



RESOLUTION 21-294

Resolution Approving Award of Contract for Extraordinary and Unspecifiable Services to White Buffalo, Inc. for Specialized Deer Management Services and for Distance Sampling

WHEREAS, from 2000 through 2012, the municipality formerly known as the Township of Princeton (“the Township”) implemented a deer management and deer removal program throughout the Township in an effort to reduce its white-tailed deer population to a healthy and manageable level; and

WHEREAS, in connection with the implementation of the Township’s deer management plan approved in 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2011 and 2012 by the New Jersey Division of Fish and Wildlife and the Fish and Game Council, the Township procured specialized deer removal and deer management services from White Buffalo Inc. (“Contractor”) without a “fair and open process” as defined by P.L. 2004, c. 19, the “Local Unit Pay-to-Play Law”; and

WHEREAS, as of January 1, 2013, the Township of Princeton and the Borough of Princeton consolidated pursuant to the New Jersey Municipal Consolidation Act, *N.J.S.A. 40:43-66.35* to become the new municipality of Princeton (“Princeton”); and

WHEREAS, Princeton desired to continue the Township’s deer management program, and received approval of its plan from the New Jersey Division of Fish and Wildlife and the Fish and Game Council every year since consolidation, which included the procurement of specialized deer removal and deer management services from Contractor; and

WHEREAS, Princeton wishes to continue to procure specialized deer removal and deer management services from Contractor without a “fair and open process” in order to continue its deer management and deer removal program, including the performance of a population estimate in late fall/early winter 2021, using a method referred to as “distance sampling”; and

WHEREAS, the Contractor has submitted a proposal dated 10 August 2021 and entitled “White Tailed Deer Management Proposal, Princeton, New Jersey,” a copy of which is on file in the office of the Princeton Clerk as well as attached hereto, offering to provide said deer removal and deer management services and distance sampling to Princeton, for the not-to-exceed amount of sixty-nine thousand seven hundred and seventy-five dollars (\$69,775.00) for the deer removal

and deer management services and ten thousand, five hundred and ninety dollars (\$10,590.00) for the distance sampling; and

WHEREAS, Princeton's Chief Financial Officer has determined and certified in writing that the value of the contract will exceed \$17,500.00; and

WHEREAS, Contractor will complete and file with Princeton a Campaign Contributions Affidavit as required by *N.J.S.A. 19:44A-20.2 et seq.* certifying that Contractor has not made any prohibited contributions to a candidate committee or municipal committee representing the elected officials of Princeton; and

WHEREAS, the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.*, authorizes the award of this contract without public bidding on the basis that it is a contract for the performance of extraordinary, unspecifiable services; and

WHEREAS, Contractor has demonstrated since 2000 that it is uniquely qualified to fulfill Princeton's needs in connection with its deer management and deer removal program by reason of its many years of experience nationally and in Princeton with deer removal and management and distance sampling, and its proven safety record and success rate; and

WHEREAS, the Administrator has certified that this contract is in compliance with the statutes and regulations concerning the award of contracts for extraordinary, unspecifiable services in accordance with *N.J.S.A. 40A:11-5(1)(a)(ii)* and *N.J.A.C. 5:34-2.1 et seq.*; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available for this purpose;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of Princeton as follows:

1. The Mayor and Clerk are hereby authorized and directed to execute an agreement with White Buffalo, Inc., a Connecticut nonprofit corporation with its principal place of business at 26 Davison Road, Moodus, Connecticut 06469, for deer removal and deer management services and for distance sampling, for an amount not to exceed sixty-nine thousand seven hundred and seventy-five dollars (\$69,775.00) for the deer removal and deer management services and ten thousand five hundred and ninety dollars (\$10,590.00) for the distance sampling, for a term beginning upon the execution of the agreement and ending on April 15, 2022.

2. A copy of this Resolution, the Certification of Contract Value, the Campaign Contributions Affidavit, the Certification of Extraordinary, Unspecifiable Services and the

executed Agreement shall be placed on file in the Office of the Clerk.

3. A notice of this action shall be published in the Princeton Packet, as required by law.

4. This resolution shall take effect immediately.

Councilperson	Absent	Present	1 st	2 nd	Yea	Nay	Abstain	Disqualified
Mr. Cohen		X			X			
Ms. Fraga		X			X			
Ms. Pirone Lambros		X			X			
Ms. Niedergang		X		X	X			
Ms. Sacks		X			X			
Mr. Williamson		X	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 on September 13, 2021

Delores A. Williams, RMC, Municipal Clerk

ATTACHMENTS:

- Memo to MC 9-10-21 re White Buffalo Agreement (PDF)
- WB Agreement 2021-2022 + exhibits (PDF)