

RESOLUTION NO. 11-16

THE BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

February 1, 2016

A resolution Appointing the legal firm of Charles P. Tivenan, Esq. as the Alternate Legal Counsel of The Brick Township Municipal Utilities Authority for the period February 1, 2016 through January 31, 2017

WHEREAS, there exists a need for legal counsel and representation by the Brick Township Municipal Utilities Authority (The "Authority"); and

WHEREAS, in accordance with N.J.S.A. 19:44A-20-5 et. seq. (New Jersey Pay to Play Law), the Authority advertised in its official paper a Notice of Solicitation for RFQ's, and

WHEREAS, on January 22, 2016 the duly advertised date for receipt of RFQ's, the Authority opened and reviewed all Qualifications from interested parties on January 22, 2016; and

WHEREAS, at the Annual Reorganization of the Authority on February 1, 2016 the Board of Commissioners did duly accept the appointment of firms to fill this position, and

WHEREAS, the Authority is desirous of employing the *legal firm of Charles P. Tivenan, Esq.* for this position; and

WHEREAS, N.J.S.A. 40A:11-5(1)(a)(i) permits the award of contracts for such professional services without public bidding;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF THE BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY, as follows:

1. Charles P. Tivenan, Esq., 426 Herbertsville Road, Brick, NJ 08724 is hereby appointed as the alternate legal counsel to the Brick Township Municipal Utilities Authority from February 1, 2016 until February 1, 2017 or until the first meeting of the Authority after such date.
2. The Authority Chairman and Secretary are hereby authorized and directed to execute the attached agreements for professional services with said firm which includes a fee on an hourly basis at the rate of \$175.00 per hour, which agreements are made a part hereof.
3. The Authority Chairman and Secretary are hereby authorized and directed to execute an Agreement for professional services with said attorney.
4. The legal firm of Charles P. Tivenan, Esq., shall maintain at all times during the term of this employment adequate Professional Liability Insurance including, but not limited to, an Errors and Omissions Policy in an amount in accordance with the RFQ for consultants.
5. This contract is awarded without competitive bidding as a "professional service" in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts Law.
6. The Executive Director shall cause notice of award of said appointment to be published once in the *official newspaper of the Authority*.

CERTIFICATION

I hereby certify that the foregoing Resolution was duly adopted at the Annual Organization Meeting of The Brick Township Municipal Utilities Authority of the Township of Brick, County of Ocean, State of New Jersey, held on February 1, 2016



Gregory M. Flynn, Secretary