

SCOPE OF WORK

Capital Park

New Jersey State House
125 West State Street
Trenton, Mercer County, NJ

Project No. A1403-00

STATE OF NEW JERSEY

Honorable Philip D. Murphy, Governor
Honorable Tahesha L. Way, Lt. Governor

DEPARTMENT OF THE TREASURY

Elizabeth Maher Muoio, Treasurer



DIVISION OF PROPERTY MANAGEMENT AND CONSTRUCTION

Christopher Chianese, Director

Date: December 15, 2023

TABLE OF CONTENTS

SECTION	PAGE
I. OBJECTIVE	4
II. CONSULTANT QUALIFICATIONS	4
A. CONSULTANT & SUB-CONSULTANT PRE-QUALIFICATIONS.....	4
III. PROJECT BUDGET	4
A. CONSTRUCTION COST ESTIMATE (CCE)	4
B. CONSULTANT’S FEES	5
IV. PROJECT SCHEDULE	5
A. SCOPE OF WORK DESIGN & CONSTRUCTION SCHEDULE	5
B. CONSULTANT’S PROPOSED DESIGN & CONSTRUCTION SCHEDULE	6
V. PROJECT SITE LOCATION & TEAM MEMBERS	6
A. PROJECT SITE ADDRESS.....	6
B. PROJECT TEAM MEMBER DIRECTORY	7
1. New Jersey Building Authority Representative:.....	7
2. Office of the State Treasurer Representative:	7
VI. PROJECT DEFINITION	7
A. BACKGROUND	7
B. FUNCTIONAL DESCRIPTION OF THE PARK	8
1. History:	8
2. Deed Notice:	8
3. Building Security:	8
4. Other Considerations:	9
VII. CONSULTANT DESIGN RESPONSIBILITIES	10
A. DESIGN REQUIREMENTS	10
B. FINE ARTS INCLUSION.....	11
C. PRESENTATION ALLOWANCE	12
D. STATE HISTORIC PRESERVATION OFFICE APPROVAL.....	12
E. EXISTING DOCUMENTATION.....	13
VIII. PERMITS & APPROVALS	13
A. NJ UNIFORM CONSTRUCTION CODE PLAN REVIEW AND PERMIT.....	13
B. OTHER REGULATORY AGENCY PERMITS, CERTIFICATES AND APPROVALS.....	16

IX. ALLOWANCES 17

- A. PLAN REVIEW AND PERMIT FEE ALLOWANCE..... 17
 - 1. Permits: 17
 - 2. Permit Costs:..... 17
 - 3. Applications: 17
 - 4. Consultant Fee: 17
- B. FINE ARTS INCLUSION ALLOWANCE..... 17
- C. PRESENTATION ALLOWANCE 18

X. SOW SIGNATURE APPROVAL SHEET 19

XI. CONTRACT DELIVERABLES 20

XII. EXHIBITS..... 20

- A. SAMPLE PROJECT SCHEDULE FORMAT
- B. PROJECT SITE LOCATION MAP
- C. LAYOUT PLAN
- D. DEED NOTICE

I. OBJECTIVE

The objective of this project is to design a beautiful passive park with inviting green space that will serve residents, visitors and employees of the State Capitol and downtown Trenton area. The park will be located in back of and compliment the State House Complex in Trenton, New Jersey. Additionally, security considerations must be included in the design for the park due to its proximity to the State House Complex.

II. CONSULTANT QUALIFICATIONS

A. CONSULTANT & SUB-CONSULTANT PRE-QUALIFICATIONS

The Consultant shall be a firm pre-qualified with the Division of Property Management & Construction (DPMC) in the following discipline(s):

- **P013 Landscape Design**

The Consultant shall also have in-house capabilities or Sub-Consultants pre-qualified with DPMC in:

- **P002 Electrical Engineering**
- **P005 Civil Engineering**
- **P011 Environmental Engineering**
- **P025 Estimating/Cost Analysis**
- **P048 Security Systems**

As well as, **any and all** other Architectural, Engineering and Specialty Disciplines necessary to complete the project as described in this Scope of Work (SOW).

III. PROJECT BUDGET

A. CONSTRUCTION COST ESTIMATE (CCE)

The initial Construction Cost Estimate (CCE) for this project is shall be determined by the Consultant.

The Consultant shall provide a narrative evaluation and analysis of the project CCE as part of this Scope of Work based on its professional experience and opinion.

B. CONSULTANT’S FEES

The construction cost estimate for this project *shall not* be used as a basis for the Consultant’s design and construction administration fees. The Consultant’s fees shall be based on the information contained in this Scope of Work document and the observations made and/or the additional information received during the pre-proposal meeting.

IV. PROJECT SCHEDULE

A. SCOPE OF WORK DESIGN & CONSTRUCTION SCHEDULE

The following schedule identifies the estimated design and construction phases for this project and the estimated durations.

PROJECT PHASE	ESTIMATED DURATION (Calendar Days)
1. Site Access Approvals & Schedule Design Kick-off Meeting	14
2. Program Phase	28
• <i>Project Team & DPMC Plan/Code Unit Review & Comment</i>	14
3. Schematic Design Phase	42
• <i>Project Team & DPMC Plan/Code Unit Review & Comment</i>	14
4. Design Development Phase	42
• <i>Project Team & DPMC Plan/Code Unit Review & Comment</i>	14
5. Final Design Phase	42
• <i>Project Team & DPMC Plan/Code Unit Review & Approval</i>	14
6. Final Design Re-Submission to Address Comments	7
• <i>Project Team & DPMC Plan/Code Unit Review & Approval</i>	14
7. DCA Submission Plan Review	30
8. Permit Application Phase	7
• <i>Issue Plan Release</i>	
9. Bid Phase	42
10. Award Phase	28

11. Construction Phase	180
12. Project Close Out Phase	30

B. CONSULTANT’S PROPOSED DESIGN & CONSTRUCTION SCHEDULE

The Consultant shall submit a project design and construction schedule with its technical proposal that is similar in format and detail to the schedule depicted in **Exhibit ‘A’**. The schedule developed by the Consultant shall reflect its recommended project phases, phase activities, activity durations.

A written narrative shall also be included with the technical proposal explaining the schedule submitted and the reasons why and how it can be completed in the time frame proposed by the Consultant.

This schedule and narrative will be reviewed by the Consultant Selection Committee as part of the evaluation process and will be assigned a score commensurate with clarity and comprehensiveness of the submission.

V. PROJECT SITE LOCATION & TEAM MEMBERS

A. PROJECT SITE ADDRESS

The location of the project site is:

New Jersey State House Complex
125 West State Street
Trenton, NJ 08608

See **Exhibit ‘B’** for the project site location map.

B. PROJECT TEAM MEMBER DIRECTORY

The following are the names, addresses, and phone numbers of the Project Team members.

1. New Jersey Building Authority Representative:

Name: Vincent Campanella, Chief of Construction
Address: New Jersey Building Authority
50 West State Street, 2nd Floor
P.O. Box 292
Trenton, NJ 08625
Phone No: (609) 943-4831, Cell (609) 273-1281
Email: vincent.campanella@treas.nj.gov

2. Office of the State Treasurer Representative:

Name: Julie Krause, Senior Advisor – Special Projects
Address: Office of the State Treasurer
NJ State Capital Partnership
Phone No: (609) 789-8908
E-Mail: Julie.Krause@treas.nj.gov

VI. PROJECT DEFINITION

A. BACKGROUND

Immediately behind the New Jersey State House is approximately four acres of grass area that has long been envisioned to be restored into a beautiful urban park. This project is to design an inviting green space befitting of the unique and prominent location, to serve a variety of park visitors, including, visitors to the Capitol and Cultural Complex and downtown Trenton residents, and employees. The park design shall be one that is welcoming to the diversity of anticipated park visitors that live, work, and visit the State Capitol and surrounding area.

Security considerations for the park must be evaluated in the proposed design. Additionally, space must be reserved in the park for a visitor screening building, to be built in a separate project, similar to one that is under construction in the courtyard area of the front entrance to the State House. The future security screening building will be used to screen visitors to the State House through the legislative office building entrance and not to screen visitors before entering the park.

Interviews will be conducted during the consultant selection process. The consultant shall ensure that all sub-consultants are present for the interviews.

B. FUNCTIONAL DESCRIPTION OF THE PARK

1. History:

In 2009, the Landscape Architectural firm Wallace Roberts & Todd, LLC (WRT) created plans for a Capital Park that went out to bid but the project did not proceed. Funding and support from State, local and community leaders are in place to move forward with the plan of creating a passive park in the back of the State House. See **Exhibit ‘C’** for the layout of the WRT plan. The complete set of WRT plans and specifications from project P0990-03 will be provided to the Consultant.

The WRT plan serves as important background information as elements of the WRT design may be included in the updated design being undertaken in this Scope of Work. However, the WRT designs need to be revisited as the project area is slightly different due in part to construction of a parking lot, possible updates to environmental and permitting regulations in the intervening years, and to incorporate building security measures including State House visitor screening.

A related project, also by WRT under project P0990-04, for the nearby Petty’s Run site was completed. Drawings for this project will be provided to the Consultant.

The 2009 State Capital Park Master Plan also serves as important background information, as the 2009 WRT design was Phase 1 of a larger master plan for the area which included restoring Trenton’s access to the Delaware River, and creating physical and thematic connections between open space and cultural sites in Trenton. The selected consultant shall be familiar with the Master Plan and how the design of the Capital Park fits into the broader visions for park development, connectivity, and economic activity of the surrounding area. A link to the Master Plan can be found here: <https://www.nj.gov/dep/parksandforests/parks/trenton-sp.htm>.

2. Deed Notice:

A Deed Notice was recorded in January, 2014 restricting the property due to the presence of contamination discovered in historic fill. Engineering controls in the form of 6 to 9 inches of top soil or similar amounts of gravel and concrete are used as a cap over the historic fill. The Consultant will have to factor this into the design. The Deed Notice is shown in **Exhibit ‘D’**. James Mack is mentioned as the Licensed Site Remediation Professional (LSRP License No. 576435). The remains of a previous parking lot are thought to be underneath the topsoil in a large part of the project site.

3. Building Security:

The park design shall account for building security. The selected consultant will be provided with information from the building security study and shall be required to sign a non-disclosure

form prior to receiving the study. Consultants shall anticipate multiple discussions with New Jersey State Police and additional building security personnel during the development of the park design. A goal of the design shall be to maintain a high park aesthetic and park visitor experience while accounting for necessary building security. All design interventions must be respectful of the area's historic and architectural significance.

The park design shall account for space for the future construction of a screening building for visitors prior to entering the State House through the legislative office building entrance. The future screening building will be similar to one currently being constructed for the courtyard area of the State House. The screening building currently in design for the courtyard area is expected to be approximately 30' x 60'. Plans for the screening building will be provided to shortlisted firms following the preliminary technical proposal submission.

4. Other Considerations:

Including in the project area is the driveway to the entrance of the State House parking garage and the abutting grassy area between the driveway and the on-ramp to Route 29 north. This small area is included in the project area with the intention of providing a visually appealing transition from the park to the roadway. This area is not intended for use by park visitors. The design shall consider improved vegetative plantings in this area that complement the park design and shall evaluate the necessity of the existing chain link fence and propose alternative barrier installations. In consultation with the state and NJDOT, the consultant shall understand if the chain link fence is required by applicable law or regulation and if another barrier more fitting to the location could be installed. The previous park plans did not include this area.

Included in the project area is a chain-link fence at the bottom of the slope on the western side of the project area. Through discussions with the State, the consultant shall evaluate the necessity of this barrier and consider a barrier more decorative than chain link fencing and/or vegetative screens or similar buffers. The project area also includes a line of security bollards on the northern border of the project area, the design should consider features that minimize the visual impact of the security bollards, without any reduction to the functionality of the bollards.

The park design shall account for a prominent and welcoming entrance along Barrack Street and for the park design to complement the adjacent War Memorial.

The Consultant shall anticipate that there will be presentations of the plan before the State Capitol Joint Management Commission, other State officials and community members. It is difficult to quantify the exact number of presentations needed at this time. The Consultant shall plan for a minimum of one presentation for each phase of the project as part of the lump sum fee. There are four phases. Any additional presentations above the four required for the design phase will be managed through a presentation allowance.

Since this project is anticipated to include artwork, the Consultant shall expect to coordinate with the New Jersey State Council on the Arts and any artists procured by them.

The prominent location of the park has already and is expected to continue to draw high interest from diverse stakeholders, including but not limited to, building occupants, Legislative and Executive Branch leadership, statewide and local environmental and park advocacy groups, and Trenton residents, businesses, and community members. A stakeholder engagement strategy, including renderings of the park, is required.

VII. CONSULTANT DESIGN RESPONSIBILITIES

A. DESIGN REQUIREMENTS

1. General:

The Consultant shall provide construction documents to create a beautiful passive park with security enhancements in back of the State House in Trenton, New Jersey with inviting green space that will serve residents, visitors and employees of the State Capitol and downtown Trenton area. The Consultant may consider elements from a previous plan for a Capital Park by Wallace Roberts & Todd, LLC but must consider the recently constructed parking lot on the northern boundary of the site and incorporate security enhancements into the design including reserving space for a future visitor screening building at the legislative office building entrance.

2. Perimeter Security:

Special attention shall be paid to perimeter security barriers and fences with the goal of enhancing the visual impact of said barriers or minimizing the visual impact through vegetative buffers.

3. Green Infrastructure & Native Vegetation:

The Consultant shall consider the inclusion of green infrastructure features to manage onsite storm water, including but not limited to tree pits, rain gardens, porous pavement, and permeable pavers. Consultant shall be familiar with NJDEP's green infrastructure design manuals.

The park design shall include a high proportion of, if not exclusively, native vegetation, with a specific focus on vegetation that provides habitat for pollinators and aviary species.

4. Strip of Land:

Some new vegetation is expected for the strip of land between the driveway to the entrance of the State House parking garage and the on-ramp to Route 29 north, as shown in **Exhibit ‘B’**. This area is not intended for use by park visitors.

5. Stakeholder Engagement:

The consultant shall propose an engagement strategy that cultivates and builds upon the interest from diverse stakeholders and provide opportunities throughout the design process for stakeholder engagement. The engagement strategy shall include a variety of outreach and engagement methods, which could include items such as a webpage, informative displays in the public area of the State House or other visible locations in Trenton about the history of the park area and park design and public meetings to solicit input on the design. The Consultant’s proposal shall include their proposed engagement strategy and upon selection, the Consultant will work with the State to modify the proposed engagement strategy as recommended by the State.

6. Renderings:

The consultant shall develop multiple renderings and visualizations of the project area and proposed designs to illustrate the park design to a variety of audiences.

7. Signage, Wayfinding and Interpretive Material:

The park design shall account for inclusion of signage, wayfinding, interpretive material, and/or other features that orient park visitors to the park and its surroundings. The Consultant shall discuss the potential interpretive themes with the members of the DPMC Project Team and others identified by the Project Team. The park design shall provide an opportunity for a diversity of activation and programming options, the consultant shall prepare possible programming approaches, including but not limited to accounting for the New Jersey State Museum offering educational programming that is complementary to the park space and the mission of the State Museum.

B. FINE ARTS INCLUSION

This project is electing to include fine arts which is described in the “New Jersey Public Building Arts Inclusion Act” (NJSA 52:16A-29 et seq) as any sculpture, mural, mosaic, bas relief, fresco, tapestry, monument, fountain, painting, mobile, etc.

1. Fine Arts Work:

The Consultant shall discuss the potential fine arts theme with the members of the DPMC Project Team and NJ State Council on the Arts at the commencement of the project to ensure it will be appropriate for the location and use of the site.

2. Artist Selection:

The DPMC and Arts Council will coordinate any calls for and selection of the artist or artists under a separate contract.

The selected artist(s) will be required to notify the DPMC Project Team members and Consultant of any special design elements needed to accommodate the art work being prepared for the project. Items may include support hangers, foundations, utility connections, lighting, material finishes and colors, etc.

3. Allowance:

The Consultant shall estimate the costs associated with coordinating with the fine arts coordination meetings and any design alterations necessary to accommodate the fine arts work prepared by the artist and enter that amount in their fee proposal line item entitled, “**Fine Arts Inclusion Allowance**”.

Any funds remaining in the Allowance shall be returned to the State at the end of the project.

C. PRESENTATION ALLOWANCE

The Consultant shall estimate the costs associated with presenting the park plan to various groups and stakeholders beyond the four presentations already planned as part of the four phases of the project and enter that amount in their fee proposal line item entitled, “**Presentation Allowance**”.

Any funds remaining in the Allowance shall be returned to the State at the end of the project.

D. STATE HISTORIC PRESERVATION OFFICE APPROVAL

The Consultant shall complete an “Application for Project Authorization Under the New Jersey Register of Historic Places Act” and submit it to the State Historic Preservation Office for review and approval prior to securing the required UCC permits.

The “Application for Project Authorization Under the New Jersey Register of Historic Places Act” can be found at: http://www.nj.gov/dep/hpo/2protection/sr_revapp_min.pdf

E. EXISTING DOCUMENTATION

Copies of the following documents will be provided to each Consulting firm at the pre-proposal meeting to assist in the bidding process.

- DPMC Project P0990-04: Stabilization of Petty’s Run Excavation, 1/19/2015, Wallace Roberts & Todd, LLC
- DPMC Project P0990-03: Capital State Park, 10/07/2009, Wallace Roberts & Todd, LLC

A copy of the relevant excerpts of the following documents will be provided to shortlisted firms following the preliminary technical proposal (48B) submission. These documents are confidential. The shortlisted firms will have to sign a confidentiality agreement prior to receiving the documents.

- DPMC Project A1150-08: Master Plan for Security Enhancements, Nelson/PDP
- DPMC Project A1150-08: Executive Statehouse Complex Security Screening Pavilion, October 28, 2022, Issued for Construction, Nelson

Review these documents and any additional information that may be provided at a later date such as reports, studies, surveys, equipment manuals, as-built drawings, etc. The State does not attest to the accuracy of the information provided and accepts no responsibility for the consequences of errors by the use of any information and material contained in the documentation provided. It shall be the responsibility of the Consultant to verify the contents and assume full responsibility for any determination or conclusion drawn from the material used. If the information provided is insufficient, the Consultant shall take the appropriate actions necessary to obtain the additional information required.

All original documentation shall be returned to the provider at the completion of the project.

VIII. PERMITS & APPROVALS

A. NJ UNIFORM CONSTRUCTION CODE PLAN REVIEW AND PERMIT

The project construction documents must comply with the latest adopted edition of the NJ Uniform Construction Code (NJUCC).

The latest NJUCC Adopted Codes and Standards can be found at:

<http://www.state.nj.us/dca/divisions/codes/codreg/>

1. NJ Uniform Construction Code (NJUCC) Plan Review

Consultant shall estimate the cost of the NJUCC Plan Review by DCA and include that amount in their fee proposal line item entitled “**Plan Review and Permit Fee Allowance**”, refer to paragraph XI.A.

Upon approval of the Final Design Phase Submission by DPMC, the Consultant shall submit the construction documents to the Department of Community Affairs (DCA), Bureau of Construction Project Review to secure a complete plan release.

As of July 25, 2022, the Department of Community Affairs (DCA) is only accepting digital signatures and seals issued from a third party certificate authority. The DCA ePlans site can be found at:

<https://www.nj.gov/dca/divisions/codes/offices/ePlans.html>

Procedures for submission to the DCA Plan Review Unit can be found at:

https://www.state.nj.us/dca/divisions/codes/forms/pdf_bcpr/pr_app_guide.pdf

Consultant shall complete the “Project Review Application” and include the following on Block 5 as the “Owner’s Designated Agent Name”:

Joyce Spitale, DPMC
PO Box 235
Trenton, NJ 08625-0235
Joyce.Spitale@treas.nj.gov 609-943-5193

The Consultant shall complete the NJUCC “Plan Review Fee Schedule”, determine the fee due and pay the NJUCC Plan Review fees, refer to Paragraph X.A.
The NJUCC “Plan Review Fee Schedule” can be found at:

http://www.state.nj.us/dca/divisions/codes/forms/pdf_bcpr/pr_fees.pdf

2. NJ Uniform Construction Code Permit

Upon receipt of a complete plan release from the DCA Bureau of Construction Project Review, the Consultant shall complete the NJUCC permit application and all applicable technical sub-code sections. The “Agent Section” of the application and certification section of the building sub-code section shall be signed. These documents, with **six (6) sets of DCA approved, signed and sealed construction documents** shall be forwarded to the DPMC Project Manager.

The Consultant may obtain copies of all NJUCC permit applications at the following website:

<http://www.state.nj.us/dca/divisions/codes/forms/>

All other required project permits shall be obtained and paid for by the Consultant in accordance with the procedures described in Paragraph VIII.B.

3. Prior Approval Certification Letters:

The issuance of a construction permit for this project may be contingent upon acquiring various “prior approvals” as defined by N.J.A.C. 5:23-1.4. It is the Consultant’s responsibility to determine which prior approvals, if any, are required. The Consultant shall submit a general certification letter to the DPMC Plan & Code Review Unit Manager during the Permit Phase of this project that certifies all required prior approvals have been obtained.

In addition to the general certification letter discussed above, the following specific prior approval certification letters, where applicable, shall be submitted by the Consultant to the DPMC Plan & Code Review Unit Manager: Soil Erosion & Sediment Control, Water & Sewer Treatment Works Approval, Coastal Areas Facilities Review, Compliance of Underground Storage Tank Systems with N.J.A.C. 7:14B, Pinelands Commission, Highlands Council, Well Construction and Maintenance; Sealing of Abandoned Wells with N.J.A.C. 7:9D, Certification that all utilities have been disconnected from structures to be demolished, Board of Health Approval for Potable Water Wells, Health Department Approval for Septic Systems. It shall be noted that in accordance with N.J.A.C. 5:23-2.15(a)5, a permit cannot be issued until the letter(s) of certification is received.

