RESOLUTION ESTABLISHING A FAIR AND OPEN PROCESS FOR THE AWARD OF PROFESSIONAL SERVICE CONTRACTS IN THE TOWNSHIP OF FRANKLIN, COUNTY OF GLOUCESTER

R-122-07

WHEREAS, Professional entities are exempt from established New Jersey Public bidding laws, specifically said exception being set forth under N.J.S.A. 40A:11-5; and

WHEREAS, the Township Committee of Franklin Township recognizes that there is a need for a fair and open process for the awarding of professional service contracts where those contracts and agreements are not subject to public bidding, in order to address the concerns of citizens regarding political contributions and to engender trust in the process of local government and to insure that quality public services are received; and

WHEREAS, the State of New Jersey has enacted N.J.S.A. 19:44A-20.5 which bars any municipality, agency or instrumentality thereof from entering into a contract in excess of $17,500.00 with a business entity that has made a political contribution reportable pursuant to N.J.S.A. 19:44A-1 et. seq. to any municipal committee of a political party in that municipality if a member of that political party is serving in an elective public office of that municipality when the contract is awarded or to any candidate committee of any person serving in an elective public office of that municipality when the contract is awarded unless said contract is awarded pursuant to a fair and open process consistent with N.J.S.A. 19:44A-1 et seq.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Franklin, County of Gloucester and State of New Jersey that a fair and open procedure for the award of professional service agreements is established as follows:

A. Any professional service entity or other business entity providing services to the Township of Franklin shall be subject to a fair and open process. That fair and open process shall be as set forth in section B below which shall establish the criteria for the fair and open process.

B. The fair and open process established by the Township of Franklin shall require the following:

(1) Any professional position or service contract not subject to bidding that shall expire as of December 31 of that calendar year shall be advertised by the Township Committee, appointing authority or Board as the case may be, in the official newspaper of the Township of Franklin for publication of notices, not later than December 10. The published notice shall set forth the name of the position or contract which is to become open, and set forth the criteria to be considered and materials required to be submitted by the applicant.

(2) The applicant shall submit a resume which shall set forth information including, but not limited to the following (as applicable to a business entity or individual professional):

(a) Full name and business address;

(b) A listing of all post high school education of the applicant;

(c) Dates of licensure in the State of New Jersey and any other State;

(d) A listing of any professional affiliations or memberships in any professional societies or organizations, with an indication as to any offices held therein;

(e) The number of licensed professionals employed by/affiliated with the business entity or the business entity which employs the applicant;

(f) A listing of all special accreditations held by the individual licensed

professional or business entity;

(g) A listing of all previous or current public entities served by the business entity or licensed professional, indicating the dates of services and position held.

C. The Township Committee, appointing authority or Board shall thereafter select the professional or business entity for the position so advertised based upon the most advantageous proposal price, experience and other factors considered which shall thereafter be confirmed or approved as required by resolution.

D. A copy of this Resolution shall be sent for filing by the Township Clerk with the Office of the Secretary of State, Charlene Worner and the Clerk shall subsequently publish a notice of the date of such filing in the official newspaper of the Municipality.

ADOPTED, at a regular meeting of the Township Committee of the Township of Franklin on Tuesday, June 12, 2007.

ATTEST: TOWNSHIP OF FRANKLIN

Carol Coulbourn
CAROL COULBOURN, CLERK

By: Pete Scapellatto
PETER SCAPELLATTO, MAYOR

CERTIFICATION

I, CAROL COULBOURN, CLERK of the Township of Franklin, in the County of Gloucester, do hereby certify that the foregoing Resolution was presented and duly adopted by the Township Committee at a meeting of the Franklin Township Committee held on Tuesday, June 12, 2007.

Carol Coulbourn
CAROL COULBOURN, CLERK

FILED
JUL 30 2007
NINA MITCHELL WELLS
SECRETARY OF STATE