

ADOPTED
NOV 22 2005

FILED
MAR - 7 2006
NINA MITCHELL WELLS
SECRETARY OF STATE

ORDINANCE # 05-40

**ORDINANCE ESTABLISHING A FAIR AND OPEN PROCESS FOR
THE AWARD OF PROFESSIONAL SERVICE AGREEMENTS**

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 Borough of Glassboro has recognized that there is a need for a fair and open process for the awarding of professional service contracts where other contracts and agreements are not subject to public bidding; and

WHEREAS, in order to address the concerns of taxpayers regarding political contributions and to engender trust in the process of local government and to insure that quality services are received by the Borough; 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.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Glassboro, County of Gloucester and State of New Jersey, that the Borough of Glassboro enact

an Ordinance to be known as an Ordinance Establishing a Fair and Open Process for the Award of Professional Service Agreements, and said Ordinance shall read as follows:

An Ordinance Establishing a Fair and Open Process for the Award of Professional Service Agreements

Prohibition Awarding Certain Public Contracts

Any other provision of the law to the contrary notwithstanding, the Borough, or any agency or instrumentality thereof, shall not enter into a contract having an anticipated value in excess of \$17,500.00 as determined in advance and certified in writing by the Borough, agency or instrumentality with a business entity that has made a political contribution that is reportable by the receipt under 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; and

A business entity that has entered into a Contract having an anticipated value in excess of \$17,500.00 with the Borough or any agency or instrumentality thereof, except a contract that is awarded pursuant to a fair open process, shall not make such a contribution reportable by the recipient under N.J.S.A. 19:44A-1 et seq. to any municipal committee of a political party in the Borough if a member of that political party is serving in an elective public office of the Borough when the Contract is awarded or to any candidate committee of any person serving in an elective public office of the Borough when the Contract is awarded, during the term of that Contract.

Fair and Open Process

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

B. The fair and open process established by the Borough of Glassboro 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 Mayor's Office, appointing authority or Board as the case may be, in the official newspaper of the Borough of Glassboro for publication of notices, and published on the Borough's website, 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) Should the applicant be a professional acquiring licensure in the State of New Jersey, said applicant shall be licensed for a period not less than five (5) years.

(3) The applicant shall submit a "Certificate of Good Standing" or other similar document evidencing that the professional's license is not presently suspended or revoked.

(4) 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 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;

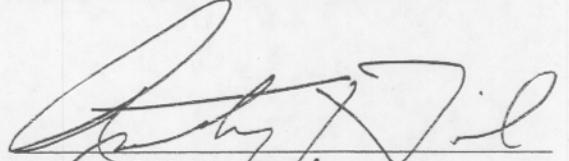
(f) A listing of special accreditations held by the individual licensed professional or business entity;

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

C. The Mayor, appointing authority or Board shall thereafter select the professional or business entity for the position so advertised which shall thereafter be confirmed or approved as required by law or Ordinance.

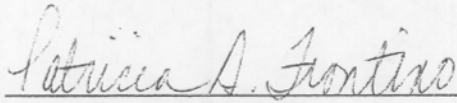
BE IT FURTHER ORDAINED, that this Ordinance will take effect after adoption and publication according to law.

BOROUGH OF GLASSBORO



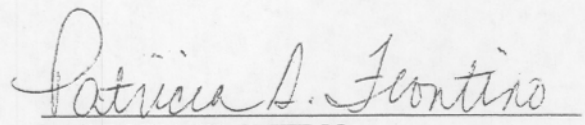
LEO McCABE, Mayor and/or
ANTHONY J. FIOLA, Acting Mayor

ATTEST:


PATRICIA FRONTINO,
Borough Clerk

CERTIFICATION

The foregoing Ordinance was introduced at a Regular Meeting of the Borough of Glassboro held on the 3rd day of November, 2005, and will be considered for final passage and amendment at a meeting to be held on the 22nd day of November, 2005, at 8:00 p.m. at the Municipal Building, 1 South Main Street, Glassboro, New Jersey, at which time any person interested therein will be given an opportunity to be heard.


PATRICIA FRONTINO,
Borough Clerk

AFFIDAVIT OF PUBLICATION

State of New Jersey
Gloucester County
SS:

PUBLIC NOTICE
BOROUGH OF GLASSBORO
NOTICE OF ADOPTION

AN ORDINANCE ESTABLISHING A FAIR AND OPEN PROCESS
FOR THE AWARD OF PROFESSIONAL SERVICE AGREEMENTS


The foregoing Ordinance was finally adopted by the Mayor
and Council of the Borough of Glassboro on November 22,
2005.

