

AGREEMENT FOR PROFESSIONAL SERVICES

THIS AGREEMENT made this 27 day of January, 2023;

BETWEEN: **TOWNSHIP OF JACKSON**, a municipal corporation of the State of New Jersey, having its principal offices located at 95 West Veterans Highway, Jackson, New Jersey, 08527 (hereinafter referred to as "Township")

AND: **T&M ASSOCIATES**, having their principal offices located at 1144 Hooper Avenue, Suite 202, Toms River, New Jersey, 08753 (hereinafter referred to as "Contractor").

WITNESSETH:

WHEREAS, there exists a need for Services as Township Engineer for the Township of Jackson; and

WHEREAS, pursuant to law, the parties hereto wish to enter into an agreement for professional legal services.

NOW, THEREFORE, the parties hereunder do agree as follows:

1. That T&M Associates is hereby appointed and designated as Township Engineer for the Township of Jackson for a one-year term, commencing on January 1, 2023, and ending December 31, 2023.

2. The Contractor shall be compensated for services rendered to the Township in accordance with the attached Schedule A. The total amount charged by the Contractor shall not exceed the amount appropriated in the municipal budget for the year 2023, as amended and supplemented.

3. The Contractor shall perform all normal legal services as determined and authorized by the Mayor or other authorized official of the Township, in accordance with the terms of this Agreement.

DASTI, MURPHY
McGUCKIN, ULAKY,
KOUTSOURIS & CONNORS

COUNSELLORS AT LAW

620 WEST LACEY ROAD
FORKED RIVER, N.J. 08731

4. That any other extraordinary legal services as determined and authorized by the Township Council and which could not be anticipated at the time of this Agreement, shall be charged at the rates stated and shall not exceed the amount appropriated for said purposes by the Township Council.

5. The parties to this Contract agree to incorporate into this Contract the mandatory language of subsection 3.5(a) of the Regulations promulgated by the Treasurer pursuant to Public P.L. 1975, c.127, as amended and supplemented from time to time and the contractor or subcontractor agrees to comply fully with the terms, provisions and obligations of said subsection 3.5(a).

6. The parties to this Contract agree to incorporate into this Contract the mandatory language of section 3.7 of the Regulations promulgated by the Treasurer pursuant to P.L. 1975, c.127, as amended and supplemented from time to time and the contractor or subcontractor agrees to comply fully with the terms, provisions and obligations of said section 3.7.

7. The Contractor shall execute an Affirmative action Statement, which shall be incorporated herein by reference.

8. The Contractor shall submit a copy of the Certificate of employee Information Report, or a copy of letter of Federal approval, or Form AA-302 (Initial Employee Information Report) prior to execution of this Agreement.

9. The Contractor shall provide written notice to its subcontractors of the responsibility to submit proof of business registration to the Township Attorney.

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Before final payment on the contract is made by the Township, the Contractor shall submit an accurate list and proof of business registration of each subcontractor or supplier used in the fulfillment of the contract or shall attest that no subcontractors were used.

For the term of the contract, the Contractor and each of its affiliates and a subcontractor and each of its affiliates [N.J.S.A. 52:32-44(g)(3)] shall collect and remit to the Director, New Jersey Division of Taxation, the use tax due pursuant to the Sales and Use Tax Act on all sales of tangible personal property delivered into this State, regardless of whether the tangible personal property is intended for a contract with a contracting agency.

A business organization that fails to provide a copy of a business registration as required pursuant to section 1 of P.L. 2001, c. 134 (C.52:32-44 et al.) or subsection e. or f. of section 92 of P.L. 1977, c.110 (C.5:12-92), or that provides false business registration information under the requirements of either of those sections, shall be liable for a penalty of \$25.00 for each day of violation, not to exceed \$50,000.00 for each business registration copy not properly provided under a contract with a contracting agency.

10. The Township and the Contractor for themselves, their heirs, executors, administrators, successors or assigns, hereby agree to the full performance of the covenants herein contained.

**DASTI, MURPHY
McGUCKIN, ULAKY,
KOUTSOURIS & CONNORS**

COUNSELLORS AT LAW

620 WEST LACEY ROAD
FORKED RIVER, N.J. 08731

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed the date and year first above written.

WITNESS & ATTEST:

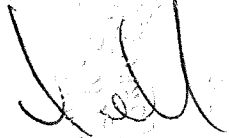


MARY MOSS, RMC
Township Clerk
(Seal)

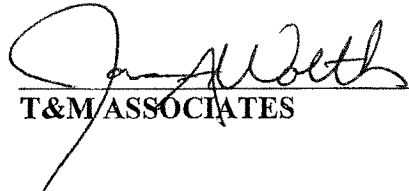


As to T&M Associates

TOWNSHIP OF JACKSON

By 

MICHAEL REINA, Mayor

By 

T&M ASSOCIATES

DASTI, MURPHY
McGUCKIN, ULAKY,
KOUTSOURIS & CONNORS

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EXHIBIT A

**RESOLUTION OF CONSENT TO THE APPOINTMENT OF THE FIRM T & M
ASSOCIATES AS TOWNSHIP ENGINEER, FOR CY 2023**

WHEREAS, there exists a need for engineering services as Township Engineer of the Township of Jackson; and

