

RESOLUTION NO. 18-37

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

**RESOLUTION AWARDING PROFESSIONAL
SERVICE CONTRACTS FOR SPECIAL CONFLICTS COUNSEL**

WHEREAS, pursuant to § 4-32E of the Code of the Township of Middletown there exists a need to appoint individuals or law firms to serve as special counsel to the Township of Middletown to address legal matters in which the Township Attorney or General Special Counsel may have a conflict under the New Jersey Court Rules or other applicable laws or regulations; and

WHEREAS, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)) does not require competitive bidding for this position it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5) with two bids having been received and considered; and

WHEREAS, based on the recommendation of the Township Administrator the law firms of McOmber & McOmber and Spiro Harrison have qualified and agreed to serve as Special Conflicts Counsel at rates of \$160 per hour and \$175 per hour respectively, exclusive of fees for witnesses, experts, filing fees, legal research, or other reasonable allowable expenses.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that the law firms of McOmber & McOmber and Spiro Harrison are hereby awarded a professional services contracts for the provision of legal services as Special Conflicts Counsel to the Township as needed during 2018 for an estimated amounts not to exceed \$30,000 and \$17,500 respectively.

BE IT FURTHER RESOLVED that the Mayor and the Clerk are hereby authorized and directed to execute Agreements for the provision of such professional services, copies of which shall be maintained by the Clerk and advertised in the Township’s official newspaper pursuant to law.

MIDDLETOWN TOWNSHIP COMMITTEE

| Committee Member | Approved | Opposed | Abstain | Absent |
|-------------------|----------|---------|---------|--------|
| A. Fiore | | | | |
| S. Murray | | | | |
| A. Perry | | | | |
| G. Scharfenberger | | | | |
| K. Settembrino | | | | |

CERTIFICATION

I, Heidi R. Brunt, Township Clerk of the Township of Middletown, hereby certify the foregoing to be a true copy of a resolution adopted by the Middletown Township Committee at their meeting held January 7, 2018.

WITNESS, my hand and the seal of the Township of Middletown this 7th day of January, 2018.

HEIDI R. BRUNT, TOWNSHIP CLERK