4. Multi-building or Multi-site Permits:

A project that involves many buildings and/or sites requires that a separate permit shall be issued for each building or site. The Consultant must determine the construction cost estimate for *each* building and/or site location and submit that amount where indicated on the permit application.

5. Special Inspections:

In accordance with the requirements of the New Jersey Uniform Construction Code N.J.A.C. 5:23-2.20(b), Bulletin 03-5 and Chapter 17 of the International Building Code, the Consultant shall be responsible for the coordination of all special inspections during the construction phase of the project.

Bulletin 03-5 can be found at:

http://www.state.nj.us/dca/divisions/codes/publications/pdf_bulletins/b_03_5.pdf

a. Definition:

Special inspections are defined as an independent verification by a certified Special Inspector for **Class I buildings and smoke control systems in any class building**. The special inspector is to be independent from the Contractor and responsible to the Consultant so that there is no possible conflict of interest.

Special inspectors shall be certified in accordance with the requirements in the New Jersey Uniform Construction Code.

b. Responsibilities:

The Consultant shall submit with the permit application, a list of special inspections and the agencies or special inspectors that will be responsible to carry out the inspections required for the project. The list shall be a separate document, on letter head, signed and sealed.

B. OTHER REGULATORY AGENCY PERMITS, CERTIFICATES AND APPROVALS

The Consultant shall identify and obtain all other State Regulatory Agency permits, certificates, and approvals that will govern and affect the work described in this Scope of Work. An itemized list of these permits, certificates, and approvals shall be included with the Consultant’s Technical Proposal and the total amount of the application fees should be entered in the Fee Proposal line item entitled, **“Permit Fee Allowance.”**

The Consultant may refer to the Division of Property Management and Construction “Procedures for Architects and Engineers Manual”, Paragraph **“9. REGULATORY AGENCY APPROVALS”** which presents a compendium of State permits, certificates, and approvals that may be required for this project.

The Consultant shall determine the appropriate phase of the project to submit the permit application(s) in order to meet the approved project milestone dates.

Where reference to an established industry standard is made, it shall be understood to mean the most recent edition of the standard unless otherwise noted. If an industry standard is found to be revoked, or should the standard have undergone substantial change or revision from the time that the Scope of Work was developed, the Consultant shall comply with the most recent edition of the standard.

IX. ALLOWANCES

A. PLAN REVIEW AND PERMIT FEE ALLOWANCE

The Consultant shall obtain and pay for all of the project permits in accordance with the guidelines identified below.

1. Permits:

The Consultant shall determine the various permits, certificates, and approvals required to complete this project.

2. Permit Costs:

The Consultant shall estimate the application fee costs for all of the required project permits, certificates, and approvals (excluding the NJ Uniform Construction Code permit) and include that amount in its fee proposal line item entitled “**Plan Review and Permit Fee Allowance**”, refer to Paragraph IX.A. A breakdown of each permit and application fee shall be attached to the fee proposal for reference.

NOTE: The NJ Uniform Construction Code permit is excluded since it will be paid for by the State.

3. Applications:

The Consultant shall complete and submit all permit applications to the appropriate permitting authorities and the costs shall be paid from the Consultant’s permit fee allowance. A copy of the application(s) and the original permit(s) obtained by the Consultant shall be given to the DPMC Project Manager for distribution during construction.

4. Consultant Fee:

The Consultant shall determine what is required to complete and submit the permit applications, obtain supporting documentation, attend meetings, etc., and include the total cost in the base bid of its fee proposal under the “Permit Phase” column.

Any funds remaining in the permit allowance will be returned to the State at the close of the project.

B. FINE ARTS INCLUSION ALLOWANCE

The Consultant shall estimate the costs associated with coordinating with the fine arts coordination meetings and any design alterations necessary to accommodate the fine arts work

prepared by the artist and enter that amount in their fee proposal line item entitled, “**Fine Arts Inclusion Allowance**”.

Any funds remaining in the Allowance shall be returned to the State at the end of the project.

C. PRESENTATION ALLOWANCE

The Consultant shall estimate the costs associated with presenting the park plan to various groups and stakeholders beyond the four presentations already planned as part of the four phases of the project and enter that amount in their fee proposal line item entitled, “**Presentation Allowance**”.

Any funds remaining in the Allowance shall be returned to the State at the end of the project.

PROJECT NAME: Capital Park
PROJECT LOCATION: State House, Trenton, New Jersey
PROJECT NO: A1403-00
DATE: December 15, 2023

X. SOW SIGNATURE APPROVAL SHEET

This Scope of Work shall not be considered a valid document unless all signatures appear in each designated area below.

The Client Agency approval signature on this page indicates that they have reviewed the design criteria and construction schedule described in this project Scope of Work (including the subsequent contract deliverables and exhibits) and verifies that the work will not conflict with the existing or future construction activities of other projects at the site.

SOW APPROVED BY: James Wright 12/15/2023
JAMES WRIGHT, MANAGER DATE
DPMC PROJECT PLANNING & INITIATION

SOW APPROVED BY: Vincent Campanella 12.19.2023
VINCENT CAMPANELLA, CHIEF OF CONSTRUCTION DATE
NJ BUILDING AUTHORITY

SOW APPROVED BY: Julie Krause 12.20.2023
JULIE KRAUSE, SENIOR ADVISOR DATE
OFFICE OF THE STATE TREASURER

SOW APPROVED BY: Richard S. Flodmand 12/20/2023
RICHARD FLODMAND, DEPUTY DIRECTOR DATE
DIV PROPERTY MGT & CONSTRUCTION

XI. CONTRACT DELIVERABLES

The following are checklists listing the Contract Deliverables that are required at the completion of each phase of this project. The Consultant shall refer to the DPMC publication entitled “Procedures for Architects and Engineers,” 3.0 Edition, dated September 2022 available at <https://www.nj.gov/treasury/dPMC/Assets/Files/ProceduresforArchitectsandEngineers.pdf> for a detailed description of the deliverables required for each submission item listed. References to the applicable paragraphs of the “Procedures for Architects and Engineers” are provided.

Note that the Deliverables Checklist may include submission items that are “S.O.W. Specific Requirements”. These requirements will be defined in the project specific scope of work and included on the deliverables checklist.

This project includes the following phases with the deliverables noted as “Required by S.O.W” on the Deliverables Checklist:

- **PROGRAM PHASE**
- **SCHEMATIC DESIGN PHASE**
- **DESIGN DEVELOPMENT PHASE**
- **FINAL DESIGN PHASE**
- **PERMIT APPLICATION PHASE**
- **BIDDING AND CONTRACT AWARD**
- **CONSTRUCTION PHASE**
- **PROJECT CLOSE-OUT PHASE**

XII. EXHIBITS

- A. SAMPLE PROJECT SCHEDULE FORMAT
- B. PROJECT SITE LOCATION MAP
- C. LAYOUT PLAN
- D. DEED NOTICE

END OF SCOPE OF WORK

Deliverables Checklist Program Phase

A/E Name: _____

A/E Manual Reference	Submission Item	Required by S.O.W.		Previously Submitted		Enclosed	
		Yes	No	Yes	No	Yes	No
12.3.1.	A/E Statement of Site Visit						
12.3.2.	Narrative Description of Project						
12.3.3.	Building Code Information Questionnaire						
12.3.4.	Space Analysis						
12.3.5.	Special Features						
12.3.6.	Catalog Cuts						
12.3.7.	Site Evaluation						
12.3.8.	Subsurface Investigation						
12.3.9.	Surveys						
12.3.10.	Fine Arts Inclusion						
12.3.11.	Design Rendering						
12.3.12.	Regulatory Approvals						
12.3.13.	Utility Availability						
12.3.14.	Diagrammatic Sketches/Drawings (6 Sets)						
12.3.15.	Outline Specifications (6 Sets)						
12.3.16.	Current Working Estimate/Cost Analysis						
12.3.17.	Project Schedule						
12.3.18.	Formal Presentation						
12.3.19.	Scope of Work Compliance Statement						
12.3.20.	Program Phase Deliverables Checklist						
S.O.W. Reference	S.O.W. Specific Requirements						

This checklist shall be completed by the Design Consultant and included as the cover sheet of this submission to document to the DPMC the status of all the deliverables required by the project specific Scope of Work.

Consultant Signature

Date

Deliverables Checklist Schematic Design Phase

A/E Name: _____

A/E Manual Reference	Submission Item	Required by S.O.W.		Previously Submitted		Enclosed	
		Yes	No	Yes	No	Yes	No
13.4.1.	A/E Statement of Site Visit						
13.4.2.	Narrative Description of Project						
13.4.3.	Building Code Information Questionnaire						
13.4.4.	Space Analysis						
13.4.5.	Special Features						
13.4.6.	Catalog Cuts						
13.4.7.	Site Evaluation						
13.4.8.	Subsurface Investigation						
13.4.9.	Surveys						
13.4.10.	Arts Inclusion						
13.4.11.	Design Rendering						
13.4.12.	Regulatory Approvals						
13.4.13.	Utility Availability						
13.4.14.	Drawings (6 Sets)						
13.4.15.	Outline Specifications (6 Sets)						
13.4.16.	Current Working Estimate/Cost Analysis						
13.4.17.	Project Schedule						
13.4.18.	Formal Presentation						
13.4.19.	Scope of Work Compliance Statement						
13.4.20.	Schematic Design Phase Deliverables Checklist						
S.O.W. Reference	S.O.W. Specific Requirements						

This checklist shall be completed by the Design Consultant and included as the cover sheet of this submission to document to the DPMC the status of all the deliverables required by the project specific Scope of Work.

Consultant Signature _____
Date

**Deliverables Checklist
Design Development Phase**

A/E Name: _____

A/E Manual Reference	Submission Item	Required by S.O.W.		Previously Submitted		Enclosed	
		Yes	No	Yes	No	Yes	No
14.4.1.	A/E Statement of Site Visit						
14.4.2.	Narrative Description of Project						
14.4.3.	Building Code Information Questionnaire						
14.4.4.	Space Analysis						
14.4.5.	Special Features						
14.4.6.	Catalog Cuts						
14.4.7.	Site Evaluation						
14.4.8.	Subsurface Investigation						
14.4.9.	Surveys						
14.4.10.	Arts Inclusion						
14.4.11.	Design Rendering						
14.4.12.	Regulatory Approvals						
14.4.13.	Utility Availability						
14.4.14.	Drawings (6 Sets)						
14.4.15.	Outline Specifications (6 Sets)						
14.4.16.	Current Working Estimate/Cost Analysis						
14.4.17.	Project Schedule						
14.4.18.	Formal Presentation						
14.4.19.	Plan Review/Scope of Work Compliance Statement						
14.4.20.	Design development Phase Deliverables Checklist						
S.O.W. Reference	S.O.W. Specific Requirements						

This checklist shall be completed by the Design Consultant and included as the cover sheet of this submission to document to the DPMC the status of all the deliverables required by the project specific Scope of Work.

Consultant Signature

Date

**Deliverables Checklist
Final Design Phase**

A/E Name: _____

A/E Manual Reference	Submission Item	Required by S.O.W.		Previously Submitted		Enclosed	
		Yes	No	Yes	No	Yes	No
15.4.1.	A/E Statement of Site Visit						
15.4.2.	Narrative Description of Project						
15.4.3.	Building Code Information Questionnaire						
15.4.4.	Space Analysis						
15.4.5.	Special Features						
15.4.6.	Catalog Cuts						
15.4.7.	Site Evaluation						
15.4.8.	Subsurface Investigation						
15.4.9.	Surveys						
15.4.10.	Arts Inclusion						
15.4.11.	Design Rendering						
15.4.12.	Regulatory Approvals						
15.4.13.	Utility Availability						
15.4.14.	Drawings (6 Sets)						
15.4.15.	Outline Specifications (6 Sets)						
15.4.16.	Current Working Estimate/Cost Analysis						
15.4.17.	Project Schedule						
15.4.18.	Formal Presentation						
15.4.19.	Plan Review/Scope of Work Compliance Statement						
15.4.20.	Final Design Phase Deliverables Checklist						
S.O.W. Reference	S.O.W. Specific Requirements						

This checklist shall be completed by the Design Consultant and included as the cover sheet of this submission to document to the DPMC the status of all the deliverables required by the project specific Scope of Work.

_____ Date

Consultant Signature

**Deliverables Checklist
Bidding and Contract Award Phase**

A/E Name: _____

A/E Manual Reference	Submission Item	Required by S.O.W.		Previously Submitted		Enclosed	
		Yes	No	Yes	No	Yes	No
17.1.1.	Notice of Advertising						
17.1.2.	Bid Proposal Form						
17.1.3.	Bid Clearance Form						
17.1.4.	Drawings (6 Sets)						
17.1.5.	Specifications (6 Sets)						
17.1.6.	Construction Schedule						
17.3	Pre-Bid Conference/Mandatory Site Visit						
17.3.1.	Meeting Minutes						
17.4	Bulletins						
17.5	Post Bid Meeting						
17.6.	Contract Award "Letter of Recommendation"						
17.8.	Bid Protests - Hearings						
17.9.	Bidding and Contract Award Phase Deliverables Checklist						
S.O.W. Reference	S.O.W. Specific Requirements						

This checklist shall be completed by the Design Consultant and included as the cover sheet of this submission to document to the DPMC the status of all the deliverables required by the project specific Scope of Work.

_____ Consultant Signature

_____ Date

Deliverables Checklist Construction Phase

A/E Name: _____

A/E Manual Reference	Submission Item	Required by S.O.W.		Previously Submitted		Enclosed	
		Yes	No	Yes	No	Yes	No
18.2.	Pre-Construction Meeting						
18.3.	Submittal Log						
18.4.	Construction Schedule						
18.5.	Project Progress Meetings						
18.7.	Contractor's Invoicing and Payment Process						
18.8.	Contractor Submittals						
18.10.	Testing						
18.11.	Shop Drawings (6 Sets)						
18.12.	As-Built & Record Set Drawings (6 Sets)						
18.13.	Change Orders						
18.14.	Construction Photographs						
18.15.	Field Observations						
18.17.	Construction Phase Deliverables Checklist						
S.O.W. Reference	S.O.W. Specific Requirements						

This checklist shall be completed by the Design Consultant and included as the cover sheet of this submission to document to the DPMC the status of all the deliverables required by the project specific Scope of Work.

Consultant Signature

Date

Deliverables Checklist Project Close-Out Phase

A/E Name: _____

A/E Manual Reference	Submission Item	Required by S.O.W.		Previously Submitted		Enclosed	
		Yes	No	Yes	No	Yes	No
19.3.	Development of Punch List and Inspection Reports						
19.5.	Determination of Substantial Completion						
19.6.	Correction/Completion of Punch List						
19.7.	Submission of Close-Out Documentation						
19.7.1.	As-Built and Record Sets of Drawing (6 Sets)						
19.8.	Final Payment						
19.9.1.	Contractors Final Payment						
19.9.2.	A/E's Final Payment						
19.10.	Project Close-Out Phase Deliverables Checklist						
S.O.W. Reference	S.O.W. Specific Requirements						

This checklist shall be completed by the Design Consultant and included as the cover sheet of this submission to document to the DPMC the status of all the deliverables required by the project specific Scope of Work.

Consultant Signature

Date

February 7, 1997
Rev.: January 29, 2002

Responsible Group Code Table

The codes below are used in the schedule field "GRP" that identifies the group responsible for the activity. The table consists of groups in the Division of Property Management & Construction (DPMC), as well as groups outside of the DPMC that have responsibility for specific activities on a project that could delay the project if not completed in the time specified. For reporting purposes, the groups within the DPMC have been defined to the supervisory level of management (i.e., third level of management, the level below the Associate Director) to identify the "functional group" responsible for the activity.

<u>CODE</u>	<u>DESCRIPTION</u>	<u>REPORTS TO ASSOCIATE DIRECTOR OF:</u>
CM	Contract Management Group	Contract Management
CA	Client Agency	N/A
CSP	Consultant Selection and Prequalification Group	Technical Services
A/E	Architect/Engineer	N/A
PR	Plan Review Group	Technical Services
CP	Construction Procurement	Planning & Administration
CON	Construction Contractor	N/A
FM	Financial Management Group	Planning & Administration
OEU	Office of Energy and Utility Management	N/A
PD	Project Development Group	Planning & Administration

EXHIBIT 'A'

Activity ID	Description	Respon	Weeks
<PROJ>			
Design			
CV3001	Schedule/Conduct Process/Project Kick-Off Mtg.	CM	
CV3020	Prepare Program Phase Submittal	AE	
CV3021	Distribute Program Submittal for Review	CM	
CV3027	Prepare & Submit Project Cost Analysis (DPMC-38)	CM	
CV3022	Review & Approve Program Submittal	CA	
CV3023	Review & Approve Program Submittal	PR	
CV3024	Review & Approve Program Submittal	CM	
CV3025	Consolidate & Return Program Submittal Comments	CM	
CV3030	Prepare Schematic Phase Submittal	AE	
CV3031	Distribute Schematic Submittal for Review	CM	
CV3037	Prepare & Submit Project Cost Analysis (DPMC-38)	CM	
CV3032	Review & Approve Schematic Submittal	CA	
CV3033	Review & Approve Schematic Submittal	PR	
CV3034	Review & Approve Schematic Submittal	CM	
CV3035	Consolidate & Return Schematic Submittal Comment	CM	
CV3040	Prepare Design Development Phase Submittal	AE	
CV3041	Distribute D. D. Submittal for Review	CM	
CV3047	Prepare & Submit Project Cost Analysis (DPMC-38)	CM	
CV3042	Review & Approve Design Development Submittal	CA	
CV3043	Review & Approve Design Development Submittal	PR	
CV3044	Review & Approve Design Development Submittal	CM	
CV3045	Consolidate & Return D.D. Submittal Comments	CM	
CV3050	Prepare Final Design Phase Submittal	AE	
CV3051	Distribute Final Design Submittal for Review	CM	
CV3052	Review & Approve Final Design Submittal	CA	
CV3053	Review & Approve Final Design Submittal	PR	
CV3054	Review Final Design Submittal for Constructability	OCS	

Sheet 1 of 3

Bureau of Design & Construction Services

EXHIBIT 'A'

NOTE:
Refer to section "IV Project Schedule" of the
Scope of Work for contract phase durations.

© Primavera Systems, Inc.

Activity ID	Description	Reph	Weeks
CV3055	Review & Approve Final Design Submittal	CM	
CV3056	Consolidate & Return Final Design Comments	CM	
CV3060	Prepare & Submit Permit Application Documents	AE	
CV3068	Prepare & Submit Bidding Cost Analysis (DPMC-38)	CM	
Plan Review-Permit Acquisition			
CV4001	Review Constr. Documents & Secure UCC Permit	PR	
CV4010	Provide Funding for Construction Contracts	CA	
CV4020	Secure Bid Clearance	CM	
Advertise-Bid-Award			
CV5001	Advertise Project & Bid Construction Contracts	CP	
CV5010	Open Construction Bids	CP	
CV5011	Evaluate Bids & Prep. Recommendation for Award	CM	
CV5012	Evaluate Bids & Prep. Recommendation for Award	AE	
CV5014	Complete Recommendation for Award	CP	
CV5020	Award Construction Contracts/Issue NTP	CP	
Construction			
CV6000	Project Construction Start/Issue NTP	CM	
CV6001	Contract Start/Contract Work (25%) Complete	CON	
CV6002	Preconstruction Meeting	CM	
CV6003	Begin Preconstruction Submittals	CON	
CV6004	Longest Lead Procurement Item Ordered	CON	
CV6005	Lead Time for Longest Lead Procurement Item	CON	
CV6006	Prepare & Submit Shop Drawings	CON	
CV6007	Complete Construction Submittals	CON	
CV6011	Roughing Work Start	CON	
CV6012	Perform Roughing Work	CON	
CV6010	Contract Work (50%+) Complete	CON	
CV6013	Longest Lead Procurement Item Delivered	CON	
CV6020	Contract Work (75%) Complete	CON	

Sheet 2 of 3

Bureau of Design & Construction Services

EXHIBIT 'A'

NOTE:
Refer to section "IV Project Schedule" of the
Scope of Work for contract phase durations.
© Primavera Systems, Inc.

Activity ID	Description	Respn	Weeks
CV6014	Roughing Work Complete	CON	
CV6021	Interior Finishes Start	CON	
CV6022	Install Interior Finishes	CON	
CV6030	Contract Work to Substantial Completion	CON	
CV6031	Substantial Completion Declared	CM	
CV6075	Complete Deferred Punch List/Seasonal Activities	CON	
CV6079	Project Construction Complete	CM	
CV6080	Close Out Construction Contracts	CM	
CV6089	Construction Contracts Complete	CM	
CV6090	Close Out A/E Contract	CM	
CV6092	Project Completion Declared	CM	

NOTE:
Refer to section "IV Project Schedule" of the
Scope of Work for contract phase durations.

