

**Fort Monmouth Economic Revitalization Authority
In-Person & Telephonic Board Meeting
502 Brewer Avenue, Oceanport, N.J. 07757
Dial In: 888-431-3598 Access Code: 1123026
Agenda – January 17, 2024**

1. **Call to Order**
2. **Notice of Public Meeting**
3. **Pledge of Allegiance**
4. **Roll Call**
5. **Welcome**
6. **Approval of Previous Month’s Board Meeting Minutes**
7. **Public Comment Regarding Board Action Items**
8. **Executive Director/Secretary Report & Update**
9. **Committee Reports**
 - Audit Committee – Anthony Talerico, Jr., Chairman
 - Real Estate Committee – McKenzie Wilson, Chairwoman
 - Environmental Staff Advisory Committee – Elizabeth Dragon, Chairwoman
 - Historical Preservation Staff Advisory Committee – Tom Tvrdik, Chairman
 - Housing Staff Advisory Committee – Vacant, Chairperson
 - Veterans Staff Advisory Committee – Vacant, Chairperson
10. **Board Actions**
 1. Consideration of Approval of the First Amendment to the Interagency Agreement between FMERA and the Borough of Oceanport to contract for civil and environmental engineering services for Buildings 550 & 551 in Oceanport.
 2. Consideration of Approval of the Interagency Agreement between FMERA and the Borough of Oceanport for contract and project oversight for stormwater.
3. **Other Items**
4. **Public Comment Regarding any FMERA Business**
5. **Adjournment**



MEMORANDUM

To: Members of the Board

From: Kara Kopach
Executive Director

Date: January 17, 2024

Subject: Monthly Status Report

Summary

The following are brief descriptions of the Fort Monmouth Economic Revitalization Authority (FMERA) staff's monthly activities which include the Treasurer's Report, and Update on Utilities and Infrastructure, Update on Development & Marketing and Update on the Fort Monmouth Redevelopment

Treasurer's Report

FMERA staff has begun work on the Authority's 2023 Annual Report and financial statements which serve as FMERA's Comprehensive Annual Report to meet the requirements of Executive Order No. 37 (2006). It is expected that a draft report and statements will be available for review in mid-March, and the final report presented to the Board in April.

The Authority's independent auditors, CliftonLarsonAllen LLP will begin their work on the audit of the Authority's operations after a meeting with the Audit Committee. The auditors will report on the Authority's financial statements and accompanying notes, as well as report on the Authority's internal controls and compliance with Government Auditing Standards. Field work is scheduled to begin the last week of February.

Executive Director's Report

- Update on Utilities and Infrastructure
 - The last few months have seen the conclusion of several sanitary infrastructure projects. The installation of the new East interceptor, force main, and pump station along Oceanport Avenue is complete. The installation of the new South interceptor along Oceanport Way is also complete, as is a new sanitary main on Malterer Avenue. The result of all this new sanitary infrastructure means the entirety of the Oceanport Borough portion of the Main Post has access to new and direct sanitary outfall to the Two River Water Reclamation Authority system. Of the eleven sanitary pump stations that once operated on the Main Post, only two are still in service, which will be decommissioned in the coming weeks. Furthermore, FMERA is now working to decommissioning the eight remaining former army sanitary pump stations on the main post.
 - In the Eatontown portion of the Fort, the installation of the sanitary main along Wilson Avenue is complete. The Wilson Avenue main provides sanitary outfall to the Eatontown Sewerage Authority system for the Monmouth County Motor Pool, Tech Campus B, the Eatontown Parks parcel, and Barracks parcel.
 - The design for a new water lateral serving the 600 area, which includes the McAfee Center, is complete. The bid package for the project will be publicly advertised January 19th.
 - FMERA staff continues to work with Jersey Central, Power & Light staff toward the construction of a new 22-megawatt electrical substation and 15KVA distribution system on the main post. This new infrastructure will replace the existing 4160V electrical system and make JCP&L the primary power provider, eventually taking FMERA out of the power supply business. FMERA continues to repair, replace, and maintain aged electrical infrastructure on the Fort pending the commissioning of the new substation and distribution system.