WHEREAS, the Township issued a solicitation of professional services contracts in accordance with a fair and open process adopted by the Township of Jackson in accordance with Ch. 9, P.L. 2004; and

WHEREAS, said solicitation of professional services contracts satisfies the requirements of a fair and open process under N.J.S.A. 19:44A:20.5; and

WHEREAS, all proposals were to be submitted to the Office of the Township Clerk by November 3, 2022 and November 29, 2022; and

WHEREAS, after reviewing the proposals submitted, the Mayor, with the advice and consent of the Township Council, desires to appoint the firm T & M Associates as Township Engineer; and

WHEREAS, the maximum amount of the contract to be awarded under this resolution is as set forth in the 2023 municipal budget for engineering services; and

WHEREAS, the amount of the contract to be awarded under this resolution is determined to be \$125,000.00, which sum is reasonably estimated based upon such Engineering Services as may be required over the contract term to be awarded under this resolution, including, but not limited to, the amount spent for such Engineering Services for the previous calendar year, the costs of compensation under the contract to be awarded, and any projected increase or decrease in services anticipated versus the prior year, and which sum the Township of Jackson is under no obligation to spend and which may be exceeded; and

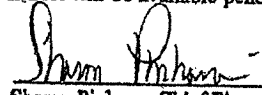
WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., requires that the resolution and contract be made available for public inspection.

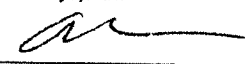
NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Jackson, County of Ocean, State of New Jersey, as follows:

1. The firm T & M Associates is hereby appointed Township Engineer commencing January 1, 2023 and ending December 31, 2023, and shall perform all engineering services under the contract authorized herein.
2. That the Mayor is hereby authorized to execute and the Township Clerk to attest to an agreement with the firm T & M Associates.
3. That this contract is awarded as a Professional Service in accordance with N.J.S.A. 40A:11-5(1)(a)(I) of the Local Public Contracts Law because it is for services to be performed by person(s) authorized by law to practice a recognized profession.
4. That a notice of this action shall be printed once in the official newspaper of the Township of Jackson.
5. That this resolution shall take effect immediately.
6. That a certified copy of this resolution shall be provided by the Township Clerk to the firm T & M Associates.

CERTIFICATE OF AVAILABILITY OF FUNDS

I, Sharon Pinkava, Chief Financial Officer for the Township of Jackson, do hereby certify that adequate funding for this contract will be available pending the adoption of the 2023 Municipal Operating Budget.


 Sharon Pinkava, Chief Financial Officer,
 Jackson Township

	MOTION	SECONDED	AYE	NAY	ABSTAIN	ABSENT	CERTIFICATION
Councilman Borrelli	X		X				I, Mary Moss, RMC Township Clerk of the Township of Jackson do hereby certify this to be a true and exact copy of a resolution adopted by the Governing Body of the Township of Jackson, County of Ocean, State of New Jersey at a regular meeting held on January 3, 2023.  Mary Moss, RMC, Township Clerk
Councilwoman Kuhn			X				
Councilman Sargent			X				
Council Vice President Chisholm		X	X				
Council President Flemming			X				

TITLE SEARCH SERVICES

The Title Company shall provide evidence of its Title Insurance Agency License by the State of New Jersey to provide title search services and its Errors & Omissions insurance coverage. Services may involve providing general title searches, In Rem title searches, preparation of foreclosure schedules, Upper Court or judgment searches, not including tax or assessment searches. The Title Company shall also provide a schedule of general service costs.

TOWNSHIP ENGINEER

The Township Engineer shall be a New Jersey Licensed professional engineer. The Township Engineer shall attend meetings of the Township (if required) and to provide general engineering advice. When directed, the Township Engineer shall provide services necessary to review and make recommendations concerning various subdivisions and site plan proposals regarding their conformance to applicable Township requirements and needs, municipal ordinances, if applicable, and to the general requirements of design practice. When directed, the Township Engineer shall provide services necessary to observe, assess conformity to statutory or other ordinance requirements and report upon the installation of site improvements and subdivision public improvements in connection with Township or other site developments. When directed, the Township Engineer shall provide services necessary to review and assess conformity to requirements and take necessary action with respect to issuance of certificates, permits, licenses, and similar regulatory documents. When requested, the Township Engineer shall provide technical advice to other Township members, officials and agents concerning their review of such documents. The Township Engineer will monitor funding opportunities for Township projects via Federal, State, and/or County programs, and shall perform all other engineering services as directed for the Township's needs. In addition, the Township Engineer shall provide a Certified Public Works Manager or other certified personnel as necessary and requested by the Township.

TOWNSHIP ENGINEER (contd.):

For the services listed below, Township Engineer Services, the Township of Jackson collects the following fees:

Pre-Engineering for new buildings, in-ground pools, retaining walls and grading \$125.00

Will you accept this as your fee? X Yes No

If "NO" please include your fee _____

Re-pre-engineering \$75.00

Will you accept this as your fee? X Yes No

If "NO" please include your fee _____

Final Engineering for projects that required pre-engineering \$150.00

Will you accept this as your fee? X Yes No

If "NO" please include your fee _____

PLEASE INCLUDE THIS PAGE WITH YOUR PROPOSAL