well as metes and bounds descriptions, are not included in this effort.

CED will provide the following services:

#### **SCOPE OF SERVICES**

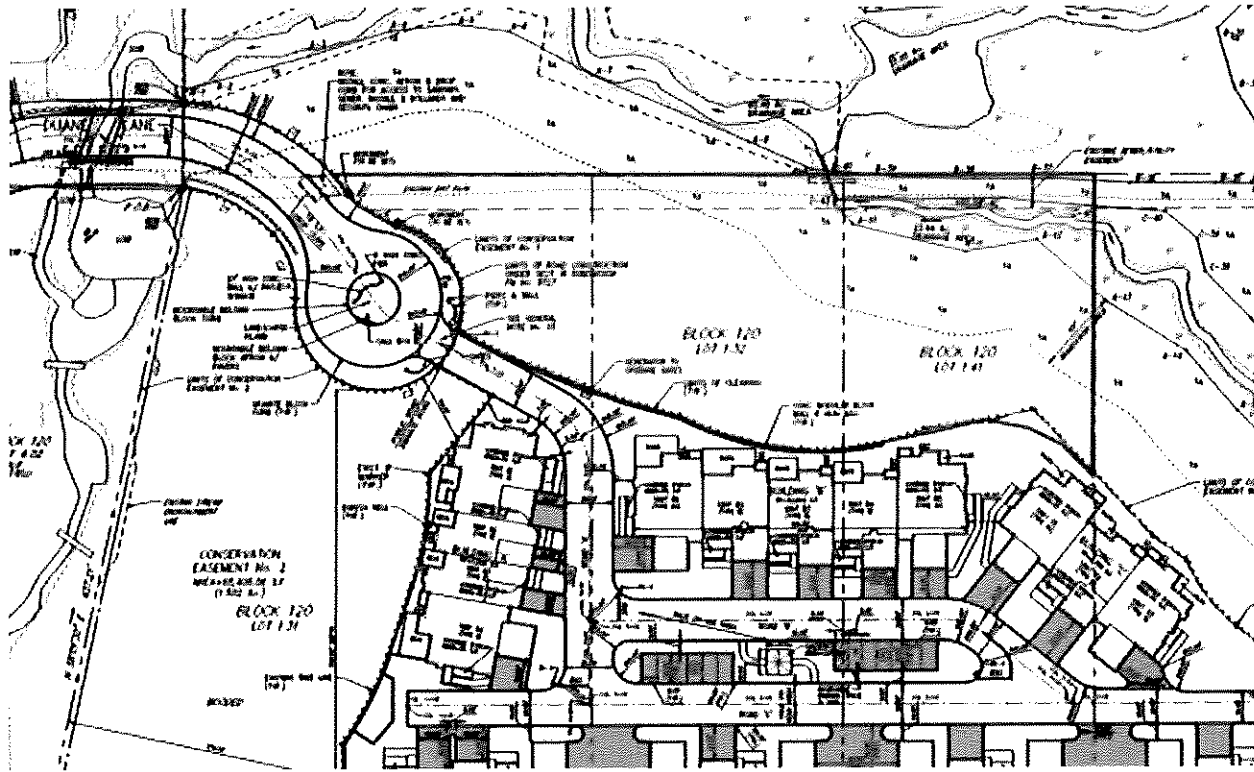
##### **TASK 1.0 SURVEY SERVICES**

###### **Task 1.1 Partial Topographic Survey**

CED will perform a Partial Topographic Survey of the subject property in accordance with the standards set forth in the Laws of the State of New Jersey Statutory Reference NJSA 45:8-28(e) and, more specifically, the administrative rules and regulations promulgated by the State Board of Professional Engineers and Land Surveyors and contained in N.J.A.C. 13:40-5.1.

The limits of the survey are outlined in **red** as depicted in the Survey Limits image below:

### SURVEY LIMITS

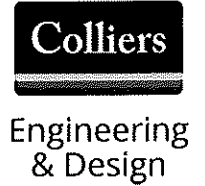


Our office will prepare a topographic survey map that is a graphic pictorial representation of existing site features observed at the time of the field survey such as curbs, roadways, and **individual trees four inches (4") and greater**. The topographic map will depict existing spot elevations and contours at a one-foot (1') contour interval. GPS surveying techniques will be used to control the survey with the resulting horizontal and vertical datum being tied to the Site Plan prepared by Hubschman Engineering, P.A., entitled "Site Plan, Proposed Condominium Development, the Woodlands in Demarest" last revised December 10, 2021.