- FMERA, working with the Borough of Oceanport, completed the demolition of Building 886 in November 2023. The former Building 886 site will be used by the JCP&L to construct a new electrical substation. As part of the same initiative, the demolition of Building 555 is also complete making way for improvements to Brewer Lane. FMERA is also working with the Borough of Oceanport to demolish Buildings 550 & 551, which is expected to be completed by the end of spring 2024.
- FMERA is moving forward with its plan to investigate/evaluate the current condition of stormwater infrastructure located on the Main Post of Fort Monmouth. The project also involves identifying and recording necessary repairs and/or replacements to pipes, manholes, catch basins and outfall structures. The goal of the project is to convey ownership of stormwater infrastructure to the Boroughs of Eatontown and Oceanport once the stormwater infrastructure study is completed and all necessary repairs are made.
- The Facilities and On-site Maintenance Teams continues to maintain and repair heat systems and fire suppressions systems of buildings to be reused by the Mega Parcel purchaser.

2. Update on the Fort's Redevelopment

The following is a town-by-town summary of the status of our redevelopment projects.

In **Oceanport**, FMERA has closed on the following seventeen properties:

- Former Patterson Army Hospital on December 13, 2013, with AcuteCare Systems.
- Officer Housing Parcels on January 13, 2017, with RPM Development, LLC. RPM Development renovated the 116 historic housing units, creating 68 market-rate for sale units, and 48 rental units; twenty percent of the total units are available to low- and moderate-income households.
- Main Post Chapel on February 27, 2017, with Triumphant Life Assembly of God Church who purchased the approximately 16,372 sq. ft. building for use as a house of worship.
- Russel Hall on June 23, 2017, with TetherView Property Management, LLC, a private cloud computing services company who occupies the 40,000 sq. ft. building. Russel Hall currently houses a variety of businesses including tech companies and medical offices.
- Oceanport Municipal Complex on August 16, 2017, where the Borough of Oceanport purchased the property for their new Oceanport Borough Hall, Police Department, Department of Public Works and Office of Emergency Management.
- Fitness Center on September 26, 2017, enabling Fort Partners Group, LLC, to renovate and expand the facility to emphasize basketball and medically based fitness and wellness programs, and individualized group training and classes.
- Dance Hall Parcel on April 4, 2018, to The Loft Partnership, LLC. The developer renovated the Dance Hall as a wedding banquet facility. They have booked over 200 weddings and events since opening.
- Building 501, on April 24, 2019, with Family Promise of Monmouth County, an approximately 1.7-acre site, via a Legally Binding Agreement (LBA). Lunch Break has now merged with Family Promise and will expand the services offered on the site.
- Telecommunications Tower and Land on October 25, 2019, with Global Signal Acquisitions, LLC for an approximately 0.58 parcel of land containing the Telecommunications Tower and adjacent land.
- Squier Hall Complex, on December 19, 2019, with KKF University Enterprises, LLC, an approximately 31-acre site. The developer has secured a commitment from New Jersey City University for use of the site as a satellite campus. The campus opened in the Fall 2020 and continues to have both an academic and community events presence.
- Commissary, Post Exchange (PX) complex, Warehouse District and a 1000 Area Parking parcel, on October 16, 2020, with OPort Partners, LLC. The Commissary/PX parcel shall permit, Food Service, Flex space, Office, R&D and Instructional Schools and Studios. The Warehouse District will permit Flex Space, Medical Office, Office, and Research & Development. Birdsmouth, a brewery opened in 2022, Baseline Social, a full-service state of the art bar and restaurant opened this summer and Mr. Green Tea, the specialty mochi and ice cream distributor is also open.
- Marina, on March 25, 2021, with AP Development Partners, LLC, which will continue to operate as a marina/public boat ramp and restaurant.
- Barker Circle, with Barker Circle Partnership, LLC, an approximately 19.5-acre parcel in the historic district which includes the repurposing of Buildings 205-208, and 287, as well as the Main Post Firehouse and Kaplan Hall, for residential, office and other commercial uses.
- Lodging Area, on November 24, 2021, with Somerset Development, LLC, a 15-acre site located on Parkers Creek, being developed with up to 185 new and renovated housing units. Townhouses are for sale, and some have already been sold and are occupied.

