



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 17-109

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES TO T&M ASSOCIATES

WHEREAS, the Borough of Highlands has a need for professional Engineering Services associated with the Borough's 2017 Capital Road Improvement Program which includes construction of the following improvements:

- Miller Street from Shore Drive to Bay Avenue;
- Twin Lights Terrace from Ocean Street to South Peak Street;
- North Peak;
- Bay Street from Woodland Street to South Peak Street.

pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the scope of services includes the Pre-Design Phase, Design Phase, Bidding Phase and Construction Phase including Contract Administration and Construction Observation; and

WHEREAS, the estimated engineering fee of \$122,300 includes the following estimated cost breakdown for the project:

- | | |
|--|-----------------|
| • Topographic Survey, Base Mapping and Utility Verification: | \$11,000 |
| • Design, SCS Permitting and Bidding: | \$45,300 |
| • Construction Administration and Inspection: | <u>\$66,000</u> |
| Total Engineering Fee | \$122,300; |

and

WHEREAS, such professional engineering services can only be provided by licensed professionals and the firm of T & M Associates, 11 Tindall Road, Middletown, NJ 07748 is so recognized; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the contract will exceed \$17,500; and

WHEREAS, this contract is to be awarded for an amount not to exceed \$122,300.00 plus reimbursable expenses for Professional Engineering Services as stated on the T&M Associates proposal dated May 3, 2017; and

WHEREAS, T&M Associates has completed and submitted a Business Entity Disclosure Certification which certifies that T&M Associates has not made any reportable

contributions to a political or candidate committee in the Borough of Highlands in the previous one year and that the contract will prohibit T&M Associates from making any reportable contributions through the term of the contract; and

WHEREAS, T&M Associates has completed and submitted a Political Contribution Disclosure form in accordance with P.L. 2005, c 271; and

WHEREAS, certification of availability of funds has been provided by the Chief Financial Officer of the Borough of Highlands:

WHEREAS, the Local Public Contracts Law N.J.S.A. 40A:11-1 et. seq. requires that notice with respect to contracts for professional services awarded without competitive bids must be publicly advertised:

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highlands as follows:

1. T&M Associates are hereby retained to provide professional engineering services as described above and in their proposal dated May 3, 2017 for an amount not to exceed \$122,300.00 plus reimbursable expenses.
2. The contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a) because it is for services performed by persons authorized by law to practice a recognized profession. The Mayor and Borough Clerk are hereby authorized to sign said contract.
3. A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk of the Borough of Highlands.
4. The Borough Clerk is hereby directed to publish notice of this aware as required by law.

Motion: Approve Resolution 17-109, **moved** by Mayor O'Neil; **Seconded** by Councilmember Card

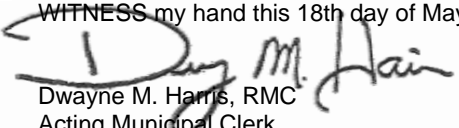
Vote: Motion carried by roll call vote (summary: Yes = 5; No = 0).

Yes: Councilmembers Broullon, Card, D'Arrigo, Wells and Mayor O'Neil

No: None

Abstain: None

I, Dwayne M. Harris, Acting Municipal Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body, at its Meeting, held May 17, 2017. WITNESS my hand this 18th day of May 2017.


Dwayne M. Harris, RMC
Acting Municipal Clerk