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**RESOLUTION 20-121**

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**Resolution Authorizing a Supplemental Professional Services Agreement in the Not to Exceed Amount of \$27,450.00 with T&M Associates for Work Related to the Closure of the Princeton Landfill on River Road**

WHEREAS, by Resolution No. 19-228 adopted on July 22, 2019, the municipality of Princeton awarded a professional services agreement to T&M Associates for “Engineering Design and Plan Preparation - Corrective Measures-Princeton Sanitary Landfill” for the not to exceed amount of \$22,245.00 (the “2019 Agreement”); and

WHEREAS, T & M Associates is in the process of completing the services under the 2019 Agreement, which expires in July 2020, and has requested that certain insurance requirements set forth in said 2019 Agreement be amended to clarify the scope of the requirements for professional liability insurance; and

WHEREAS, the requested changes are reasonable and consistent with the intent of the original 2019 Agreement; and

WHEREAS, at this time the parties also to seek to execute a second professional services agreement for purposes of continuing the services from 2020 to 2021 and specifically for purposes of completing revisions to the engineering design and plan preparation for corrective measures for the Princeton Sanitary Landfill (“2020 Agreement”); and

WHEREAS, the revisions are necessary as a result of the receipt of comments from the New Jersey Department of Environmental Protection; and

WHEREAS, T&M Associates has submitted a proposal to complete the services under the 2020 Agreement, a copy of which shall be attached to the 2020 Agreement as Exhibit A; 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, T&M Associates 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 professional services under the 2020 Agreement shall not exceed a total of \$27,450.00; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available to pay for said services from accounts 04-215-16-023-089-305 (\$3,188.49), 04-215-17-031-089-305 (\$1,500.00), 04-215-19-019-089-307 (\$17,755.00) and 01-201-20-111-283 (\$5,006.51); 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.

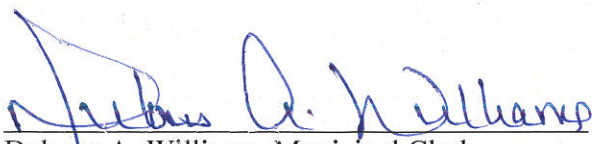
NOW, THEREFORE, BE IT RESOLVED by the Council of the Municipality of Princeton, County of Mercer, State of New Jersey, as follows:

1. The Mayor and Clerk are hereby authorized and directed to execute a revised 2019 Agreement with T&M Associates, consistent with the “Whereas” clauses.
2. In addition, the 2020 Agreement is hereby awarded without competitive bidding as a professional services agreement as authorized under N.J.S.A. 40A:11-5(1)(a)(i).
3. The Mayor and Clerk are hereby authorized and directed to execute the 2020 Agreement with T&M Associates, consistent with the “Whereas” clauses.

3. T&M Associates shall be paid the not to exceed amount of \$27,450.00 for services under the 2020 Agreement. The term of said 2020 Agreement shall be one (1) year from execution thereof by the parties.
4. A copy of this Resolution, the Pay-to-Play Forms and the 2019 and 2020 Agreements (as revised, respectively) shall be placed on file in the Office of the Clerk.
5. A notice of the award of the 2020 Agreement 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 March 9, 2020.



Delores A. Williams, Municipal Clerk

**ATTACHMENTS:**

- TM Agreement 2019 v 2 (DOCX)
- Memo re T&M PSA 3-2020 (DOCX)
- Exhibit A TM 6-4-2019 Proposal (PDF)
- T&M Agreement 2020 (DOCX)
- Exhibit A 2020-02-13 Corrective Measures Redesign Proposal Per NJDEP Comments (PDF)
- Exhibits B and C 2020 (DOCX)