- Allison Hall, on May 20, 2022, with Fort Monmouth Business Center, LLC, a 13-acre parcel which includes the reuse of the historic building, as well as retail, office/research & development and open space/recreation uses.

Also in **Oceanport**, FMERA has executed or approved contracts on the following property:

- Nurses Quarters, with RPM Development, LLC for the 24-unit residential complex on Main Street adjacent to the former Patterson Army Hospital.

In **Eatontown**, FMERA has closed on the following three properties:

- Suneagles Golf Course, on December 18, 2020, with Martelli Development, LLC, who has upgraded the existing Golf Course and renovated the historic Gibbs Hall. Martelli Signature Homes has constructed and sold numerous townhouses in the middle of the course and continues to construct housing units.
- New Jersey American Water Tank Parcel, on April 23, 2021, a parcel located on a 3.945-acre tract on the Howard Commons parcel to install a water tank to serve NJAW's needs by providing approximately four acres of land surrounded on two sides by undeveloped preserved forest, a municipal road on another and a fourth side that encompasses soon to be built residential units which will be buffered by trees. NJAW has demolished the existing structures on the site and will start construction in the first quarter of 2024.
- Eatontown Parks Parcel, on March 7, 2022, with the Borough of Eatontown, a 3.82-acre tract known as the Nicodemus Avenue Park Parcel located on Nicodemus Avenue for active recreation uses. The Borough has demolished all of the existing structures and is designing the park for a splash pad and accompanying bathrooms.

Also in **Eatontown**, FMERA has executed or approved contracts on the following property:

- Howard Commons, with Lennar Corporation for the construction of 275 Housing Units along Pinebrook Road, together with a retail component consisting of a maximum building square footage of 40,000 fronting on Hope Road and the paved and parking areas located within the property. Lennar has an obligation to provide twenty units of supportive housing on the property.

In **Tinton Falls**, FMERA has closed on the following nine properties:

- Parcel E, on January 13, 2013, with Commvault for the headquarters. Commvault announced in March 2023 that they will be selling this building. The new developer anticipates providing lease backed space to Commvault and will also provide additional tenant space to other end users.
- Building 2525, on February 5, 2016, with Aaski Technologies who leases the building to other tenants for technology and office uses.
- Child Development Center, on March 18, 2016, with Trinity Hall, for the all-girl high school. Trinity Hall completed their second-generation project on the site to expand the building's footprint twofold.
- Fort Monmouth Recreation Center and Swimming Pool, on January 6, 2017, with the Monmouth County Park System and being used for programs which include arts & crafts, sports, exercise classes and a variety of amenities including classrooms, gymnasium and a game room.
- Parcel F-3 on February 23, 2017, with the Monmouth County Park System in conjunction with the adjacent Recreation Center and Swimming Pool. Located along Hope Road, the County has expanded its services and public open space amenities currently offered at the Recreation Center.
- Charles Wood Fire Station, on May 22, 2018, transferring the property to Commvault Systems, Inc. for use as corporate office and training space.
- Parcel C with Lennar Corporation, on August 2, 2018, approved for 243 residential units and up to 58,000 sq. ft. of retail development. Lennar has completed the residential portion of this site but the commercial deliverables remain and have been adversely impacted due to the changing market conditions for retail.
- Parcel C1 with Lennar Corporation, on August 2, 2018. Lennar has constructed and sold all 45 single family homes.
- Parcel F-1 – Myer Center and Building 2705, on December 16, 2022, an approximately 36-acre parcel in Tinton Falls where RWJ Barnabas Health (RWJBH) plans to create a health campus to include a cancer center, medical offices, and a future hospital. RWJBH anticipates starting construction on the site this year.

