



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 18-145

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL SERVICES FOR WIRELESS TELECOMMUNICATIONS CONSULTING SERVICES TO FSD ENTERPRISES, LLC

WHEREAS, the Borough is in need of consulting services from a wireless telecommunications consultant; and

WHEREAS, said wireless telecommunications consulting services are professional services and therefore exempt from the formal bidding requirements of the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, FSD Enterprises, LLC has set forth its proposed services in its written proposal dated May 29, 2018, a copy of which is available at the office of the Borough Clerk; and

WHEREAS, the Borough has determined to retain FSD Enterprises, LLC for the proposed New Tenant Services set forth in its proposal; and

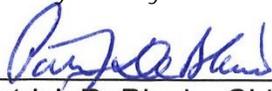
WHEREAS, the proposed amount of the contract with FSD Enterprises, LLC is a \$2,000.00 initial retainer, and thirty-five percent (35%) of the first year lease payment from each wireless telecommunications tenant **secured through FSD Enterprises, LLC's** services; and

WHEREAS, FSD Enterprises, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that FSD Enterprises, LLC 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 FSD Enterprises, LLC from making any reportable contributions through the term of the contract; and

WHEREAS, FSD Enterprises, LLC has completed and submitted a Political Contribution Disclosure form in accordance with P.L. 2005, c 271; and

WHEREAS, certification of availability of funds is hereby provided by the Chief Financial Officer of the Borough of Highlands:

I hereby certify that funds are available as follows:



 Patrick DeBlasio, Chief Financial Officer

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. FSD Enterprises, LLC is hereby retained to provide professional wireless telecommunications consulting services as described above and in their proposal dated May 29, 2018 for a \$2,000.00 initial retainer, and thirty-five percent (35%) of the first year lease payment from each wireless **telecommunications tenant secured through FSD Enterprises, LLC's services.**
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). 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 award as required by law.

Motion to Approve R-18-145:

	INTROUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
BROULLON		X	X			
D'ARRIGO			X			
RYAN	X		X			
O'NEIL						X

I, Bonnie Brookes, 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 Council Meeting, held June 20, 2018. WITNESS my hand this 21st day of June 2018.



Bonnie Brookes, RMC
 Municipal Clerk