

RESOLUTION NO. 2015-228

A RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH THE LAW FIRM OF ARCHER AND GREINER, HADDONFIELD, NEW JERSEY TO PROVIDE LEGAL SERVICES REGARDING STATE ENERGY ISSUES AND POTENTIAL LITIGATION

WHEREAS, there exists a need for professional legal services in connection with the construction and operation of the Clayville I generation facility; and

WHEREAS, the City of Vineland has a need to acquire such professional legal services as a Non-Fair and Open Contract pursuant to N.J.S.A. 19:44A-20.5; and

WHEREAS, the purchasing agent has determined and certified in writing that the value of said services will exceed \$17,500.00; and

WHEREAS, Archer and Greiner has submitted a proposal indicating they will provide the professional services in a blended hourly rate of \$210.00 and it is anticipated that the cost for said services will not exceed \$50,000.00; and

WHEREAS, Archer and Greiner has or shall complete and submit a Business Entity Disclosure Certification for Non-Fair and Open Contract which certifies that Archer and Greiner has not made any reportable contributions to a political or candidate committee in the City of Vineland in the previous one year and that the contract will prohibit Archer and Greiner from making any reportable contributions through the term of the contract to a political or candidate committee in the City of Vineland; and

WHEREAS, the availability of funds for said Professional Services Contract to be awarded herein have been certified by the City Comptroller/CFO; and

WHEREAS, the Local Public Contract Law (N.J.S.A. 40A:11-1, et seq) requires that the Resolution authorizing the award of contract for Professional Services without competitive bidding and the contract itself must be available for public inspection.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Vineland as follows:

1. That the Mayor and Clerk are hereby authorized and directed to execute a Non-Fair and Open Agreement pursuant to N.J.S.A. 19:44A-20.5 with Archer and Greiner, Haddonfield, New Jersey for Professional Legal Services in connection with the construction and operation of the Clayville I generation facility in an amount not to exceed \$50,000.00, for a contract period of one year from date of award.
2. That this Agreement is awarded without competitive bidding as a Professional Services in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because said services to be rendered or performed require knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction distinguished from general academic instruction or apprenticeship and training.
3. That the Business Disclosure Entity Certification, the Political Contribution Disclosure Form and the Determination of Value be placed on file with the Resolution.
4. That a Notice of this action shall be printed once in the Daily Journal.

Adopted:

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President of Council

ATTEST:

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City Clerk