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**RESOLUTION 21-245**

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**Resolution Authorizing a Professional Services Agreement with Kleinfelder in the Not to Exceed Amount of \$27,500.00 for Flood Proofing Design Services for the Pretty Brook and Winfield Pump Stations, as Required for Reimbursement of Generators Through a FEMA Grant**

**WHEREAS**, the Municipality of Princeton desires to retain a professional engineering consultant to complete surveying and engineering services for the purposes of floodproofing the Pretty Brook Road and Winfield sanitary sewer pump stations; and

**WHEREAS**, Kleinfelder has provided a proposal dated April 7, 2021 to the Municipality for purposes of performing the sought-after services for the not to exceed amount of \$27,500.00; 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, Kleinfelder 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 services are professional services which are exempt from public bidding under the Local Public Contracts Law, *N.J.S.A.* 40A:11-5(1)(a)(i).


**WHEREAS**, the Chief Financial Officer has certified that sufficient funds are available from capital account 04-215-14-025-089-344.

**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 an agreement with Kleinfelder for the purposes the surveying and engineering services necessary to enable Princeton to floodproof the two pump stations.
2. Princeton shall pay Kleinfelder a not to exceed amount of \$27,500.00 for said services. The term of the agreement shall be one year.
3. A copy of this Resolution, the Pay-to-Play Forms and the agreement shall be placed on file in the Office of the Clerk.
4. This agreement is awarded without competitive bidding as a professional services agreement as authorized under *N.J.S.A.* 40A:11-5(1)(a)(i).
5. A notice of this action shall be published in the official newspaper as required by law.

Councilperson	Absent	Present	1 <sup>st</sup>	2 <sup>nd</sup>	Yea	Nay	Abstain	Disqualified
Mr. Cohen		X	X		X			
Ms. Fraga		X			X			
Ms. Niedergang	X							
Ms. Pirone Lambros		X		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 July 26, 2021.

  
 Delores A. Williams, Municipal Clerk

**ATTACHMENTS:**

- Memo to Council re Kleinfelder PSA (DOCX)
- Kleinfelder Agreement (DOCX)
- Kleinfelder - Princeton Pump Station Flood Proofing Proposal Final 040721 (PDF)
- Kleinfelder FY21 rates by category 1-21-21 (PDF)
- Exhibits B and C 2021 (DOCX)