



**Mayor and Council**

400 Witherspoon Street  
Princeton, NJ 08540

Meeting: 06/13/22 07:00 PM  
Department: Engineering

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**RESOLUTION 22-202**

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**Resolution of the Mayor and Council of Princeton Authorizing a Supplemental Professional Services Agreement in the Not to Exceed Amount of \$157,075.00 for Additional Services Related to the Witherspoon Street Improvement Project Phase 2 (Green Street to Leigh Avenue)**

**WHEREAS**, by Resolution 20-348 adopted on October 26, 2020, the municipality of Princeton authorized an agreement in the amount of \$159,204.00 with T&M Associates to provide roadway and storm sewer design for improvements on Witherspoon Street Phase 2 for a term of one year (expiring on or about October 26, 2021); and

**WHEREAS**, the Engineering Department has requested additional design services and meetings that were not included in the original scope of work under the agreement authorized by Resolution 20-348; and

**WHEREAS**, on June 6, 2022, T&M Associates submitted a supplemental proposal to Princeton for purposes of performing the sought-after extra services including sanitary sewer design, permitting, street lighting plan preparation, geotechnical engineering services, and drainage analysis for Phases 2 and 3 for the not to exceed contract amount of \$157,075.00 and term of one year; 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 new agreement shall be for an amount not to exceed \$157,075.00 to complete the work detailed in T&M Associates’ proposal dated June 6, 2022 and shall extend until June 6, 2023; and

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds are available in capital accounts 04-215-18-010-089-301 (\$37,002.00) and 04-215-16-020-076-352 (\$120,073.00) 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 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 \$157,075.00. The term of the agreement shall expire on June 6, 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 shall be published in the official newspaper as required by law.

Councilperson	Absent	Present	1 <sup>st</sup>	2 <sup>nd</sup>	Yea	Nay	Abstain	Disqualified
Ms. Pirone Lambros		X	X		X			
Ms. Niedergang		X			X			
Mr. Cohen		X			X			
Ms. Fraga		X			X			
Ms. Sacks		X		X	X			
Mr. Newlin		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 June 13, 2022.



Delores A. Williams, Municipal Clerk

**ATTACHMENTS:**

- Memo Re T&M Supplemental Services 6-13-2022 (DOCX)
- TM Agreement 6-13-2022 final (DOCX)
- Exhibit A - Witherspoon Street\_Phase 2\_Contract Modification Proposal\_TAP662022 (PDF)
- Exhibits B and C 2022 (DOCX)