

RESOLUTION NO. 91-17

BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

November 30, 2017

A Resolution Appointing the Legal Firm of McManimon, Scotland & Baumann, LLC as Alternate Legal Counsel of the Brick Township Municipal Utilities Authority for a period commencing November 30, 2017 through January 31, 2018

WHEREAS, there exists a need for alternate legal counsel and representation by the Brick Township Municipal Utilities Authority (hereinafter referred to as the "Authority"); and

WHEREAS, the Authority desires to fulfill its need to acquire the services of the firm of McManimon, Scotland & Baumann, LLC, as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

WHEREAS, the Authority has determined and certified that the value of the services to be provided will exceed \$17,500; and

WHEREAS, the anticipated term of the Contract shall be from November 30, 2017 through January 31, 2018; and

WHEREAS, McManimon, Scotland & Baumann, LLC, has completed and submitted a Business Entity Disclosure Certification which certifies that McManimon, Scotland & Baumann, LLC, has not made any reportable contribution to a political or candidate committee of the Brick Township Municipal Utilities Authority in the previous one year and that the contract will prohibit the firm McManimon, Scotland & Baumann, LLC, from making any reportable contributions through the term of the Contract; and

WHEREAS, the Authority is desirous of employing the firm of McManimon, Scotland & Baumann, LLC, for this position; and

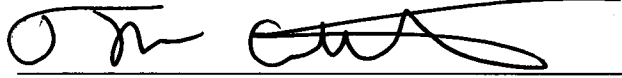
WHEREAS, N.J.S.A. 40A:11-5(1) (a) (i) permits the award or contracts for such professional services without public bidding.

NOW, THEREFORE, BE IT RESOLVED this 30th day of November, 2017, by the Commissioners of the Brick Township Municipal Utilities Authority, as follows:

1. That McManimon, Scotland & Baumann, LLC, 75 Livingston Avenue, Roseland, New Jersey 07068 is hereby appointed as Alternate Legal Counsel to the Brick Township Municipal Utilities Authority from November 30, 2017 through January 31, 2018 or until the first meeting of the Authority after such date.
2. The appointment is made without competitive bidding as a Professional Service under the provisions of Local Public Contract Law because the services are to be performed by a recognized professional, licensed and regulated by law and meets the requirements of N.J.S.A. 19A:44A.
3. The Authority Chairman and Secretary are hereby authorized and directed to execute an agreement for professional services with said firm which includes a fee on an hourly basis at the rate of \$175.00 per hour, which agreement shall be made a part hereof.
4. The legal firm of McManimon, Scotland & Baumann, LLC, 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 Authority's requirements.
5. The Executive Director shall cause notice of award of said appointment to be published once in the official newspaper of the Authority.
6. A certified copy of this Resolution shall remain on file and be available for inspection.

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Brick Township Municipal Utilities Authority at a meeting held on the 30th day of November 2017, a quorum being present and voting in the majority.



Thomas C. Curtis, Secretary

CFO Certification of Funds

I certify that sufficient funds exist within the Authority's General Account to fund the action authorized herein.



John Clifford, CFO