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

## BOROUGH OF HIGHLANDS COUNTY OF MONMOUTH

## R-06-113 RESOLUTION AMENDING RESOLUTION R-05-25 PROFESSIONAL ENGINEERING SERVICES T& M ASSOCIATES IMPLEMENTATION OF THE TIER A MUNICIPAL STORMWATER STATEWIDE BASIC REQUIREMENTS

**WHEREAS**, the Borough of Highlands has a need for professional engineering services; and

**WHEREAS**, such professional engineering services can only be provided by licensed professionals and the firm of T & M Associates, Eleven Tindall Road, Middletown, N.J. 07748-2792 is so recognized; and

**WHEREAS**, this contract is to be awarded for an amount not to exceed \$50,000 plus reimbursable expenses for the implementation of the Tier A Municipal Storm water Statewide Basic Requirements outlined in T & M Associate's revised proposal letter dated November 11, 2004.

**WHEREAS**, a contract was awarded on January 19, 2005 for an amount not to exceed \$88,915.00 for the Professional Construction Management Services for the Implementation of the Tier A Municipal Storm water Statewide Basic Requirements; and

**WHEREAS**, the term of the contract has expired and the Governing Body desires to extend term of the contract <u>for an additional year to January 19, 2006</u>; 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 as follows

Special Emergency Ordinance 0-04-15	\$41,532
Municipal Storm water Grant	\$ 8,468
Stephen Pfeffer, Chief Financial Officer	

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**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:

- T & M Associates are hereby retained to provide professional engineering consulting services as described above for an amount not to exceed \$50,000 plus reimbursable expenses.
- 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, Mrs. Little, Mr. Caizza, Mr. Urbanski, Mayor O'Neil

NAYES: None ABSENT: None ABSTAIN: None

Date: June 28, 2006

NINA LIGHT FLANNERY, 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 June 28, 2006.

BOROUGH CLERK/DEPUTY CLERK