

A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
PROFESSIONAL SERVICES

WHEREAS, the Town of Phillipsburg, Warren County is in need of Engineering Services for the time period commencing January 1, 2022 through December 31, 2024.

WHEREAS, the Town of Phillipsburg is required by Statute to appoint an Engineer; and

WHEREAS, the Town of Phillipsburg has retained Timothy O'Brien, P.E. of the Firm of Van Cleef Engineering Associates, LLC, 755 Memorial Parkway, Phillipsburg, NJ 08865.

WHEREAS, the Town of Phillipsburg and the Engineer wish to enter into an Agreement for such Services.,

NOW, THEREFORE, BE IT AGREED by and between the Town of Phillipsburg and Timothy O'Brien, P.E. for Van Cleef Engineering Associates as follows:

1. The Borough Engineer shall be compensated the maximum hourly rate of \$140.00 for all Engineering Services rendered.
2. The Town Engineer will serve as general consulting engineer to the Mayor and Council and other Municipal officials, boards, commissions and bodies. The Town Engineer will attend meetings of the Mayor and Council, provide technical advice to various Town employees, agents, departments and committees, furnish pertinent reports and assist in preparation of grant applications and those duties list in Addenda-
 1. The Town Engineer shall be compensated for the duties hereto listed in this section at the monthly retainer rate of \$4100.00.
3. Engineering Services may be performed for the Town of Phillipsburg by other principals and employees of the Firm of Van Cleef Engineering Associates, under the direct supervision of Timothy O'Brien, P.E., when Timothy O'Brien, P.E. is unavailable or, when otherwise necessary and desirable. Such Services shall be compensated in accordance with the "2022 Schedule of Hourly Fees" attached hereto and made a part of this Agreement.
4. This Agreement shall cover the period from January 1, 2022 to December 31, 2024.

5. The Town Engineer agrees that no Services shall be performed unless specific approval is granted by an appropriate Municipal Official, either verbally or in writing.

6. A "C.271 Political Contribution Disclosure Form" is attached hereto and made a part of this Agreement.

Town of Phillipsburg Municipal Engineer

Professional Engineering Services

7. A "Certificate of Employee Information Report" is attached hereto and made a part of this Agreement.

8. Van Cleef Engineering Associates will carry, at its expense during the Appointment Period, professional liability insurance.

9. Van Cleef Engineering Associates has a valid "Business Registration Certification" (BRC), a copy of which is attached hereto and made a part of this Agreement.

10. In the event that Timothy O'Brien, PE should leave Van Cleef Engineering Associates, for any reason, the Town of Phillipsburg shall have the right to void this contract.

11. If any provisions or part thereof this Agreement is held to be void or unenforceable under any law, it shall be deemed to be stricken; all remaining provisions shall, nevertheless, continue to be valid and binding upon the parties. The parties agree that this Agreement shall be reformed to replace such stricken provision or part thereof, with a valid and enforceable provision, which comes as close as possible to expressing the intention of the stricken provision.

ATTEST: for the Town of Phillipsburg for the Town of Phillipsburg

By: _____ Date: _____

Todd M. Tersigni, Mayor [date]

ATTEST: for Van Cleef For: Van Cleef Engineering

Engineering Associates, LLC Associates, LLC

By: _____ Date: _____

Timothy O'Brien, P.E.

CERTIFICATION

I, Lorraine Loudenberg, Acting Municipal Clerk of the Town of Phillipsburg, County of Warren and State of New Jersey do hereby certify the foregoing to be true and correct copy of a Resolution adopted by Council at a meeting held on February 1, 2022.

Lorraine Loudenberg, Acting Municipal Clerk