

Mr. Nolan offered the following Resolution and moved on its adoption:

R-08-41

**RESOLUTION AMENDING RESOLUTIONS R-06-179
EXTENDING PROFESSIONAL ENGINEERING SERVICES OF A NON-FAIR
AND OPEN CONTRACT FOR WASHINGTON AVENUE, RECREATION
PLACE AND MILLER STREET RECONSTRUCTION**

WHEREAS, there exists the need for Professional Engineering Services for the Washington Avenue, Recreation Place and Miller Street Reconstruction 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 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 November 1, 2006 for an amount not to exceed \$75,200 plus reimbursable expenses for the Professional Engineering Services for the Washington Avenue, Recreation Place and Miller Street Reconstruction; 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 November 1, 2008; 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, the determination of value has been placed on file with this resolution with the Borough Clerk; and

WHEREAS, T & M Associates has submitted the C.271 Political Contribution Disclosure Form in accordance with N.J.S.A. 19:44A-20.26 (P.L. 2005,c271, s2).

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' contract for professional engineering services is hereby extended for an additional year until November 1, 2008 with no change in the amount not to exceed of \$75,200 plus reimbursable expenses.
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: Mrs. Burton, Mr. Nolan, Mr. Caizza, Mr. Urbanski, Mayor Little
NAYES: None
ABSENT: None
ABSTAIN: None

Date: February 20, 2008

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 February 20, 2008.