Resolution # 2-1.11

A RESOLUTION OF THE TOWNSHIP COUNCIL OF NORTH BRUNSWICK AUTHORIZING A PROFESSIONAL SERVICE AGREEMENT WITH MICHAEL POLICASTRO, ESQ. TO SERVE AS PUBLIC DEFENDER

WHEREAS, the Township of North Brunswick has a need to acquire professional services as Public Defender under a fair and open contract process pursuant to the provisions of N.J.S.A. 19:44A-20.1 et seq.; and

WHEREAS, on October 18, 2010 the Township Council of the Township of North Brunswick approved Resolution 292-10.10 authorizing the issuance of Requests for Qualifications for professional services to perform the duties as Public Defender in the North Brunswick Municipal Court; and

WHEREAS, one proposal was received in response to QUA10005 for the Requests for Qualifications for said professional services on November 17, 2010; and

WHEREAS, while the proposal Michael Policastro, Esq. submitted was unresponsive the Purchasing Agent has determined the anticipated aggregate value of professional services is not anticipated to exceed $17,500.00; and

WHEREAS, Administration, Purchasing and Legal Counsel have reviewed the submission of Michael Policastro, Esq. and determined him qualified for the position; and

WHEREAS, it is in the best interest of the Township of North Brunswick to enter into an agreement with Michael Policastro, Esq. (304 South Main Street, Milltown, New Jersey 08850) to serve in the position as Public Defender for calendar year 2011; and

WHEREAS, compensation for these services shall be paid at a rate of $200.00 per session, for regular and special sessions as scheduled by the Court Administrator, $50.00 per Court Administration approved consultation, and reimbursable expenses in an amount not to exceed $17,000.00 for calendar year 2011; and

WHEREAS, the Chief Financial Officer has certified that $12,000.00 is available for this purpose in account 1-01-43-495-000-181 for services ending June 30, 2011 and the balance of funds shall be certified upon the appropriation of funds in FY 2012.

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that a resolution authorizing the award of contract for "professional services" without competitive bids must be publicly advertised.

NOW, THEREFORE, BE IT RESOLVED on this 1st day of January, 2011, that the Township Council of the Township of North Brunswick does hereby authorize the Mayor to execute and the Township Clerk to witness an agreement with Michael Policastro, Esq. to perform the duties as Public Defender in the North Brunswick Municipal Court for calendar year 2011.

BE IT FURTHER RESOLVED that this contract is awarded without competitive bidding as a "professional service" under the provisions of the Local Public contracts Law, N.J.S.A. 40A:11-5(1) since this contract is for services performed by a business authorized to practice a recognized profession and it was not necessary to obtain competitive bidding.

BE IT FURTHER RESOLVED notice of this action shall be published in the Home News & Tribune as required by law within 10 (ten) days after its passage.

Resolution # _____

CERTIFICATION

I, Kala Sriranganathan, Chief Financial Officer, certify that $12,000.00 is available for this purpose in account 1-01-43-495-000-181 for services ending June 30, 2011 and the balance of funds shall be certified upon the appropriation of funds in FY 2012. Contract QUA10005

_____
Kala Sriranganathan
Chief Financial Officer

_____
Robert Lombard
Business Administrator

_____
Ronald Gordon, Esq.
Township Attorney
Approved as to legal form

RECORDED VOTE:

COUNCIL MEMBER	YES	NO	ABSTAIN	NOTES
NARRA				
ANDREWS				
NICOLA				
DAVIS				
SOCIO				
CORBIN				
MAYOR WOMACK				

I hereby certify that the above Resolution was duly adopted by the Township Council of the Township of North Brunswick, County of Middlesex, at its meeting held on January 1, 2011.

_____
Lisa Russo
Township Clerk