

BOROUGH OF MENDHAM
BOARD OF HEALTH
MORRIS COUNTY, NEW JERSEY

RESOLUTION #02-2023

**RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES
CONTRACT WITHOUT COMPETITIVE BIDDING TO DORSEY AND SEMRAU LLC
FOR BOARD OF HEALTH ATTORNEY SERVICES**

WHEREAS, the Board of Health of the Borough of Mendham has a need to acquire professional Attorney services without competitive bidding pursuant to the provisions of N.J.S.A. 19:44A- 20.5; and

WHEREAS, the anticipated term of this contract is one (1) year; and

WHEREAS, Fred Semrau of Dorsey & Semrau, LLC has agreed to provide the Board of Health Attorney services for the calendar year 2023 in an amount not to exceed \$5,000; and

WHEREAS, Fred Semrau of Dorsey & Semrau, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Dorsey & Semrau, LLC have not made any reportable contributions to a political or candidate committee in the Borough of Mendham in the previous one year, and that the contract will prohibit Dorsey & Semrau, LLC from making any reportable contributions through the term of the contract; and

WHEREAS, the Board of Health desires to award the contract to Fred Semrau; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the Resolution authorizing the award of contracts for “professional services” without competitive bids and the contract itself must be available for public inspection.

THEREFORE, BE IT RESOLVED by Board of Health of the Borough of Mendham as follows:

1. The Board of Health hereby authorizes the execution of a professional services agreement with Fred Semrau of Dorsey & Semrau, LLC of Boonton, New Jersey as Board of Health Attorney for the year 2023.
2. This contract is awarded without competitive bidding as a “professional service” in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because said services are exempt from the provisions of the bidding statutes in that they are services rendered or performed by a person authorized by law to practice a recognized profession and are services which require knowledge of an advanced type in a field of learning acquired by a prolonged course of specialized instruction as distinguished from general academic instruction or apprenticeship and training.
3. The Business Entity Disclosure Certification, and the Determination of Value shall be placed on file with this resolution.
4. This Resolution is subject to the Chief Financial Officer certifying to the availability of funds in the amount as herein referenced.
5. A Notice of this action shall be published once in the official newspaper as required by law.
6. This Resolution shall take effect as provided herein

Dated: January 4, 2023

Attest:

Lauren McBride, Board Secretary

President, Board of Health