



**BOROUGH OF CALDWELL**

Resolution No: 5-131

Date of Adoption: May 4, 2021

**TITLE:**

**RESOLUTION AUTHORIZING A PROFESSIONAL SERVICE CONTRACT WITH BECKMEYER ENGINEERING, P.C. FOR EXAMINATION OF CONDITIONS AT FELLS MANOR**

Recommended for approval by:

Approved as to form and legality by:

\_\_\_\_\_  
Thomas Banker, Administrator

\_\_\_\_\_  
Title:

**Whereas**, the Local Public Contracts Law (N.J.S.A.11-1 et seq.) provides that contracts for professional services may be negotiated and awarded by the governing body without public advertising for bids; and

**Whereas**, the Borough of Caldwell (the "Borough") wishes to engage the services of Beckmeyer Engineering, P.C. ("Beckmeyer") for the provision of professional engineering services related to the investigation of existing conditions on the property owned by the Fells Manor homeowners association (the "Fells Manor Property"); and

**Whereas**, such investigations are for the purpose of determining the improvements that would be necessary to meet the borough's standards for the dedication of the roads and other infrastructure as public facilities to be maintained and operated by the Borough at the expense of its taxpayers; and

**Whereas**, such services will include the preparation of an estimate of the full cost of making all such necessary improvements; and

**Whereas**, such services also include the immediate oversight of efforts to make emergency repairs to two catch basins located within the Fells Manor Property that are in dangerous condition; and

**Whereas**, the Borough Administrator has solicited a proposal from Beckmeyer for such services and has negotiated with Beckmeyer terms and conditions that are appropriate to the needs of the Borough;

**Now Therefore Be It Resolved By The Mayor And Council Of The Borough Of Caldwell New Jersey That:**

1. The proposal of Beckmeyer as negotiated by the Borough Administrator is hereby accepted by the Borough as the basis of a contract for the provision of those services by Beckmeyer; and
2. The Borough Administrator is hereby authorized and directed to enter into an agreement with Beckmeyer for the provision of the services described in the attached proposal; and
3. The maximum amount authorized to be paid to Beckmeyer pursuant to such agreement is fifty thousand dollars (\$50,000); and
4. It is the expectation of the Borough that all costs incurred by the Borough pursuant to this contract and any other Borough actions related to the Fells Manor Property improvements shall be recovered from the various owners of the homes located within the Fells Manor Property either by agreement with such owners or by such other methods as may be available to the Borough by law; and
5. The Borough Attorney is hereby authorized and directed to prepare an appropriate form of contract to allow to perform the services and receive the compensation set forth in the attached proposals; and
6. The award of this contract is subject to and conditioned upon the provision by the Chief Financial Officer of the Borough of a certification of the availability of funds sufficient to provide for payment of the contract; and
7. The Borough Clerk is hereby authorized and directed to cause such notices as are required by statute to be provided in the form as required by such statutes for the award of contracts of this type.

**RECORD OF COUNCIL VOTE**

\_\_\_\_\_ presented the following resolution - Seconded by: \_\_\_\_\_

<b>COUNCIL MEMBER</b>	<b>Yes</b>	<b>No</b>	<b>Absent</b>	<b>Abstain</b>	<b>COUNCIL MEMBER</b>	<b>Yes</b>	<b>No</b>	<b>Absent</b>	<b>Abstain</b>
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Schmidt									
Rodgers					Lace				
Cole					DePalma-Iozzi				
					Gates				

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**Brittany Heun, Deputy Clerk**

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**John Kelley, Mayor**