

**RESOLUTION NO. 2018-3.11
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE**

**RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, COUNTY
OF PASSAIC AND STATE OF NEW JERSEY, AUTHORIZING AN
AMENDMENT TO THE JANUARY 24, 2017 PROFESSIONAL SERVICES
AGREEMENT BETWEEN THE BOROUGH OF BLOOMINGDALE AND
CME ASSOCIATES**

WHEREAS, there exists a need for professional planning services and litigation support services for the Borough of Bloomingdale in connection with the ongoing affordable housing litigation; and

WHEREAS, the Borough of Bloomingdale and CME Associates previously entered into a Professional Services Agreement, dated January 24, 2017, for CME Associates to perform such services in accordance with its December 23, 2016 proposal; and

WHEREAS, thereafter, it was determined that additional professional planning services were required in connection with certain properties within the Borough which are included in the affordable housing obligation which is being litigated currently; and

WHEREAS, these additional services exhausted the budget set forth in the Professional Services Agreement of January 24, 2017; and

WHEREAS, CME Associates issued a second proposal to amend the budget for its services, dated March 15, 2018, for additional services; and

WHEREAS, the Borough of Bloomingdale and CME Associates wish to amend the Professional Services Agreement to include the increased budget for the additional services; 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 a contract for professional service without competitive bidding, and the contract itself, be available for public inspection.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Bloomingdale, in the County of Passaic, and State of New Jersey as follows:

1. The Borough of Bloomingdale hereby awards and authorizes the Mayor and Borough Clerk to execute an Addendum with CME Associates for professional planning services and litigation support services for an addition to the budget of a fee not to exceed \$7,500 as per its proposal dated March 15, 2018.

2. This contract is awarded and amended 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 licensed under law to practice a recognized profession.

3. The total fee authorized for this contract shall not exceed \$27,500 without the prior written approval of the Borough Council.

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

5. A copy of this Resolution shall be provided to the Borough Chief Financial Officer and CME Associates, 1460 Route 9 South, Howell, New Jersey 07403, for their information and guidance.

This Resolution shall take effect immediately.

Adopted: March 20, 2018

Record of Council Vote on Passage

COUNCIL PERSON	AYE	NAY	Abstain	Absent	COUNCIL PERSON	AYE	NAY	Abstain	Absent
Costa	X				Hudson	X			
D’Amato	X				Sondermeyer	X			
Dellaripa	X				Yazdi	X			
Mayor Dunleavy									

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on March 20, 2018.

Breeanna Calabro, R.M.C.
Municipal Clerk, Borough of Bloomingdale