

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

**R-06-112**  
**RESOLUTION AMENDING RESOLUTION R-05-54**  
**APPROVING**  
**PROFESSIONAL ENGINEERING SERVICES**

**WHEREAS**, there exists the need for Professional Engineering Services to be provided for the Construction Management of the Fire House; and

**WHEREAS**, such Professional Engineering Services can only be provided by licensed professionals and T & M Associates, 11 Tindall Road, Middletown, NJ 07748 is so recognized; and

**WHEREAS**, a contract was awarded on March 16, 2005 for an amount not to exceed \$88,915.00 for the Professional Construction Management Services for the construction of new Fire House; and

**WHEREAS**, the term of the contract has expired and the Governing Body desires to extend term of the contract for an additional year until March 16, 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; and

Ordinance O-98-11 = \$88,915

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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 Mayor and Council of the Borough of Highlands of the following:

1. T & M Associates is hereby retained to provide professional engineering services described above for an amount not to exceed \$88,915.00.

2. This 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 person authorized by law to practice a recognized profession.
3. A copy of this 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. Caizza 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

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**NINA LIGHT FLANNERY, Borough Clerk**

I hereby certify this to be a true copy of the Resolution adopted by the Mayor and Council of the Borough of Highlands on June 28, 2006.

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**BOROUGH CLERK/DEPUTY CLERK**