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Borough Attorney /s/ Robert L. Tarver, Jr.

**BOROUGH OF PENNS GROVE  
MAYOR AND COUNCIL**

**RESOLUTION NO. 2021-12-134**

**A RESOLUTION ESTABLISHING A FAIR AND OPEN PROCESS FOR THE AWARD OF DEMOLITION CONTRACT WITH THE BOROUGH OF PENNS GROVE FOR CALENDAR YEAR 2022**

**WHEREAS**, The Borough of Penns Grove requires the services to provide demolition of certain properties; and

**WHEREAS**, retaining the services of qualified professionals for such positions has long been exempt from “public bidding” by N.J.S.A. 40A:11-5(a) due to the important policy consideration of allowing a body of elected officials to appoint candidates they deem to be most qualified and advantageous to the needs and goals of the municipality; and

**WHEREAS**, N.J.S.A. 19:44A-20-7 permits municipalities to establish a “fair and open process” that allows for public solicitation of qualifications of persons interested in providing such services when the total contract amount exceeds \$17,500.00; and

**WHEREAS**, the Borough has determined that establishing such a process protects its right to appoint the most qualified candidates while making the process more open and competitive;

**NOW THEREFORE, BE IT RESOLVED** by the Borough of Penns Grove in the County of Salem and State of New Jersey as follows:

1. The qualifications evaluation criteria for certain professionals attached hereto as Exhibit “A” are adopted in accordance with N.J.S.A. 19:44A-20-7.

2. The Borough Clerk shall advertise a notice of solicitation of qualifications for such position in a form substantially similar to Exhibit “B” attached hereto. The Borough Clerk shall publish said notice at least 10 calendar days in advance of the date set forth therein as the deadline to submit proposals.

3. The Borough Clerk shall make the necessary arrangements to publicly open and announce all proposals received. The Borough Clerk shall forthwith thereafter review all proposals received and transmit them to the Borough Council with a report and recommendation.

4. Award of any contracts based on the submissions received shall be made by Resolution of the Borough of Penns Grove, after receipt of the materials from the Borough Clerk at an open public meeting. In addition, the award of any contracts shall be conditioned upon the approval by the State of New Jersey Department of Consumer Affairs, Director of Local Government Services.

ATTEST:

\_\_\_\_\_  
Sharon R. Williams, Municipal Clerk

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LaDaena D. Thomas, Mayor

Council	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
Carter						
Giordano						
Martin						
Mincey						
Rambo						
Scarpaci						

I certify the above to be a true copy of a Resolution adopted by the Mayor and Council of the Borough of Penns Grove at a meeting held on the 7<sup>th</sup> day of December 2021.

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Sharon R. Williams, Municipal Clerk