

R-16-18

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

WHEREAS, the Borough of Highlands has a need for professional engineering 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 services can only be provided by licensed professionals and Robert Keady, P.E. of the firm T & M Associates, 11 Tindall Road, Middletown, NJ 07748 is so recognized; and

WHEREAS, the Chief Financial Officer 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 they have 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 the firm from making any reportable contributions through the term of the contract, and

WHEREAS, this contract is awarded as a non-fair and open contract pursuant to the provisions of N.J.S.A.-19:44A-20.5 for an amount not to exceed \$ plus reimbursable expenses for Professional Engineering Services provided to the Borough for the period of January 1, 2016 through December 31, 2018 at rate of a monthly retainer in the amount of \$15,000.00 and an hourly rate as listed on the RFP dated 12/22/2015 per hour for services outside of contract.

WHEREAS, T & M Associates , Esq., has submitted the attached contract for Professional Engineering services for the calendar year 2016; and

WHEREAS, the Governing Body has reviewed the attached contract for Professional Engineering Services for 2016, 2017 and 2018; and

WHEREAS, certification of the availability of funds is hereby provided contingent upon the adoption of the 2016 Budget by the Chief Financial Officer.

Engineer Other Expenses
Sewer Utility Other expenses

Patrick DeBlasio, CFO

WHEREAS, T & M Associates 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 Keady, P.E. of T & M Associates is hereby retained as Borough Engineer to provide professional engineering services as described above for a three year term to expire on 12/31/18.
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 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.

Date: January 1, 2016

CAROLYN CUMMINS, BOROUGH CLERK

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BROULLON		x	x			
CARD			x			
D'ARRIGO			x			
WELLS			x			
NOLAN	x		x			
ON CONSENT AGENDA			YES	x	NO	

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 1, 2016.