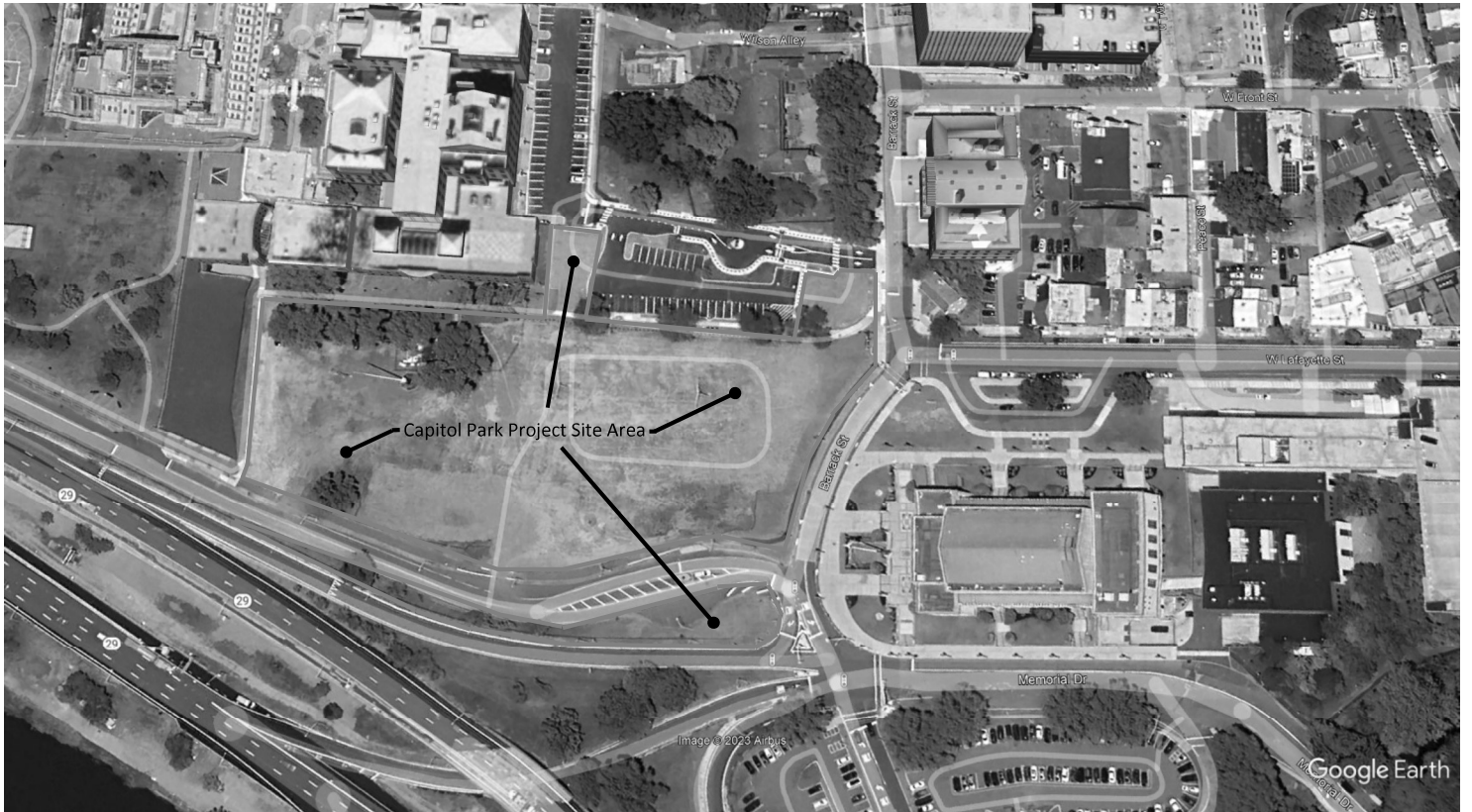
DBCA - TEST

Sheet 3 of 3

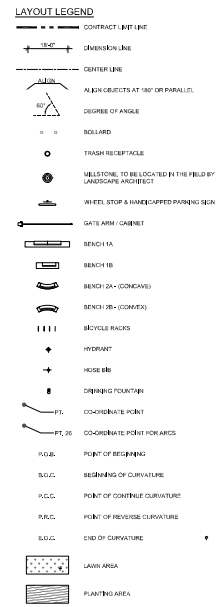
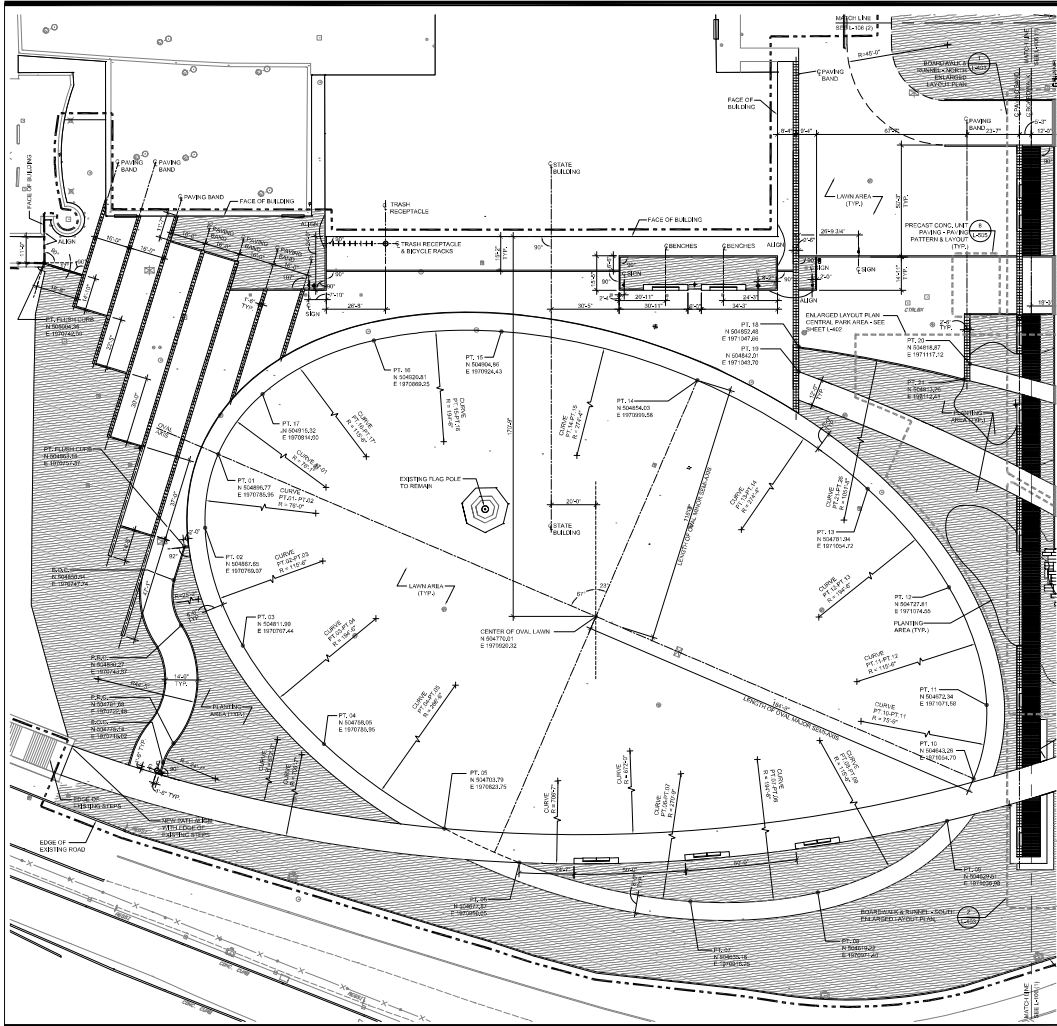
Bureau of Design & Construction Services

EXHIBIT 'A'

© Primavera Systems, Inc.



Project Site Location Map
Capitol Park
EXHIBIT 'B'



- ### LAYOUT NOTES
1. It is the responsibility of the Contractor to verify all existing conditions to be shown on this plan prior to the starting of any construction. The Contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities and for obtaining all necessary approvals from the appropriate authorities. The Contractor shall be responsible for obtaining all necessary approvals from the appropriate authorities.
 2. The Contractor shall comply with all applicable codes and regulations. The Contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities. The Contractor shall be responsible for obtaining all necessary approvals from the appropriate authorities.
 3. Existing topographic information shown on this plan is based on a survey by Landmark Engineering Co., Inc., dated May 21, 2008. The survey is based on the New Jersey coordinate system. In order to control (NAD83) and to control (NAD83), vertical control (NAD83) and to control (NAD83).
 4. For additional notes, see Grading Plans, Hardscape Plans and Planting Plans.
 5. Contractor must verify all existing conditions to be shown on this plan prior to the starting of any construction. The Contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities. The Contractor shall be responsible for obtaining all necessary approvals from the appropriate authorities.

**Capital State Park
Phase 1A**

Rear of 125 W. State Street
Trenton, NJ 08608

The New Jersey Department of the Treasury
DPMC
20 W. State Street
Trenton, NJ 08608

LANDSCAPE ARCHITECT

Wallace Roberts & Todd, LLC

247 W. 35th Street
New York, NY 10001
Tel: 212.566.2200
Fax: 212.566.2205

CONSULTANTS

<p>CH2M Hill 1500 Landon Road Trenton, NJ 08611 Tel: 609.392.4000 Fax: 609.392.4000</p>	<p>ALS&S Structural Engineering Miller - Resnick Corporation 2100 Poplar Avenue South Baltimore, MD 21286 Tel: 410.528.1000 Fax: 410.528.1000</p>
<p>TRC Engineering 1000 Highway 26 New York, NY 10001 Tel: 212.254.2400 Fax: 212.254.2400</p>	<p>Environmental Consulting Hunter Research, Inc. 210 W. State Street Trenton, NJ 08608 Tel: 609.392.2200 Fax: 609.392.2200</p>
<p>Northern Design, LLC 2000 Parkway Northampton, CT 06073 Tel: 413.252.2710 Fax: 413.252.2710</p>	<p>Philip DeLoe 1000 Highway 26 New York, NY 10001 Tel: 212.254.2400 Fax: 212.254.2400</p>

KEY PLAN

REV DATE DESCRIPTION

10/07/09 Final Revision

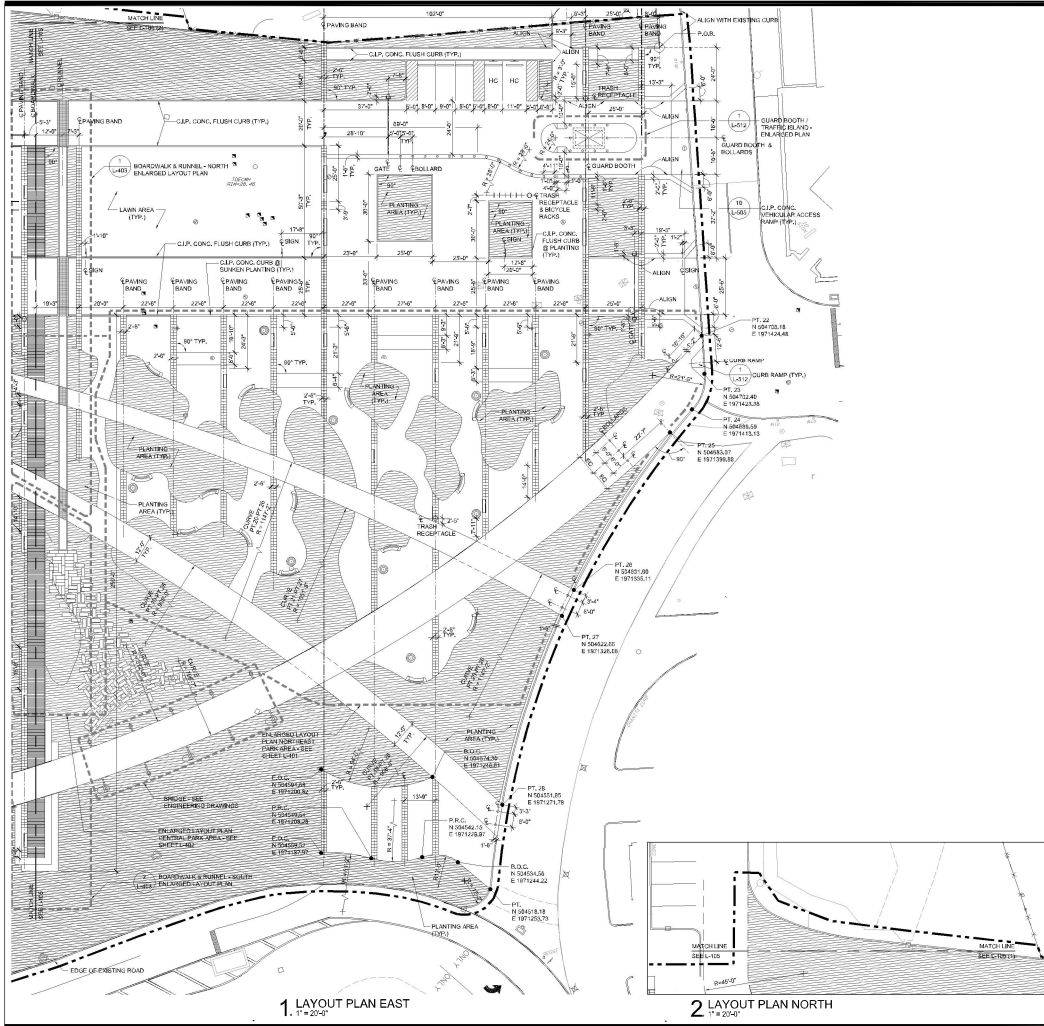
SEALS

Scale: 1" = 20'

Layout Plan - West

L-105

EXHIBIT 'C'



LAYOUT LEGEND

- CONTRACT LINE
- DIMENSION LINE
- CENTER LINE
- ALIGN OBJECTS AT 180° OR PARALLEL
- DEGREE OF ANGLE
- BOLLARD
- FRESH RECEIPTABLE
- WELLSSTONE TO BE LOCATED IN THE FIELD BY LANDSCAPE ARCHITECT
- WHEEL STOP & HANGERS-PARKING SIGN
- GATE KIM CABINET
- BENCH 1A
- BENCH 1B
- BENCH 2A - (CONCAVE)
- BENCH 2B - (CONVEX)
- BICYCLE RACKS
- FOUNTAIN
- HOSE BIB
- DRINKING FOUNTAIN
- COORDINATE POINT
- COORDINATE POINT FOR AWARDS
- POINT OF BEGINNING
- BEGINNING OF CURVATURE
- POINT OF CONTRIVE CURVATURE
- POINT OF REVERSE CURVATURE

- LAYOUT NOTES**
1. It is the responsibility of the Contractor to verify all existing conditions to be shown on this plan. The contractor shall be responsible for all utility lines and below the ground surface, and to fully examine the plans and specifications. Any discrepancies in the drawings or field conditions shall be brought to the attention of the Landscape Architect prior to the initiation of any site work.
 2. The Contractor shall exercise care in all conditions to protect existing structures and utilities and shall be responsible for obtaining their own clearance via Map from the work to be installed in the Contractor's own expense to the satisfaction of the Landscape Architect and Owner.
 3. Existing topographic information shown on this plan is based on survey by Landry Engineering Co., Inc. dated May 2, 2018. This was its based on the New Jersey coordinate system. Vertical control (NAVD 83) obtained from monument 102722, vertical control BENCH 210 obtained from 0184167022.
 4. For additional notes, see Grading Plans, Materials Plans and Planting Plans.
 5. Contractor must have all material approved by Landscape Architect as specified in the specifications and the specifications prior to construction. Quality of all work shall be the responsibility of the contractor and the contractor shall be responsible for any material substitution without additional written approval from the Landscape Architect.

**Capital State Park
Phase 1A**
Rear of 125 W. State Street
Trenton, NJ 08608

The New Jersey Department of the Treasury
DPMC
20 W. State Street
Trenton, NJ 08608

LANDSCAPE ARCHITECT

Wallace Roberts & Todd, LLC
241 W. 30th Street
New York, NY 10001
Tel: 212.564.2200
Fax: 212.564.2205

CONSULTANTS

<p>CE&E Engineering Sustat Associates, Inc. 1945 Lombard Rd. P.O. Box 4125 Trenton, NJ 08646 (609) 634-4000 (609) 634-4000</p>	<p>ME&E Structural Engineering Miller - Remick Corporation 2100 Highways South Basking Ridge, NJ 07005 (908) 852-1000 (908) 852-1000</p>
<p>Travis Engineering Nelson Rygaard 214 W. 27th Street New York, NY 10001 (212) 254-2400 (212) 254-2400</p>	<p>Rowland Consulting 207 Route 53 Trenton, NJ 08606 (609) 374-8111 (609) 374-8111</p>
<p>Landmark Design L'Observatoire International 200 Lafayette St. Rahway, NJ 07065 (908) 954-4400 (908) 954-4400</p>	<p>Hunter Research, Inc. 700 W. State Street Trenton, NJ 08608 (609) 954-4400 (609) 954-4400</p>

Northern Designs, LLC
2001 Highway 108
Northampton, CT 06073
(860) 294-2710
(860) 294-2710

KEY PLAN

REV	DATE	DESCRIPTION
001	10/07/10	Final Submission

REVISIONS

DATE: August 5, 2019
SCALE: 1"=40'

Layout Plan - East & North

Sheet No. L-106

EXHIBIT 'C'

DEED NOTICE

IN ACCORDANCE WITH N.J.S.A. 58:10B-13, THIS DOCUMENT IS TO BE RECORDED IN THE SAME MANNER AS ARE DEEDS AND OTHER INTERESTS IN REAL PROPERTY.

Prepared by: James Mack
[Signature]

James Mack
[Print name below signature]

Recorded by: _____
[Signature, Officer of County Recording Office]

[Print name below signature]

DEED NOTICE

This Deed Notice is made as of the 14th day of Jan., 2014, by the State of New Jersey, Division of Property Management and Construction, 33 West State Street, 9th Floor, Trenton, Mercer County, New Jersey 08608 (together with his/her/its/their successors and assigns, collectively "Owner").

1. THE PROPERTY. The State of New Jersey, Division of Property Management and Construction, 33 West State Street, 9th Floor, Trenton, Mercer County, New Jersey 08608 is the owner in fee simple of certain real property designated as Block(s) 2001 Lot(s) 1, on the tax map of the City of Trenton, of Mercer County, the New Jersey Department of Environmental Protection Program Interest Number (Preferred ID) for the contaminated site which includes this property is 488278; and the property is more particularly described in Exhibit A, which is attached hereto and made a part hereof (the "Property").

2. REMEDIATION.

i. James Mack, LSRP (LSRP License No. 576435) has approved this Deed Notice as an institutional control for the Property, which is part of the remediation of the Property.

ii. N.J.A.C. 7:26C-7 requires the Owner, among other persons, to obtain a soil remedial action permit for the soil remedial action at the Property. That permit will contain the monitoring, maintenance and biennial certification requirements that apply to the Property.

3. SOIL CONTAMINATION. The State of New Jersey, Division of Property Management has remediated contaminated soil at the Property, such that soil contamination remains in certain areas of the Property that contains contaminants in concentrations that do not allow for the unrestricted use of the Property; this soil contamination is described, including the type, concentration and specific location of such contaminants, in Exhibit B, which is attached hereto and made a part hereof. As a result, there is a statutory requirement for this Deed Notice and engineering control in accordance with N.J.S.A. 58:10B-13.

4. CONSIDERATION. In accordance with the remedial action for the site which included the Property, and in consideration of the terms and conditions of that remedial action, and other good and valuable consideration, Owner has agreed to subject the Property to certain statutory and regulatory requirements that impose restrictions upon the use of the Property, to restrict certain uses of the Property, and to provide notice to subsequent owners, lessees and operators of the restrictions and the monitoring, maintenance, and biennial certification requirements outlined in this Deed Notice and required by law, as set forth herein.

5A. RESTRICTED AREAS. Due to the presence of contamination remaining at concentrations that do not allow for unrestricted use, the Owner has agreed, as part of the remedial action for the Property, to restrict the use of certain parts of the Property (the "Restricted Areas"); a narrative description of these restrictions is provided in Exhibit C, which is attached hereto and made a part hereof. The Owner has also agreed to maintain a list of these restrictions on site for inspection by governmental officials.

5B. RESTRICTED LAND USES. The following statutory land use restrictions apply to the Restricted Areas:

i. The Brownfield and Contaminated Site Remediation Act, N.J.S.A. 58:10B-12.g(10), prohibits the conversion of a contaminated site, remediated to non-residential soil remediation standards that require the maintenance of engineering or institutional controls, to a child care facility, or public, private, or charter school without the Department's prior written approval, unless a presumptive remedy is implemented; and

ii. The Brownfield and Contaminated Site Remediation Act, N.J.S.A. 58:10B-12.g(12), prohibits the conversion of a landfill, with gas venting systems and or leachate collection systems, to a single family residence or a child care facility without the Department's prior written approval.

5C. ENGINEERING CONTROLS. Due to the presence and concentration of these contaminants, the Owner has also agreed, as part of the remedial action for the Property, to the placement of certain engineering controls on the Property; a narrative description of these engineering controls is provided in Exhibit C.]

6A. CHANGE IN OWNERSHIP AND REZONING.

i. The Owner and the subsequent owners and lessees, shall cause all leases, grants, and other written transfers of an interest in the Restricted Areas to contain a provision expressly

requiring all holders thereof to take the Property subject to the restrictions contained herein and to comply with all, and not to violate any of the conditions of this Deed Notice. Nothing contained in this Paragraph shall be construed as limiting any obligation of any person to provide any notice required by any law, regulation, or order of any governmental authority.

ii. The Owner and the subsequent owners shall provide written notice to the Department of Environmental Protection on a form provided by the Department and available at www.nj.gov/srp/forms within thirty (30) calendar days after the effective date of any conveyance, grant, gift, or other transfer, in whole or in part, of the owner's interest in the Restricted Area.

iii. The Owner and the subsequent owners shall provide written notice to the Department, on a form available from the Department at www.nj.gov/srp/forms, within thirty (30) calendar days after the owner's petition for or filing of any document initiating a rezoning of the Property to residential.

6B. SUCCESSORS AND ASSIGNS. This Deed Notice shall be binding upon Owner and upon Owner's successors and assigns, and subsequent owners, lessees and operators while each is an owner, lessee, or operator of the Property.