Patricia A. Frontino
Borough Clerk
Cost: \$16.10
(2400927) 11/27-11

Frank Gargano, being duly sworn, on his oath, says he is an agent of the South Jersey Newspapers Co., publishers of the "Gloucester County Times", a newspaper printed and published at Woodbury, State and County aforesaid, and that a notice of which the annexed is a true copy, was published in said newspaper for a period of one time(s), once each week, successively commencing on the 27th day of November, 2005.


.....
Business Manager

Sworn to and subscribed before
me this 29th day of November 2005


CYNTHIA J. FRAZIER
ROTARY PUBLIC OF NEW JERSEY
My Commission Expires May 12, 2006

AFFIDAVIT OF PUBLICATION

State of New Jersey

SS:

Gloucester County

PUBLIC NOTICE

BOROUGH OF GLASSBORO

NOTICE FOR SOLICITATION OF QUALIFICATIONS FOR PROFESSIONAL SERVICES UNDER A FAIR AND OPEN PROCESS

Notice is hereby given that sealed qualifications for professional services, not subject to bidding pursuant to N.J.S.A.40A:11-5, will be received by the Clerk of the Borough of Glassboro. The proposals must be submitted to the Borough Clerk at the Municipal Building, 1 South Main Street, Glassboro, New Jersey on or before December 12, 2005, by 4 p.m.

Proposals for the following professional services will be accepted:

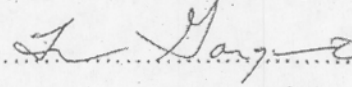
- Borough Labor Counsel
- Borough Engineer
- Borough Redevelopment Counsel
- Borough Planning Board Solicitor
- Borough Planning Board Planner
- Borough Planning Board Engineer
- Borough Planning Board Landscape Architect
- Borough Planning Board Traffic Consultant
- Borough Planning Board Environmental Engineer
- Real Estate Appraiser
- Architect
- Environmental Consultant
- Marketing Consultant
- Traffic Consultant
- Grant Consultant
- Risk Management Consultant
- Zoning Board Solicitor
- Zoning Board Planner
- Zoning Board Engineer
- Zoning Board Landscape Architect
- Zoning Board Traffic Consultant
- Zoning Board Environmental Engineer
- Board of Health Solicitor
- Public Defender
- Medical Health Care Provider
- Electrical Contractor
- Sign Contractor
- Housing/Rental Inspector
- General Construction Contractor

Each submission to be considered shall comport to the criteria set forth herein:

(1) Should the applicant be a professional acquiring licensure in the State of New Jersey, said applicant shall be licensed for a period not less than five (5) years.

(2) The applicant shall submit a "Certificate of Good Standing" or other similar document evidencing that the professional's is not presently suspended or revoked.

Frank Gargano, being duly sworn, on his oath, says he is an agent of the South Jersey Newspapers Co., publishers of the "Gloucester County Times", a newspaper printed and published at Woodbury, State and County aforesaid, and that a notice of which the annexed is a true copy, was published in said newspaper for a period of *one time(s)*, once each week, successively commencing on the 27th day of November, 2005.

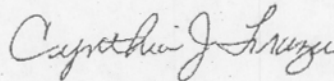


Business Manager

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CYNTHIA J. FRAZIER
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires May 12, 2006

AFFIDAVIT OF PUBLICATION

State of New Jersey

SS:

Gloucester County

PUBLIC NOTICE

BOROUGH OF GLASSBORO
ORDINANCE # - 05

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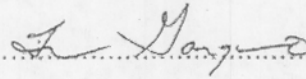
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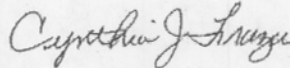
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Business Manager

Sworn to and subscribed before
me this 15th

day of November, 2005



CYNTHIA J. FRAZIER
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires May 12, 2008

- (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 special accreditations held by the individual licensed professional or business entity;
- (g) A listing of previous public entities served by the business entity or licensed professional, indicating the dates of services and position held.

C. The Mayor, appointing authority or Board shall thereafter select the professional or business entity for the position so advertised which shall thereafter be confirmed or approved as required by law or Ordinance.

BE IT FURTHER ORDAINED, that this Ordinance will take effect after adoption and publication according to law.

This Ordinance shall take effect thirty (30) days after final passage by Council or twenty (20) days after approval by the Mayor, whichever comes first.