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**RESOLUTION 20-101**

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**Resolution Authorizing a Professional Services Agreement with  
McMahon Associates for the Not to Exceed Amount of \$28,755.00 for  
Traffic Engineering Services Related to the Improvement of  
Witherspoon Street**

WHEREAS, the municipality of Princeton desires to retain the services of a professional traffic engineering consultant for the Improvements to Witherspoon Street project on behalf of Princeton; and

WHEREAS, McMahon Associates, Inc. (“McMahon”) has provided a proposal dated February 14, 2020 to Princeton for purposes of performing the sought-after engineering services for the not to exceed contract amount of \$28,755.00 and term of one year; 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, McMahon 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 agreement shall be for an amount not to exceed \$28,755.00, as more specifically detailed in McMahon’s proposal; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in capital account 04-215-18-007-076-332 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 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 McMahon Associates, Inc. for traffic engineering services, 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. McMahon Associates, Inc. shall be paid a fee not to exceed \$28,755.00. The term of the agreement shall be one year.
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 <sup>st</sup>	2 <sup>nd</sup>	Yea	Nay	Abstain	Disqualified
Mr. Cohen		X			X			
Ms. Fraga		X			X			
Ms. Niedergang		X	X		X			
Ms. Pirone Lambros		X		X	X			
Ms. Sacks		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 February 24, 2020.

  
 Delores A. Williams, Municipal Clerk

**ATTACHMENTS:**

- PSA - Witherspoon Traffic Engineering Memo (DOCX)
- PSA - McMahon Agreement (DOCX)
- Exhibit A 2020-02-14\_F20058\_Witherspoon Street Proposal (PDF)
- Exhibits B and C 2020 (DOCX)