7A. ALTERATIONS, IMPROVEMENTS, AND DISTURBANCES.

i. The Owner and all subsequent owners and lessees shall notify any person, including, without limitation, tenants, employees of tenants, and contractors, intending to conduct invasive work or excavate within the Restricted Areas, of the nature and location of contamination in the Restricted Areas, and, of the precautions necessary to minimize potential human exposure to contaminants.

ii. Except as provided in Paragraph 7B, below, no person shall make, or allow to be made, any alteration, improvement, or disturbance in, to, or about the Property which disturbs any engineering control at the Property without first obtaining a soil remedial action permit modification pursuant to N.J.A.C. 7:26C-7. Nothing herein shall constitute a waiver of the obligation of any person to comply with all applicable laws and regulations including, without limitation, the applicable rules of the Occupational Safety and Health Administration.

iii. Notwithstanding subparagraph 7Aii., above, a soil remedial action permit modification is not required for any alteration, improvement, or disturbance provided that the owner, lessee or operator:

(A) Notifies the Department of Environmental Protection of the activity by calling the DEP Hotline, at 1-877-WARN-DEP or 1-877-927-6337, within twenty-four (24) hours after the beginning of each alteration, improvement, or disturbance;

(B) Restores any disturbance of an engineering control to pre-disturbance conditions within sixty (60) calendar days after the initiation of the alteration, improvement or disturbance;

(C) Ensures that all applicable worker health and safety laws and regulations are followed during the alteration, improvement, or disturbance, and during the restoration;

(D) Ensures that human exposure to contamination in excess of the remediation standards does not occur; and

(E) Describes, in the next biennial certification the nature of the alteration, improvement, or disturbance, the dates and duration of the alteration, improvement, or disturbance, the name of key individuals and their affiliations conducting the alteration, improvement, or disturbance, a description of the notice the Owner gave to those persons prior to the disturbance.

7B. EMERGENCIES. In the event of an emergency which presents, or may present, an unacceptable risk to the public health and safety, or to the environment, or immediate environmental concern, see N.J.S.A. 58:10C-2, any person may temporarily breach an engineering control provided that that person complies with each of the following:

i. Immediately notifies the Department of Environmental Protection of the emergency, by calling the DEP Hotline at 1-877-WARNDEP or 1-877-927-6337;

ii. Hires a Licensed Site Remediation Professional (unless the Restricted Areas includes an unregulated heating oil tank) to respond to the emergency;

iii. Limits both the actual disturbance and the time needed for the disturbance to the minimum reasonably necessary to adequately respond to the emergency;

iv. Implements all measures necessary to limit actual or potential, present or future risk of exposure to humans or the environment to the contamination;

v. Notifies the Department of Environmental Protection when the emergency or immediate environmental concern has ended by calling the DEP Hotline at 1-877-WARNDEP or 1-877-927-6337; and

vi. Restores the engineering control to the pre-emergency conditions as soon as possible, and provides notification to the Department of Environmental Protection within sixty (60) calendar days after completion of the restoration of the engineering control, including: (a) the nature and likely cause of the emergency; (b) the potential discharges of or exposures to contaminants, if any, that may have occurred; (c) the measures that have been taken to mitigate the effects of the emergency on human health and the environment; (d) the measures completed or implemented to restore the engineering control; and (e) the changes to the engineering control or site operation and maintenance plan to prevent reoccurrence of such conditions in the future.

8. TERMINATION OF DEED NOTICE.

i. This Deed Notice may be terminated only upon filing of a Termination of Deed Notice, available at N.J.A.C. 7:26C Appendix C, with the office of the County Clerk of Mercer County, New Jersey, expressly terminating this Deed Notice.

ii. Within thirty (30) calendar days after the filing of a Termination of Deed Notice, the owner of the property shall apply to the Department for termination of the soil remedial action permit pursuant to N.J.A.C. 7:26C-7.

9. ACCESS. The Owner, and the subsequent owners, lessees and operators agree to allow the Department, its agents and representatives access to the Property to inspect and evaluate the continued protectiveness of the remedial action that includes this Deed Notice and to conduct additional remediation to ensure the protection of the public health and safety and of the environment if the subsequent owners, lessees and operators, during their ownership, tenancy, or operation, and the Owner fail to conduct such remediation pursuant to this Deed Notice as required by law. The Owner, and the subsequent owners and lessees, shall also cause all leases, subleases, grants, and other written transfers of an interest in the Restricted Areas to contain a provision expressly requiring that all holders thereof provide such access to the Department.

10. ENFORCEMENT OF VIOLATIONS.

i. This Deed Notice itself is not intended to create any interest in real estate in favor of the Department of Environmental Protection, nor to create a lien against the Property, but merely is intended to provide notice of certain conditions and restrictions on the Property and to reflect the regulatory and statutory obligations imposed as a conditional remedial action for this site.

ii. The restrictions provided herein may be enforceable solely by the Department against any person who violates this Deed Notice. To enforce violations of this Deed Notice, the Department may initiate one or more enforcement actions pursuant to N.J.S.A. 58:10-23.11, and N.J.S.A. 58:10C, and require additional remediation and assess damages pursuant to N.J.S.A. 58:10-23.11, and N.J.S.A. 58:10C.

11. SEVERABILITY. If any court of competent jurisdiction determines that any provision of this Deed Notice requires modification, such provision shall be deemed to have been modified automatically to conform to such requirements. If a court of competent jurisdiction determines that any provision of this Deed Notice is invalid or unenforceable and the provision is of such a nature that it cannot be modified, the provision shall be deemed deleted from this instrument as though the provision had never been included herein. In either case, the remaining provisions of this Deed Notice shall remain in full force and effect.

12A. EXHIBIT A. Exhibit A includes the following maps of the Property and the vicinity:

i. Exhibit A-1: Vicinity Map - A map that identifies by name the roads, and other important geographical features in the vicinity of the Property (for example, USGS Quad map, Hagstrom County Maps);

ii. Exhibit A-2: Metes and Bounds Description - A tax map of lots and blocks as wells as metes and bounds description of the Property, including reference to tax lot and block numbers for the Property;

iii. Exhibit A-3: Property Map - A scaled map of the Property, scaled at one inch to 200 feet or less, and if more than one map is submitted, the maps shall be presented as overlays, keyed to a base map; and the Property Map shall include diagrams of major surface topographical features such as buildings, roads, and parking lots.

12B. EXHIBIT B. Exhibit B includes the following descriptions of the Restricted Areas:

i. Exhibit B-1: Restricted Area Map - A separate map for each restricted area that includes:

(A) As-built diagrams of each engineering control, including caps, fences, slurry walls, (and, if any) ground water monitoring wells, extent of the ground water classification exception area, pumping and treatment systems that may be required as part of a ground water engineering control in addition to the deed notice

(B) As-built diagrams of any buildings, roads, parking lots and other structures that function as engineering controls; and

(C) Designation of all soil and sediment sample locations within the restricted areas that exceed any soil or sediment standard that are keyed into one of the tables described in the following paragraph.

ii. Exhibit B-2: Restricted Area Data Table - A separate table for each restricted area that includes either (A) or (B) through (F):

(A) Only for historic fill extending over the entire site or a portion of the site and for which analytical data are limited or do not exist, a narrative that states that historic fill is present at the site, a description of the fill material (e.g., ash, cinders, brick, dredge material), and a statement that such material may include, but is not limited to, contaminants such as PAHs and metals;

(B) Sample location designation from Restricted Area map (Exhibit B-1);

(C) Sample elevation based upon mean sea level;

(D) Name and chemical abstract service registry number of each contaminant with a concentration that exceeds the unrestricted use standard;

(E) The restricted and unrestricted use standards for each contaminant in the table;
and

(F) The remaining concentration of each contaminant at each sample location at each elevation.

12C. EXHIBIT C. Exhibit C includes narrative descriptions of the institutional controls and engineering control, as follows:

i. Exhibit C-1: Deed Notice as Institutional Control: Exhibit C-1 includes a narrative description of the restriction and obligations of this Deed Notice that are in addition to those described above, as follows:

(A) Description and estimated size of the Restricted Areas as described above;

(B) Description of the restrictions on the Property by operation of this Deed Notice;
and

(C) The objective of the restrictions.

ii. Exhibit C-2: Clean Fill Cap: Exhibit C-2 includes a narrative description of the clean fill cap as follows:

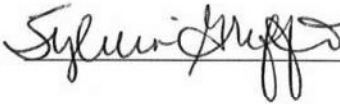
(A) Description of the engineering control;

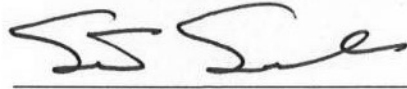
(B) The objective of the engineering control; and

(C) How the engineering control is intended to function.

13. SIGNATURES. IN WITNESS WHEREOF, Owner has executed this Deed Notice as of the date first written above.

ATTESTED BY: the State of New Jersey, Division of Property Management





Steven Sutkin, Director

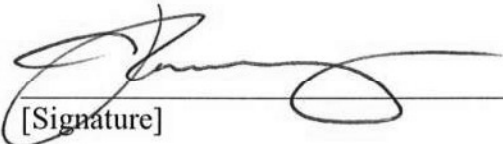
Date signed: 11.29.13

Date signed: 11/29/13

STATE OF NEW JERSEY SS.:
COUNTY OF MERCER

I certify that on Nov 29, 2013, STEVEN SUTKIN personally came before me, and this person acknowledged under oath, to my satisfaction, that:

- (a) this person is the Director for the State of New Jersey, Division of Property Management, the corporation named in this document;
- (b) this person is the attesting witness to the signing of this document by the proper corporate officer who is the president of the corporation;
- (c) this document was signed and delivered by the corporation as its voluntary act and was duly authorized;
- (d) this person knows the proper seal of the corporation which was affixed to this document; and
- (e) this person signed this proof to attest to the truth of these facts.



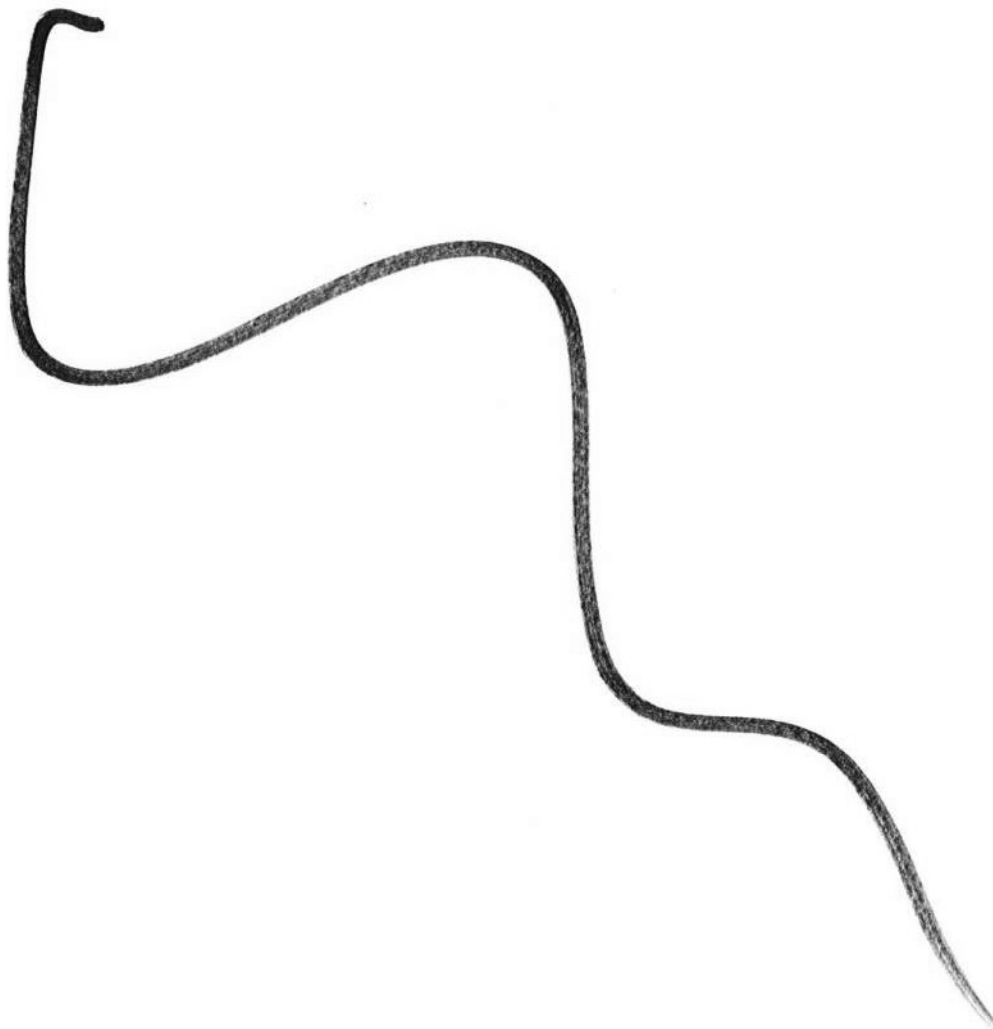
Charles J. Connery, Attorney at Law, State of NJ
[Print name and title of attesting witness]

Signed and sworn before me on Nov. 29, 2013


_____, Notary Public

Charles J. Connery
ATTORNEY AT LAW, STATE OF NJ
[Print name and title]

EXHIBIT A-1
Vicinity Map



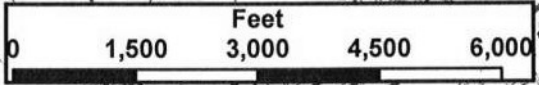
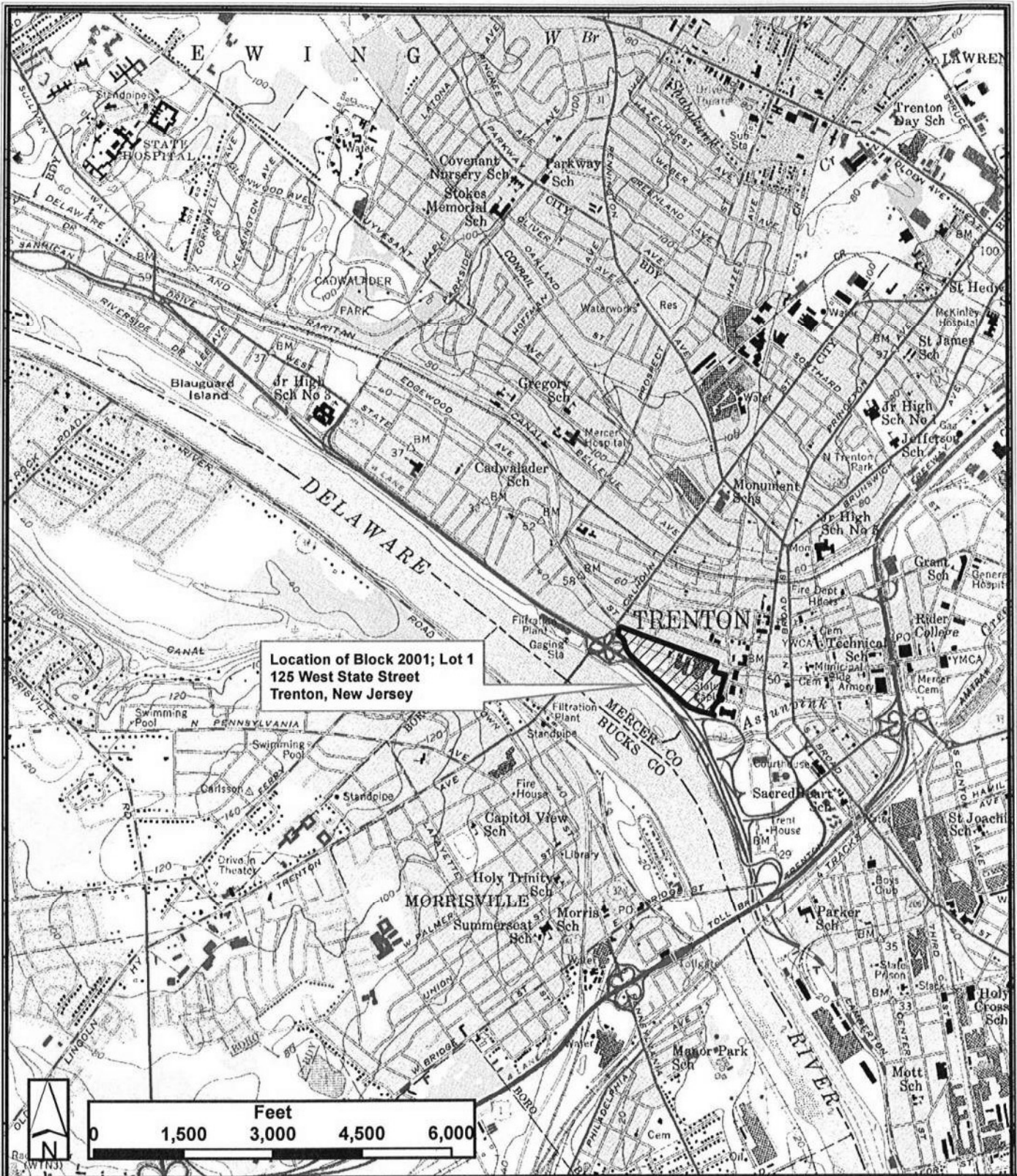


Exhibit A-1 - Vicinity Map
Block 2001; Lot 1
PI#488278
125 West State Street, Trenton,
New Jersey

Source: USGS Topographic Map
 Trenton West, NJ - PA
 Photorevised 1981

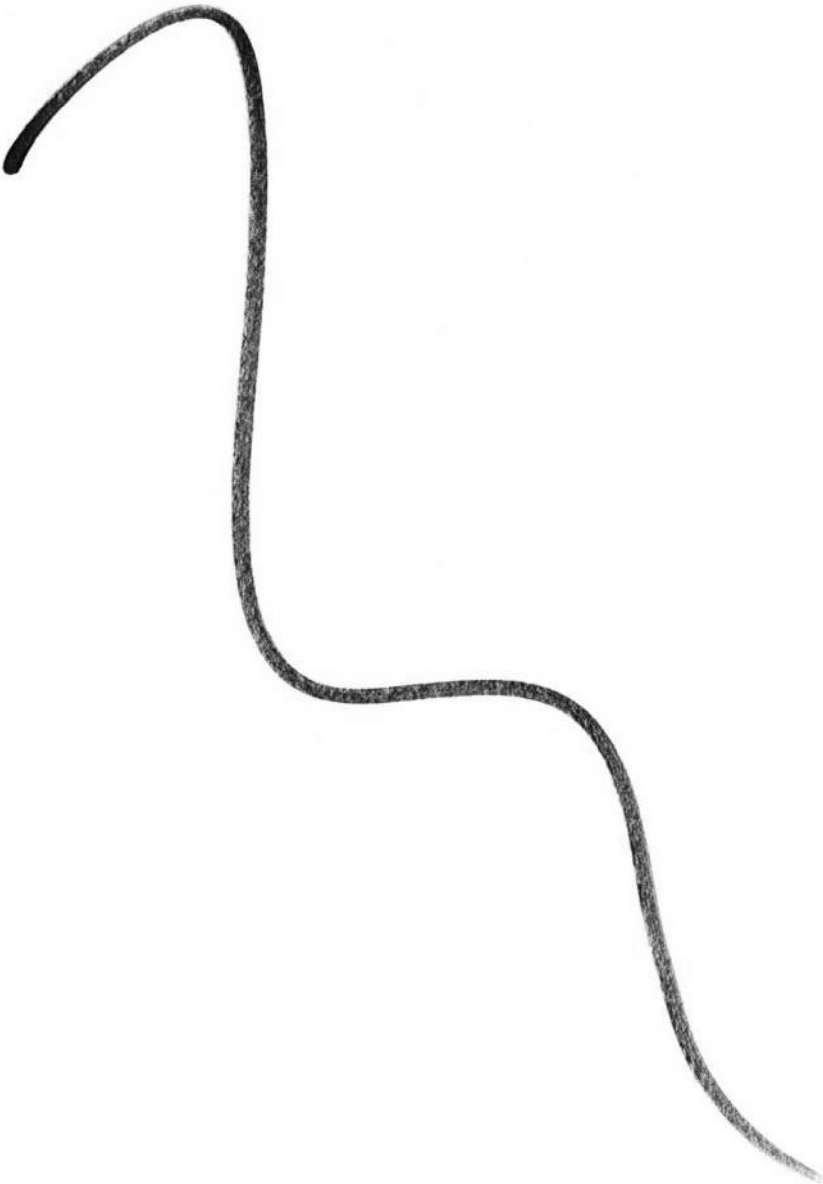
SADAT ASSOCIATES, INC.
 1545 Lambertson Road
 Trenton, New Jersey 08610
 (p) 609 826 9600 (f) 609 826 9601

Legend

Property boundary

EXHIBIT 'D'

EXHIBIT A-2
Metes and Bounds Description



**Description of NJ Capital Park Project Phase IA & IB
125 West State Street,
City of Trenton, Mercer County, NJ 08608
Portion of Block 2001, Lot 1
NJDEP Preferred ID: 488278**

A parcel located at State Street in the City of Trenton, Mercer County, State of New Jersey, being composed of a portion of Lot 1, Block 2001 containing 7.53 acres, and further description as commencing from the Point of Beginning (POB).

POB – Easting 1971200.478 Northing 505324.179.

