

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

R-07-07

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN
CONTRACT FOR PROFESSIONAL ENGINEERING and FLOOD PLAIN
REVIEW SERVICES and APPOINTING BOROUGH ENGINEER**

WHEREAS, the Borough of Highlands has a need for professional engineering and flood plain review services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, such professional engineering and flood plain review services can only be provided by licensed professionals and Robert Bucco, P.E. of the firm T&M Associates, Inc., 11 Tindall Road, Middletown, N.J. 07748 is so recognized; and

WHEREAS, the Municipal Clerk has determined and certified in writing that the value of the contract will exceed \$17,500; 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 (reportable contributions made prior to January 1, 2006 are not considered for the purposes of determining whether a contractor is prohibited from being awarded a contract), and that the contract will prohibit T&M Associates, Inc. from making any reportable contributions through the term of the contract, and

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

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. Robert Bucco, P.E. of T&M Associates is hereby retained to provide professional engineering services as described above.
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, Miss Thomas, Mr. Caizza, Mr. Urbanski, Mayor O'Neil

NAYES: None

ABSENT: None

ABSTAIN: None

Date: January 3, 2007

NINA LIGHT FLANNERY
Borough Clerk

I, _____, Clerk/Deputy Clerk, do hereby certify this to be a true copy of the Resolution adopted by the Governing Body of the Borough of Highlands on January 3, 2007.