Included in this task of service are the following tasks:

- Establish on-site survey control;
- Field traverse, topographic survey, and data collection;
- Field survey data reduction and computation;
- Preparation of topographic survey map in AutoCAD Civil 3D 2022 format.

Traffic safety protection for field survey crew is **not** included in the fee for this survey. If it is determined that safety protection is required for any of the survey services performed under this contract, we will advise you of the approximate cost prior to moving forward. Such additional cost would be invoiced as a reimbursable expense pursuant to prior authorization.



**TASK 2.0 TREE ANALYSIS AND DETERMINATION OF PROPERTY LINES**

Utilizing the tree survey prepared in Task 1.0 above, an evaluation will be performed to calculate the number of existing trees required to satisfy the necessary tree volume for NJDEP comments associated with the Compost Facility. Once the target number of trees (tree volume based on diameter measurements) is determined, proposed lot lines will be drafted to create a “new” parcel. The lot lines will be chosen and configured to limit the number of property line courses and also ensure that a nominal amount of surplus trees is encompassed. The file with lot lines will be provided to the Borough and Developer so the negotiation for the property purchase can be completed and the Developer’s surveyor can complete the subdivision effort. Accordingly, the subdivision plan, as well as metes and bounds descriptions, are not included in this effort. It is assumed that the Developer’s surveyor will complete these items.

**FEE AGREEMENT**

For your convenience, we have broken down the total estimated cost of the project into the categories identified within the Scope of Services.

TASK 1.0	SURVEY SERVICES	\$ 6,900.00
TASK 2.0	TREE ANALYSIS AND DETERMINATION OF PROPERTY LINES	\$ 5,600.00
<b>TOTAL LUMP SUM FEE</b>		<b>\$12,500.00</b>

The above engineering services will be provided on a lump sum basis not to exceed the listed amount. This contract and fee schedule are based upon the Borough Engineering Contract, authorized by the Borough.

**PROJECT SCHEDULE**

The following is the anticipated project schedule:

	<b>Anticipated Duration</b>
Mayor & Council Award of Professional Services	Anticipate Authorization November 2024
Survey Services	To be completed within November
Tree Analysis/Determination of Property Lines	To be completed within November

## **PROJECT DELIVERABLES**

An AutoCAD file with the proposed lot lines will be provided to the Borough.

## **PLAN REVISIONS AND EXTRA SERVICES**

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

## **REIMBURSABLE EXPENSES**

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

## **EXCLUSIONS**

Services relating to the following items are not anticipated for the project or cannot be quantified at this time. Therefore, any service associated with the following items is specifically excluded from the scope of professional services within this agreement.

- Services not specifically outlined above;
- Boundary Survey;
- Stream Cross Sections;
- Utilities;
- Engineering services beyond what is described above;
- Construction stakeout services;
- Wetland delineation, reports, or surveys;
- Subdivision or Consolidation Plans and/or Parcel Maps;
- Metes and bounds descriptions;
- Security clearance and/or site access protocol.

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 work. Unanticipated additional services shall be in accordance with the Schedule of Hourly Rates for the number of hours that the Construction Administrator or Engineer is on-site. No extra engineering services will be performed without authorization from the Borough.

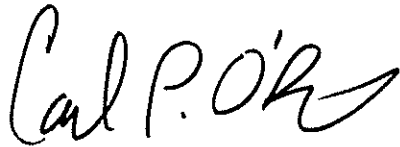
Please forward a copy of the Resolution of Approval or approved Purchase Order to this office. This will constitute approval of the proposed services, and we shall initiate the engineering design services as discussed within this correspondence.

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.  
Borough Engineer Representative



Carl O'Brien, P.E.  
Geographic Discipline Leader

cc: Michael Greco, Deputy Borough Clerk (via email)  
Deena Rosendahl, Esq. Borough Attorney (via email)  
Peter Suh, Borough CFO (via email)  
Patrick Jamieson, (CED via email)  
Jamie Giurintano, PE (CED via email)  
James Priolo, PE (CED via email)