South nineteen degrees, forty minutes, forty three point two five seconds West (S19° 40' 43.25"W), a distance of one hundred point eight seven (100.87) feet, thence;

North seventy degrees, nineteen minutes, thirty point one two seconds West (N70° 19' 30.12"W), a distance of twenty-one point seventy four (21.74) feet, thence;

South nineteen degrees, thirty five minutes, fifteen point zero one seconds West (S19° 35' 15.01"W), a distance of two hundred and seventy-one point two three (271.23) feet, thence;

South seventy degrees, fifteen minutes, twenty-two point one one seconds East (S70° 15' 22.11"E), a distance of twenty-seven point four one (27.41) feet, thence;

South twenty degrees, four minutes, thirty point six seven seconds West (S20° 04' 30.67"W), a distance of seventy-three point eight seven (73.87) feet, thence;

North sixty-nine degrees, fifty-five minutes, thirty-four point two four seconds West (N69° 55' 34.24"W), a distance of two hundred and three point one nine (203.19) feet, thence;

North nineteen degrees, thirty-six minutes, zero point nine eight seconds East (N19° 36' 0.98"E), a distance of nine point two five (9.25) feet, thence;

North sixty-nine degrees, fifty-four minutes, four point one seconds West (N69° 54' 04.10"W), a distance of ninety-eight point five one (98.51) feet, thence;

North nineteen degrees, nineteen minutes, twenty-five point eight one seconds East (N19° 19' 25.81"E), a distance of forty-three point one eight (43.18) feet, thence;

North seventy degrees, two minutes, twenty-five point one four seconds West (N70° 02' 25.14"W), a distance of nineteen point four nine (19.49) feet, thence;

South twenty-four degrees, twenty-seven minutes, two point eight seconds West (S24° 27' 2.8"W), a distance of forty-three point five two (43.52) feet, thence;

North sixty-nine degrees, forty-four minutes, twenty-four point six five seconds West (N69° 44' 24.65"W), a distance of five point eight three (5.83) feet, thence;

South twenty degrees, thirty-nine minutes, eleven point seven three seconds West ($S20^{\circ} 39' 11.73''W$), a distance of seven point five seven (7.57) feet, thence;

North sixty-nine degrees, fifty-seven minutes, thirty-six point nine eight seconds West ($N69^{\circ} 57' 36.98''W$), a distance of forty-eight point one seven (48.17) feet, thence;

South nineteen degrees, eighteen minutes, forty-eight point one four seconds West ($S19^{\circ} 18' 48.14''W$), a distance of fifteen point zero eight (15.08) feet, thence;

South sixty-nine degrees, fifty minutes, thirty-four point two five seconds East ($S69^{\circ} 50' 34.25''E$), a distance of forty nine point five (49.50) feet, thence;

South thirty degrees, forty-three minutes, twenty-two point four five seconds West ($S30^{\circ} 43' 22.45''W$), a distance of twenty-one point three six (21.36) feet, thence;

South twenty degrees, fifty-two minutes, sixteen point zero seven seconds West ($S20^{\circ} 52' 16.07''W$), a distance of one hundred and thirty point eight eight (130.88 feet), thence;

South four degrees, fifty minutes, one point five three seconds West ($S4^{\circ} 50' 01.53''W$), a distance of sixty-two point seven three (62.73) feet, thence;

South forty-one degrees, forty minutes, four point five four seconds West ($S41^{\circ} 40' 04.54''W$), a distance of thirty-one point six seven (31.67) feet, thence;

South forty-eight degrees, fifty-three minutes, fifty-eight point four seconds East ($S48^{\circ} 53' 58.54''E$), a distance of thirty-two point six four (32.64) feet, thence;

South fifty-two degrees, forty-five minutes, seventeen point eight three seconds ($S52^{\circ} 45' 17.83''E$), a distance of one hundred and forty four point six six (144.66) feet, thence;

South fifty three degrees, twenty-six minutes, fifty-six point nine six seconds East ($S53^{\circ} 26' 56.96''E$), a distance of seventy-six point seven two (76.72) feet, thence;

South sixty-one degrees, fifty-four minutes, twelve point three six seconds East ($S61^{\circ} 54' 12.36''E$), a distance of thirty-six point nine four (36.94) feet, thence;

South sixty-two degrees, fifty-nine minutes, twenty-six point three one seconds East ($S62^{\circ} 59' 26.31''E$), a distance of forty-nine point four two (49.42) feet, thence;

Radius two hundred and seventy-seven point two (277.2) with length of eighty-two point five one (82.51) feet and delta seventeen point zero five (17.05), thence;

Radius three hundred and eighteen (318).with length of ninety six point three eight (96.38) feet and delta seventeen point three four (17.34), thence;

Radius one hundred and fifty seven point eight six (157.86) with length of one hundred and thirty-two point zero four (132.04) feet and delta forty-seven point nine two (47.92), thence;

Radius seventeen point nine one (17.91) with length of thirty-nine point one (39.10) feet and delta one hundred and twenty-five point zero six (125.06), thence;

Radius three hundred and sixty-four point one three (364.13) with length of two hundred and thirteen point three eight (213.38) feet and delta thirty three point five eight (33.58), thence;

Radius fifty one point eight seven (51.87) with length of forty two point eight five (42.85) feet and delta forty seven point three four (47.34), thence;

North sixteen degreed, thirteen minutes, thirty-four point seven four seconds East (N16° 13' 34.74"E), a distance of one hundred and thirty-five point nine five (135.95) feet, thence;

North sixty-nine degrees, thirty-two minutes, thirty-two point five two seconds West (N69° 32' 32.52"W), a distance of ten point eight nine (10.89) feet, thence;

North fifteen degrees twenty one minutes, five point two four seconds East (N15° 21' 05.24"E), a distance of ten point eight five (10.85) feet, thence;

North seventy four degrees, forty-two minutes, thirty-six point seven seven minutes West (N74° 42' 36.77"W), a distance of one hundred point eight two (100.82) feet, thence;

North seventy-four degrees, ten minutes, thirty-nine point one five seconds West (N74° 10' 39.15"W), a distance of forty-eight point six three (48.63) feet, thence;

North sixty four degrees thirty one minutes, twenty-one point nine seconds West (N64° 31' 21.90"W), a distance of sixty-four point zero two (64.02) feet, thence;

North one degree thirty-two minutes, fifty-five point six eight seconds East (N01° 32' 55.68"E), a distance of one hundred and thirty five point one one (135.11) feet, thence;

North sixty-five degrees, nineteen minutes, twenty-four point nine seconds East (N65° 19' 24.90"E), a distance of seventy point five eight (70.58) feet, thence;

North fourteen degrees, sixteen minutes, eighteen point one seven seconds East (N14° 16' 18.17"E), a distance of fifty-four point five four (54.54) feet, thence;

North seventy-one degrees, twenty-five minutes, thirty-four point four four seconds West (N71° 25' 34.44"W), a distance of seventeen point eight nine (17.89) feet, thence;

North nineteen degrees, twenty-six minutes, fifty-nine point five four seconds East (N19° 26' 59.54"E), a distance of fifty-six point eight four (56.84) feet, thence;

North forty-three degrees, fifty-two minutes, forty-two point six eight seconds West (N43° 52' 42.68"W), a distance of nine point nine three (9.93) feet. thence;

North thirty-three degrees, four minutes, twelve point one one seconds East (N33° 04' 12.11"E), a distance of 7.97 feet, thence;

North seventy-nine degree, thirty-three minutes, fifteen point one four seconds East (N79° 33' 15.14"E), a distance of eight point nine four (8.94) feet, thence;



North twenty degrees, four minutes, fourteen point eight seconds East (N20° 04' 14.80"E), a distance of 59.98 feet, thence;

North sixty-nine degrees, twenty four minutes, sixteen point seven five seconds West (N69° 24' 16.75"W), a distance of seven point seven nine (7.79) feet, thence;

Radius one hundred and eight point six (108.6) with length of fifty point four four (50.44) feet and delta twenty-six point six one (26.61), thence;

North seventy degrees, thirty-one minutes, forty-five point eight one seconds West (N70° 31' 45.81"W), a distance of one hundred and eighteen point nine six (118.96) feet, to the POB.

As shown on a survey plans by Lanning Engineering Co, Inc., based on a survey conducted Americao Lucchi, P.L.S. Professional Land Surveyor, NJ LIC No. 22419, dated 12/9/2009.

Issued by:
Sadat Associates, Inc.
1545 Lambertson Rd,
Trenton, NJ 08610
Tel: 609-826-9600, Fax: 609-826-9601

ABBREVIATIONS / DESCRIPTIONS

101	102	103	104	105	106	107	108	109	110	111	112	113	114	115	116	117	118	119	120	121	122	123	124	125	126	127	128	129	130	131	132	133	134	135	136	137	138	139	140	141	142	143	144	145	146	147	148	149	150	151	152	153	154	155	156	157	158	159	160	161	162	163	164	165	166	167	168	169	170	171	172	173	174	175	176	177	178	179	180	181	182	183	184	185	186	187	188	189	190	191	192	193	194	195	196	197	198	199	200
-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----

SYMBOLS / DESCRIPTIONS

201	202	203	204	205	206	207	208	209	210	211	212	213	214	215	216	217	218	219	220	221	222	223	224	225	226	227	228	229	230	231	232	233	234	235	236	237	238	239	240	241	242	243	244	245	246	247	248	249	250	251	252	253	254	255	256	257	258	259	260	261	262	263	264	265	266	267	268	269	270	271	272	273	274	275	276	277	278	279	280	281	282	283	284	285	286	287	288	289	290	291	292	293	294	295	296	297	298	299	300	301	302	303	304	305	306	307	308	309	310	311	312	313	314	315	316	317	318	319	320	321	322	323	324	325	326	327	328	329	330	331	332	333	334	335	336	337	338	339	340	341	342	343	344	345	346	347	348	349	350	351	352	353	354	355	356	357	358	359	360	361	362	363	364	365	366	367	368	369	370	371	372	373	374	375	376	377	378	379	380	381	382	383	384	385	386	387	388	389	390	391	392	393	394	395	396	397	398	399	400	401	402	403	404	405	406	407	408	409	410	411	412	413	414	415	416	417	418	419	420	421	422	423	424	425	426	427	428	429	430	431	432	433	434	435	436	437	438	439	440	441	442	443	444	445	446	447	448	449	450	451	452	453	454	455	456	457	458	459	460	461	462	463	464	465	466	467	468	469	470	471	472	473	474	475	476	477	478	479	480	481	482	483	484	485	486	487	488	489	490	491	492	493	494	495	496	497	498	499	500
-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----

LINE TYPE / DESCRIPTIONS

501	502	503	504	505	506	507	508	509	510	511	512	513	514	515	516	517	518	519	520	521	522	523	524	525	526	527	528	529	530	531	532	533	534	535	536	537	538	539	540	541	542	543	544	545	546	547	548	549	550	551	552	553	554	555	556	557	558	559	560	561	562	563	564	565	566	567	568	569	570	571	572	573	574	575	576	577	578	579	580	581	582	583	584	585	586	587	588	589	590	591	592	593	594	595	596	597	598	599	600	601	602	603	604	605	606	607	608	609	610	611	612	613	614	615	616	617	618	619	620	621	622	623	624	625	626	627	628	629	630	631	632	633	634	635	636	637	638	639	640	641	642	643	644	645	646	647	648	649	650	651	652	653	654	655	656	657	658	659	660	661	662	663	664	665	666	667	668	669	670	671	672	673	674	675	676	677	678	679	680	681	682	683	684	685	686	687	688	689	690	691	692	693	694	695	696	697	698	699	700
-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----

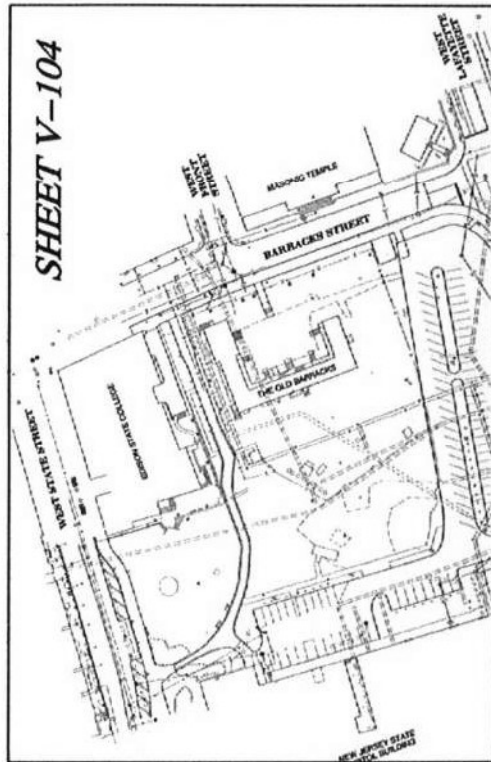
LANNING ENGINEERING CO., INC.
 CONSULTING ENGINEERS & LAND SURVEYORS
 3123 KLOCKNER ROAD
 HANOVER, PA 17331
 PHONE: 717-533-1111
 FAX: 717-533-1122
 EMAIL: LANNING@LANNING-PA.COM

AMERICO LUCCHI P.L.S.
 PROFESSIONAL LAND SURVEYOR, N.J. Lic. No. 24318
Chellis Lucchi

**Capital State Park
 Phase 1A**
 Rear of 125 N. State Street
 CITY OF TRENTON, MERCER COUNTY
 NEW JERSEY

EXISTING CONDITIONS PRIOR TO PARKING LOT DEMOLITION LEGEND

FILE NO. _____
 DATE: 5/21/2008
 SHEET NO. V-501

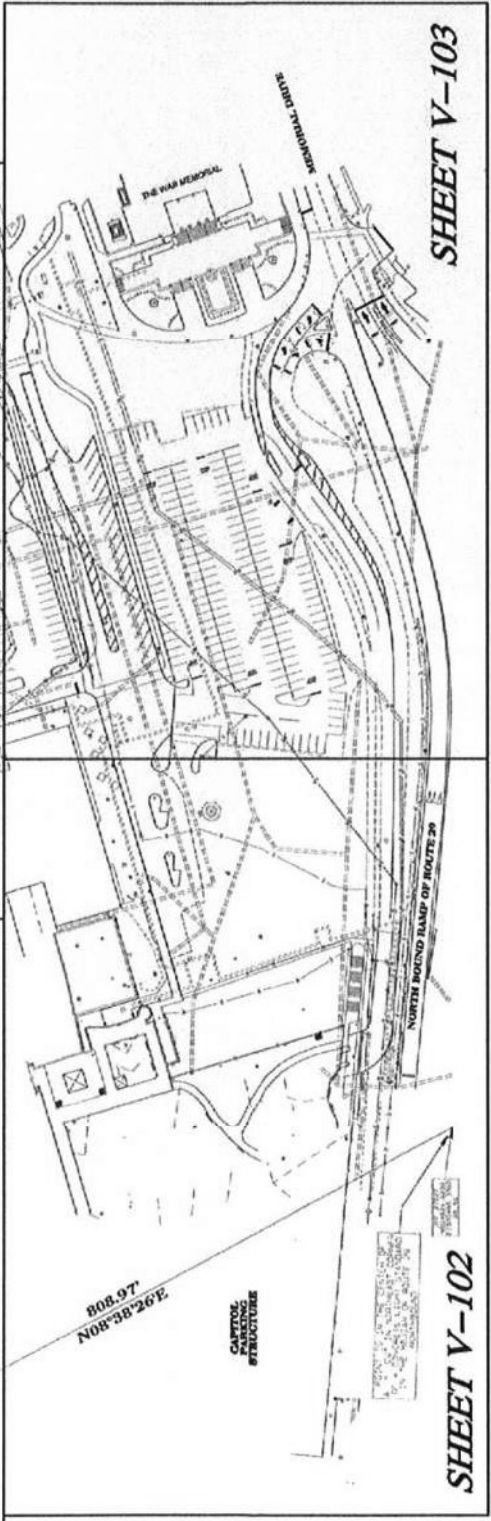


SHEET V-104



SHEET V-105

THIS SURVEY IS BASED ON THE
 NEW JERSEY COORDINATE SYSTEM
 HORIZONTAL CONTROL (N.A.D. 27)
 DERIVED FROM MONUMENT #185
 & DRILL HOLE #27027
 VERTICAL CONTROL (NGVD 29)
 DERIVED FROM DRILL HOLE #27027



SHEET V-103

SHEET V-102

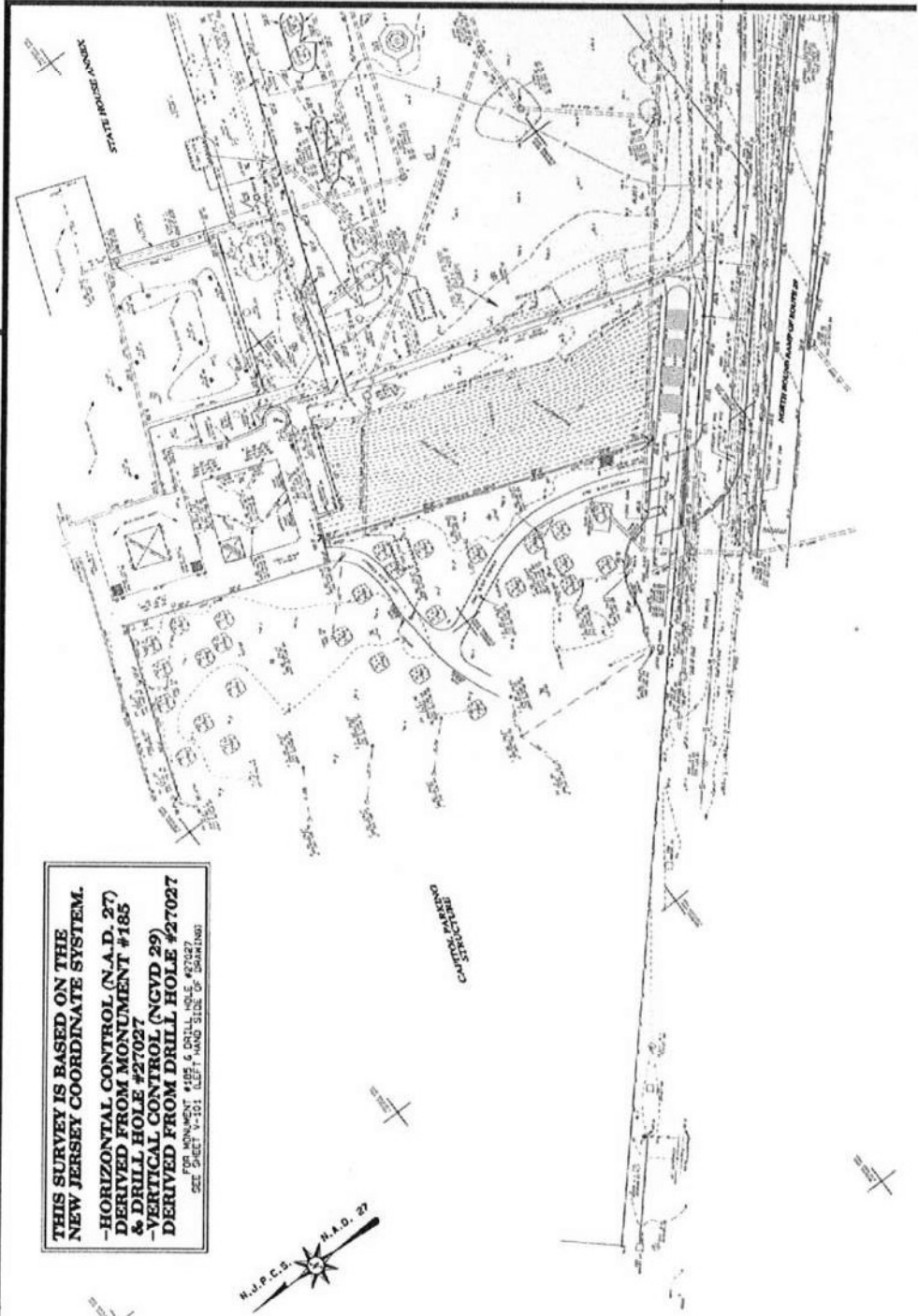
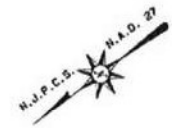
		LANNING ENGINEERING CO., INC. CONSULTING ENGINEERS & LAND SURVEYORS 3125 KILGOWER ROAD HAWTHORNE, NJ 07042 PHONE: 201-261-8600 FAX: 201-261-8678 EMAIL: info@lanning.com CERTIFICATE OF AUTHORIZATION No. 2-05-02302000 EST. 1955		AMERICO LUCCHI, P.L.L.C. PROFESSIONAL LAND SURVEYOR No. 3248 DATE: 10/19/00		Capital State Park Phase 1A Rear of 125 W. State Street CITY OF TRENTON, MERCER COUNTY NEW JERSEY		EXISTING CONDITIONS PRIOR TO PARKING LOT DEMOLITION KEY PLAN		SHEET NO. V-101	
FIELD NO. 10		DRAWN BY J.P.V.		CHECKED BY J.P.V.		DATE 11-15-00		SCALE 1" = 100'		DATE 5/21/2008	

EXHIBIT 'D'

MATCH LINE (SEE SHEET V-104)

MATCH LINE (SEE SHEET V-105)

THIS SURVEY IS BASED ON THE NEW JERSEY COORDINATE SYSTEM.
 - HORIZONTAL CONTROL (N.A.D. 27) & DRILL HOLE #27027 DERIVED FROM MONUMENT #185
 - VERTICAL CONTROL (NGVD 29) DERIVED FROM DRILL HOLE #27027
 FOR MONUMENT #185 & DRILL HOLE #27027 SEE SHEET V-101 LEFT HAND SIDE OF DRAWING



LANNING ENGINEERING CO., INC. CONSULTING ENGINEERS & LAND SURVEYORS HAMILTON, NEW JERSEY PHONE: 609-588-6011 EMAIL: LANNING@LANNINGENGINEERING.COM EST. 1955		AMERICO LUCCHI, P.L.S. PROFESSIONAL LAND SURVEYOR N.J. LIC. NO. 30418 <i>Americo Lucchi</i>	Capital State Park Phase 1A Rear of 125 N. State Street CITY OF TRENTON, MERCER COUNTY NEW JERSEY	EXISTING CONDITIONS PRIOR TO PARKING LOT DEMOLITION WEST	FILE NO.
					SHEET NO. V-102

EXHIBIT 'D'

MATCH LINE (SEE SHEET V-104)



MATCH LINE (SEE SHEET V-102)

THIS SURVEY IS BASED ON THE
NEW JERSEY COORDINATE SYSTEM.
-HORIZONTAL CONTROL (N.A.D. 27)
& DRILL HOLE #27027
-VERTICAL CONTROL (NGVD 29)
DERIVED FROM DRILL HOLE #27027
FOR MONUMENT #185 & DRILL HOLE #27027
SEE SHEET V-101 (LEFT HAND SIDE OF DRAWING)

