

MERCHANTVILLE PENNSAUKEN WATER COMMISSION

**RESOLUTION FOR ADOPTION OF QUALIFICATION OF BOND COUNSEL
PROFESSIONALS FOR CONTRACT YEAR PURSUANT TO FAIR & OPEN PROCEDURES**

WHEREAS there exists a need for the MPWC to procure the certain licensed professional services from professionals deemed qualified from announced and publicly advertised criteria; and

WHEREAS the service of the professional services is authorized to be engaged without bidding as a professional service under the Local Public Contract Law because such services are to be respectively performed by a person or persons authorized by law to practice a recognized profession which is regulated by law, and it is not prudent to simply obtain and rely on the lowest bidder; and

WHEREAS the need for such services were publicly advertised with criteria and qualifications made public in advance and an Open and public return date with all applications opened publicly; and

WHEREAS the Local Public Contracts Law, NJSA 40A:11-1, *et. seq.* authorizes qualification of such professionals N.J.S.A. 40A:11-5(1)(a)(i) and 5(1)(m), and pursuant to the State's Local Unit Pay-to-Play, N.J.S.A. 19:44A-20.4 *et seq.*, and establishes a "Fair and Open" process compliant with the rules and restrictions set forth therein which requires a resolution authorizing the qualification and/or award of contracts for professional services after established criteria and publicly advertised, and the Commission having done so; and

NOW, THEREFORE, the Commission finds that it has proceeded in accordance with the procedures required under New Jersey law for appointment under the Fair and Open Process which it hereby deems this to have been complied with by the process employed; and

FURTHER BE IT RESOLVED in duly advertised Public Meeting as follows:


Section 1: The President, and Secretary are hereby authorized and directed to execute any necessary documents to designate the following professionals, who were the sole respondents to the publicly advertised RFQ/RFP's; And are hereby designated for the year to act as Bond Counsel, and the Commission hereby finds the following Bond Counsel to have applied and met the Qualifications to be Bond Counsel at the discretion of the Commissioners and subject to reaching acceptable terms and conditions in contract language for retention as professionals and/or per project upon scope of project and deemed the most advantageous to the MPWC as determined by the Commission as the following have responded and having been deemed to be included with in the pool of applicants qualified to be contracted during the coming year :

•Parker McCay, Mt. Laurel, NJ • Obermayer, Rebman, Maxwell & Hippell, LLP of Mt. Laurel, NJ

Section 2: The MPWC hereby finds that the process used to solicit proposals resulting in above determinations comply with Open & Fair procedures, with the provisions of the Open Public Meetings Act, NJ ELEC law and regulations, and is hereby qualified and thereby authorized to contract to perform professional services, respectively, pursuant to criteria previously established and advertised and to negotiate and enter contracts with these professionals as deemed necessary and on a project basis, and

The undersigned hereby attest to the above as having been duly adopted by unanimous approval of all Commissioners present on July 13, 2023.

MERCHANTVILLE-PENNSAUKEN WATER COMMISSION


JOSEPH C. SCAVUZZO, Vice-President & Secretary
of the Commission

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