Also in **Tinton Falls**, FMERA has executed contracts on two properties:

- Fabrications Shops (Pinebrook Road Commerce Center), 45,000 sq. ft. of light industrial and flex office space buildings along Pinebrook Road for sale to Pinebrook Commerce Center, LLC.
- Tinton Falls Commercial Parcel (Pulse Power, Building 2719, and the Pistol Range) with RWJBH for 1) construction of a three-story Medical Office Building; 2) installation of a grid-supply solar energy system; 3) construction of active

recreational facilities, including two (2) multi-purpose grass or turf athletic fields, one (1) baseball/softball field, up to five (5) tennis courts, and a field house; 4) passive recreation, including a community walking/nature trail that enhances walkability and interconnectedness of the Tinton Falls section of Fort Monmouth; and 5) open space to benefit the surrounding area.

3. **Development & Marketing Update**

FMERA continues to make good progress on the Fort's redevelopment, with about 86 percent of the Fort's 1,126 acres sold, under contract, in negotiations, or entering the request for proposals process. To date, FMERA has sold 34 parcels, and another 7 parcels are under contract or have Board-approved contracts.

FMERA's redevelopment continues to move forward, with new homes, business, and amenities coming online on a rolling basis. In the Oceanport section of the Fort, Allison Hall is rehabilitating three structures on the site and has begun construction of its new facilities, new homes continue to populate the Parkers Creek development by Pulte, and Baseline Social is now open, offering dining and interactive experiences, like golf caves and live music, at the former Commissary. Mr. Green Tea, the specialty mochi and ice cream distributor is also open, alongside Baseline and Birdsmouth Brewery. In Eatontown, the historic rehabilitation and renovation of Gibbs Hall is now complete and construction of new housing on the course is on-going. Lennar's plans for the Howard Commons property have been reviewed by the Eatontown Planning Board and requests by the Borough are being addressed by the developer at this time. The Borough's park project, now permitted to include a splash pad, dog agility course, and more, is under Mandatory Conceptual Review with FMERA. In Tinton Falls, most of the Charles Wood area is already developed, with second generation projects underway, in addition to the planned construction of RWJBarnabas Health's medical campus. Monmouth County is currently undertaking due diligence for the acquisition of additional open space for their parks system.

The remainder of FMERA's projects are in various stages of development, many of which are still in the due diligence, design, and approvals phases. Continuous demolition and construction can otherwise be seen Fort-wide. As for the Mega Parcel, FMERA staff received all public comments regarding proposed Plan Amendment #20. FMERA staff is reviewing all comments prior to introducing the final Plan Amendment to the Board for adoption. FMERA anticipates presenting Plan Amendment #20 to the Board in the first quarter of the new year.

FMERA is actively working to promote the services and opportunities now available at the Fort. FMERA has collaborated with the Fort Athletic Club to establish a Fort Monmouth chamber, the Fort Owners Group (FOG). This new initiative is an opportunity to increase the visibility of new spaces and businesses and to encouraging partnership to enhance success and create community.

As businesses and amenities come online, FMERA continues to create visibility for these new assets through our social media as well as through our on-site wayfinding signage initiative. Our team will continue to provide updates to the public regarding on-going activities at the Fort that our stakeholders may participate in.

Please visit our website, www.fortmonmouthnj.com and follow us on Instagram at @fortmonmouthnj for our latest updates.



Kara Kopach

Prepared by: Regina McGrade

**Resolution Regarding
First Amendment to the Interagency Agreement between FMERA and the Borough of Oceanport to contract
for civil and environmental engineering services**

WHEREAS, the identified buildings on the Main Post of Fort Monmouth are outdated and not suitable for future use. All four buildings are in locations targeted for utility and infrastructure improvements and/or blight removal. This interagency agreement will enable FMERA to move forward with the blight removal and improvements to the Main Post infrastructure, which will serve both sold properties and future redevelopment projects on the Main Post; and

WHEREAS, Buildings 550 and 551, which are located on the Main Post of Fort Monmouth in Oceanport, are in locations targeted for infrastructure improvements and/or blight removal. The buildings may be used for future public parking; and

WHEREAS, at its June 2022 meeting, the Board approved a Memorandum of Understanding (“MOU”) with the Borough of Oceanport (“Borough”) to contract for civil and environmental engineering services for demolition plans and specification including abatement, demolition and site improvements. The Borough selected Colliers as its engineering firm via a formal RFQ process for the calendar year. Accordingly, the Borough retained Colliers to prepare plans and a scope of work (the “Plans”) for the Project; and