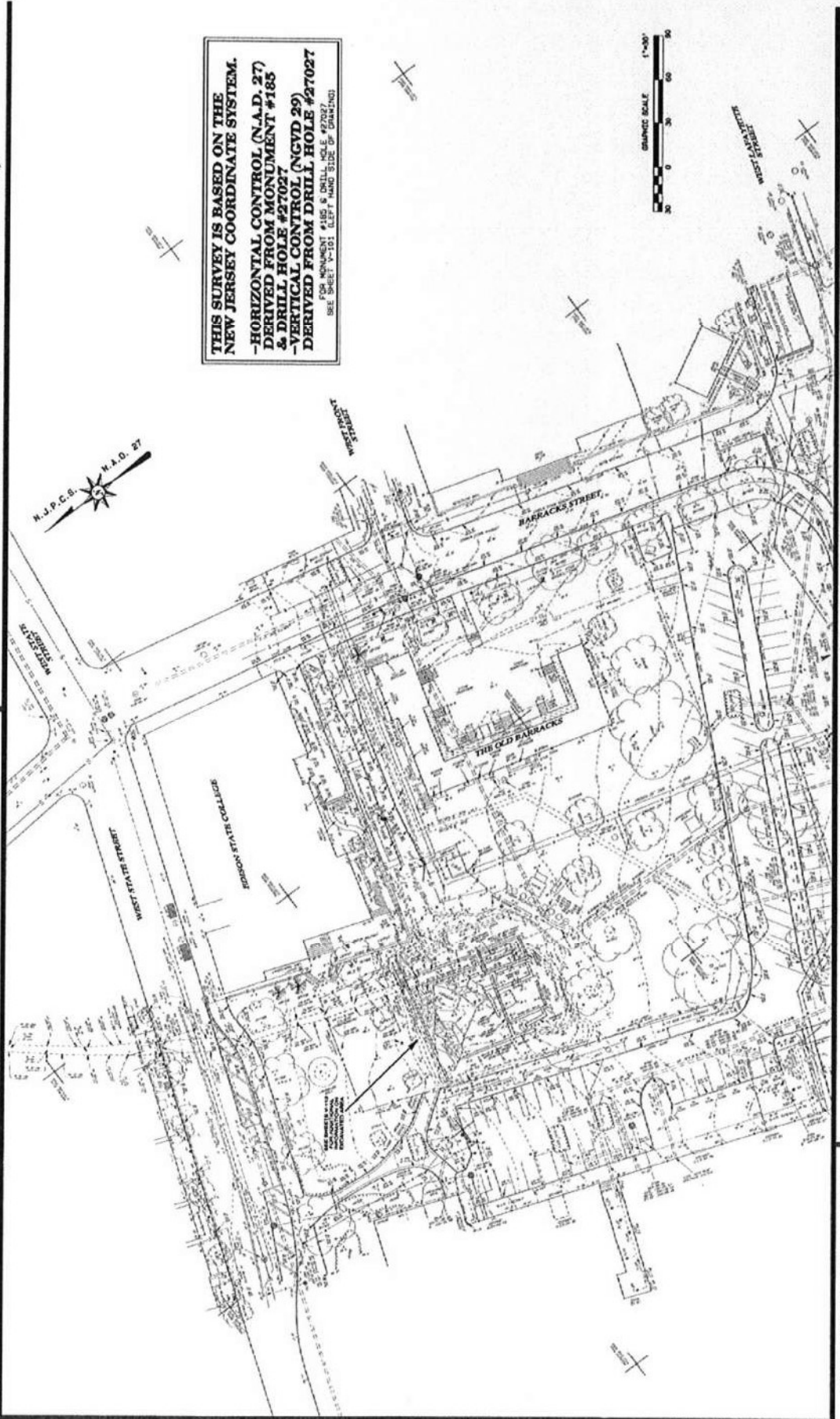


LANNING ENGINEERING CO., INC. CONSULTING ENGINEERS & LAND SURVEYORS 2123 KLUCKNER ROAD HAMILTON, NJ 08610 PHONE: 609-888-0011 FAX: 609-888-0012 EMAIL: LANNING@LANNING-INC.COM CERTIFICATE OF AUTHORIZATION No. 2484292200		EST. 1955	FIELD NO. _____	SHEET NO. V-103
			DRAWN BY: J. J. H.	DATE: 11-28-09
AMERICO LUCCHI, P.L.L.S. PROFESSIONAL LAND SURVEYOR, J.A. Lic. No. 20498 <i>Americo Lucchi</i>			EXISTING CONDITIONS PRIOR TO PARKING LOT DEMOLITION	
CAPITAL STATE PARK Phase 1A Rear of 125 W. Skate Street CITY OF TRENTON, MERCER COUNTY NEW JERSEY			TITLE NO. _____	

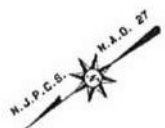
EXHIBIT 'D'

MATCH LINE (SEE SHEET V-108)

MATCH LINE (SEE SHEET V-107)



THIS SURVEY IS BASED ON THE NEW JERSEY COORDINATE SYSTEM.
 -HORIZONTAL CONTROL (N.A.D. 27) DERIVED FROM MONUMENT #185 & DRILL HOLE #27027
 -VERTICAL CONTROL (NGVD 29) DERIVED FROM DRILL HOLE #27027
 FOR MONUMENT #185 & DRILL HOLE #27027 SEE SHEET V-101 (LEFT HAND SIDE OF DRAWING)



MATCH LINE (SEE SHEET V-105)

MATCH LINE (SEE SHEET V-103)

LANNING ENGINEERING CO., INC.
 CONSULTING ENGINEERS & LAND SURVEYORS
 3123 KLOCKNER ROAD
 HANOVER, NJ 07930
 PHONE: 610-528-5011
 FAX: 610-528-5012
 EMAIL: LANNING@LANNING-INC.COM



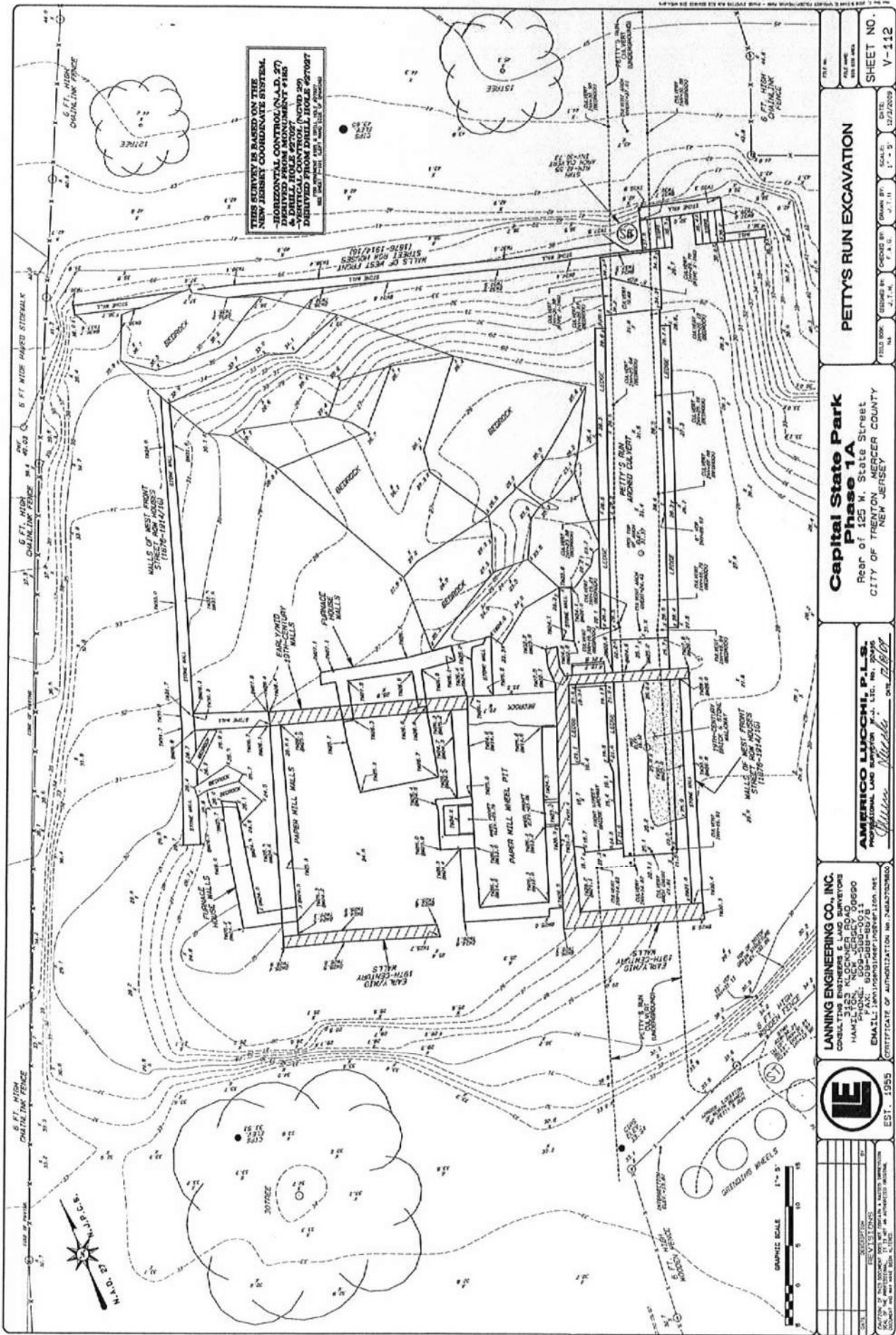
EST. 1955
 CERTIFICATE OF AUTHORIZATION NO. 2468392000

Capital State Park Phase 1A
 Rear of 125 N. State Street
 CITY OF TRENTON, MERCER COUNTY
 NEW JERSEY

AMERICO LUCCHI, P.L.L.C.
 PROFESSIONAL LAND SURVEYOR
 J. Lic. No. 9939
Américo Lucchi

EXISTING CONDITIONS PRIOR TO PARKING LOT DEMOLITION

SHEET NO. V-104



THIS SURVEY IS BASED ON THE
NEW JERSEY COORDINATE SYSTEM.
- HORIZONTAL CONTROL (N.A.D. 83)
- DERIVED FROM MONUMENT #185
- VERTICAL CONTROL (MVD 20)
- DERIVED FROM DRILL HOLE #27087

<p>LANNING ENGINEERING CO., INC. CONSULTING ENGINEERS & LAND SURVEYORS HAMLETTON, NEW JERSEY 08034 PHONE: 609-388-0011 FAX: 609-388-0012 EMAIL: ANN@LANINC.COM</p>	<p>AMERICICO LUCCHI, P.L.S. PROFESSIONAL LAND SURVEYOR J. LIC. NO. 20936 DATE: 12/2/03</p>	<p>Capital State Park Phase 1A Rear of 125 N. State Street CITY OF TRENTON, MERCER COUNTY NEW JERSEY</p>	<p>PETTY'S RUN EXCAVATION</p>	<p>SHEET NO. V-412</p>
				<p>DATE: 12/2/2003</p>

EXHIBIT 'D'

EXHIBIT A-3
Property Map

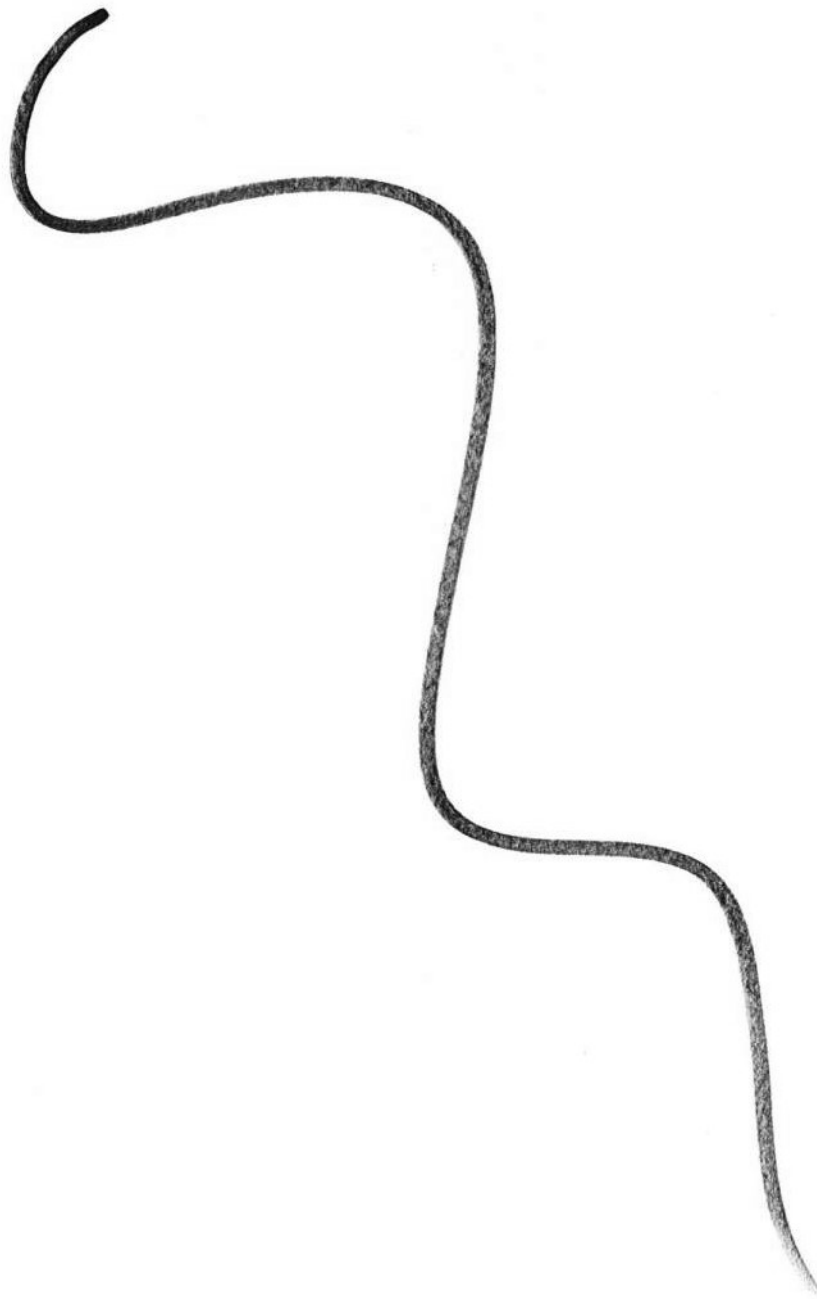
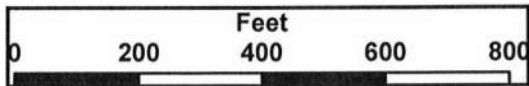
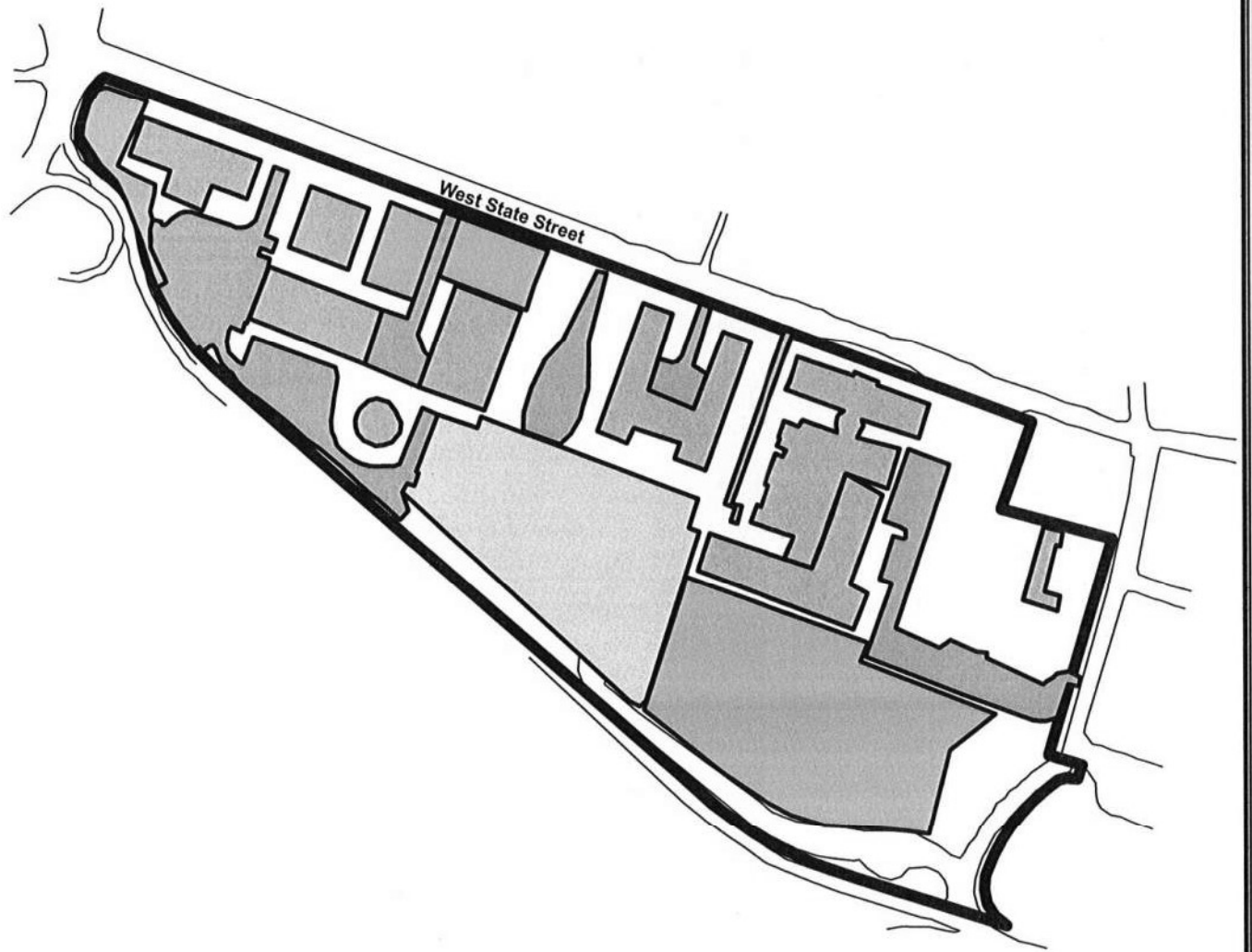


EXHIBIT 'D'



**Exhibit A-3 - Property Map
Block 2001; Lot 1**

**PI#488278
125 West State Street,
Trenton, New Jersey**

Source: NJDEP 2012
Digital Aerial Photography

SADAT ASSOCIATES, INC.
1545 Lambertson Road
Trenton, New Jersey 08610
(p) 609 826 9600 (f) 609 826 9601

Legend








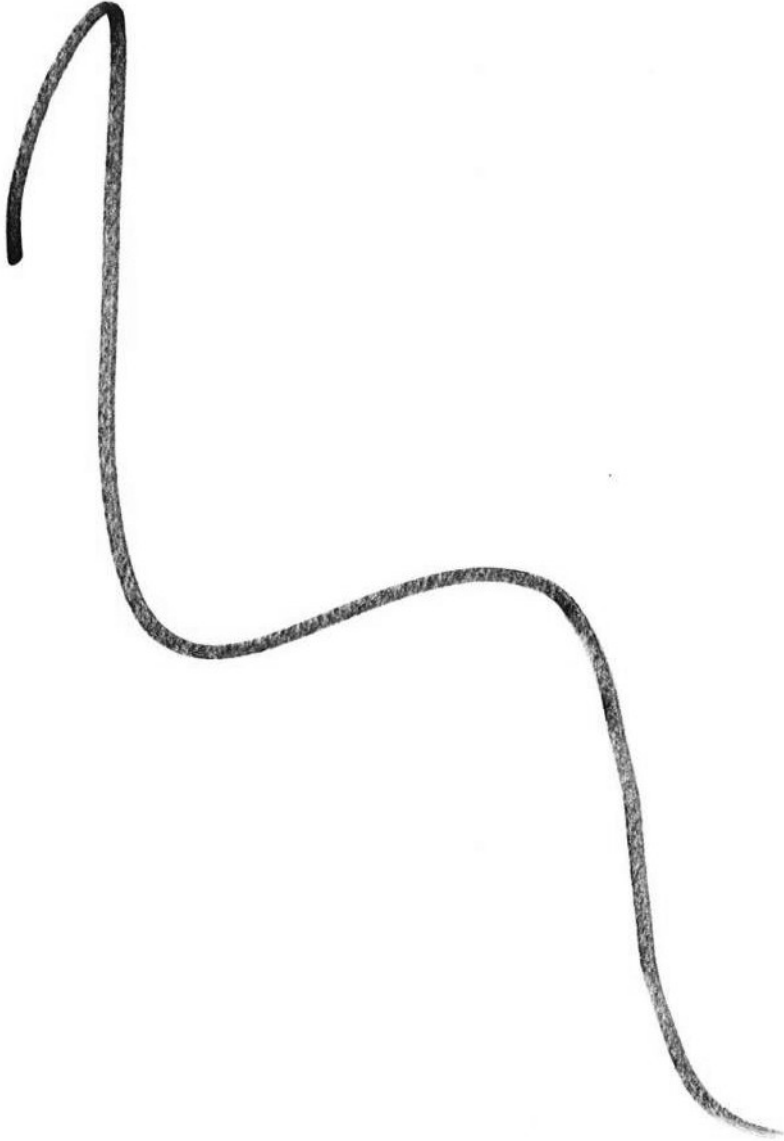
- | | |
|--|---|
|  Buildings |  parking area |
|  walkways |  roadways |
|  parking deck |  Property boundary |
|  grassed area | |

EXHIBIT 'D'

