

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO McCARTER & ENGLISH, LLP

WHEREAS, the Township of Livingston has a need to acquire Special Counsel to handle COAH litigation pursuant to the provisions of N.J.S.A. 19:44A-20.4 and 20.5; and,

WHEREAS, the Acting Township Manager has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the Township Council has determined that McCarter & English, LLP has provided COAH counsel services in prior years and has performed in a satisfactory manner; and

WHEREAS, McCarter & English, LLP has completed and submitted a Business Entity Disclosure Certification which certifies that McCarter & English, LLP has not made any reportable contributions to a political or candidate committee in the Township of Livingston in the previous one year, and that the contract will prohibit McCarter & English, LLP from making any reportable contributions through the term of the contract, and

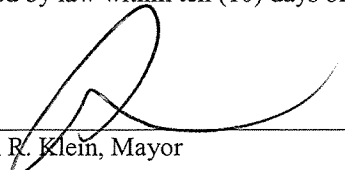
WHEREAS, the Acting Township Manager is recommending the award of a contract to McCarter & English, LLP to provide Special Counsel for COAH litigation as required by the Township at an hourly rate of \$245.00; and

WHEREAS, the Chief Financial Officer has certified that funds will be available in account 8-01-20-155-001-401, contingent upon sufficient funds being appropriated in the 2018 municipal budget.

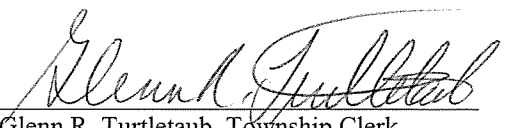
NOW THEREFORE, BE IT RESOLVED that the Township Council of the Township of Livingston authorizes the Acting Township Manager to enter into a contract with McCarter & English, LLP for the period of January 1, 2018 through December 31, 2018 in an amount not to exceed \$75,000.00 as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

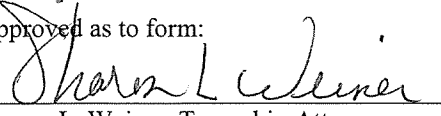
BE IT FURTHER RESOLVED that a notice of this action shall be printed in the West Essex Tribune as required by law within ten (10) days of its passage.



Shawn R. Klein, Mayor



Glenn R. Turteltaub, Township Clerk

Approved as to form:


Sharon L. Weiner, Township Attorney

Adopted: December 18, 2017

TOWNSHIP OF LIVINGSTON

CERTIFICATION OF AVAILABILITY OF FUNDS

This is to certify to the Township Council of the Township of Livingston that funds for the following resolutions will be made available for the following purpose:

Resolution Date: **12/18/2017**

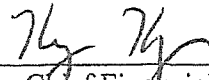
Resolution Number: **R-17-224**

Vendor: **McCARTER & ENGLISH, LLP**

Contract: **2018 COAH COUNSEL**

Account Number	Amount	Account Description
<u>2018:</u>		
8-01-20-155-001-401	\$ 75,000.00	LEGAL FEES

These amounts are contingent upon sufficient funds being appropriated in the 2018 Municipal Budget.



Chief Financial Officer