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JON S. CORZINE
Governor

State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Division of Watershed Management
Bureau of Watershed Planning
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LISA P. JACKSON
Commissioner

RECEIVED

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OFFICE OF THE MAYOR &
BUSINESS ADMINISTRATION

Ms. Kathy Murphy, Grant Coordinator
Township of Mount Olive
Post Office Box 450
Budd Lake, New Jersey 07828

RE: Grant RP05-081: Budd Lake Watershed Restoration & Protection Plan

Dear Ms. Murphy:

This letter will serve to officially inform Mount Olive Township (Grantee) that the New Jersey Department of Environmental Protection, Division of Watershed Management (Department) intends to close this contract, which formally expired on September 4, 2007.

In July 2006, the Department notified Mount Olive Township to address a significant amount of work and associated billing that was performed outside of the approved scope of work by the project subcontractor. Correspondence between this Department, the Grantee, and the subcontractor have been ongoing since that time in order to rectify the expenditures outside of the scope of work to allow for a complete work product. At this time, the project is almost 50% expended and the Department has not received any associated work product deliverables. All parties agreed that the Department would provide a revised scope of work to the Grantee for their review and approval in accordance with the initial meeting held on February 22, 2007 with subsequent correspondence after this time. Once all quarterly progress report billings and technical issues for quarters #3 through #5 were resolved, the preparation of the revised scope of work would be initiated by the Department. This revised scope of work was provided to the Grantee in writing on January 15, 2008 with a 25 day deadline for review and acceptance. This deadline passed without comment or correspondence from the Grantee. **Mount Olive Township was advised that failure to meet the February 9, 2008 deadline would initiate action to close the contract.**

The Department did not receive any correspondence from the Grantee prior to the final deadline of February 9, 2008 with respect to the above named contract since October 2007. On February 15, 2008, the Department received an undated letter from the Grantee requesting an extension to deliver all outstanding items as addressed in the Department's January 15, 2008 letter on or before March 1, 2008. This deadline has since passed without any deliverables sent to the Department from the Grantee. While

that particular request was not formally granted, the Department agreed to honor this appeal with the stipulation that the additional information in response to the January 15, 2008 letter be submitted by March 3, 2008 for consideration in our final review of the overall project. On March 3, 2008, the Department received a letter from the Grantee dated February 29, 2008 requesting an additional two weeks to review and provide all requested materials as referenced in the Department's January 15, 2008 letter. Subsequently, on March 3, 2008 at 5:24PM, the Department received an email with a copy of another letter from the Grantee dated March 3, 2008 requesting an additional grant extension.

After careful review of the Grantee's latest requests and all additional materials submitted on March 3, 2008, it remains the Department's intent and final decision to close the contract. Therefore, due to the insurmountable issues that have compromised the success of the project the Department is requesting the grantee submit all final quarterly reporting and expenditure reports up to the date of contract expiration as that work would be considered eligible after review and approval for final reimbursement within thirty days of the date of this letter. If a request for reimbursement is not received within 30 days of receipt of this letter the Department will assume there are no subsequent eligible costs associated with that final period and the contract closure process will be initiated, without prejudice, based upon funds expended to date.

The Department is extremely disappointed that efforts to amicably resolve the issues surrounding the project have not been successful. Those efforts were indeed sincere and I trust that the Township will remain an active steward and partner within the Budd Lake Watershed.

Sincerely,



Lawrence J. Baier, Director
Division of Watershed Management

C: Kenneth Klipstein, Chief, BWP, DWM
Bob Mancini, Section Chief, BWP, DWM
Nick Zripko, BWP, DWM
Karen Ward, BWP, DWM