



Mayor and Council

400 Witherspoon Street
Princeton, NJ 08540

Meeting: 01/24/22 07:00 PM

Department: Engineering

RESOLUTION 22-45

Resolution Authorizing a Supplement Agreement with T&M Associates in the Not to Exceed Amount of \$90,184.00 for Witherspoon Street Phase 1 Design Services, Resulting in a Final Cost for Design Services of \$483,684.93

WHEREAS, by Resolution 20-243 adopted on July 27, 2020, the municipality of Princeton authorized a professional services agreement in the amount of \$270,078.00 with T&M Associates to prepare bidding and construction documents for improvements on Witherspoon Street Phase 1A and 1B (Nassau Street to Green Street) on behalf of Princeton for a term of one year (expiring on or about July 27, 2021); and

WHEREAS, by Resolution 21-130 adopted on April 12, 2021, the municipality of Princeton authorized a supplemental (new) profession services agreement in the amount of \$34,630.93 with T&M Associates for additional professional services for the preparation of bidding and construction documents for improvements on Witherspoon Street Phase 1A and 1B (Nassau Street to Green Street) on behalf of Princeton for a term of one year (expiring on or about April 11, 2022); and

WHEREAS, by Resolution 21-278 adopted on August 23, 2021, the municipality of Princeton authorized another supplemental (new) agreement in the amount of \$88,792.00 to combine the Phase 1A and Phase 1B contract documents and perform subsurface utility investigations for a term expiring on or about April 11, 2022; and

WHEREAS, in furtherance of completion of this project and drafting the necessary contract documents, at this time Princeton has a need to hire T&M to undertake expanded and additional tasks necessary to redesign Witherspoon Street between Nassau Street and Paul

Robeson Place that were not envisioned in the August 2021 scope of work; and

WHEREAS, T&M has provided a proposal for the completion of the sought after professional services on Princeton's behalf; 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 to section 2-87 of the Princeton Code (collectively, the "Pay-to-Play Forms"); and

WHEREAS, the new agreement shall be for an amount not to exceed \$90,184.00 to complete the work detailed in T&M Associates' proposal dated December 8, 2021, with a contract term expiring on January 23, 2023; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in capital accounts 04-215-20-023-076-302 (\$76,656.40) and 04-215-17-032-089-301 (\$13,527.60) 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 a

supplemental (new) agreement with T&M Associates for the 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 \$90,184.00. The term shall commence upon the parties’ execution of the agreement and shall expire on January 23, 2023.
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

Councilperson	Absent	Present	1 st	2 nd	Yea	Nay	Abstain	Disqualified
Mr. Cohen		X			X			
Ms. Fraga		X			X			
Ms. Niedergang		X		X	X			
Ms. Pirone Lambros		X			X			
Ms. Sacks		X			X			
Mr. Newlin		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 January 24, 2022.



Delores A. Williams, Municipal Clerk

ATTACHMENTS:

- T&M Witherspoon Street Memo 1-2022 mgp (DOCX)