EXHIBIT B-1
Restricted Area Map



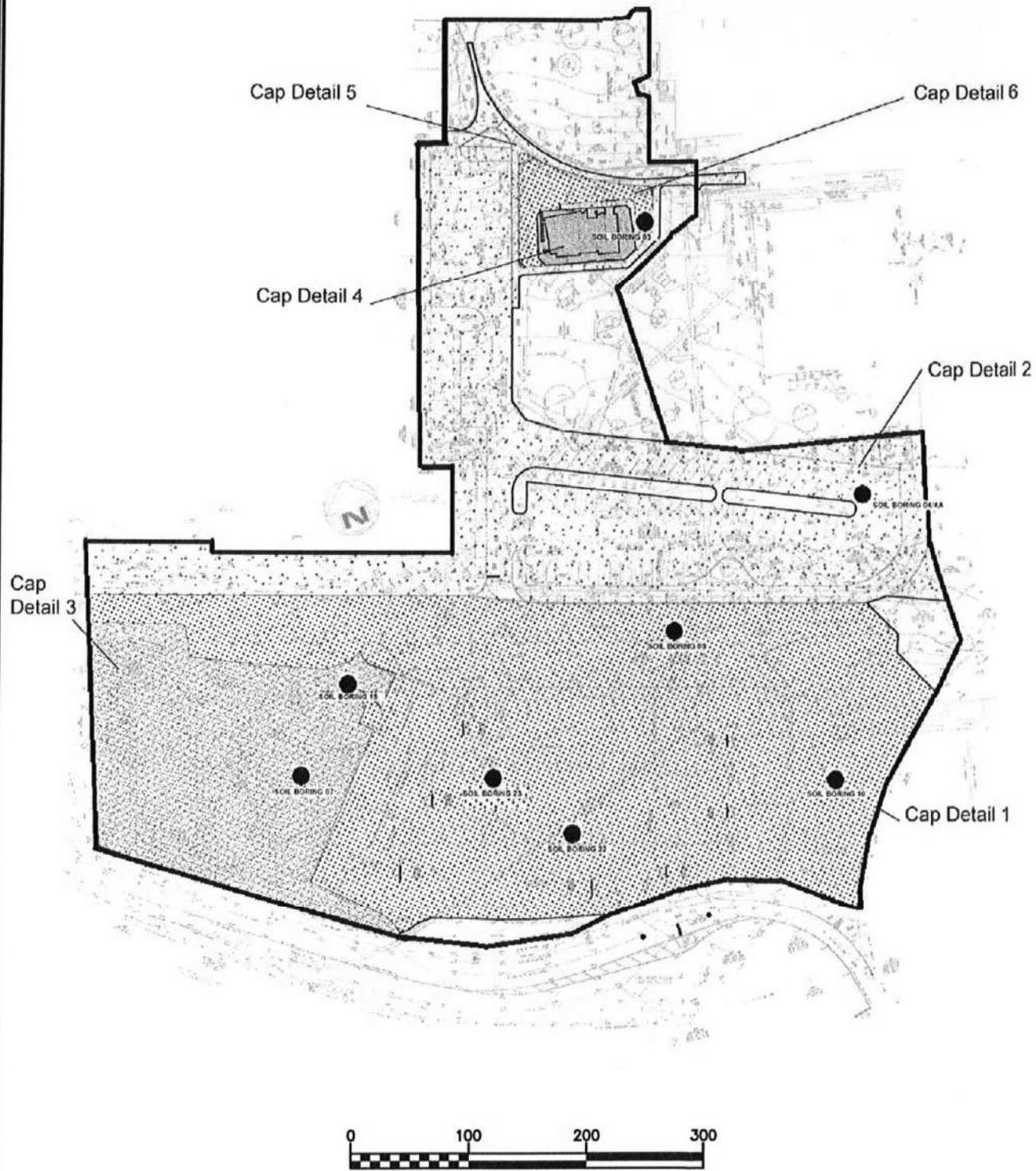


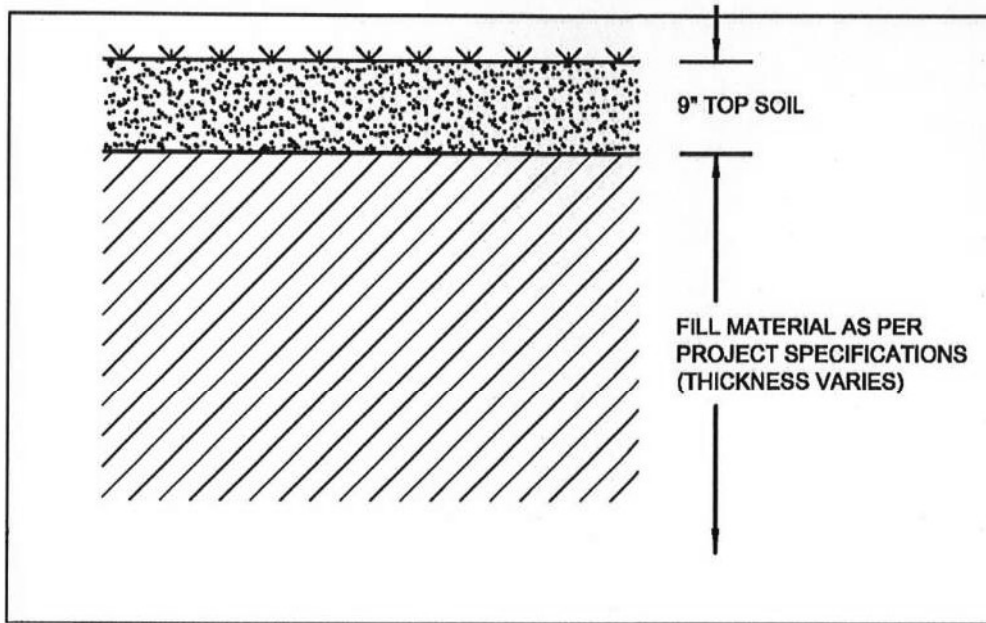
Figure B-1: Restricted Area Block 2001; Lot 1 PI#488278 125 West State Street, Trenton, New Jersey

Source: Topographic Survey provided by Lanning Engineering titled Survey Plan, dated 05/28/2008

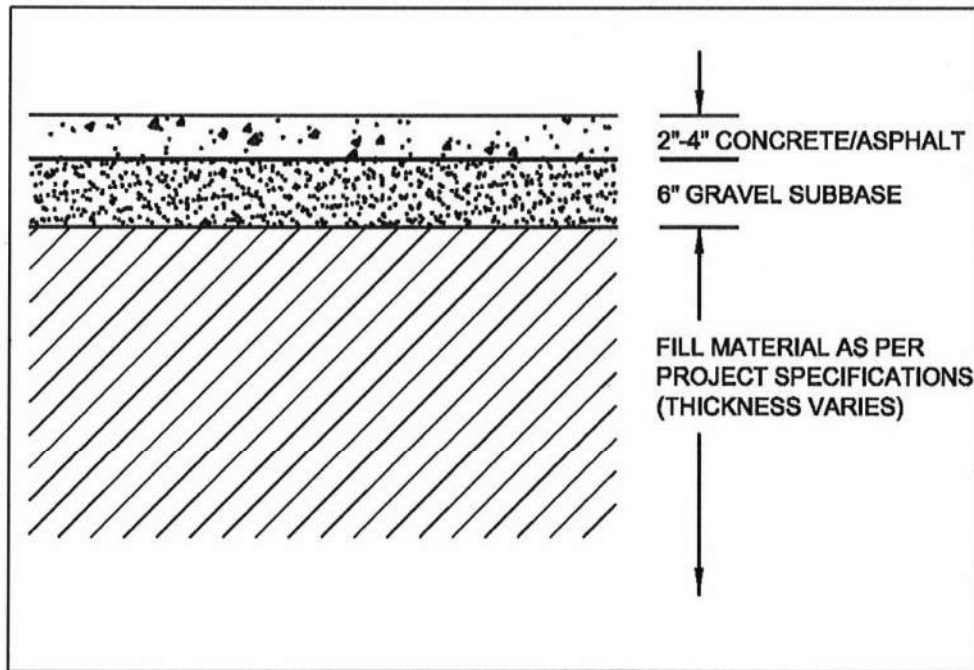
SADAT ASSOCIATES, INC.
 1545 Lambertson Road
 Trenton, New Jersey 08610
 (p) 609 826 9600 (f) 609 826 9601

Legend

- RESTRICTED AREA
- SOIL BORING LOCATION



Cap Detail 1



Cap Detail 2

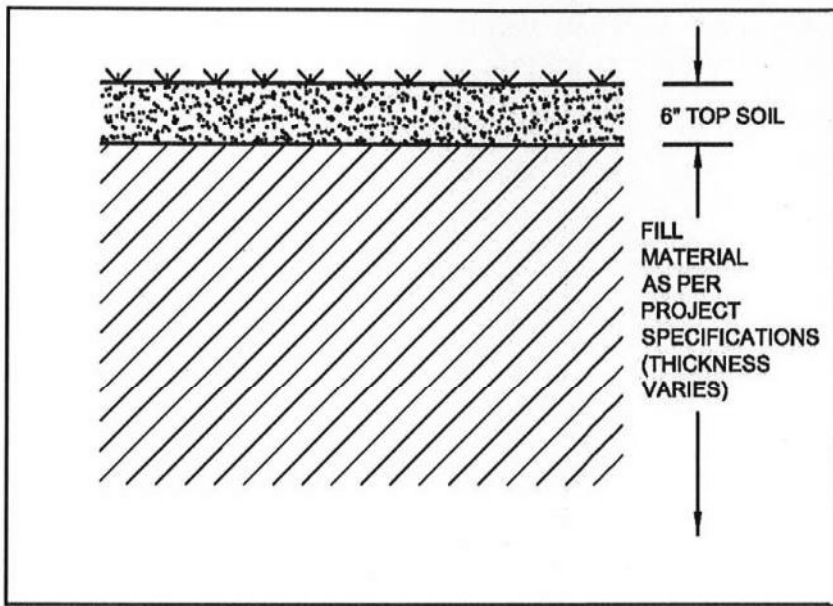
Figure B-1A: Cap Details
Block 2001; Lot 1
PI#488278
125 West State Street,
Trenton, New Jersey

Source: Restricted Area
 Map by Sadat Associates
 Inc., dated October 2013

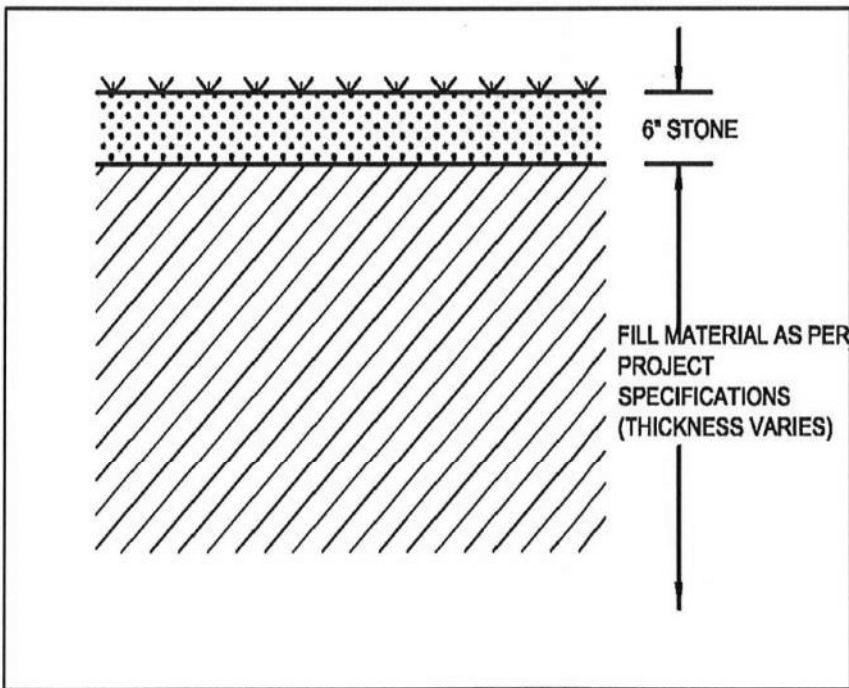
SADAT ASSOCIATES, INC.
 1545 Lambertson Road
 Trenton, New Jersey 08610
 (p) 609 826 9600 (f) 609 826 9601

Legend

- | | |
|-----------------|-------------------|
| Restricted Area | grassed area |
| Buildings | parking area |
| walkways | roadways |
| parking deck | Property boundary |



Cap Detail 3



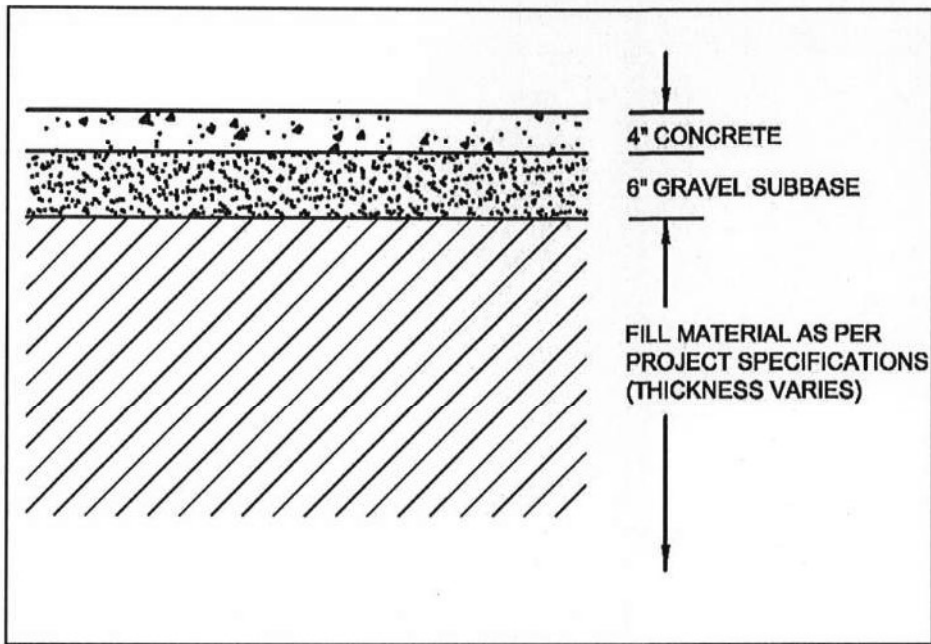
Cap Detail 4

Figure B-1B: Cap Details
Block 2001; Lot 1
PI#488278
125 West State Street,
Trenton, New Jersey

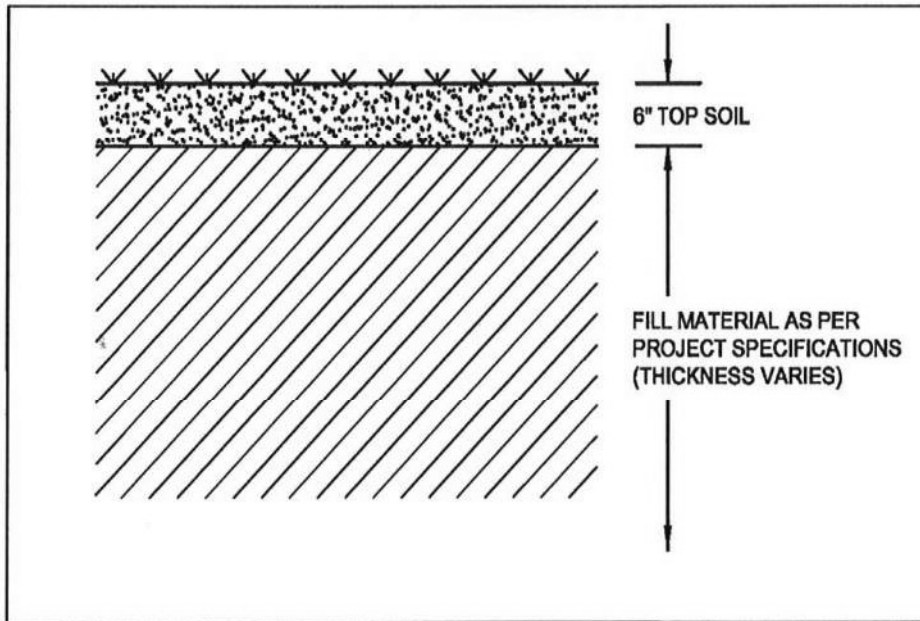
Source: Restricted Area
 Map by Sadat Associates
 Inc., dated October 2013

SADAT ASSOCIATES, INC.
 1545 Lambertson Road
 Trenton, New Jersey 08610
 (p) 609 826 9600 (f) 609 826 9601

Legend	
	Restricted Area
	grassed area
	Buildings
	parking area
	walkways
	roadways
	parking deck
	Property boundary



Cap Detail 5



Cap Detail 6

Figure B-1C: Cap Details
Block 2001; Lot 1
PI#488278
125 West State Street,
Trenton, New Jersey

Source: Restricted Area
 Map by Sadat Associates
 Inc., dated October 2013

SADAT ASSOCIATES, INC.
 1545 Lambertson Road
 Trenton, New Jersey 08610
 (p) 609 826 9600 (f) 609 826 9601

Legend	
	Restricted Area
	grassed area
	Buildings
	walkways
	parking deck
	parking area
	roadways
	Property boundary

EXHIBIT B-2
Restricted Area Data Table

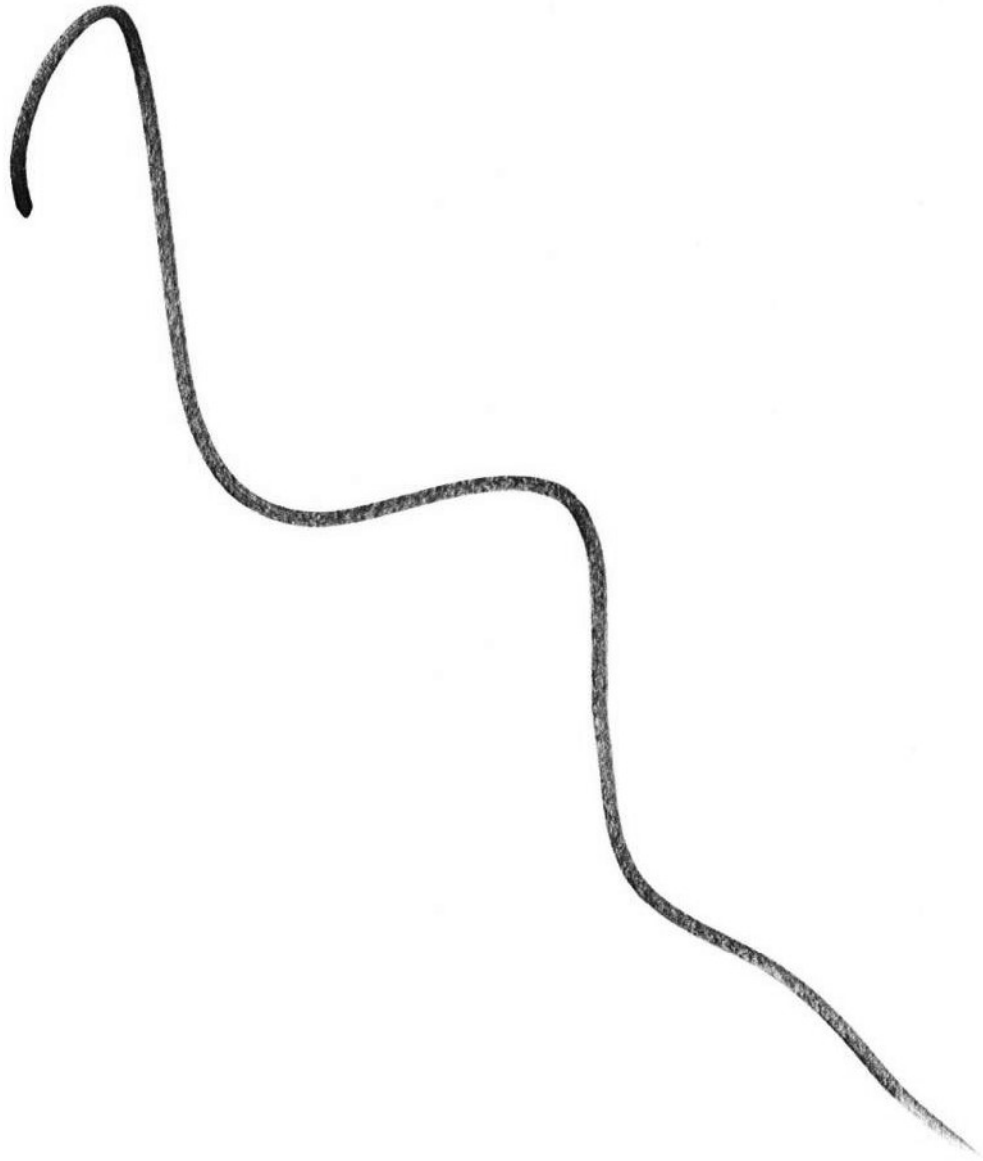


Exhibit B-2: Restricted Area Data Table

Observations made during the soil investigations showed that historic fill appeared to be continuous across the Site. As shown in the table below, confirmatory soil analyses indicated contaminants which are typical of historic fill, including: Metals (lead); and Polycyclic Aromatic Hydrocarbons (benzo(a)pyrene).

