



Mayor and Council

400 Witherspoon Street
Princeton, NJ 08540

Meeting: 01/04/21 05:30 PM
Department: Clerk

RESOLUTION 21-18

**Resolution Approving A Professional Services Agreement for
McManimon, Scotland & Baumann, LLC for Bond Counsel and Legal
Services Related to Redevelopment, Environmental, Litigation and
other Non-Public Finance Services for 2021 in the amount not to
exceed \$100,000.00**

WHEREAS, the municipality of Princeton desires to retain the professional legal services related to public finance; and

WHEREAS, McMANIMON, SCOTLAND & BAUMANN, LLC (“MSB”), with offices in Roseland, New Jersey, has submitted a proposed agreement to Princeton for purposes of performing the sought-after legal services related to public finance, as well as legal services related to redevelopment, environmental, litigation or other non-public finance services; and

WHEREAS, MSB’s inclusion of said non-public finance and redevelopment services in its proposed agreement notwithstanding, Princeton only seeks to retain MSB’s legal services in connection with public finance and redevelopment; 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, H&M 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 \$100,000 without further approval of Princeton and a term of one (1), as more specifically described in the agreement submitted by MSB, except that the agreement shall be for public finance and

redevelopment related services only, and shall not include the non-public finance and redevelopment related services described therein; 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, the Chief Financial Officer has certified that sufficient funds are available in Various Capital Accounts 04-215-xx-xxx-xxx-xxx to pay for said services;

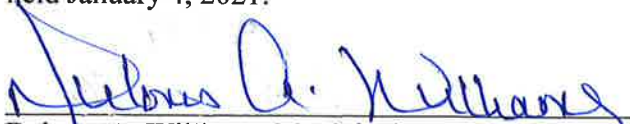
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Municipality of Princeton, County of Mercer, State of New Jersey, as follows:

1. The Mayor and Clerk are hereby authorized and directed to execute a professional services agreement with McMANIMON, SCOTLAND & BAUMANN, LLC, Attorneys at Law, 75 Livingston Avenue, Roseland, New Jersey, 07068, for the provision of professional legal services related to public financing and redevelopment only. Any language in the agreement to the contrary notwithstanding, the agreement shall not be deemed to retain MSB for services related to environmental, litigation or other non-public finance or redevelopment services. Should Princeton require such services in the future, same will be subject to separate Council approval.
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. MSB shall be paid a fee not to exceed \$100,000.00 without further authorization from Princeton. The term of the agreement shall be one year.
4. A copy of this resolution, the executed pay-to-play forms and the agreement shall be placed on file in the Office of the Municipal 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. Fraga		X			X			
Ms. Niedergang		X	X		X			
Ms. Pirone Lambros		X			X			
Ms. Sacks		X			X			
Mr. Williamson		X			X			
Mayor Freda		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 January 4, 2021.



Delores A. Williams, Municipal Clerk

ATTACHMENTS:

- Princeton 2021 Fee Agreement McManimon (PDF)