

**New Jersey Department of Transportation
CORRECTIVE ACTION NOTICE**

QUALITY MANAGEMENT SERVICES

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Approved: B. Strizki

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Bureau(s) Affected: Right of Way
Project Management
Quality Management Services

Description of Problem(s):

The "Policy on Cost Recovery in Acquisition of Contaminated Property", is outlined in Section 8.6.1 of the NJDOT Procedures Manual. The last sentence, of the second paragraph [under "PROCEDURE FOR WAIVER..."] reads: "**Authority to waive environmental clauses shall rest with the Project Manager or his designee**".

Since the **Manager, Right of Way** is the Department official vested with the authority to execute real estate agreements on the Department's behalf, that official must possess the authority to determine if specific clauses within the agreement are to be modified or waived.

Concerns over this inconsistency were raised on a recent project.

Corrective Action Plan:

In order to correct this inconsistency and ensure that problems don't occur on future projects, the following action has been taken:

Bureau of Right of Way

This office has prepared a Baseline Document Change Request to replace the last sentence of the second paragraph of Section 8.6.1 of the NJDOT Procedures Manual (referenced above) to the following:

"Prior to concurrence in the recommendation to modify or waive the environmental clause(s), the Manager, Right of Way will consult with the Department of Law Transportation Section, the Bureau of Environmental Services and the Project Manager".

This change has been reviewed by the Department of Law-Transportation Section as well as the Director, Project Management.

This Corrective Action Notice shall be observed until this revision is made to the Procedures Manual, by the Configuration Management Unit of Quality Management Services.

Implementation: Effective Immediately