

MASON, GRIFFIN & PIERSON
A PROFESSIONAL CORPORATION
COUNSELLORS AT LAW

MEMORANDUM

To: Mayor & Council of Princeton

From: Trishka W. Cecil, Esq.

Date: April 24, 2014

Re: Princeton - AvalonBay: Environmental Consultant

At the meeting of the Mayor and Council on February 18, 2014, Princeton authorized an agreement with environmental consultant Ira L. Whitman, P.E., Ph.D. to assist in the analysis of various environmental issues related to the AvalonBay project involving the hospital site. The not-to-exceed cost of that agreement was \$8,000.00. Dr. Whitman has since undertaken the work authorized by that agreement and has provided both an original report dated March 4, 2014 and an addendum to that report dated April 3, 2014, the latter of which was prepared at the Council's specific request to address concerns raised by the public and the Council at its March 10, 2014 meeting. In completing the first report and preparing the addendum, Dr. Whitman has incurred additional costs in the amount of \$11,341.00. In order to cover these additional costs, it is necessary to increase the not-to-exceed amount in the February 18, 2014 professional services agreement to \$19,500.00.

To this end, I have prepared and attached hereto the proposed resolution increasing the amount of the February 18, 2014 professional services agreement. We would appreciate your considering this matter as a part of your agenda on April 28, 2014.

EWS:kaj

cc: Robert W. Bruschi
Kathryn Monzo
Linda McDermott
Robert V. Kiser

COUNTY OF MERCER

PRINCETON

STATE OF NEW JERSEY

RESOLUTION NO. 2014-

WHEREAS, on or about February 18, 2014 Princeton entered into a professional services agreement with Whitman, 7 Pleasant Hill Road, Cranbury, New Jersey 08512 (“Whitman”) for professional engineering services in connection with the evaluation of environmental issues related to construction by AvalonBay on the former hospital site, as approved by Resolution 14-50 adopted on February 18, 2014, a copy of which agreement is on file in the Office of the Princeton Clerk; and

WHEREAS, said professional services agreement was for a not-to-exceed cost of \$8,000; and

WHEREAS, pursuant to said agreement, Whitman evaluated the conditions of the site and prepared a report dated March 4, 2014, which he presented to the Mayor and Council at a meeting held on March 10, 2014; and

WHEREAS, at said meeting, the Mayor and Council requested that Whitman further evaluate the environmental issues and supplement his report in response to questions and concerns raised by the public and the Mayor and Council at said meeting; and

WHEREAS, Whitman undertook the requested work and prepared a supplemental report dated April 3, 2014, which he presented to the Mayor and Council at a meeting held on April 7, 2014; and

WHEREAS, in order to cover the costs of both the initial and the supplemental services provided by Whitman, an additional \$11,341 is needed;

NOW THEREFORE be it resolved by the Mayor and Council of Princeton as follows:

1. The not-to-exceed cost set forth in the February 18, 2014 professional services agreement entered into between Whitman and Princeton is hereby increased to \$19,500, and the agreement shall be deemed to be amended in said amount.

2. A notice of this action shall be published in the Princeton Packet as required by law within ten (10) days of passage.

CERTIFICATION

I, Linda S. McDermott, Clerk of Princeton, do hereby certify that the foregoing Resolution was considered and adopted by the Princeton Council at its regular meeting held on the 28th day of April, 2014.

Linda S. McDermott, Clerk
Princeton