



RESOLUTION 21-236

Resolution Authorizing an Amended Professional Services Agreement with Storm Water Management Consulting, LLC (SWM Consulting) for the Purpose of Performing Development Applications for Storm Water Management Consultant Services in 2021 in an Amount Not to Exceed \$75,000.00

WHEREAS, the municipality of Princeton desires to retain the services of a professional storm water management consultant for purposes of reviewing development applications on behalf of Princeton's land use boards; and

WHEREAS, Storm Water Management Consulting, LLC (SWM Consulting), has provided a proposal and 2021 Fee Schedule to Princeton for purposes of performing the sought-after development application storm water management consultant services; and

WHEREAS, on January 4, 2021, Princeton Council authorized Resolution 21-11 for a professional services agreement with SWM Consulting in the not to exceed contract amount of \$30,000.00, which figure was estimated based upon the 2020 storm water management review work fees incurred; and

WHEREAS, the Engineering Department has a need to increase this professional services contract amount to \$75,000.00 for 2021, as the volume and complexity of land use applications in 2021 has increased substantially; 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, Storm Water Management Consulting, LLC (SWM Consulting), 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 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 amended agreement with Storm Water Management Consulting, LLC (SWM Consulting), for storm water management consultant services 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 SWM Consulting, LLC. Fee Schedule for the work hours completed. The professional services agreement amount shall not exceed \$75,000.00. The term of the agreement shall expire on December 31, 2021.
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			
Ms. Pirone Lambros		X			X			
Ms. Sacks		X			X			
Mr. Williamson		X		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 July 12, 2021.


Delores A. Williams, Municipal Clerk