



Mayor and Council

400 Witherspoon Street
Princeton, NJ 08540

Meeting: 01/24/22 07:00 PM

Department: Clerk

RESOLUTION 22-49

Resolution Authorizing a Professional Services Agreement with DeCotiis, Fitzpatrick, Cole & Giblin, LLP in an Amount Not to Exceed \$25,000.00 for Professional Legal Services (PCTV Litigation)

WHEREAS, Princeton requires the services of special legal counsel to represent Princeton in the litigation captioned *Princeton Community Television v. Town of Princeton*, Docket No. MER-L-1457-20; and

WHEREAS, DeCotiis, Fitzpatrick, Cole & Giblin (“CONSULTANT”) has agreed to continue to provide the sought-after services to Princeton at a rate of \$175 per hour for services provided by attorneys and \$95 per hour for services provided by paralegals and legal assistants, for an estimated not-to-exceed cost of twenty-five thousand dollars (\$25,000); 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, CONSULTANT 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 term of the agreement shall be for one year from the date on which it is executed or when the above-referenced services are no longer required, whichever occurs first; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available to pay for said services; and

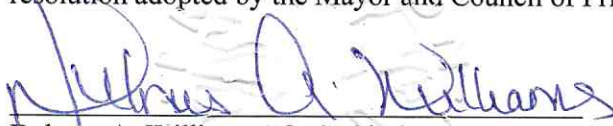
WHEREAS, the Local Public Contracts Law, *N.J.S.A. 40A:11-5(1)(a)(i)*, authorizes Princeton to award this agreement as a professional services agreement, without public bidding.

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 CONSULTANT, to provide legal services to Princeton as described in the preamble to this resolution, for a not-to-exceed cost of \$25,000.
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. The agreement shall terminate one year from the date of its execution or when the above-referenced services are no longer needed, whichever occurs first.
4. A copy of this resolution, the Pay-to-Play Forms and the agreement shall be kept on file in the Office of the Clerk.
5. A notice of this action shall be published in Princeton’s official newspaper as required by law.
6. 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	X			
Mr. Newlin		X			X			
Ms. Niedergang		X	X		X			
Ms. Sacks		X			X			
Mayor Freda		X						

I, Delores 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 January 24, 2022.


 Delores A. Williams, RMC, Clerk

ATTACHMENTS:

- DeCotiis 2022 PSA (legal services--PCTV litigation) (DOCX)