

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

**R-08-72**  
**RESOLUTION AMENDING RESOLUTION R-07-43**  
**PROFESSIONAL ENGINEERING SERVICES OF CONTRACT FOR BASIN 8**  
**SANITARY SEWER REHABILITATION CONTRACT ADMINISTRATION**  
**AND INSPECTION**  
**T & M ASSOCIATES**

**WHEREAS**, there exists the need for Professional Engineering Services for the Basin 8 Sanitary Sewer Rehabilitation Contract administration and inspection 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 February 21, 2007 for an amount not to exceed \$51,000 plus reimbursable expenses for the Professional Engineering Services for the Basin 8 Sanitary Sewer Rehabilitation Contract administration and inspection; 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 February 21, 2009; and

**WHEREAS**, T & M Associates has requested an additional \$6,500 per their letter dated February 20, 2008 for services performed beyond the scope of the Basin 8 contract on Waterwitch Avenue and Route 36 and on Bay Avenue between Central Avenue and Snug Harbor Avenue; and

**Certification of Funds: Bond Ordinance 06-06**

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**Stephen Pfeffer, Chief Financial Officer**

**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 February 21, 2008. The contract amount is increased by \$6,500 for a total contract amount not to exceed of \$57,500 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 Mayor Little and adopted on the following roll call vote:

**ROLL CALL:**

**AYES:** Mrs. Burton, Mr. Nolan, Mr. Urbanski, Mayor Little

**NAYES:** None

**ABSENT:** Mr. Caizza

**ABSTAIN:** None

**DATE:** March 19, 2008

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**NINA LIGHT FLANNERY, Borough Clerk**

I hereby certify this to be a true copy of the Resolution adopted by the Mayor and Council of the Borough of Highlands on March 19, 2008.

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**BOROUGH CLERK/DEPUTY CLERK**