



RESOLUTION 19-64

**Resolution Authorizing Professional Services Agreement with Miller, Porter, Muller, PC for legal counsel for the Planning Board
Not to Exceed \$74,000.00**

WHEREAS, the municipality of Princeton desires to retain the services of an attorney to serve as legal counsel to the Princeton Planning Board; and

WHEREAS, Gerald Muller, Esq. of the law firm of Miller Porter & Muller, P.C. has offered to provide the sought-after services to the Planning Board at a rate of \$210.00 per hour for Gerald Muller and Allen Porter and \$165.00 for Martina Baillie, from January 1, 2019 until December 31, 2019, and the Planning Board has formally requested the Council's award of a professional services contract to Miller Porter & Muller, P.C.; 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, Miller Porter & Muller, P.C. 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 professional legal services shall not exceed a total of \$74,000.00; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available to pay for said services from 01-201-21-180-279 Planning Board - Other Expenses-Professional & Consultant - Legal Services \$34,000.00 and 17/30-XXX-XX-XXX-XXX Various Escrow Application Accounts \$40,000.00; 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 Gerald Muller, Esq. of the law firm of Miller Porter & Muller, P.C., to serve as legal counsel to the Planning Board.
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. Miller Porter & Muller, P.C. shall be paid a fee not to exceed \$74,000.00, and the term of the agreement shall be from January 1, 2019 to December 31, 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 st	2 nd	Yea	Nay	Abstain	Disqualified
Mr. Cohen	X							
Ms. Crumiller		X			X			
Ms. Fraga		X			X			
Ms. Niedergang		X		X	X			
Mr. Quinn		X	X		X			
Mr. Williamson		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 February 11, 2019.



 Delores A. Williams, Municipal Clerk

ATTACHMENTS:

- MPM PSA Planning Board COUNSEL (DOCX)
- Exhibits A and B to PSA Miller Porter & Muller (DOCX)