



RESOLUTION 21-130

Resolution Authorizing a Supplemental Professional Services Agreement in the Amount of \$34,630.93 for Additional Services Related to the Witherspoon Street Improvement Project (Nassau Street to Green Street)

WHEREAS, by Resolution 20-243 adopted on July 27, 2020, the municipality of Princeton authorized an agreement in the amount of \$270,078.00 with T&M Associates to prepare bidding and construction documents for improvements on Witherspoon Street on behalf of Princeton for a term of one year (expiring on or about July 27, 2021); and

WHEREAS, the Engineering Department has requested additional design services and meetings that were not included in the original scope of work under the agreement authorized by Resolution 20-243, and which will be completed beyond July 27, 2021; and

WHEREAS, on March 19, 2021 T&M Associates submitted a supplemental proposal to Princeton for purposes of performing the sought-after extra services for the not to exceed contract amount of \$34,630.93 and term of one year; 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, T&M Associates has completed and filed 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 new agreement shall be for an amount not to exceed \$34,630.93 to complete the work detailed in T&M Associates’ proposal dated March 19, 2021 and shall extend

until April 11, 2022; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in capital account 04-215-20-023-076-302 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 the Council of the Municipality of Princeton, County of Mercer, State of New Jersey, as follows:

1. The Mayor and Clerk are hereby authorized and directed to execute a supplemental agreement with T&M Associates for preparation of bidding and construction documents for Witherspoon Street improvements, 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. T&M Associates shall be paid a fee not to exceed \$34,630.93. The term of the agreement shall expire on April 11, 2022.
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.
5. A notice of this action shall be published in the official newspaper as required by law.

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 April 12, 2021.


 Delores A. Williams, Municipal Clerk

ATTACHMENTS:

- T&M Witherspoon Street memo 4-2021 (DOCX)
- TM Agreement Witherspoon Improvement 4 12 2021 (DOCX)
- Exhibit A T&M Witherspoon Contract Mod Request 3-19-2021 (PDF)
- Exhibits B and C 2020 (DOCX)