A RESOLUTION OF THE TOWNSHIP OF MOUNT OLIVE, COUNTY OF MORRIS AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO THE LOUIS BERGER GROUP, INC., FOR PROFESSIONAL SERVICES ASSOCIATED WITH THE COBBLESTONE HEALTH CARE FACILITY, 20-23 STONEWALD COURT DRIVE, BUDD LAKE, MOUNT OLIVE TOWNSHIP, NEW JERSEY, BLOCK 3203, LOTS 21 AND 28

WHEREAS, there exists a need for certain environmental assessments to be performed at Cobblestone Health Care Facility, located at 20-23 Stonewald Court Drive, Budd Lake, Mount Olive Township, New Jersey, Block 3203, Lots 21 and 28 (hereinafter "Property"); and

WHEREAS, the Township wishes to retain the services of The Louis Berger Group, Inc. to perform such services and for such other services as identified in its proposal dated April 30, 2013; and

WHEREAS, funds are available for this purpose; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of contracts for "professional services" without competitive bid and the contract itself must be made available for public inspection.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of Mount Olive, County of Morris and State of New Jersey as follows:

1. The Township of Mount Olive hereby awards and authorizes the Mayor and Township Clerk to execute an agreement with The Louis Berger Group, Inc., whose office is located at 412 Mount Kemble Avenue, Morristown, NJ 07974, to conduct a Preliminary Assessment, a Pre-demolition Asbestos Material Investigation and Sampling Services and Mold/Fungi Assessment for the property, in an amount not to exceed $10,625 and in accordance with the proposal dated April 30, 2013.

2. This contract is awarded without competitive bidding as a professional service in accordance with the provisions of the Local Public Contracts Law because said services are performed by a person authorized by law to practice a recognized profession. This contract was not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4 et seq. As such, the undersigned does hereby attest that neither the Louis Berger Group, Inc., or its subsidiaries, assigns or principals controlling in excess of 10% of the firm has made a contribution in the one (1) year period preceding the award of the contract that is reportable to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44-16 so as to affect his eligibility to perform this contract, nor will he or they make a reportable contribution during the term of the contract to any political party committee in the Township of Mount Olive if a member of that political party is serving in an elective public office of the Township of Mount Olive when the contract is awarded, or to any candidate committee of any person serving in an elective public office of the Township of Mount Olive when the contract is awarded.

3. The Louis Berger Group, Inc. is advised of the responsibility to file an annual statement on political contributions with the New Jersey Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-20.13 (P.L. 2005, c.271 §3) if he received contracts in excess of $50,000 from public entities in a calendar year. It is its responsibility to determine if filing is necessary.

4. Notice of this action shall be published once in the Township's official newspaper as required by law.

5. A copy of this Resolution shall be provided to Sherry Maniscalco CMFO/CTC, Township Chief Financial Officer and The Louis Berger Group, Inc., 412 Mount Kemble Avenue, Morristown, NJ 07974, for their information and guidance.

This Resolution shall take effect immediately.

Adopted: , 2013

Adopted this day of May, 2013 and
certified as a true copy of an original.

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Lisa Lashway, Township Clerk