

Mr. Gallagher offered the following Resolution and moved in its adoption:

**RESOLUTION APPROVING A NON-FAIR AND OPEN CONTRACT FOR
PROFESSIONAL ENGINEERING SERVICES
TO BE PROVIDED TO THE ZONING BOARD OF ADJUSTMENT
FOR THE PERIOD OF JULY 1, 2011 THROUGH DECEMBER 31, 2011**

WHEREAS, the Borough of Highlands Zoning Board has a need for professional engineering services as a non-fair and open contract to be provided to the Zoning Board for the period of July 1, 2011 through December 31, 2011 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 of T & M Associates, is so recognized;

WHEREAS, the Board Secretary 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 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, T & M Associates has completed and submitted a Political Contribution Disclosure Form in accordance with P.L. 2005, c271; and

WHEREAS, certification of the availability of funds is hereby provided by the Chief Financial Officer contingent upon the adequate funding being provided by the Borough of Highlands Governing Body in the State Fiscal Year 2012 Budget:

Zoning Board Budget
Account #1151-3757 - \$2,100.00
For the Period of July 1, 2011 through December 31, 2011

Stephen Pfeffer, 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 of Highlands Zoning Board as follows:

1. Robert Keady, P.E. of T & M Associates is hereby authorized to provide professional engineering services to the Zoning Board for the period of July 1, 2011 through December 31, 2011.
2. This contract is awarded without competitive bidding as "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 Board Secretary.
4. The Board Secretary is hereby directed to publish notice of this award as required by law.

Seconded by Mr. Kutosh and adopted on the following roll call vote:

ROLL CALL:

AYES:	Ms. Ryan, Mr. Fox, Mr. Gallagher, Mr. Britton, Mr. Knox, Mr. Kutosh, Mr. Braswell
NAYES:	None
ABSTAIN:	None

DATE: August 4, 2011

CAROLYN CUMMINS, Board Secretary

I hereby certify this to be a true copy of the Resolution adopted by the Borough of Highlands Zoning Board on August 4, 2011.

BOARD SECRETARY