WHEREAS, on August 21, 2023, FMERA received the demolition plans for the Project Site, containing Buildings 550 & 551 from Colliers and entered into a separate MOU with Oceanport for the Borough’s engineer to oversee the public bidding for the demolition and remediation of Buildings 550 & 551. The MOU was executed on October 6, 2023; and

WHEREAS, the purpose of the Project consists of the retention of the Borough’s engineer, Colliers, for the abatement and demolition of Buildings 550 & 551 located on the Project Site. Colliers’ services shall include bidding services for abatement and demolition contracts and the oversight of the tasks as described in the attached memorandum. Colliers conducted a public bidding process for abatement and demolition services; and

WHEREAS, the cost for the Project was estimated to be Four Hundred and Seventy Thousand Four Hundred and Twenty (\$470,420.00) Dollars with the Board approving a delegation to FMERA’s Executive Director to increase the cost by an amount not to exceed 10% for unforeseen costs for abatement or demolition. In the event the amount due to the Borough’s contractor for the work described within the Amendment was expected to be greater than \$470,420.00, the Borough was required to notify FMERA that additional Project Funds are required. Any increase in costs beyond this amount plus the 10% delegated authority to the Executive Director for unforeseen costs is subject to FMERA’s Board approval; and

WHEREAS, on November 30, 2023, Colliers received six bids for the asbestos abatement, demolition, and site restoration of Buildings 550 and 551 with the lowest compliant bidder, Yannuzzi Group, bidding Three Hundred Ninety-Six Thousand Three Hundred and Nine (\$396,309.00) Dollars for the project. The total costs of the bid along with Colliers oversight fees exceeds the Project Funds of Four Hundred and Seventy Thousand Four Hundred and Twenty (\$470,420.00) Dollars. The additional costs were attributed to severe mold issues in Building 551; and

WHEREAS, the Parties now wish to enter into an amendment to increase the Project Funds to allow the acceptance of the lowest compliant bid for the asbestos abatement, demolition and site restoration activities for Building 550 and 551. FMERA shall pay the costs of the Project, not to exceed Five Hundred and Sixteen Thousand Seven Hundred and Twenty-Nine (\$516,729.00) Dollars. In addition, staff requests delegated authority to FMERA’s Executive Director to increase the cost by an amount not to exceed 10% for unforeseen costs for demolition or environmental abatement; and

WHEREAS, the attached First Amendment is in substantially final form. The final terms of the First Amendment will be subject to the approval of the Executive Director, the Borough of Oceanport and as to form by the Attorney General's Office. The Real Estate Committee has reviewed the request and recommends it to the Board for approval.

THEREFORE, BE IT RESOLVED THAT:

1. The Authority approves (1) the First Amendment to the interagency agreement between FMERA and the Borough of Oceanport for funding, asbestos abatement (including removal, monitoring, and associated reporting), demolition, and site restoration activities (including preparation of all applications and associated, prerequisite environmental, engineering services and demolition permits) for Buildings 550 and 551 and (2) grant of delegated authority to the Executive Director to increase Project Funding by an amount not to exceed 10% for unforeseen costs associated with the Project with final terms acceptable to the Executive Director and a review as to form by the Attorney General's Office and authorizes the Executive Director to execute the Agreement.

2. This resolution shall take effect immediately, but no action authorized herein shall have force and effect until 10 days, Saturdays, Sundays, and public holidays excepted, after a copy of the minutes of the Authority meeting at which this resolution was adopted has been delivered to the Governor of the State of New Jersey for his approval, unless during such 10-day period the Governor of the State of New Jersey shall approve the same, in which case such action shall become effective upon such approval, as provided by the Act.