Sample ID	Depth (ft. bgs)	Elev. (ft. amsl)	Contaminant	CASRN	Conc. (mg/kg)	RDC SRS	NRDC SRS
Soil Boring 3	2.0-2.7	33	Arsenic	7440-38-2	29.3	19	19
Soil Boring 4	0.75-1.4	40.25	Benzo(a)anthracene	56-55-3	0.708	0.6	2
			Benzo(a)Pyrene	50-32-8	0.622	0.2	0.2
			Chlordane	12789-03-6	0.64	0.2	1
Soil Boring 4B	0.75-1.25	40.25	Chlordane	12789-03-6	1.83	0.2	1
Soil Boring 7	1.0-1.7	23	Benzo(b)fluoranthene	205-99-2	0.689	0.6	2
			Benzo(a)Pyrene	50-32-8	0.696	0.2	0.2
Soil Boring 9	1.9-2.5	25.1	Benzo(a)Pyrene	50-32-8	0.323	0.2	0.2
			Arsenic	7440-38-2	22.4	19	19
Soil Boring 10	0.9-1.6	24.1	Benzo(a)Pyrene	50-32-8	0.755	0.2	0.2
Soil Boring 15	6.0-6.5	19	Lead	7439-92-1	658	400	800
Soil Boring 22	7.0-7.5	18	Benzo(a)Pyrene	50-32-8	0.326	0.2	0.2
Soil Boring 23	5.0-5.5	20	Benzo(a)anthracene	56-55-3	0.756	0.6	2
			Benzo(b)fluoranthene	205-99-2	0.672	0.6	2

Notes:

1. RDCSRS – Residential Direct Contact Soil Remediation Standards
2. NRDCSRS – Non-Residential Direct Contact Soil Remediation Standards
3. CASRN – Chemical Abstract Service Registry Number
4. ft. – feet
5. bgs – below ground surface
6. amsl – above mean sea level

EXHIBIT C-1
Deed Notice as Institutional Control Description

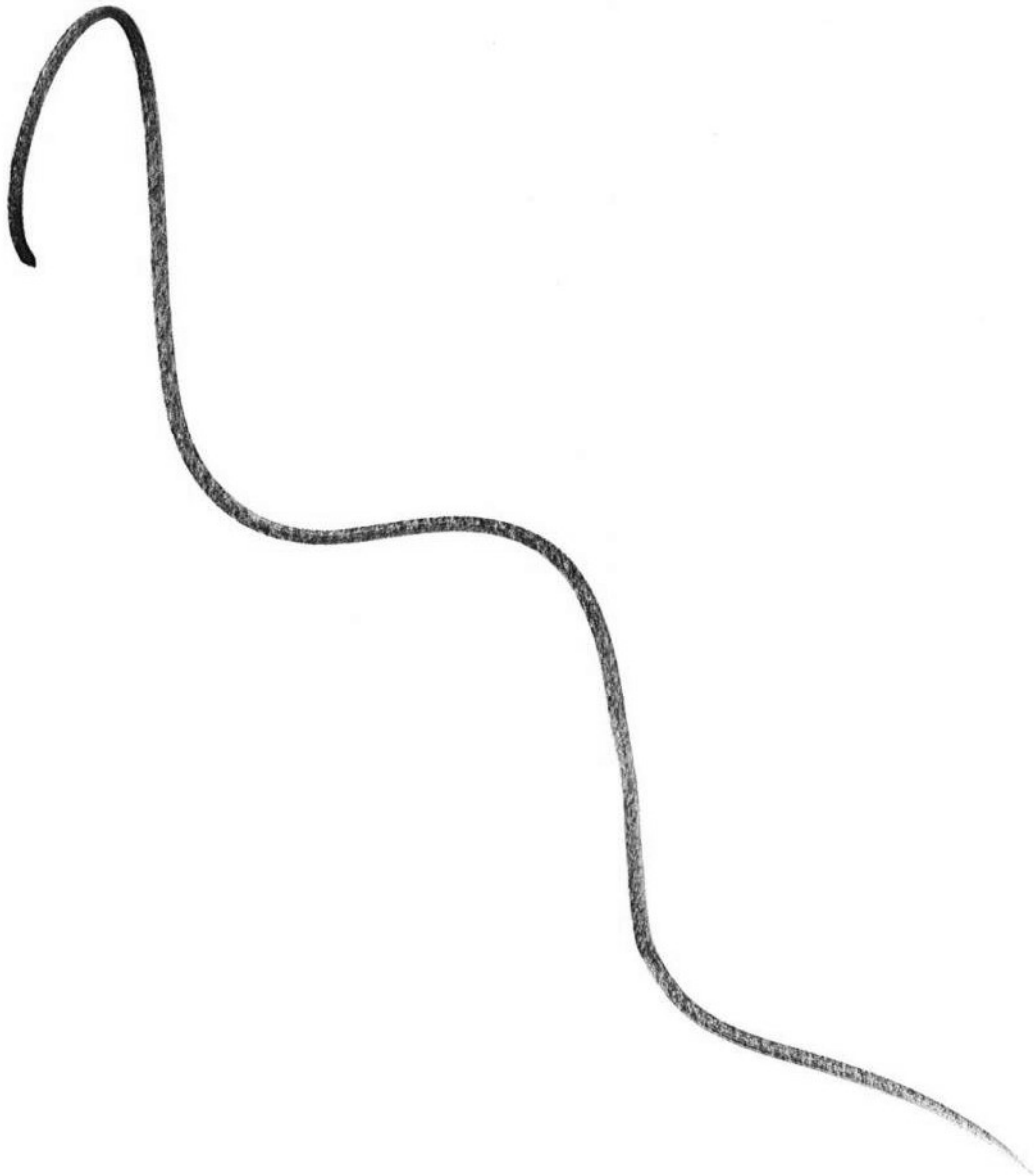


EXHIBIT C-1 – Description of the Deed Notice as Institutional Control

(A) General Description of this Deed Notice:

This is a written description of this restrictions and obligations of Deed Notice that are in addition to those previously described. This Deed Notice will serve as an Institutional Control as means to protect public health and safety and the environment for the real property located on Block 2001, Lot 1, as identified on the tax map of the City of Trenton, New Jersey.

Environmental investigation at the Restricted Area identified historic fill on the entire horizontal extent of the Restricted Area, and contaminants in the historic fill that are at levels above the Residential Direct Contact Soil Remediation Standard and the Non-Residential Direct Contact Soil Remediation Standards (refer to the Restricted Area Data Table in Exhibit B-2). The limit of the Restricted Area is presented in Exhibit B-1 and includes the entire NJ Capital Park Project Phase IA & IB area (328,007 sq. ft. or 7.53 acres) within Block 2001, Lot 1. The restriction extends to a vertical depth of 20 feet.

The Deed Notice restricts the owner from disturbing the cap and exposing the deed restricted soils. The cap may be disturbed only after obtaining written consent from the NJDEP and/or pursuant to Sections 6A and 6B of the Deed Notice. The objective of restricting the ability to disturb the cap is to ensure that the public will not be exposed to an unnecessary risk from the deed restricted soils.

(B) Description of Necessary Monitoring

The current owner of this Property must perform the monitoring necessary to ensure the following:

- (1) Disturbances of the Restricted Area do not result in unacceptable exposure to soil contamination;
- (2) There have not been any land use changes subsequent to the filing of this Deed Notice or the most recent Biennial Certification (see following section);
- (3) The current land use on the Property is consistent with the restrictions in this Deed Notice;
- (4) Any newly promulgated or modified requirements of applicable regulations or laws apply to the Property; and
- (5) Any new standards, regulations, or laws apply to the Property that might necessitate sampling in order to evaluate the protectiveness of the remedial action which includes this Deed Notice, and conduct the necessary sampling.

(C) Biennial Certification

The current owner of this Property must file with the New Jersey Department of Environmental Protection ("NJDEP") a biennial (every two years) certification regarding the status of Institutional and Engineering Controls in place for the Restricted Area associated with the Deed Notice on this Property. Guidance and a sample form are included as part of this exhibit. The first biennial certification is due every two years from the date the institutional control was stamped and filed with the County Clerk.

The biennial certification must indicate the following items:

- (1) A monitoring report that describes the specific activities, pursuant to (A) and (B), above, conducted in support of the biennial certification of the protectiveness of the remedial action that includes this Deed Notice;

- (2) A statement verifying that the land use at the site is consistent with the restrictions in this Deed Notice; and
- (3) A statement verifying that the remedial action that includes this Deed Notice continues to be protective of the public health and safety of the environment.

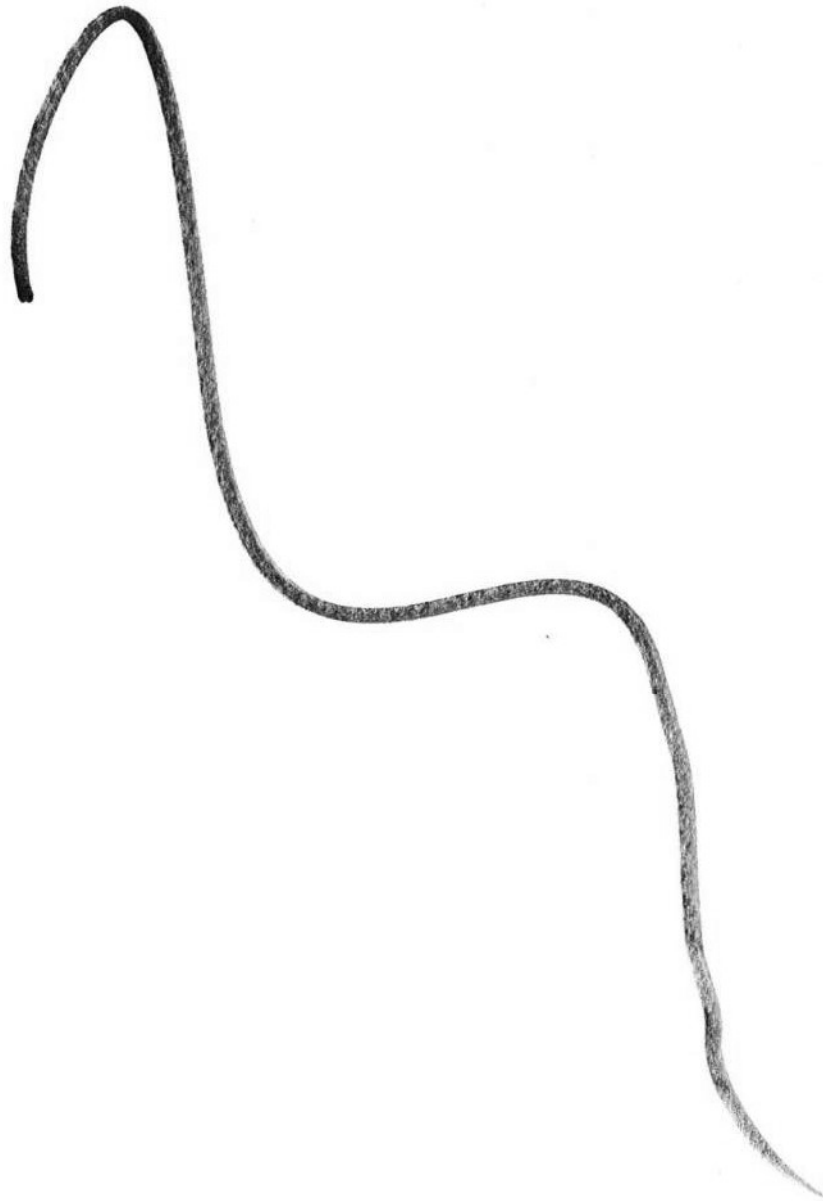


EXHIBIT 'D'

EXHIBIT C-2

**Deed Notice as Engineering Control Description
Pervious Cap – Clean Soil and Crushed Stone**

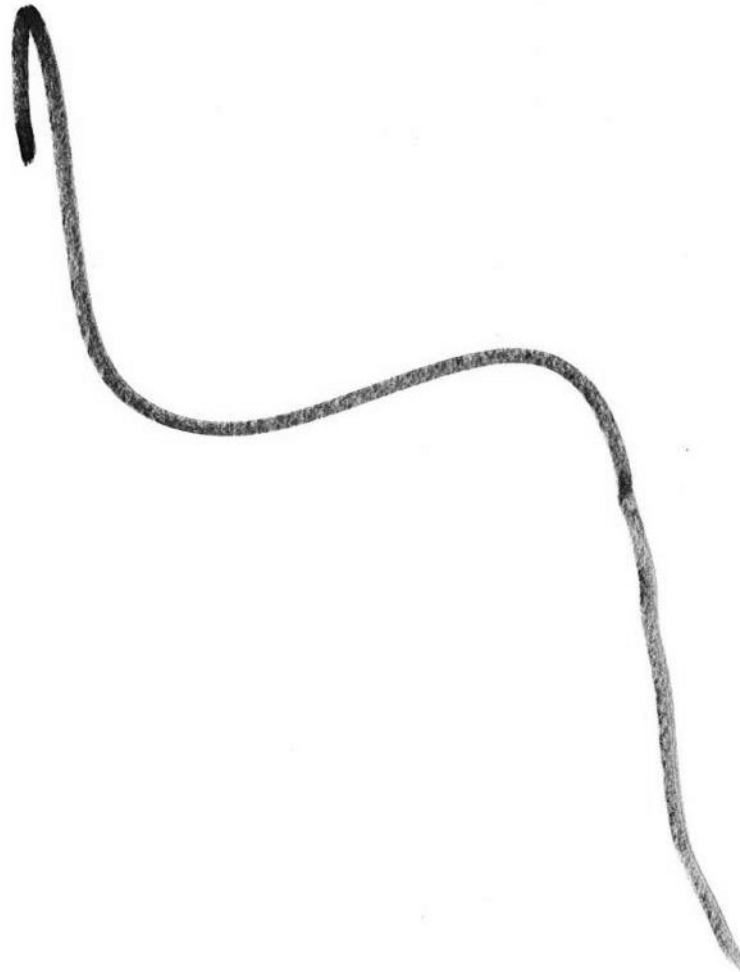


EXHIBIT 'D'

**EXHIBIT C-2: Deed Notice as Engineering Control Description
Pervious Surfaces - Clean Top Soil & Crushed Stone**

(A) General Description of the Engineering Control

Clean Top Soil – Clean top soil was used to isolate the underlying contaminated historic fill on three different areas in the Restricted Area. The clean top soil cap is capable of supporting vegetation. These areas are discussed below:

- Phase IA, Former Asphalt Parking Lot - This is a 126,134.50 sq. ft. (approx. 2.9-acre) area which consists of a clean soil cap that is approximately nine (9) inches thick.
- Phase IA, Former Unpaved Parking Area - No active remediation was performed on this 43,920.87 sq. ft. area, which is located on the western portion of Phase IA. The existing six (6) inches of top soil on this area is the engineering control.
- Phase 1B, Petty's Run - Six (6) inches of clean top soil which covers the slopes of the excavation outside the exhibit area. This area is 8,955 sq. ft.

Crushed Stone - Crushed stone was placed within the Phase 1B, Petty's Run area as part of the stabilization of the archeological excavation. This cap consists of six (6) inches of crushed stone and covers 3,638 sq. ft.

These engineering controls will serve to protect public health and safety, and the environment, by providing a physical barrier between the contaminated soil and the public.

(B) Description of Necessary Maintenance

The owner shall perform the necessary inspections and/or maintenance to ensure the following items:

- (1) Periodic inspections of each engineering control are performed in order to determine its integrity, operability, and effectiveness;
- (2) Each engineering control continues as designed and intended to protect the public health and safety and the environment;
- (3) Each alteration, excavation or disturbance of any engineering control is timely and appropriately addressed to maintain the integrity of the engineering control;
- (4) This engineering control is being inspected and maintained and its integrity remains so that the remedial action continues to be protective of the public health and safety and of the environment;
- (5) A record of the self-inspection dates, name of the inspector, results of the inspection and condition(s) of this engineering control. Sampling, for example, may be necessary if it is not possible to visually evaluate the integrity/ performance of this engineering control; and
- (6) Any new standards, regulations, or laws apply to the site that might necessitate additional sampling in order to evaluate the protectiveness of the remedial action which includes this Deed Notice, and conduct the necessary sampling.

(C) Additional Items to be Included in the Biennial Certification

The following items should be included in the Biennial Certification:

- (1) A monitoring report that describes the specific activities, pursuant to (A) and (B), above, conducted in support of the biennial certification of the protectiveness of the remedial action that includes this Deed Notice;
- (2) A statement verifying that the engineering controls continue to operate as designed; and
- (3) A statement verifying that the remedial action, including the engineering control, continues to be protective of the public health and safety and of the environment.

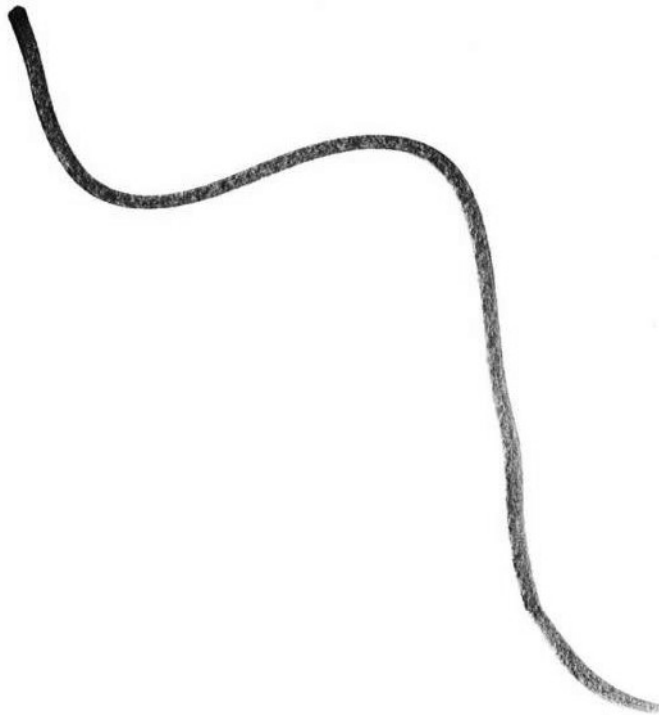


EXHIBIT C-3

**Deed Notice as Engineering Control Description
Impervious Cap – Asphalt and Concrete Surfaces**

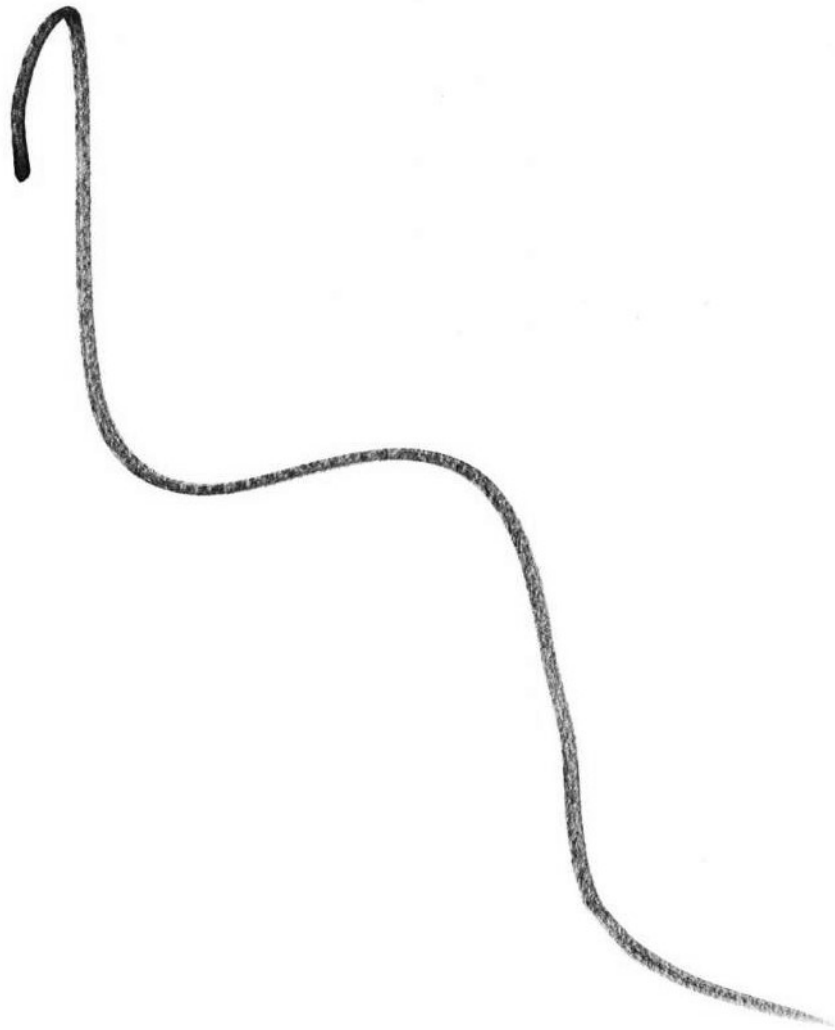


EXHIBIT 'D'

**EXHIBIT C-2: Deed Notice as Engineering Control Description
Impervious Surfaces - Asphalt & Concrete Surfaces**

(A) General Description of the Engineering Control

Concrete and Asphalt Pavement and Sub-base – Asphalt and Concrete pavement was used to isolate the underlying contaminated historic fill on two different areas in the Restricted Area. These areas are discussed below:

- Paved Parking Areas & Pavements - Unexcavated areas within the Phase IA and Phase IB areas include existing paved parking areas and pavements. These are located in the north portion of Phase IA and the west and south portions of Phase IB. These areas consist of total of 91,232.95 sq. ft. The cap consists of approximately four (4) inches of concrete overlying a maximum of six (6) inches of gravel sub-base.
- Phase IB, Petty's Run -The Petty's Run archeological stabilization engineering controls include:
 - (i) Concrete and asphalt walk ways (four inches concrete/asphalt overlying a maximum of six (6) inches of sub base), which constitute a 4,007 sq. ft. area.

These engineering controls will serve to protect public health and safety, and the environment, by providing a physical barrier between the contaminated soil and the public.

(B) Description of Necessary Maintenance

The owner shall perform the necessary inspections and/or maintenance to ensure the following items:

- (1) Periodic inspections of each engineering control are performed in order to determine its integrity, operability, and effectiveness;
- (2) Each engineering control continues as designed and intended to protect the public health and safety and the environment;
- (3) Each alteration, excavation or disturbance of any engineering control is timely and appropriately addressed to maintain the integrity of the engineering control;
- (4) This engineering control is being inspected and maintained and its integrity remains so that the remedial action continues to be protective of the public health and safety and of the environment;
- (5) A record of the self-inspection dates, name of the inspector, results of the inspection and condition(s) of this engineering control. Sampling, for example, may be necessary if it is not possible to visually evaluate the integrity/ performance of this engineering control; and
- (6) Any new standards, regulations, or laws apply to the site that might necessitate additional sampling in order to evaluate the protectiveness of the remedial action which includes this Deed Notice, and conduct the necessary sampling.

(C) Additional Items to be Included in the Biennial Certification

The following items should be included in the Biennial Certification:

- (4) A monitoring report that describes the specific activities, pursuant to (A) and (B), above, conducted in support of the biennial certification of the protectiveness of the remedial action that includes this Deed Notice;
- (5) A statement verifying that the engineering controls continue to operate as designed; and
- (6) A statement verifying that the remedial action, including the engineering control, continues to be protective of the public health and safety and of the environment.

