

TOWNSHIP OF UPPER DEERFIELD

RESOLUTION 18-27

**AUTHORIZING CONTRACT FOR ANIMAL CONTROL SERVICES
WITH THE SOCIETY TO PROTECT ANIMALS**

WHEREAS, there exists the need for the “Professional Services” for ANIMAL CONTROL to be retained by the Township for the performance of animal control services and related duties associated therewith as directed by the authorized representatives of the Township of Upper Deerfield, as more specifically set forth in the Professional Services Agreement; and

WHEREAS, the Township of Upper Deerfield has determined that it shall use a fair and open process to acquire the services for Animal Control services in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Township of Upper Deerfield has advertised Requests for Proposals for the services of animal control for the Township of Upper Deerfield; and

WHEREAS, The Society To Protect Animals has submitted a response to the Request for Proposal; and

WHEREAS, the Township Committee of the Township of Upper Deerfield is desirous of awarding the Request for Proposal to The Society To Protect Animals through the Fair and Open Process and appointing them as animal control officials of the Township of Upper Deerfield pursuant to a Professional Service Contract for the year 2018.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Upper Deerfield, County of Cumberland and State of New Jersey, as follows:

1. That the allegations of the preamble hereto are incorporated herein as if fully set forth.
2. That The Society To Protect Animals of Woodstown, New Jersey, an animal care and control service licensed to operate in the State of New Jersey, be appointed animal care and control for Upper Deerfield Township for the year 2018 to perform professional services ordinarily provided by an animal care and control service, and shall receive compensation in accordance with terms of the contract on file in the Clerk’s office.
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. Furthermore, the contract is not subject to the competitive bidding requirements of the Local Public Contracts Law pursuant to N.J.S.A. 40A:11-3 since the amount of the contract is below the statutory threshold

4. Upon adoption of the 2018 temporary budget, a purchase order in the amount of the annual cost of the retainer will be encumbered and serve as a certification of availability of funds. The prorated amount of potential additional professional fees contained within the aforementioned contract are included within the temporary budget and the continuation of any potential additional fees for the year will be included within the adopted 2018 budget to be certified by the Chief Financial Officer upon adoption of the 2018 budget.
5. The Business Entity Disclosure Certification shall be placed on file with this Resolution.
6. That a copy of the specific items pertaining to the award of this contract shall be published in a Notice of Award in the Daily Journal as required by law within ten (10) days of the Resolution authorizing same; and

BE IT FURTHER RESOLVED that the Mayor and Clerk be and are hereby authorized to enter into a contract with The Society To Protect Animals in a form satisfactory to the Township Solicitor of the Township of Upper Deerfield; 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 in compliance with the provisions of Pay to Play legislation, N.J.S.A. 19:44A-20.4, et seq.

Moved By: Bruce Peterson

Seconded By: Scott Smith

VOTING

James P. Crilley
 John L. Daddario
 John T. O'Neill, Sr.
 Bruce T. Peterson
 Scott Smith

<u>In Favor</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
X			
X			
X			
X			
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 4, 2018

 Roy J. Spoltore, Township Clerk