



RESOLUTION 19-191

Resolution Amending 2018 Professional Services Agreement with Burgis Associates, Inc. to Increase the Not to Exceed to \$12,300.00 for the Total Not to Exceed \$49,300.00 and Awarding a New One-Year Professional Services Agreement to Burgis Associates, Inc. for Affordable Housing Planning Services for the Not to Exceed \$41,000.00

WHEREAS, on May 21, 2018, the municipality of Princeton entered into a one-year professional services agreement with Burgis Associates, Inc. (“Burgis”) for professional land use planning services, including the preparation of Princeton’s third round affordable housing plan, for a not-to-exceed cost of \$25,000.00; and

WHEREAS, on August 27, 2018, Princeton amended the agreement to increase the total not-to-exceed cost to \$37,000.00; and

WHEREAS, Princeton now needs to further increase the not-to-exceed cost of the agreement by \$12,300.00 to cover the services that were provided under that agreement, for a total not-to-exceed amount of \$49,300.00; and

WHEREAS, Princeton continues to require Burgis’s services in connection with the preparation of its third round affordable housing plan and for conflict planning services as needed, and to that end wishes to enter into a new one-year professional services agreement with Burgis for the provision of professional land use and affordable housing planning services; 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

WHEREAS, Burgis 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 \$41,000.00 and a term of one year, as more specifically described in the Agreement for Professional 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; and

WHEREAS, there are sufficient available funds for this purchase, as set forth in the Certification of Available Funds completed by the Chief Financial Officer and submitted herewith.

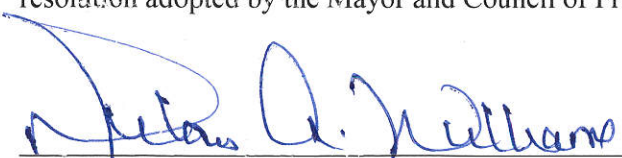
NOW, THEREFORE, BE IT RESOLVED by the Council of the Municipality of Princeton, County of Mercer, State of New Jersey, as follows:

1. The professional services agreement entered into by Burgis Associates, Inc. and Princeton on May 21, 2018 and amended on August 27, 2018 is hereby further amended to increase the total not-to-exceed cost to \$49,300.00, and the Mayor and Clerk are hereby authorized and directed to execute a further amendment to the 2018 agreement consistent with the terms of this resolution.
2. The Mayor and Clerk are hereby authorized and directed to execute a new one-year Professional Services Agreement with Burgis Associates, Inc. to continue to provide professional land use planning services to Princeton in connection with the preparation of its third round affordable housing plan and to serve as conflict planning consultant as needed, consistent with this resolution and the above “Whereas” clauses.

3. Burgis Associates shall be paid a fee not to exceed \$41,000.00. The term of the new agreement shall be one year, retroactive to April 30, 2019.
3. 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).
5. 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. Crumiller		X			X			
Ms. Fraga		X			X			
Ms. Niedergang		X			X			
Mr. Quinn		X		X	X			
Mr. Williamson		X			X			
Mayor Lempert		X						

I, Delores 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 on June 24, 2019.



Delores A. Williams, RMC, Municipal Clerk

ATTACHMENTS:

- Burgis Associates Inc amendment to 2018 Agreement (PDF)
- Burgis Associates Inc Planning Services 2019 Agreement (PDF)
- Memo re Burgis PSA (PDF)