

ORDINANCE NO. 1, 2018

AN ORDINANCE FOR THE APPOINTMENT OF A MUNICIPAL ENGINEER IN THE CITY OF LINWOOD AND REPEALING ALL ORDINANCES HERETOFORE ADOPTED THE PROVISIONS OF WHICH ARE INCONSISTENT HEREWITH.

BE IT ORDAINED, by the Common Council of the City of Linwood, County of Atlantic and State of New Jersey as follows:

WHEREAS, the Common Council of the City of Linwood, pursuant to N.J.S.A. 40A:9-140 is desirous of providing for the appointment of a Municipal Engineer for the City of Linwood; and

WHEREAS, the City of Linwood has a need to acquire engineering services as a Municipal Engineer as a NON-FAIR AND OPEN contract pursuant to the provisions of N.J.S.A. 19:44A-20.4(or 20.5 as appropriate); and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the contract will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is three (3) years; and

WHEREAS, Vincent J. Polistina of the firm of Polistina Associates, LLC has submitted a proposal for engineering services dated December 8, 2017; and

WHEREAS, Vincent J. Polistina of the firm of Polistina Associates, LLC, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Vincent J. Polistina of the firm of Polistina Associates, LLC has not made any reportable contributions to a political or candidate committee in the City of Linwood in the previous one year, and that the contract will prohibit

Vincent J. Polistina of the firm of Polistina Associates, LLC from making any reportable contributions through the term of the contract; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq) requires that the Ordinance authorizing the award of contracts for "Professional Services", must be publicly advertised;

NOW, THEREFORE, BE IT ORDAINED, by the Common Council of the City of Linwood, County of Atlantic, State of New Jersey that:

1. The Common Council authorizes the Mayor to enter into a contract with Vincent J. Polistina of the firm of Polistina Associates, LLC as described herein; and,
2. That a certified copy of this Ordinance be forwarded to the Director of the Division of Local Government Services of the State of New Jersey.
3. That a copy of this Ordinance be published in the Press of Atlantic City as required by law, within ten (10) days of its passage.
4. That the attached certification showing availability of funds and specifying the exact line item appropriations which shall be charged is incorporated herein and attached hereto as though set forth herein verbatim.
5. That the Business Disclosure Entity Certification and the Determination of Value be placed on file with this ordinance.

BE IT FURTHER ORDAINED, that all Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies and should any section, clause, sentence, phrase or provision of any item in this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

This Ordinance shall take effect upon its final passage and publication as provided by law.

FIRST READING: January 5, 2018

PUBLICATION: January 10, 2018

PASSAGE: January 24, 2018

The within Ordinance was introduced at a meeting of the Common Council of the City of Linwood, County of Atlantic and State of New Jersey held on January 5, 2018 and will be further considered for final passage after a public hearing thereon at a meeting of said Common Council on January 24, 2018.

LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

RICHARD L. DEPAMPHILIS, III, MAYOR