ATTACHMENT

Dated: January 17, 2024

EXHIBIT 1

Draft

MEMORANDUM

TO: Members of the Board

FROM: Kara Kopach
Executive Director

RE: First Amendment to the Interagency Agreement between FMERA and the Borough of Oceanport to contract for civil and environmental engineering services

DATE: January 17, 2024

Request

I am requesting that the Board (1) approve the First Amendment to the Interagency Agreement (“Agreement”) between FMERA and the Borough of Oceanport for funding, asbestos abatement (including removal, monitoring, and associated reporting), demolition, and site restoration activities (including preparation of all applications and associated, prerequisite environmental, engineering services and demolition permits) for Buildings 550 and 551, which are located in the Oceanport section of Fort Monmouth (the “Project”), and (2) the grant of delegated authority to the Executive Director to increase Project Funding by an amount not to exceed 10% for unforeseen costs associated with the Project.

Background

Buildings 550 and 551, which are located on the Main Post of Fort Monmouth in Oceanport, are in locations targeted for infrastructure improvements and/or blight removal. The buildings may be used for future public parking. Under the terms of the June 2022 Memorandum of Understanding (“MOU”), referenced below, Colliers Engineering and Design (“Colliers”) has prepared a scope of work for the abatement and demolition of Buildings 550 and 551.

Interagency Agreement for Abatement, Demolition, and Project Management for Buildings 550 & 551

On August 21, 2023, FMERA received the demolition plans for the Project Site, containing Buildings 550 & 551 from Colliers and entered into a separate MOU with Oceanport for the Borough’s engineer to oversee the public bidding for the demolition and remediation of Buildings 550 & 551. The MOU was executed on October 6, 2023.

The purpose of the “Project” consists of the retention of the Borough’s engineer, Colliers, for the abatement and demolition of Buildings 550 & 551 located on the Project Site. Colliers’ services shall include: bidding services for abatement and demolition contracts and the oversight of the following tasks: removal of all asbestos containing materials (both friable and non-friable materials) from the interior and exterior sections of Buildings 550 and 551, asbestos abatement monitoring and reporting, post asbestos abatement review and the issuance of a final report, the collection, packaging, labeling, and disposal of universal wastes and other hazardous materials found at Building 550 and 551 to identified waste management facilities, potential removal of an underground storage tank, proper termination/abandonment (cut and capping)/deenergizing of existing utilities prior to commencement of demolition activities, all demolition work and the final restoration (i.e. grading, top soiling, and seeding) of the Project site. Colliers conducted a public bidding process for abatement and demolition services.

The cost for the Project was estimated to be Four Hundred and Seventy Thousand Four Hundred and Twenty (\$470,420.00) Dollars with the Board approving a delegation to FMERA’s Executive Director to increase the cost by an amount not to exceed 10% for unforeseen costs for abatement or demolition. In the event the amount due

to the Borough's contractor for the work described within the Amendment was expected to be greater than \$470,420.00, the Borough was required to notify FMERA that additional Project Funds are required. Any increase in costs beyond this amount plus the 10% delegated authority to the Executive Director for unforeseen costs is subject to FMERA's Board approval.

On November 30, 2023, Colliers received six bids for the asbestos abatement, demolition, and site restoration of Buildings 550 and 551 with the lowest compliant bidder, Yannuzzi Group, bidding Three Hundred Ninety-Six Thousand Three Hundred and Nine (\$396,309.00) Dollars for the project. The total costs of the bid along with Colliers oversight fees exceeds the Project Funds of Four Hundred and Seventy Thousand Four Hundred and Twenty (\$470,420.00) Dollars. The additional costs were attributed to severe mold issues in Building 551.

First Amendment to MOU

The Parties now wish to enter into an amendment to increase the Project Funds to allow the acceptance of the lowest compliant bid for the asbestos abatement, demolition and site restoration activities for Building 550 and 551. FMERA shall pay the costs of the Project, not to exceed Five Hundred and Sixteen Thousand Seven Hundred and Twenty-Nine (\$516,729.00) Dollars. In addition, staff requests delegated authority to FMERA's Executive Director to increase the cost by an amount not to exceed 10% for unforeseen costs for demolition or environmental abatement.

The attached amended Agreement is in substantially final form. The final terms of the Agreement will be subject to the approval of the Executive Director, the Borough of Oceanport and a review as to form by the Attorney General's Office. The Real Estate Committee has reviewed the request and recommends it to the Board for approval.

