



RESOLUTION 19-363

Resolution Authorizing a Professional Services Agreement with Van Note-Harvey Associates, Inc. in an Amount Not to Exceed \$49,471.28 for Professional Engineering Services

WHEREAS, the Municipality of Princeton desires to retain a professional engineering consultant to perform activities related to the identification and reduction of extraneous flows in the sanitary sewer system for the Princeton Sewer Operating Committee (PSOC); and

WHEREAS, the Municipality previously authorized two professional services agreements with Van Note-Harvey Associates, Inc. in connection with the foregoing services, and in the total amount of \$196,500, as detailed below:

- Resolution 17-280 on September 11, 2017 for the not to exceed amount of \$125,000.00;
 - Resolution 18-168 on May 7, 2018 for the not to exceed amount of \$71,500.00;
- and

WHEREAS, Van Note-Harvey Associates, Inc. has provided a proposal dated September 26, 2019 to the Municipality for purposes of performing the sought-after additional services related to the identification and reduction of extraneous flows in the sanitary sewer system for the not to exceed amount of \$49,471.28; and

WHEREAS, the total amount to be expended with Van-Note Harvey Associates, Inc. for said services shall be increased from \$196,500.00 to \$245,971.28; 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, Van Note-Harvey Associates, Inc., 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, Princeton’s Chief Financial Officer has certified that sufficient funds are available under capital account 04-215-17-031-089-301 (Ordinance 2017-31, Sanitary Sewer Repairs); 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).

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

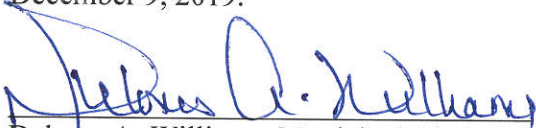
1. The Mayor and Clerk are hereby authorized and directed to execute an agreement with Van Note-Harvey Associates, Inc. for additional engineering services related to the identification and reduction of extraneous flows for the Princeton Sewer Operating Committee, consistent with this Resolution and the above “Whereas” clauses.
2. Princeton shall pay Van Note-Harvey Associates, Inc. an amount not to exceed \$49,471.28 for said services. The agreement shall cover the time period from June 1, 2019 to May 31, 2020.
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 st | 2 nd | Yea | Nay | Abstain | Disqualified |
|----------------|--------|---------|-----------------|-----------------|-----|-----|---------|--------------|
| Mr. Cohen | | X | | | X | | | |
| Ms. Crumiller | | X | X | | X | | | |
| M. Fraga | | X | | | X | | | |
| Ms. Niedergang | | X | | X | X | | | |
| Mr. Quinn | | X | | | X | | | |
| Mr. Williamson | | X | | | X | | | |
| Mayor Lempert | | 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 December 9, 2019.



Delores A. Williams, Municipal Clerk

ATTACHMENTS:

- Memo Van Note Harvey (DOCX)
- Van Note Harvey Associates 9-26-19 Exhibit A (PDF)
- Agreement - Van Note Harvey (DOCX)
- Exhibits B and C Aff Action and Bus Registration (DOCX)