

**BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH**

**R-15-120**

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN  
CONTRACT FOR PROFESSIONAL ARCHITECTURAL SERVICES  
TO JOSEPH TOMAINO**

**WHEREAS**, the Borough of Highlands has a need for professional Architectural services to conduct site analysis of certain properties to determine the best location for a municipal facility as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

**WHEREAS**, such professional architectural services can only be provided by licensed professionals and firm of Joseph Tomaino, A.I.A. is so recognized; and

**WHEREAS**, the Chief Financial Officer has determined and certified in writing that the value of the contract will exceed \$10,000; and

**WHEREAS**, this contract is to be awarded for an amount not to exceed \$10,000 plus reimbursable expenses for Professional Architectural Services as stated; and

**WHEREAS**, Joseph Tomaino has completed and submitted a Business Entity Disclosure Certification which certifies that his firm 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 Joseph Tomaino from making any reportable contributions through the term of the contract, and

**WHEREAS**, Joseph Tomaino 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 contingent upon the adoption of the 2015 Municipal Budget:

I hereby certify funds are available as follows:

Current Fund:

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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. Joseph Tomaino is hereby retained to provide professional services as described above for an amount not to exceed \$10,000 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. 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.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
CARD			x			
KANE	X		X			
REDMOND			x			
RYAN		X	x			
NOLAN						x
ON CONSENT AGENDA			YES	x	NO	

Date: May 20, 2015

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**CAROLYN CUMMINS, 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 May 20, 2015.

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**BOROUGH CLERK/DEPUTY CLERK**