

R2022-118

**RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR  
PROFESSIONAL SERVICES WITH RK OCCUPATIONAL &  
ENVIRONMENTAL ANALYSIS, INC FOR RIGHT TO KNOW  
SERVICES**

**WHEREAS**, the Town of Phillipsburg has a need to acquire professional services relative to the conducting of Right to Know compliance ("Project"); and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-5(1)(a)(i), a contract for such services may be awarded without competitive bidding by reason that such services constitute "professional services" which are services rendered or performed by a person authorized by law to practice a recognized profession, whose practice is regulated by law and the performance of which services requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study as distinguished from general academic instruction or apprenticeship; and

**WHEREAS**, RK Occupational and Environmental Analysis, Inc., submitted a proposal dated May 18, 2022, to provide services relative to the Project; and

**WHEREAS**, the value of these services is NOT TO EXCEED the sum of \$2,825.00; and

**WHEREAS**, the Town Council finds it to be in the best interest of the Town of Phillipsburg to authorize said work, which work is not subject to public bidding; and

**WHEREAS**, sufficient funds are available as evidenced by the attached certification of funds.

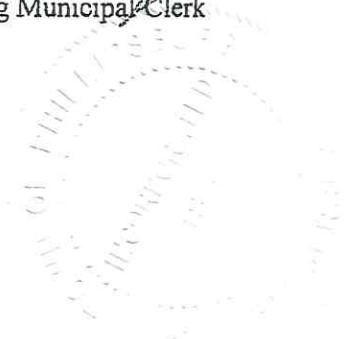
**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey, that the Mayor and Municipal Clerk are authorized to enter into a Contract with RK Occupational and Environmental Analysis, Inc., for an amount NOT TO EXCEED the sum of \$2,825.00.

**BE IT FURTHER RESOLVED** that the Clerk is hereby authorized and directed to cause a notice to be published in the manner provided by law setting forth the nature, duration, service and amount of the Contract and that the resolution and Contract are on file in the Office of the Clerk and are available for public inspection.

### CERTIFICATION

I, Lorraine Loudenberry Deputy Clerk of the Town of Phillipsburg, County of Warren and State of New Jersey do hereby certify the foregoing to be true and correct copy of a Resolution adopted by Council at a meeting held on May 07, 2022.

  
Lorraine Loudenberry, Acting Municipal Clerk



# PURCHASE ORDER

THIS P.O.# MUST APPEAR ON ALL  
VOUCHERS, CORRESPONDENCE,  
INVOICE, SHIPMENTS, ETC.

37945

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TOWN OF PHILLIPSBURG  
120 FILMORE STREET  
PHILLIPSBURG NJ 08865  
(908) 454-5500  
FAX: (908) 454-6511

Exempt TAX ID: 22-6002211

PO DATE  
06/23/2022

CONTRACT NO.

REQ NO.  
38395

DEPARTMENT

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# 426  
R K OCCUPATIONAL & ENVIR INC  
ANALYSIS INC  
401 Saint James Avenue  
Phillipsburg NJ 08865

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CERT OF FUNDS  
120 FILMORE STREET  
PHILLIPSBURG NJ 08865

## SPECIAL INSTRUCTIONS

R:2022-118 COF Right to Know services

ACCOUNT	QUANTITY	UNIT	ITEM DESCRIPTION	UNIT PRICE	TOTAL
0120120165232	1.000		Right to Know Services	2825.000	2,825.00
Certification of funds - R:2022-118					
New PO will be issued upon receipt of your invoice					
DO NOT FINALIZE PO <input type="checkbox"/>			PO Total	NOT TO EXCEED	2,825.00

### APPROVAL FOR PAYMENT

I certify that the above articles have been received or services rendered as stated herein.

BY: \_\_\_\_\_ DATE \_\_\_\_\_

I certify that this Voucher is correct and just, and payment is approved.

Department Head \_\_\_\_\_ DATE \_\_\_\_\_

Payment Approved

Mayor \_\_\_\_\_ DATE \_\_\_\_\_

### CERTIFICATION OF FUNDS

*Ralph Mer*

06/23/2022

DATE

### VENDOR'S CERTIFICATION & DECLARATION

I do solemnly declare and certify under the penalties of the law that the within bill is correct in all its particulars; that the articles have been furnished or services rendered as stated therein; that no bonus has been given or received by any person or persons within the knowledge of this claimant in connection with the above claim; that the amount therein stated is justly due and owing; and that the amount charged is a reasonable one.

x

DO NOT SIGN

Vendor sign here and return \_\_\_\_\_ DATE \_\_\_\_\_

**AVAILABILITY OF FUNDS CERTIFICATION**

I, Robert J. Merlo, Chief Financial Officer of the Town of Phillipsburg do hereby certify as follows:

1. I have examined the accounts of the Town to determine if sufficient funds are available to award a contract for the following:

A.	<input checked="" type="checkbox"/>	Professional Services	State Contract #	
		Bid Award	Co-op Name	
		Contract	Co-op Number	
		Change Order		

B. Resolution # R:2022-118  
 Change Order Resolution # \_\_\_\_\_  
 Description Right to Know Services

C. Vendor: RK Occupational Vendor # 426  
 D. Vendor Address: 401 Saint James Ave  
Phillipsburg, NJ 08865

E. Amount: \$ 2,825.00 2021 Not to exceed  
\$ - Change Order  
\$ -  
\$ 2,825.00

F. Project # \_\_\_\_\_  
 G. Purchase Order #: 37945

H. Drawdown: 

YES	No
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2. I have determined that funds are available as follows:

A. Fund:	<input checked="" type="checkbox"/>	Current Fund	Environmental Engineers

B. 

