



**RESOLUTION 19-6**

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**Resolution Authorizing a Professional Services Agreement for  
Michael T. Barrett, Esq., serving as Public Defender for 2019, Not to  
Exceed \$57,500.00**

WHEREAS, the municipality of Princeton desires to retain the services of an attorney for purposes of serving as a Public Defender on behalf of Princeton; and

WHEREAS, **MICHAEL T. BARRETT, ESQ. AND THE FIRM OF BERGMAN & BARRETT** has provided a proposal to Princeton for purposes of performing the sought-after legal services for the not to exceed contract amount of \$57,500.00 and term of Calendar Year 2019; 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, **MICHAEL T. BARRETT, ESQ. AND THE FIRM OF BERGMAN & BARRETT** 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 \$57,500.00; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available to pay for said services in account #01-201-43-495-299 Public Defender - Other Expenses; 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 **MICHAEL T. BARRETT, ESQ. AND THE FIRM OF BERGMAN & BARRETT** for public defender services 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. **MICHAEL T. BARRETT, ESQ. AND THE FIRM OF BERGMAN & BARRETT** shall be paid a fee not to exceed \$57,500.00. The term of the agreement shall be Calendar Year 2019.
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
Mr. Cohen		X			X			
Ms. Crumiller		X		X	X			
Ms. Fraga		X			X			
Ms. Niedergang		X			X			
Mr. Williamson		X			X			
Mr. Quinn		X	X		X			
Mayor Lempert		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 3, 2019.

Delores A. Williams, Municipal Clerk

**ATTACHMENTS:**

- Bergman Barrett Form PSA 17500 or more (DOCX)
- Barrett Exhibit (PDF)
- Exhibits B and C (DOCX)