



RESOLUTION 20-348

Resolution Authorizing a Professional Services Agreement in the Not To Exceed Amount of \$159,204.00 with T&M Associates for Witherspoon Street Phase 2 Roadway and Storm Sewer Design Services Between Green Street and Valley Road

WHEREAS, the municipality of Princeton authorized a professional services agreement with T&M Associates, through Resolution 20-243, for purposes of preparing bidding and construction documents for improvements on Witherspoon Street between Nassau Street (New Jersey State Highway Route 27) and Green Street (Phase 1A and 1B); and

WHEREAS, the T&M Associates proposal dated July 22, 2020 includes Phase 2 design services for roadway and storm sewer improvements on Witherspoon Street between Green Street and Valley Road at a fee not to exceed \$159,204.00; and

WHEREAS, the Engineering Department has applied for a New Jersey Department of Transportation Municipal Aid grant for construction funding of the Green Street to Franklin Avenue segment of Witherspoon Street; and

WHEREAS, the Engineering Department seeks to advance corridor concept planning and design activities in order to have biddable construction plans ready prior to the construction contract award deadline that is a provision of the Municipal Aid grant; 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 agreement shall be for an amount not to exceed \$159,204.00 for Phase 2, as more specifically detailed in T&M Associates' proposal dated July 22, 2020; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in capital account 04-215-20-023-076-302 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 T&M Associates for preparation of bidding and construction documents for Witherspoon Street improvements, 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. T&M Associates shall be paid a fee not to exceed \$159,204.00. 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 st	2 nd	Yea	Nay	Abstain	Disqualified
Mr. Cohen		X			X			
Ms. Fraga		X		X	X			
Ms. Niedergang		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 October 26, 2020.


 Delores A. Williams, Municipal Clerk

ATTACHMENTS:

- Witherspoon Phase 2 Memo (DOCX)
- T&M Agreement Phase 2 (DOCX)
- Witherspoon Street_2020 Engineering Proposal_TAP72220 (PDF)
- Exhibits B and C 2020 (DOCX)