I have determined that NO funds or insufficient funds are available at this time:	
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	Account Numbers	Account Titles	2022 Cert of Funds
(1)	01-201-20-165-232	Environmental Engineer	\$ 2,825.00
(2)			\$ -
(3)			\$ -
(4)			\$ -
			<u>\$ 2,825.00</u>

3. Only amounts for the 2022 Budget Year have been certified.

Amounts for future years are contingent upon sufficient funds being appropriated.

*Robert J Merlo*

Robert J. Merlo, Chief Financial Officer

July 20, 2021

Date



**Town of Phillipsburg**  
**Right-To-Know Compliance Services**

**A. Right-To-Know (NJAC 8:59)**

RK Occupational & Environmental Analysis, Inc. will provide the following services to assure compliance with respective on-going employer responsibilities under the Right-to-Know Law.

**Right-To-Know Survey**

1. Inventory all products and chemicals in all Board of Education facilities. Surveys must be filed for all District buildings.
2. Enter field inventory data into proprietary RK computer program and prepare a printout listing all New Jersey Department of Health (NJDOH) reportable Hazardous Substances. The listing includes container codes, CAS numbers, mixture codes, number of employees exposed, products and their locations.
3. Prepare RTK Survey and electronically file with the NJ Dept of Health. Provide one Master Copy of the completed RTK Survey for signature and distribution by the District to the responsible local agencies.

**Generate Labels**

1. Prepare a complete set of labels as required for Hazardous Substances conforming to N.J.A.C. 8.59 for containers not already labeled. Labels will show the contents of the product, the C.A.S. number for each component and indicate the hazards of those substances known to be special health hazards (ie. those which are flammable, corrosive, reactive, carcinogenic, mutagenic, or teratogenic).
2. RK will provide a computer printout of locations of all containers (e.g. Room 112-Flammable Storage Cabinet) and indicate which require labels.

**Apply Labels - optional**

If requested, RK will physically apply labels to all containers as required by N.J.A.C. 8.59-5.8 at the unit cost quoted.

**Hazard Communication Standard/Globally Harmonized System Training**

Hazard Communication training is required for all "exposed or potentially exposed" employees. For a typical school district this would include science, art, industrial arts, nurses, office personnel (if they handle chemicals), custodial and maintenance staff, bus drivers, and grounds personnel. It is also recommended that a representative from the administration attend so that they are aware of requirements.

The Globally Harmonized System (GHS) of Classification and Labeling of Chemicals is a worldwide initiative to promote standard criteria for classifying chemicals according to their health, physical and environmental hazards. It uses pictograms, hazard statements, and the signal words "Danger" and "Warning" to communicate hazard information on product labels and safety datasheets in a logical and comprehensive way. The primary goal of GHS is better protection of human health and the environment by providing chemical users and handlers with enhanced and consistent information on chemical hazards. The focus of the GHS standard is on the right of

employees to understand the hazards associated with the chemicals they work with as opposed to simply having the right to know those substances.

#### **Safety Data Sheets - optional**

The effort to prepare the RTK Survey and container labels assumes that we have access to copies of District's SDS files. Additionally, all public employers are required by the RTK law to maintain copies of SDS's for all products or substances used in their facilities and make these available to their employees upon request. Current and accurate SDS's are also necessary to produce proper labels and RTK surveys.

If required, SDS will be obtained directly from the suppliers as needed to update the District's SDS files. RK can also search our database of 20,000 SDS's for the products found on the survey. If a complete set of up to date SDS's is available in the District files, then this service is not necessary.

#### **Right-To-Know Administrative Procedures - optional**

RK will audit for completeness and proper documentation in District files, proper location, presence of poster, proper procedures, etc. for compliance with administrative requirements of the Law and will correct any deficiencies found. This would include the preparation of RTK Central File and distribution of appropriate materials to the required local files.

Town of Phillipsburg  
Right-To-Know Compliance Services

SUMMARY of FEES

Right-To-Know


1. Right-To-Know Surveys	\$ 2,725.00
2. Hazardous Substance Container Labels, per label	0.20
3. Apply Labels – <b>optional, per hour</b>	35.00
4. Education and Training	
- Update Training (approx 2 hours)	395.00
- Initial Training (approx 3 hours)	495.00
5. Safety Data Sheets – <b>optional, per hour</b>	35.00
6. RTK Administrative Audits – <b>optional, per hour</b>	55.00

Estimated Cost Summary – by school year

RTK Survey	<u>2021-22</u>
Label estimate	\$ 2,725.00
Total annual cost	<u>100.00</u>
	\$ 2,825.00

Authorization/Acceptance Clause

I have read and understand the information and scope of supply proposed by RK Occupational and Environmental Analysis, Inc. (referred to as RK). As a bona fide officer/agent, I accept this proposal and authorize RK to proceed with consulting services on the basis agreed to in this document and subject to the terms in this quotation.

Signature  Title Mayor

Name Todd M. Tersigni Date June 28, 2022

(Please Print)