

Mayor O'Neil offered the following Resolution and moved its adoption:

**BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH**

**R-06-113
RESOLUTION AMENDING RESOLUTION R-05-25
PROFESSIONAL ENGINEERING SERVICES
T & M ASSOCIATES
IMPLEMENTATION OF THE TIER A MUNICIPAL STORMWATER
STATEWIDE BASIC REQUIREMENTS**

WHEREAS, the Borough of Highlands has a need for professional engineering services; and

WHEREAS, such professional engineering services can only be provided by licensed professionals and the firm of T & M Associates, Eleven Tindall Road, Middletown, N.J. 07748-2792 is so recognized; and

WHEREAS, this contract is to be awarded for an amount not to exceed \$50,000 plus reimbursable expenses for the implementation of the Tier A Municipal Storm water Statewide Basic Requirements outlined in T & M Associate's revised proposal letter dated November 11, 2004.

WHEREAS, a contract was awarded on January 19, 2005 for an amount not to exceed \$88,915.00 for the Professional Construction Management Services for the Implementation of the Tier A Municipal Storm water Statewide Basic Requirements; and

WHEREAS, the term of the contract has expired and the Governing Body desires to extend term of the contract [for an additional year to January 19, 2006](#); 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, certification of availability of funds is hereby provided by the Chief Financial Officer of the Borough of Highlands as follows

Special Emergency Ordinance 0-04-15	\$41,532
Municipal Storm water Grant	\$ 8,468

Stephen Pfeffer, 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. T & M Associates are hereby retained to provide professional engineering consulting services as described above for an amount not to exceed \$50,000 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.
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.

Seconded by Mr. Nolan and adopted on the following roll call vote:

ROLL CALL:

AYES: Mr. Nolan, Mrs. Little, Mr. Caizza, Mr. Urbanski, Mayor O'Neil

NAYES: None

ABSENT: None

ABSTAIN: None

Date: June 28, 2006

NINA LIGHT FLANNERY, BOROUGH CLERK

I hereby certify that the above Resolution was duly adopted by the Governing Body of the Borough of Highlands at a meeting held June 28, 2006.

BOROUGH CLERK/DEPUTY CLERK