

**WANTAGE TOWNSHIP  
ORDINANCE # 2019-01**

**AN ORDINANCE AND AGREEMENT FOR THE APPOINTMENT OF ENGINEER FOR CALENDAR  
YEARS 2019, 2020 & 2021**

**WHEREAS**, municipal engineering services is a professional service as defined by the Local Public Contracts Law and is, therefore, exempt from public bidding requirements in accordance with N.J.A.C. 40A:11-5 (1)(a)(i) and

**WHEREAS**, Debra Millikin, the Township of Wantage's Qualified Purchasing Agent, has determined the services will exceed \$17,500 each year; and

**WHEREAS**, Harold E. Pellow & Associates, Inc., provides general, planning board, general capital, stormwater, and dam engineering for the Township of Wantage;

**WHEREAS**, Harold E. Pellow & Associates, Inc., in the aggregate is expected to exceed the pay to play threshold of \$17,500 each year; and

**WHEREAS**, the Chief Financial Officer hereby certifies that subject to the Governing Body appropriating sufficient funds in the 2019, 2020 and 2021 Temporary and Permeant budgets, encumbering Harold E. Pellow's hourly rate ; and

**NOW THEREFORE BE IT ORDAINED**, that the Township Committee of the Township of Wantage hereby authorizes the Mayor and Municipal Clerk to execute an agreement with Harold E. Pellow & Associates, Inc., for services as Municipal Engineer for calendar year 2019, 2020 and 2021:

- 1) The Mayor and Municipal Clerk of the Township of Wantage are hereby authorized and directed to execute a duplicate of this Ordinance which shall act as the authorization and agreement between the Township of Wantage and Harold E. Pellow & Associates, Inc., providing for his retention as Municipal Engineer for the Township of Wantage for calendar years 2019, 2020 and 2021.
- 2) The services to be rendered by Mr. Pellow shall be on an hourly basis on an "as needed" requirement, as sought by the Township of Wantage at a rate of \$130.00 per hour.
- 3) This contract is awarded without competitive bidding as a "professional service" in accordance with N.J.S.A. 40A:11-1(1)(a) of the Local Public Contracts Law, because Mr. Pellow is a licensed engineer of the State of New Jersey and, as such, is duly qualified as a professional to carry out the subject services which are expressly exempt from the Local Public Contracts bidding requirements.
- 4) Political Contribution Disclosure. This contract has been awarded to Harold E. Pellow & Associates, Inc., based on the merits and abilities of Mr. Pellow to provide the goods or services as described herein. This contract was not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44-20.4 et seq. As such, the undersigned does hereby attest that he and all those who control in the excess of 10% of the engineering firm in which he is a member has neither made a contribution that is reportable pursuant to the Election Law Enforcement

Commission pursuant to N.J.S.A. 19:44a-8 or 19:44a-16, in the one (1) year period preceding the award of the contract that would, pursuant to P.L. 2004, c.19, affect its eligibility to perform this contract, nor will it make a reportable contribution during the term of the contract to any political party committee in the Township of Wantage, County of Sussex if a member of that political party is serving an elective public office of that Township when the contract is awarded, or to any candidate committee of any person serving in an elective public office of the Township when the contract is awarded.

- 5) The maximum dollar value is based on a reasonable estimate of goods or services required over the contract term, and the Township is not obligated to spend that amount.
- 6) Notice of this action shall be published once in the New Jersey Herald.

**BE IT FURTHER ORDAINED** that a certified copy of this ordinance be kept on file and available for public inspection in the Municipal Clerk's Office.

**ATTEST:**

**TOWNSHIP OF WANTAGE**

\_\_\_\_\_  
Debra J. Millikin, Municipal Clerk

\_\_\_\_\_  
Ronald Bassani, Mayor

I hereby acknowledge executing this duplicate Ordinance and agree to be bound by its terms, covenants and conditions for the year 2019, 2020 and 2021.

Date: \_\_\_\_\_

\_\_\_\_\_  
Harold E. Pellow & Associates, Inc.

**PUBLIC NOTICE** is hereby given that the above Ordinance was passed on the first reading by the Township Committee of the Township of Wantage, Sussex County, New Jersey, at a regular meeting of said Governing Body, held on January 2, 2019, and that a public hearing regarding the above was held on January 24, 2019 at the Municipal Building 888 Route 23, Wantage, New Jersey at 7:00 p.m. at which time, all persons interested both for and against said Ordinance were given an opportunity to be heard concerning same.

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Debra J. Millikin, Municipal Clerk