TOWNSHIP OF UPPER DEERFIELD

RESOLUTION # 12-38

AUTHORIZING PROFESSIONAL SERVICE AGREEMENT LOUIS C. JOYCE IV

WHEREAS, there exists a need for professional planning services in the Township of Upper Deerfield; 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 bids, and the contract itself, must be available for public inspection; and

WHEREAS, the Township Committee deems it to be in the best interests of the residents of the Township of Upper Deerfield to award a contract for planning services to Louis C. Joyce, IV, PP, AICP for the provision of planning services in connection with the following projects:

1. Completion and preparation of Housing Element and Fair Share Housing Plan for approval by either the Council on Affordable Housing or the Court in the matter of Sunset Lake 100, LLC v. Township of Upper Deerfield, Docket No. L-178-03;

2. Such other special projects as the Township Committee may approve from time to time in connection with planning, zoning, and redevelopment.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Upper Deerfield as follows:

1. That the allegations of the preamble hereto are incorporated herein as if fully set forth.

2. That Louis C, Joyce, IV of Alloway, New Jersey, a Professional Planner in the State of New Jersey, be appointed special project Planner for Upper Deerfield Township for the year 2012 to perform professional services ordinarily provided by a planner, and shall receive compensation , for the provision of planning services at $95 an hour for the projects outlined.

3. That the aforesaid contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because N.J.S.A.40A:11-5 states that no local unit shall be required to advertise for bids for services rendered or performed by a person authorized by law to practice a recognized profession and whose practice is regulated by law, or to advertise for bids for services which are of such a qualitative nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids, all of which classification the aforesaid contract falls within.

4. The professional fees contained within the aforementioned contract will be included within the adopted 2012 budget to be certified by the Chief Financial Officer upon adoption of the 2012 budget.

5. That a copy of the specific items pertaining to the award of this contract shall be published in a Notice of Award in the News of Cumberland County as required by law within ten (10) days of the Resolution authorizing same; and

BE IT FURTHER RESOLVED by the Township Committee of the Township of Upper Deerfield that this professional service agreement is awarded pursuant to and subject to the provisions of Pay to Play legislation, N.J.S.A. 19:44A-20.4, et seq., in that the contractor has agreed to execute the Pay to Play exemption certification and has or will certify that the contractor has not during the last 12 months preceding the award of this contract nor during the succeeding 12 months contributed or will contribute campaign contributions in excess of reportable limits in accordance with the aforesaid legislation; and

BE IT FURTHER RESOLVED that the Mayor and Clerk be and are hereby authorized to enter into a contract with Louis C. Joyce, IV in a form satisfactory to the Township Solicitor of the Township of Upper Deerfield.

Moved By: John Daddario

Seconded By: Bruce Peterson

VOTING	In Favor	Against	Abstain	Absent
James P. Crilley	X			
John L. Daddario	X			
John T. O'Neill, Sr.	X			
Bruce T. Peterson	X			
Scott Smith	X			

CERTIFICATION

I hereby certify that the foregoing is a true copy of Resolution adopted by the Township Committee of the Township of Upper Deerfield, in the County of Cumberland, at a meeting thereof held January 5, 2012

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Roy J. Spoltore, Township Clerk