

TABLE OF CONTENTS

**BERNARDS TOWNSHIP - TOWNSHIP COMMITTEE
MINUTES**

January 13, 2017 – SPECIAL MEETING

(Click on the page number to go directly to that page)

CALL TO ORDER 2

ROLL CALL 2

RESOLUTION #2017-0096 - AWARDING AN EXTRAORDINARY UNSPECIFIABLE SERVICES
CONTRACT TO BURTON TRENT PUBLIC AFFAIRS LLC, FOR LITIGATION SUPPORT SERVICES
FOR BERNARDS TOWNSHIP WITH RESPECT TO ISBR AND M. CHAUDRY V. BERNARDS
TOWNSHIP, ET AL AND UNITED STATES DEPARTMENT OF JUSTICE (“USDOJ”) BERNARDS
TOWNSHIP ET AL, IN THE NOT TO EXCEED AMOUNT OF \$45,000.00 2

PUBLIC COMMENT 3

ADJOURNMENT 3

CALL TO ORDER

The mayor called the special meeting to order at 4 PM in the Municipal Building, 1 Collyer Lane, Basking Ridge, New Jersey. Those assembled saluted the flag and the mayor read the open public meeting statement in the accordance with law.

ROLL CALL

Present: Bianchi (via speaker phone), Carpenter (via speaker phone), Malay, , Gaziano
Absent: Russo
Also Present: Administrator McArthur, Attorney Belardo, Municipal Clerk/Assist. Admin. Szabo

Resolution #2017-0096 - Awarding an Extraordinary Unspecifiable Services Contract to Burton Trent Public Affairs LLC, for Litigation Support Services for Bernards Township with Respect to ISBR and M. Chaudry v. Bernards Township, et al and United States Department of Justice (“USDOJ”) Bernards Township et al, In the Not to Exceed Amount of \$45,000.00

Motion by Malay, second by Carpenter, that Resolution #2017-0096 be approved.

Roll Call:

Aye: Bianchi, Carpenter, Malay, Gaziano
Nay:
Abstain:
Motion carried.

WHEREAS, the Township of Bernards requires Litigation Support Services with Respect to two federal lawsuits: ISBR and M. Chaudry v. Bernards Township and United States Department of Justice (“USDOJ”) v. Bernards Township et al.

WHEREAS, approval of a contract executed on January 11, 2017 attached as submitted by Burton Trent Public Affairs LLC (the “Contract”) is sought; and

WHEREAS, section N.J.S.A. 40A:11-5(1)(a)(ii) of the Local Public Contracts Law exempts such extraordinary unspecifiable services from competitive bidding; and

WHEREAS, this contract was awarded without public advertisement as defined in N.J.S.A. 19:44A-20-7 and pursuant to the provisions of N.J.S.A. 19:44A-20-4; and

WHEREAS, the Chief Financial Officer has certified funds are available in the 2017 Budget Litigation Fees, line account #7-01-20-155-20A; and

WHEREAS, the purchasing agent has filed a Certificate Declaration for this Extraordinary Unspecifiable Service with the Municipal Clerk; and

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that an extraordinary unspecifiable service contract be awarded to Burton Trent Public Affairs LLC., 172 West State Street, Trenton, NJ 08608 as follows:

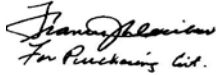
1. The Contract will encompass services as outlined in the Contract.
2. The Contract term is from January 13, 2017, through April 13, 2017, in the amount of \$45,000.00.
3. Billings must be rendered by the litigation support consultant within 30 days of service delivery.
4. Any modification to the Contract shall be in writing and signed by both parties and upon obtaining said signatures shall immediately become part of the Contract.
5. No payments in excess of the “not to exceed” Contract amounts will be approved, unless such services/expenditures are negotiated and agreed upon in advance of service delivery.
6. Either party upon 10 days written notice via certified mail may terminate the Contract.
7. As required by law, the parties to the Contract agree to incorporate into this contract the mandatory affirmative action language promulgated by the Treasurer pursuant to P.L. 1975, c.127.

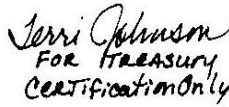
8. The contract shall, for all purposes, be deemed a New Jersey contract and any provisions of the contract shall be governed and interpreted with the Laws of the State of New Jersey.

NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Committee of the Township of Bernards that notice of the Contract award be published in the official township newspaper and a copy of this resolution be placed on file and available for public inspection in the office of the Bernards Township Purchasing Agent.

I agree to the terms as stated in the Resolution and by signing this document I, Michael Turner, am committed to follow all terms of this award.

Michael P. Turner, President/Managing Member

CERTIFICATE DECLARATION FOR EXTRAORDINARY UNSPECIFIABLE SERVICE	
Describe in detail the nature of work:	Litigation Support Services
Describe why the contract meets the provision of the statute:	The services provided by Burton Trent Public Affairs LLC., are specialized and qualitative in nature requiring expertise, extensive training and proven reputation in the field of media support.
Describe why the service is qualitative in nature requiring the need for expertise, extensive training and proven reputation:	The Burton Trent Public Affairs LLC., is a multi –dimensional development firm that operates nationally assessing uncertainties of significant challenges with the private and public sector.
Explain why it is not reasonably possible to draft specifications:	Service is particular and inherent to this provider because of the scope of work.
Describe the informal solicitation of quotes:	The Burton Trent Public Affairs LLC., was solicited for a quote because of their extensive experience in the area of litigation support and communications.
 Francis J. Decibus, QPA Purchasing Agent	I, Francis J. Decibus, have reviewed the rules of the DLGS pursuant to N.J.A.C. 5:34-2.1 et seq. and certify that the proposed contract may be considered an extraordinary unspecifiable service in accordance with the requirements thereof.

CHIEF FINANCIAL OFFICER CERTIFICATION	
I, Terri Johnson, Chief Financial Officer of the Township of Bernards, hereby certify that adequate funds are available for the above referenced purchase in the amount not to exceed \$45,000.00. Monies are available in the 2017 Operating Budget; Legal Expenses, Litigation Fees, line account #7-01-20-155-20A.	
Date: 1/12/2017	 Terri Johnson, Chief Financial Officer

PUBLIC COMMENT

None

ADJOURNMENT

By unanimous consent, the meeting adjourned at 4:01 PM.

Respectfully submitted,

Denise Szabo
Municipal Clerk/Assistant Administrator

Carolyn Gaziano
Mayor