



**RESOLUTION NO. 2020-92**

**City of Asbury Park  
County of Monmouth  
State of New Jersey**

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO THE FIRM OF  
ARH, INC. TO PERFORM SPECIAL PROJECTS ENGINEERING SERVICES.**

**WHEREAS**, there is a need for the City of Asbury Park (the “City”) to appoint a licensed Professional Special Projects Engineer to perform certain professional special project engineering services (the “services”) for the City, for the time period from January 1, 2020 through December 31, 2020; and

**WHEREAS**, the services to be provided are considered to be “professional services” under the Local Public Contracts Law, N.J.S.A. 40A:11-1, *et seq.* (specifically at N.J.S.A. 40A:11-5(1)(a)), as the services are being provided by a person(s) authorized by law to practice a recognized profession; and

**WHEREAS**, the Local Public Contracts Law authorizes the awarding of a contract for “professional services” without public advertising for bids and bidding therefor, provided that the Resolution authorizing the contract and the contract itself are available for public inspection in the office of the Municipal Clerk and that notice of the awarding of the contract is published in a newspaper of general circulation in the municipality; and

**WHEREAS**, the firm of ARH, Inc. (also referenced as the “Firm”) of Hammonton, New Jersey, submitted a proposal to provide the necessary professional services to the City, pursuant to the terms and conditions set forth in the attached proposed form of contract; and

**WHEREAS**, the Firm has demonstrated that it has extensive experience in the Engineering field, and that its services will be of benefit to the City; and

**WHEREAS**, the retention of the Firm has been effectuated through a “non-fair and open” (a/k/a restricted) process pursuant to and in accordance with the State’s Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.4, *et seq.* (the “Pay-to-Play Law”), and the Firm has submitted all necessary documents in compliance with the Pay-to-Play Law; and

**WHEREAS**, said appointment shall be subject to and contingent upon certification of adequate funding for the services by the City’s Chief Financial Officer.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the City of Asbury Park, in the County of Monmouth, State of New Jersey, as follows:

1. That the ARH, Inc. (the “Firm”) is hereby appointed to perform professional special project engineering services for the City, for the time period from January 1, 2020 through December 31, 2020.
2. That this appointment is subject to and contingent upon certification of adequate funding for the services by the City’s Chief Financial Officer.
3. That, subject to the provisions of Paragraph 2 above, the Mayor is hereby authorized to execute, and the City Clerk to attest, the attached contract between the City and the Firm for the aforementioned professional services.
4. That this contract is awarded without competitive bidding as a “professional service” in accordance with N.J.S.A. 40A:11-5 of the Local Public Contracts Law of New Jersey.
5. That this contract is also awarded through a “non-fair and open” (a/k/a restricted) process pursuant to and in accordance with the State’s Pay-to-Play Law.
6. That notice of the adoption of this Resolution shall be published in a newspaper of general circulation within the City.
7. That a certified copy of this Resolution shall be provided to each of the following:
  - a. Richard Rehmann & Heggan Associates, ARH, Inc;
  - b. Donna M. Vieiro, Acting City Manager;
  - c. JoAnn Boos, Chief Financial Officer;
  - d. Edward M. Sasdelli, MPA, QPA, RMC, State Fiscal Oversight Monitor;  
and
  - e. Frederick C. Raffetto, Esq., Municipal Attorney.

I, MELODY HARTSGROVE, Deputy City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2020-92 which was finally adopted by the City Council at a meeting held on the 12th day of February, 2020

CERTIFIED BY ME THIS 13th DAY OF February, 2020.

MELODY HARTSGROVE  
DEPUTY CITY CLERK