Recommendation

In summary, I am requesting that the Board (1) approve the First Amendment to the Interagency Agreement between FMERA and the Borough of Oceanport for funding, asbestos abatement (including removal, monitoring, and associated reporting), demolition, and site restoration activities (including preparation of all applications and associated, prerequisite environmental, engineering services and demolition permits) for Buildings 550 and 551 and (2) grant of delegated authority to the Executive Director to increase Project Funding by an amount not to exceed 10% for unforeseen costs associated with the Project.



Kara Kopach

Prepared by: Regina McGrade

Resolution Regarding
Approval of an Interagency Agreement between FMERA and the Borough of Oceanport to contract for civil and environmental engineering services

WHEREAS, the stormwater infrastructure located on the Main Post in the Boroughs of Eatontown and Oceanport is outdated and in need of upgrade. FMERA seeks the Borough's assistance in planning and carrying out the Project in order to perform a stormwater infrastructure study and to convey ownership of existing roadways and stormwater infrastructure to the Boroughs of Eatontown and Oceanport once the stormwater infrastructure study is completed and all the necessary repairs are made; and

WHEREAS, the Borough selected Colliers Engineering and Design ("Colliers") as the Borough's engineering firm via a formal RFQ process for the calendar year. Accordingly, the Borough will retain Colliers for project oversight (including bidding oversight), for the stormwater infrastructure study; and

WHEREAS, the Project consists of the following tasks: (i) conducting camera or video studies of all stormwater infrastructure depicted on the enclosed map; (ii) performing necessary field observations and recording relevant data; (iii) ensuring that camera or video work and field observations identify and confirm the additional tasks outlined in the Project Scope of Work attached to this MOU as Exhibit B and as further defined in the Collier's proposal attached as Exhibit C; (iv) preparing bid documents for repair activities; and

WHEREAS, FMERA will pay for the costs of the project not to exceed Three Hundred and Twenty-Seven Thousand Two Hundred (\$327,200) Dollars ("Project Funds"), which is inclusive of costs for professional engineering, surveys, and construction observation services and the estimate for construction costs; and

WHEREAS, in consultation with Colliers, FMERA will review and approve the Plans as prepared by Colliers under this MOU, and any modification thereof, for public bidding in accordance with Local Public Contracts Law. The Borough shall use the Project Funds disbursed by FMERA to the Borough to pay the costs of contractors and consultants hired to complete the Project. The Borough shall not be required to utilize any of its own funds to pay costs or expenses of the Project. The Borough will return to FMERA upon completion of the Project any amount of the Project Funds that are not expended for the Project; and

WHEREAS, in the event the amounts due to the Borough's Engineer for the Project Costs is expected to be greater than Three Hundred and Twenty-Seven Thousand Two Hundred (\$327,200.00) Dollars, the Borough will notify FMERA before incurring any additional charges; and

WHEREAS, in addition, staff requests the grant of delegated authority to the Executive Director to increase Project Funding by an amount not to exceed ten (10%) percent for unforeseen costs associated with the Project. Any increase in the cost beyond ten (10%) percent of the Project Funds will be subject to FMERA Board approval

WHEREAS, the attached amended MOU is in substantially final form. The final terms of the MOU will be subject to the approval of the Executive Director, the Borough of Oceanport and a review as to form by the Attorney General's Office. The Real Estate Committee has reviewed the request and recommends it to the Board for approval.

THEREFORE, BE IT RESOLVED THAT:

1. The Authority approves (1) a Memorandum of Understanding between the Fort Monmouth Economic Revitalization Authority and the Borough of Oceanport for the performance of a stormwater infrastructure study of all pipes, manholes, catch basins, and outfall structures of the stormwater infrastructure located within Fort Monmouth's Main Post and (2) the grant of delegated authority to the Executive Director to increase Project Funding by an amount not to exceed 10% for unforeseen costs associated with the Project with

final terms acceptable to the Executive Director and a review as to form by the Attorney General's Office and authorizes the Executive Director to execute the Agreement.

2. This resolution shall take effect immediately, but no action authorized herein shall have force and effect until 10 days, Saturdays, Sundays, and public holidays excepted, after a copy of the minutes of the Authority meeting at which this resolution was adopted has been delivered to the Governor of the State of New Jersey for his approval, unless during such 10-day period the Governor of the State of New Jersey shall approve the same, in which case such action shall become effective upon such approval, as provided by the Act.

