



RESOLUTION 21-16

Resolution Authorizing a Professional Services Agreement with Bruce A. Eisenstein, PhD., P.E. for Consulting Services in the Area of Cellular and Personal Communications System (PCS) Siting Issues and Telecommunications Policy, Including Distributed Antenna Systems (DAS), for 2021 in an Amount Not to Exceed \$10,000.00

WHEREAS, the municipality of Princeton desires to retain the services of a professional engineer for purposes of proposal for consulting services in the area of cellular and personal communications system (PCS) siting issues and telecommunications policy, including distributed antenna systems (DAS), on behalf of Princeton's land use boards; and

WHEREAS, Bruce Eisenstein, PhD, P.E. has provided a proposal and 2021 Fee Schedule to Princeton for purposes of performing the sought-after cellular and personal communications system (PCS) siting issues and telecommunications policy, including distributed antenna systems (DAS); and

WHEREAS, the Engineering Department has estimated based upon 2020 application cellular and personal communications system (PCS) siting issues and telecommunications policy, including distributed antenna systems (DAS) that the professional services contract amount shall not to exceed contract amount of \$10,000.00; and

WHEREAS, Princeton has a need to acquire these services without a "fair and open process" as defined by P.L. 2004, c.19, the "Local Unit Pay-to-Play Law" and in connection therewith, Bruce Eisenstein, PhD will complete and file with Princeton the required Campaign Contributions Affidavit pursuant to N.J.S.A. 19:44A-20.8, Certification Regarding Political Contributions pursuant to N.J.S.A. 19:44A-20.26 and affidavit pursuant section 2-87 of the Princeton Code (collectively, the "Pay-to-Play Forms"); and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in the appropriate development escrow account to pay for said services; and


WHEREAS, the Local Public Contracts Law, *N.J.S.A.* 40A:11-5(1)(a)(I), authorizes Princeton to award this agreement as a professional services agreement, without public bidding.

NOW, THEREFORE, BE IT RESOLVED by Princeton Mayor and Council, County of Mercer, State of New Jersey, as follows:

1. The Mayor and Clerk are hereby authorized and directed to execute an agreement with Bruce Eisenstein, PhD, P.E., consultant services consulting services in the area of cellular and personal communications system (PCS) siting issues and telecommunications policy, including distributed antenna systems (DAS), for development applications on behalf of Princeton's land use boards, consistent with this Resolution and the above "Whereas" clauses.
2. The agreement is awarded without competitive bidding as a professional services agreement as authorized under *N.J.S.A.* 40A:11-5(1)(a)(I).
3. Consultant fees shall be paid in accordance with the 2021 Bruce Eisenstein, PhD, P.E. Fee Schedule for the work hours completed. The professional services agreement amount shall not to exceed \$10,000.00. The term of the agreement shall be one year.
4. A copy of this Resolution, the Pay-to-Play Forms and the agreement shall be placed on file in the Office of the Clerk.

Councilperson	Absent	Present	1 st	2 nd	Yea	Nay	Abstain	Disqualified
Mr. Cohen		X		X	X			
Ms. Fraga		X			X			
Ms. Niedergang		X	X		X			
Ms. Pirone Lambros		X			X			
Ms. Sacks		X			X			
Mr. Williamson		X			X			
Mayor Freda		X						

I, Delores A. Williams, Municipal Clerk of Princeton, do hereby certify that the above is a true copy of a resolution adopted by the Mayor and Council of Princeton at a meeting held January 4, 2021.


 Delores A. Williams, Municipal Clerk

ATTACHMENTS:

- Bruce A. Eisenstein, PhD. P.E - Agreement 2021 (DOCX)
- Exhibit A-Dr. Bruce Eisenstein (PDF)
- Exhibits B and C 2020 (DOCX)