ATTACHMENT

Dated: January 17, 2024

EXHIBIT 2

Draft

MEMORANDUM

TO: Members of the Board

FROM: Kara Kopach
Executive Director

RE: Approval of the Interagency Agreement between FMERA and the Borough of Oceanport for contract and project oversight.

DATE: January 17, 2024

Request

I am requesting that the Board approve (1) a Memorandum of Understanding between the Fort Monmouth Economic Revitalization Authority (“FMERA”) and the Borough of Oceanport (the “Borough”) (the “Parties”) for the performance of a stormwater infrastructure study of all pipes, manholes, catch basins, and outfall structures of the stormwater infrastructure located within Fort Monmouth’s Main Post (the “Project”) and (2) the grant of delegated authority to the Executive Director to increase Project Funding by an amount not to exceed 10% for unforeseen costs associated with the Project.

Background

The stormwater infrastructure located on the Main Post in the Boroughs of Eatontown and Oceanport is outdated and in need of upgrade. FMERA seeks the Borough's assistance in planning and carrying out the Project in order to perform a stormwater infrastructure study and to convey ownership of existing roadways and stormwater infrastructure to the Boroughs of Eatontown and Oceanport once the stormwater infrastructure study is completed and all the necessary repairs are made.

The Borough selected Colliers Engineering and Design (“Colliers”) as the Borough’s engineering firm via a formal RFQ process for the calendar year. Accordingly, the Borough will retain Colliers for project oversight (including bidding oversight), for the stormwater infrastructure study.

Memorandum of Understanding

The Project consists of the following tasks: (i) conducting camera or video studies of all stormwater infrastructure depicted on the enclosed map; (ii) performing necessary field observations and recording relevant data; (iii) ensuring that camera or video work and field observations identify and confirm the additional tasks outlined in the Project Scope of Work attached to this MOU as Exhibit B and as further defined in the Collier’s proposal attached as Exhibit C; (iv) preparing bid documents for repair activities.

FMERA will pay for the costs of the project not to exceed Three Hundred and Twenty-Seven Thousand Two Hundred (\$327,200) Dollars (“Project Funds”), which is inclusive of costs for professional engineering, surveys, and construction observation services and the estimate for construction costs.

In consultation with Colliers, FMERA will review and approve the Plans as prepared by Colliers under this MOU, and any modification thereof, for public bidding in accordance with Local Public Contracts Law. The Borough shall use the Project Funds disbursed by FMERA to the Borough to pay the costs of contractors and consultants hired to complete the Project. The Borough shall not be required to utilize any of its own funds

to pay costs or expenses of the Project. The Borough will return to FMERA upon completion of the Project any amount of the Project Funds that are not expended for the Project.

In the event the amounts due to the Borough's Engineer for the Project Costs is expected to be greater than Three Hundred and Twenty-Seven Thousand Two Hundred (\$327,200.00) Dollars, the Borough will notify FMERA before incurring any additional charges.

In addition, staff requests the grant of delegated authority to the Executive Director to increase Project Funding by an amount not to exceed ten (10%) percent for unforeseen costs associated with the Project. Any increase in the cost beyond ten (10%) percent of the Project Funds will be subject to FMERA Board approval.

The attached amended MOU is in substantially final form. The final terms of the MOU will be subject to the approval of the Executive Director, the Borough of Oceanport and a review as to form by the Attorney General's Office. The Real Estate Committee has reviewed the request and recommends it to the Board for approval.

Recommendation

In summary, I am requesting that the Board approve (1) a Memorandum of Understanding between the Fort Monmouth Economic Revitalization Authority and the Borough of Oceanport for the performance of a stormwater infrastructure study of all pipes, manholes, catch basins, and outfall structures of the stormwater infrastructure located within Fort Monmouth's Main Post and (2) the grant of delegated authority to the Executive Director to increase Project Funding by an amount not to exceed 10% for unforeseen costs associated with the Project.



Kara Kopach

Prepared by: Regina McGrade

